

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

Economic Development Subcommittee Meeting June 10, 2020

6:30 PM

Remote Meeting - Held on "Zoom" Platform

Announcements:

This meeting may be recorded by audio or video.

- [For link to Access the Meeting Click HERE](#) then click "Open Zoom"
 - Or copy and paste this URL into your browser: <https://us02web.zoom.us/j/81955187367>
- **Call-in Phone Number:** Call 1-929-205-6099 and enter Meeting ID 819 5518 7367 - then press "#"

Discussion:

1. Grants updates
 - a. Municipal Vulnerability Preparedness Assessment & Hazard Mitigation Plan
 - b. Update Market Analysis & Market Position Summary
 - c. CDBG COVID with Bellingham
2. Reopening Phase 2 update
3. Lot Line #4: Zoning Map Amendment on or Near Beaver and Oak Streets
4. Snow Removal Bylaw Proposal
5. Inclusionary Zoning Bylaw Proposal

This is a meeting of the Franklin Town Council Sub-Committee; under the Open Meeting Law, this subcommittee is a separate "public body" from the Town Council. Therefore, unless the Town Council has separately noticed and posted its own meeting, Councilors who are not members of this subcommittee will not be permitted to speak or otherwise actively participate @ this meeting, although they may attend and observe. This prohibition is necessary to avoid the potential for an Open Meeting Law Violation

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

355 EAST CENTRAL STREET, ROOM 120
FRANKLIN, MA 02038-1352
TELEPHONE: 508-520-4907
FAX: 508-520-4906

MEMORANDUM

TO: JAMIE HELLEN, TOWN ADMINISTRATOR
FROM: BRYAN W. TABERNER, AICP, DIRECTOR
**RE: ZONING BYLAW AMENDMENT 20-8X5, ZONING MAP CHANGES
TO BETTER DEFINE THE TOWN OF FRANKLIN'S ZONING DISTRICTS**
**CC: MARK G. CEREL, TOWN ATTORNEY; AMY LOVE, TOWN PLANNER;
CHRISSEY WHELTON, ASSISTANT TO THE TOWN ADMINISTRATOR**
DATE: MARCH 10, 2020

As you know the Department of Planning and Community Development (DPCD) and other Town staff are undergoing a multi-year project to better define the Town's zoning districts by following parcel lines. Where parcels are within two or more zoning districts, the Zoning District line is moved so each parcel is only in one zoning district, in most cases based on the current land use. Attached is a proposed Zoning Map Amendment that would change the Town's existing Zoning Map (Chapter 185, Section 5, of Franklin Town Code).

Zoning Bylaw Amendment 18-8X5: Zoning Map Changes from Rural Residential II and Single Family Residential III, Rural Residential II and Single Family Residential IV, Single Family Residential III, or Rural Residential II and Single Family Residential III, and Single Family Residential IV, to Rural Residential II, Single Family Residential III, or Single Family Residential IV, an area on or near Beaver and Oak Streets.

The attached Zoning Map Amendment includes the amendment document, a list of parcels proposed for rezoning, and a diagram with two maps: one showing the current zoning, and one showing proposed Zoning Map changes.

I recommend the Town Council's Economic Development Subcommittee discuss the proposed Zoning Map Amendment at their next meeting. If the Committee supports the proposed zoning map changes, the Zoning Map Amendment should be scheduled for a Town Council meeting in the near future for further consideration.

The proposed Zoning Map Amendment is a small part of the larger Town-wide project. Let me know if you have questions or require additional information.

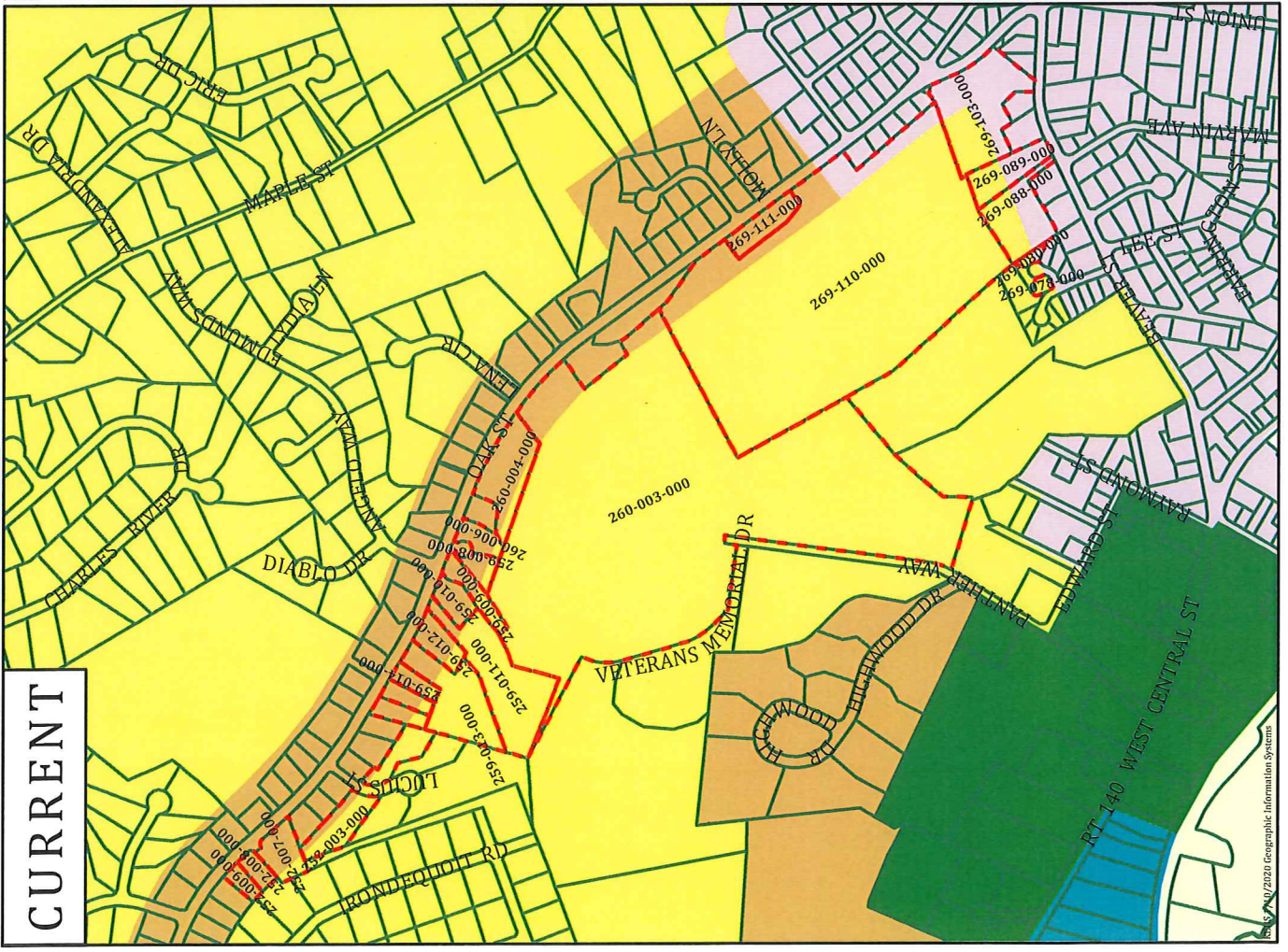
Proposed Zoning Map Changes

An Area On Or Near Beaver Street and Oak Street

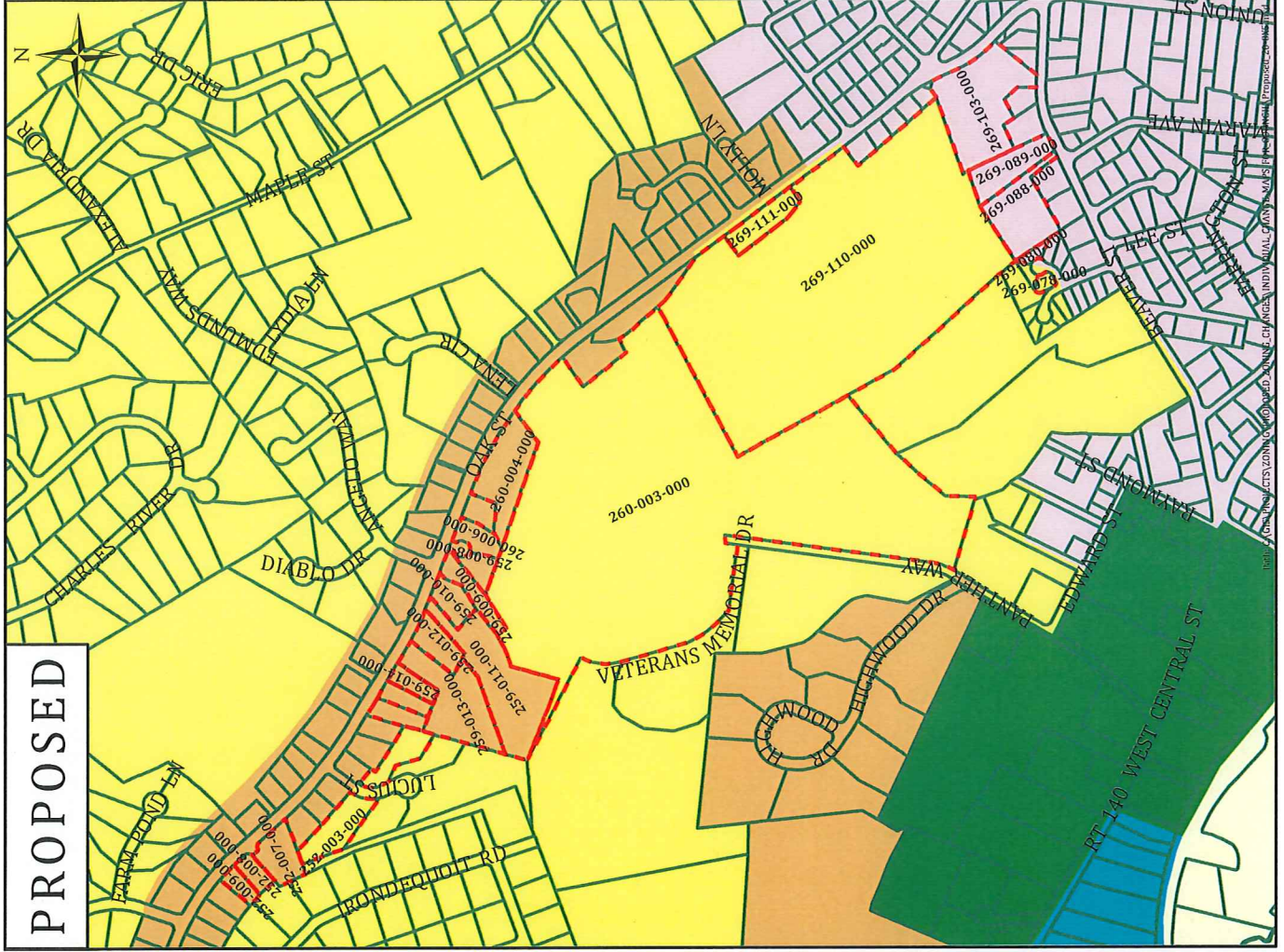
From Rural Residential II & Single Family Residential III, Rural Residential II & Single Family Residential IV, Single Family Residential III, or Single Family Residential IV, To Rural Residential II, Single Family Residential III, or Single Family Residential IV



CURRENT



PROPOSED



- Business
- Commercial II
- Rural Residential II
- Rural Residential III
- Single-Family III
- Single-Family IV

- Area of Proposed Change
- Parcel Line

20-8X5

Proposed Zoning Map Amendment 20-8X5

Purpose: Better define Zoning District boundaries by following parcel lines.

**From Rural Residential II & Single Family Residential III, Rural Residential II & Single Family Residential IV,
Single Family Residential III, or Rural Residential II, Single Family Residential III & Single Family Residential IV,
To Rural Residential II, Single Family Residential III, or Single Family Residential IV
An Area On Or Near Beaver and Oak Streets**

Parcel	Location	Size (acres)	Owners	From	To
252-003-000	5 Lucius Street	1.37400	James W & Joaneane L Rossetti	RRII & SFRIII	RRII
252-007-000	402 Oak Street	1.09800	Nicholas W & Deborah Saporoff	RRII & SFRIII	SFRIII
252-008-000	404 Oak Street	0.43550	Maureen T O'Brien, Maureen O'Brien Revocable TR	RRII & SFRIII	SFRIII
252-009-000	406 Oak Street	0.37650	Susan & Bernardo Carlucci	RRII & SFRIII	SFRIII
259-008-000	234 Oak Street	0.50290	Michael K & Kathleen M Donidan	RRII & SFRIII	SFRIII
259-009-000	340 Oak Street	0.73070	Patricia Walton L/E, Patricia Walton TR	RRII & SFRIII	SFRIII
259-010-000	344 Oak Street	0.81990	Charles F & Robin R Scully	RRII & SFRIII	SFRIII
259-011-000	346 Oak Street	4.00500	Ken O & Leslie K Wardrop	RRII & SFRIII	SFRIII
259-012-000	350 Oak Street	0.88800	Kevin E & Erina Guida	RRII & SFRIII	SFRIII
259-013-000	354 Oak Street	2.67000	William J Carragher	RRII & SFRIII	SFRIII
259-014-000	360 Oak Street	0.48000	David L & Annette Labonte	RRII & SFRIII	SFRIII
259-015-000	366 Oak Street	0.52340	Mark P & Teresa Tavalone	RRII & SFRIII	SFRIII
259-016-000	370 Oak Street	0.55100	John J & Joann Tavalone	RRII & SFRIII	SFRIII
259-018-000	6 Lucius Street	0.94400	Patrick III & Ellen B O'Reilly	RRII & SFRIII	RRII
260-003-000	218 Oak Street	50.01000	Town of Franklin	RRII & SFRIII	RRII
260-004-000	226 Oak Street	2.29700	Maryellen & Declan Forde	RRII & SFRIII	SFRIII
260-006-000	230 Oak Street	0.62300	John P & Patricia MacKinnon	RRII & SFRIII	SFRIII
269-078-000	2 JR's Lane	0.16820	Michael I & Jennifer K Micalone	RRII & SFRIV	RRII
269-080-000	7 JR's Lane	0.17090	Patricia M Christiani	RRII & SFRIV	SFRIV
269-088-000	69 Beaver Street	2.21400	Grace Baptist Church	RRII & SFRIV	SFRIV
269-089-000	57 Beaver Street	1.39800	Elie Abdilmasih	RRII & SFRIV	SFRIV
269-103-000	10 Daniel McCahill Street	4.16900	Town of Franklin	RRII & SFRIV	SFRIV
269-110-000	224 Oak Street	35.02700	Town of Franklin	RRII, SFRIII & SFRIV	RRII
269-111-000	Oak Street	1.04300	Town of Franklin	SFRIII	RRII
Total Area		112.51900			

RRII = Rural Residential II Zoning District

SFRIII = Single Family Residential III Zoning District

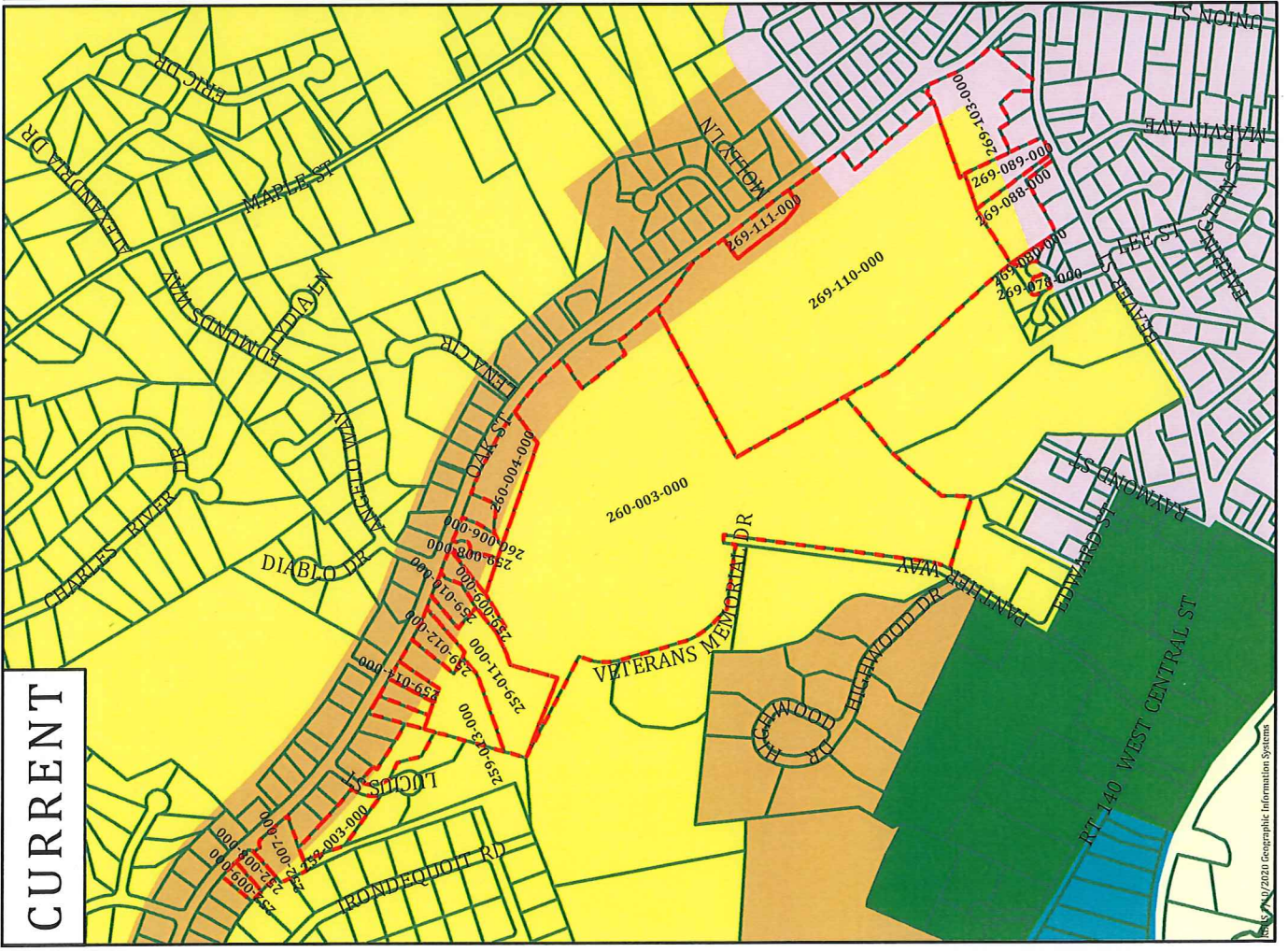
SFRIV = Single Family Residential IV Zoning District

Proposed Zoning Map Changes

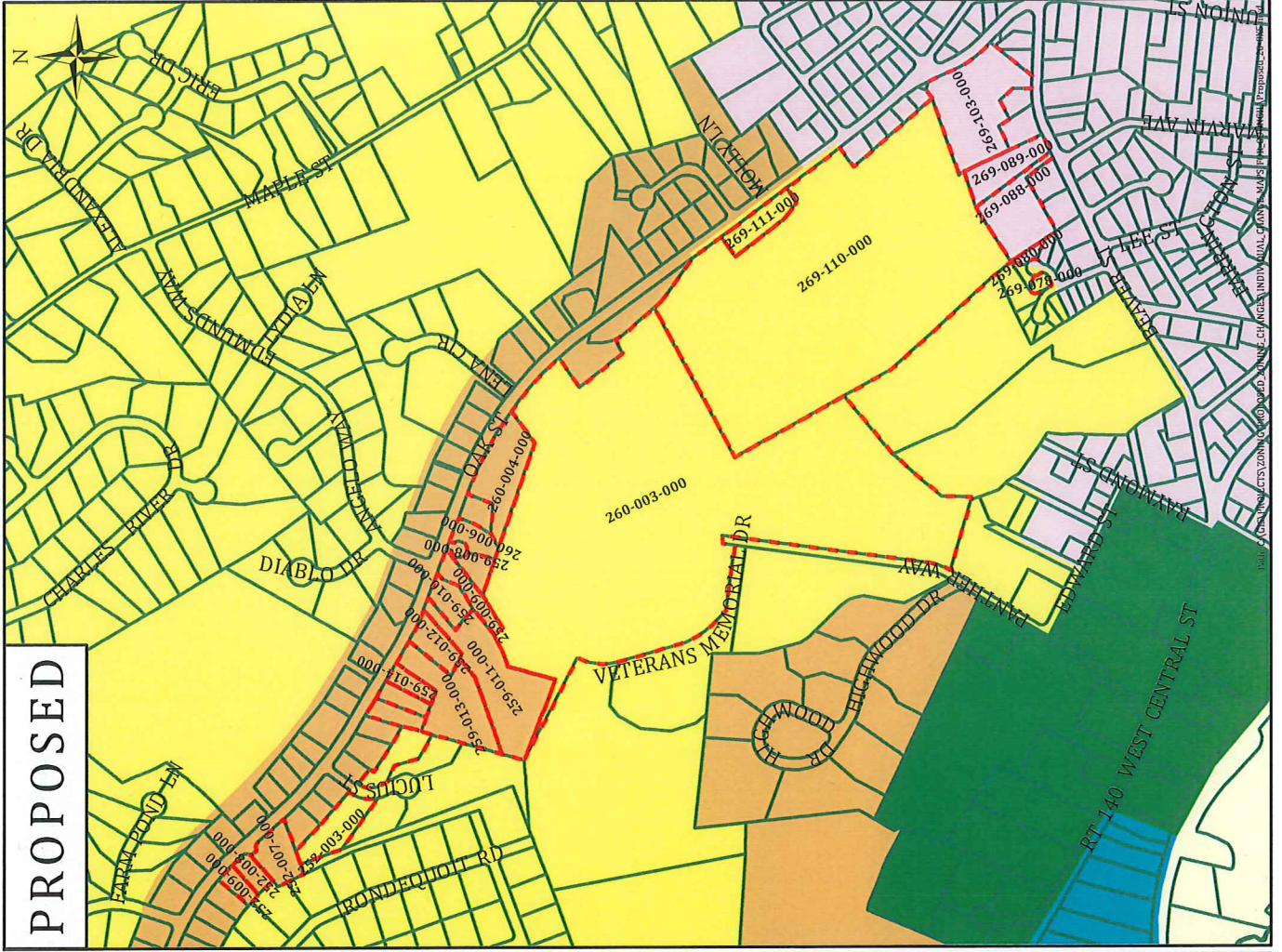
An Area On Or Near Beaver Street and Oak Street
 From Rural Residential II & Single Family Residential III, Rural Residential II & Single Family Residential IV, Single Family Residential III, or Single Family Residential IV, To Rural Residential II, Single Family Residential III, or Single Family Residential IV



CURRENT



PROPOSED



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- Rural Residential I
- Rural Residential II
- Single-Family III
- Single-Family IV

- Area of Proposed Change
- Parcel Line

20-8X5

Proposed Zoning Map Amendment 20-8X5

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SFRIV = Single Family Residential IV Zoning District

2/12/2020

RRII & SFRIII	SFRIII	RRII	SFRIV	RRII & SFRIV	SFRIII	RRII	RRII, SFRIII & SFRIV
1.37400							
1.09800							
0.43550							
0.37650							
0.50290							
0.73070							
0.61990							
4.00500							
2.67000							
0.48000							
0.52340							
0.55100							
0.94400							
50.01000							
	2.29700						
	0.62300						
	0.16920						
	0.17090						
	2.21400						
	1.39800						
	4.16900						
				1.04300			35.02700
52.22800	16.00090	0.16920	7.95190	1.04300	35.02700		112.51900

Rural Residential II & Single Family Residential III to Rural Residential II

Rural Residential II & Single Family Residential III to Single Family Residential III

Rural Residential II & Single Family Residential IV to Rural Residential II

Rural Residential II & Single Family Residential IV to Single Family Residential IV

Single Family Residential III to Rural Residential II

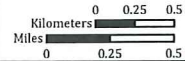
Rural Residential II, Single Family Residential III & Single Family Residential IV to Rural Residential II



Franklin MASSACHUSETTS

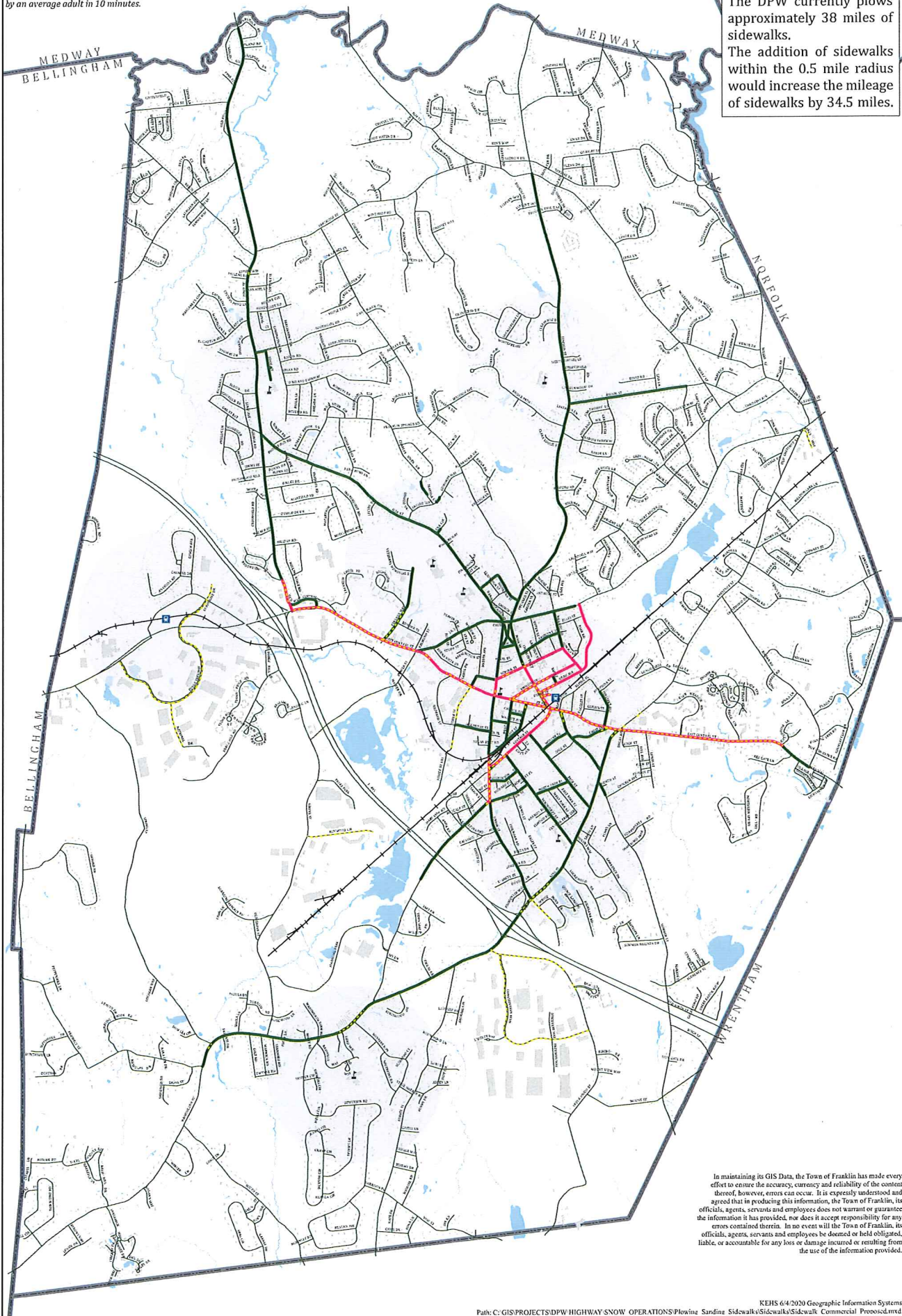
- Commercial Sidewalks
- Proposed Sidewalk Snow Removal by Property Owner
- Sidewalks Plowed by the DPW
- 0.5 mile radius* of a Train Station or School
- Street

- School
- Train Station
- Structure
- Water
- Municipal Boundary



*The 0.5 mile radius is based on the distance walked by an average adult in 10 minutes.

The DPW currently plows approximately 38 miles of sidewalks. The addition of sidewalks within the 0.5 mile radius would increase the mileage of sidewalks by 34.5 miles.



In maintaining its GIS Data, the Town of Franklin has made every effort to ensure the accuracy, currency and reliability of the content thereof, however, errors can occur. It is expressly understood and agreed that in producing this information, the Town of Franklin, its officials, agents, servants and employees does not warrant or guarantee the information it has provided, nor does it accept responsibility for any errors contained therein. In no event will the Town of Franklin, its officials, agents, servants and employees be deemed or held obligated, liable, or accountable for any loss or damage incurred or resulting from the use of the information provided.

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

January 3, 2020

To: Town Council
From: Jamie Hellen, Town Administrator

Re: Bylaw Amendment 20-848: Add Chapter 147, Snow and Ice Removal

Based on some feedback and conversations at a recent Finance Committee meeting, some of you, as well as some in the community, have asked for the Town to discuss reinstating the snow bylaw where businesses are expected to shovel snow off sidewalks in front of their premises.

The original bylaw was adopted in 1975 and the Council repealed this bylaw in 2017 at the request of the previous Administrator due to the difficulty in enforcing the bylaw. I have attached the packet materials from those discussions at the time, where the debate surrounded around better enforcement or repeal the bylaw altogether.

However, in the two years since, it is becoming increasingly important to ensure a safe pathway on sidewalks for pedestrians, as well as good practice for inviting business to stores. With the challenges we face in snow and ice removal due the decline in contractors seeking work as snow plow drivers, this bylaw will have a positive impact in asking everyone to chip in a little. The proposal before you will have a positive effect for the mobility of pedestrians, most notably on the main arteries in the Downtown and Franklin Crossing.

The draft before you this evening is the exact bylaw that was approved in 1975 with one exception: a revised enforcement section. The previous bylaw had no enforcement provision other than a standard \$25 fine and did not designate any public officials to enforce it. I am proposing that the violations in this bylaw mirrors the exact same violations section in our lawn watering bylaws to make them consistent. Notice the focus on a first violation as an educational tool. The DPW and I have spoken about financial penalties numerous times before: we are not looking to issue financial fines. We use these tools as a way to educate to make the community better. I have also added a sentence of public officials who are required to enforce.

If you have any additional questions please feel free to ask.

OFFICE OF THE TOWN ADMINISTRATOR



MEMORANDUM

DATE: December 23, 2016
TO: Town Council
FROM: Jeffrey D. Nutting, Town Administrator
RE: Chapter 147, Snow and Ice Removal

Chapter 147 of the Town Code requires owners of businesses that abut a public way to clear the sidewalks within 12 hours after a snow storm. This bylaw has not been enforced for a long time.

While I was not around in 1975 when the bylaw was adopted my guess is that it focused on the Downtown. Now with the businesses all along Route 140, the two industrial parks, Union Street, Kenwood Circle, Earls Way, West Central Street after 495, etc. it would seem impractical for each business to plow their section of the sidewalk. Does the Town Council want to consider repealing the by-law?

I am happy to answer any questions that you may have.

cc: Mark Cerel, Town Attorney

CW/2016TAMEMOS



TOWN OF FRANKLIN

DEPARTMENT OF PUBLIC WORKS

257 Fisher Street
Franklin, MA 02038

November 12, 2015

Mr. Jeffrey Nutting, Town Administrator
Town of Franklin
355 East Central Street
Franklin, MA 02038

Re: Chapter 147. Snow and Ice, Removal of

Dear Jeff,

On January 10th, 1975 the Franklin Town Council adopted a bylaw, Chapter 147, which requires that businesses remove snow and ice from the sidewalks that abut public way within a specific time frame or they may be fined. Specifically it states:

147-1. Time limit for Removal.

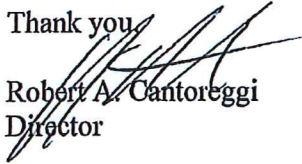
Owners of premises in which business may be conducted and which premises abut a public way shall, within 12 hours after a snowstorm, remove all accumulations of snow and ice from the sidewalk in front of said premises.

147-2. Violations and penalties.

Whoever violates the provision of § 147-1 above shall forfeit and pay for each violation a fine not exceeding \$25.

This bylaw has not been enforced in my tenure at DPW Director. I respectfully suggest that we come up with a plan for enforcement or remove it from the Town Code.

Thank you,


Robert A. Cantoreggi
Director

CC: Deacon Perrotta, Director of Operations
Carlos Rebelo, Highway and Grounds Superintendent
Mark Cerel, Town Attorney
File



**TOWN OF FRANKLIN
BYLAW AMENDMENT 20-848
ADD CHAPTER 147, SNOW AND ICE, REMOVAL OF**

A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 147.

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL that the Code of the Town of Franklin is amended by adding Chapter 147 Snow and Ice, Removal of, as follows,

**Chapter 147: Snow and Ice, Removal of
§147-1 Time limit for removal.**

Owners of premises in which business may be conducted and which premises abut a public way shall, within 12 hours after a snowstorm, remove all accumulations of snow and ice from the sidewalk in front of said premises.

§147-2 Enforcement and Penalties.

Any violation of this article shall subject the violator to a fine as follows:

1. First Violation (Within calendar year): a written warning.
2. Second Violation: a fine of \$50.
3. Every violation thereafter: a fine of \$200.

Each day that a violation continues shall constitute a new and separate offense.

This bylaw shall be enforced by the Town Administrator, Public Works Director, Chief of Police, or any of their designees.

This bylaw amendment shall become effective in accordance with the provisions of the Franklin Home Rule Charter.

DATED: _____, 2020

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

**Teresa M. Burr, CMC
Town Clerk**

**Glenn Jones, Clerk
Franklin Town Council**

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

355 EAST CENTRAL STREET, ROOM 120
FRANKLIN, MA 02038-1352
TELEPHONE: 508-520-4907
FAX: 508-520-4906

MEMORANDUM

TO: ECONOMIC DEVELOPMENT SUBCOMMITTEE: MELANIE HAMBLÉN, CHAIR; COUNCILOR ANDY BISSANTI, COUNCILOR GLENN JONES, COUNCILOR EAMON MCCARTHY EARLS

FROM: BRYAN W. TABERNER, AICP, DIRECTOR

RE: INCLUSIONARY ZONING

CC: JAMIE HELLEN, TOWN ADMINISTRATOR; MARK G. CEREL, TOWN ATTORNEY; AMY LOVE, TOWN PLANNER; MAXINE KINHART, AFFORDABLE HOUSING COORDINATOR; CHRISSE WHELTON, ASSISTANT TO THE TOWN ADMINISTRATOR

DATE: JUNE 6, 2020

At the April 27, 2020 Economic Development Subcommittee meeting the Town Administrator and Director of Planning and Community Development presented a proposal for an Inclusionary Zoning Bylaw, which if passed would require all housing developments of 3 or more units to include an affordable housing component. The substantial input provided by Subcommittee members and others in attendance at the April 27th meeting has been documented and carefully considered; the majority of the input received related to possible development incentives.

The Department of Planning and Community Development (DPCD) and other Town staff have assessed the input received on each issue, conducted research on several important topics, and developed a summarized response for each of the main issues discussed. In addition, DPCD has developed an assessment of possible alternatives to the Inclusionary Zoning Bylaw presented in April. With your permission DPCD staff will provide a quick summary of this work at the next Subcommittee meeting on June 10th.

For the Subcommittee meeting on April 27th the Town Administrator distributed a memo dated April 24, 2020; the memo and the draft Inclusionary Zoning Bylaw are attached for your reference. The memo provided a good summary of the IZ bylaw and why it is being proposed. Below is additional information to help clarify a few issues.

Current Affordable Housing Goals. It's important to understand what the Town's goals are related to Inclusionary Zoning and affordable housing in general. At a Municipal Affordable Housing Trust meeting in January 2018 DPCD staff presented recommended goals for inclusion in the Town's Affordable Housing Production Plan (HPP):

1. Maintain Franklin's Subsidized Housing Inventory (SHI) above ten percent through 2020 and beyond, per Chapter 40B of the MGL
2. Increase the production of affordable housing units to meet existing and anticipated housing and employment needs.
3. Increase the number of housing units affordable to Franklin's low and moderate income residents.

The Goals have not been formally adopted by the Town, but they are a good summarized representation of the affordable housing goals detailed in the Town's 2013 Master Plan, and provide a guide to meeting the Town's affordable housing needs. Without passage of an Inclusionary Zoning bylaw, meeting these goals is not likely.

Inclusionary Zoning (IZ) Alternatives. Inclusionary Zoning Bylaws are affordable housing ordinances that either mandate housing developments contain affordable housing units, or provide developers with incentives to provide affordable units. The draft Inclusionary Zoning Bylaw discussed at the April 27th meeting is a strictly mandatory approach to IZ; if a developer wants to permit and construct a multifamily housing development they must provide 25% Inclusionary Units (15% Affordable Units, and 10% Moderate Income Units).

Incentive-based approaches normally involve a density bonus of market-rate units for the affordable units. Normally in this case a certain number of multifamily housing units are allowed by right, but if a larger development is desired a certain percentage of units will be affordable, and a certain number or percent of additional market rate units are allowed. In situations where a community is trying to create a substantial number of affordable housing units, additional incentives may be offered. These potential incentives are discussed below.

Input, Suggestions & Questions from the April 27th Meeting:

1. If developer is not able to sell the affordable unit, can they become market rate units?

It may be possible, but it's not easily accomplished. All Inclusionary Units (25%) would be subject to affordable housing deed restrictions, as well as a regulatory agreement in a form acceptable to the Town (Planning Board; Town Attorney; Town Council). In addition, the Affordable Units (15%) would be further restricted by guidelines issued by the Department of Housing and Community Development to ensure they would be counted toward the Town of Franklin's Subsidized Housing Inventory. And the Special Permit, Deed Restrictions, and Regulatory Agreement will be recorded at the Registry of Deeds.

2. Could developers instead contribute to a Housing Fund?

Contributions to housing funds are fairly common. In fact the first drafts of the IZ Bylaw included a section called "Fees-in-Lieu-of Affordable Housing Unit Provision", which established a way for developers to pay the Town of Franklin's Municipal Affordable Housing Trust "fees-in-lieu of the construction of affordable units". The fee-in-lieu-of-units concept was removed because the calculation of the fee per unit can be difficult, and the Town will not likely gain as many Inclusionary Units (especially the Affordable Units) by allowing this option. In other words, the financial contribution rarely equals the housing produced. Furthermore, having the municipality involved in housing production at a large scale offers significant administrative and personnel challenges and potential liabilities on the Town.

However, this model has had success in Franklin in the past. The Town would not be at its 10% goal without the Municipal Affordable Housing Trust's working the last 3 decades. However, the rapid rise of housing values in the last decade have proven increasingly difficult to generate the revenue in fees to actually produce or renovate units on the ground.

3. Possibly have a development of 10 or more units before IZ starts?

This is certainly a possibility; some communities do not require affordable units for multifamily developments under a certain size (must be 5 or more units, or 8 or more). DPCD does not recommend this approach. The Town is trying to create a scenario that will keep Franklin above 10% affordable (SHI) for at least another decade; to accomplish this it needs to make sure all multifamily developments have an affordable housing component, not just the big ones. Not all, but some developers will attempt to get around inclusion of affordable units. For example, a developer wanting to put 35 units on 2 or 3 acres of land could subdivide and end up with a short roadway and cul-de-sac with 4 or 5 buildable lots, each with 8 or 9 apartments.

4. What are the difference between 40B and IZ?

There are similarities in that both are attempts to create affordable housing using a regulatory structure. You may want to think of 40B as the State's version of IZ. Chapter 40B uses incentives to attract developers to create multifamily housing developments that contain 25% affordable housing units, and all units are counted toward the Town's SHI. The incentives include elimination of most Zoning Bylaw regulations. An Inclusionary Zoning Bylaw would be a new section of the Town's Zoning Bylaw, which would regulate development of multifamily housing through various use and dimensional regulations.

5. Can Planning Board waive the 25% or reduce the 25%?

The current draft of the IZ bylaw does not specify, so no. An additional section could be added allowing reduction in the number of inclusionary Units, but DPCD does not recommend. Once Planning Board reduces the number or percent required, additional developers will expect the same.

6. Incentives.

As mentioned above the majority of the input received at the April 27th meeting related to possible development incentives. Below is a summary of potential incentives mentioned:

- a. **Waiving development related fees charged by the Town (I&I fees, sewer & water connection fees).** The Planning Board does not have the authority to waive these fees. If a developer wishes to have these fees waived the Town Council would need to be petitioned. DPCD staff does not recommend waiving all or even a small portion of these fees to incentivize housing development, unless the project is very special to the community. Given the high costs of constructing and maintaining infrastructure, every dollar is needed.
- b. **Override certain requirements of Zoning Bylaw.** Currently the Planning Board can waive or reduce certain Zoning Bylaw requirements, but not all. The most common example is allowing a reduced number of parking spaces for certain type projects. The Planning Board may waive other requirements, but developers frequently don't get all they ask for.
- c. **Allow additional stories to increase the size of the development for Affordable housing.** The Planning Board cannot currently allow additional stories, unless a developer receives a special permit for that purpose. Additional stories are not allowed by special permit in all zoning districts.
- d. **Increase units allowed to build. For instance if 5 units are allowed without affordable housing, allow 10. Allow high density for affordable units.**

As mentioned above allowing additional market rate units (density bonus) for the construction of affordable units is very common. This is a concept Franklin should seriously consider. However, currently up to 1 unit per 1,000 sf of lot area may be allowed by a Planning Board special permit. That's already a very dense development for a community like Franklin. To provide density bonuses to incentivize affordable housing the Town needs to look at amending the housing unit density currently allowed in the Commercial I (CI) and General Residential V (GRV) Zoning Districts. A proposal with these changes is included near the end of this document.

e. Tax Increment Financing (TIF)

Not mentioned at the April 27th meeting, but definitely worth including in this list is Tax Increment Financing. For housing developments this comes in a couple different forms.

Massachusetts Economic Development Incentive Program (EDIP). One of the most attractive incentives that a Massachusetts community can offer businesses is a Tax Increment Finance (TIF) agreement. A tax increment finance agreement is a multi-

year property tax exemption based on the increased value of the property due to new construction or significant improvements. In order for a business or property owner to qualify for a tax increment finance agreement, the business' project must be designated as a "Certified Project" by the Economic Assistance Coordinating Council (EACC). The Town of Franklin can, but never has provided a TIF for a housing development.

Workforce Housing Special Tax Assessments (WH-STA's). Under MGL Chapter 40, Section 60B, Franklin could provide developers/property owners a Workforce Housing Special Tax Assessment (WH-STA) as incentive to create middle-income housing. This is similar to a TIF, as it is a multi-year property tax exemption, but the Town does not require EACC (state) approval.

An additional State program that could incentivize developers to create affordable housing units is Chapter 40R.

Chapter 40R: Smart Growth and Housing Production. Under MGL Chapter 40R, Franklin could create special zoning districts that encourage smart growth and increased housing production. 40R requires establishment of either a smart growth zoning district, or a starter home zoning district.

These programs can make a big difference to a housing developer under certain circumstances. Happy to discuss these further at another time.

Currently Allowed Housing Density in CI and GRV

As mentioned above on the previous page to provide density bonuses to incentivize affordable housing the Town needs to look at amending the housing unit density currently allowed in the CI and GRV Zoning Districts. Currently up to 1 unit per 1,000 sf of lot area may be allowed by Planning Board special permit. That's 43.56 units per acre. A five acre project could include as many as 218 housing units. It has been pointed out that rarely is that density approved by the Planning Board, but it is a possibility.

While developing the IZ bylaw that was presented to the Subcommittee in April, a decision was made to focus on creating an IZ bylaw first, and once approved, begin looking at the density issue. However, in order to create an IZ bylaw that contains an incentive-based approach the Town will need to address the housing unit density issue in CI and GRV at the same time.

DPCD recommends the Town thinks creatively and develop an IZ bylaw that utilizes a mix of mandatory and incentive based IZ approaches. To do this two Zoning Bylaw Amendments will be required: the first being a change to the housing density allowed by-right and or by special permit, and the second being a standalone IZ bylaw, which has already been created. Below are concepts for consideration.

Density-Based Inclusionary Zoning Concepts for Consideration

Below is an assessment of housing density related concepts, which has been performed by asking questions, and showing examples for consideration.

A. Should a certain number of multifamily housing units be allowed by right, in certain zoning districts?

The Town may want to consider allowing by right a fairly low density development that does not require affordable units. For example:

Up to 1 housing unit per 5,000 SF of lot area (8.73 units per acre) by right in CI, and 1 housing unit per 8,000 SF of lot area (5.46 units per acre) by right in GRV.

B. Should a certain number of multifamily housing units be allowed by right in certain zoning districts, if they include a certain number of affordable units?

The Town may want to consider allowing by right a fairly low density development similar in size to what is proposed above, but requiring 25% Inclusionary Units. For example:

Up to 1 housing unit per 8,000 SF of lot area (5.46 units per acre) by right in CI and GRV if the development includes 25% inclusionary units.

C. Should a certain number of multifamily housing units be allowed by right, additional units by right if 25% affordable, and even more units possible by Planning Board Special Permit.

This option gives a developer a certain number of multifamily units by right, additional units by right if 25% affordable, and even more units possible by Planning Board Special Permit. For example:

Up to 1 housing unit per 10,000 SF of lot area (4.37 units per acre) by right; up to 1 housing unit per 5,000 SF of lot area (8.73 units per acre) by right where at least 25 percent affordable dwelling units are provided. Additional dwelling units (1 housing unit per 2,000 SF of lot area (21.825 units per acre) may be allowed by Special Permit from the Planning Board.

This last option is definitely worth pursuing as it gives the developer by-right options for their property, but creates a substantial number of affordable housing units for denser developments.

DPCD also would like the Town to consider adding the following to the Zoning Bylaw's use regulations: "All multi-family residential developments of more than 6 units require a minimum of 2 acres in GRV."

DPCD realizes there is much in this document to consider, but it believes this is a good start toward continuing dialogue in the community about development of an IZ bylaw that utilizes a mix of mandatory and incentive based IZ approaches, while at the same time amending the housing density allowed in CI and GRV is the way to go. We will happily create the additional Bylaw Amendment for presentation at your next Subcommittee meeting.