



FRANKLIN TOWN COUNCIL

December 21, 2016

7:00 PM

A. APPROVAL OF MINUTES

B. ANNOUNCEMENTS –

1. *This meeting is being recorded by Franklin TV and shown on Comcast channel 11 and Verizon channel 29. This meeting may also be recorded by others.*

C. PROCLAMATIONS/RECOGNITIONS – *Swearing in of Fire Lieutenant*

D. CITIZEN COMMENTS – *Citizens are welcome to express their views for up to five minutes on a matter that is not on the Agenda. The Council will not engage in a dialogue or comment on a matter raised during Citizen Comments. The Town Council will give remarks appropriate consideration and may ask the Town Administrator to review the matter.*

E. APPOINTMENTS

F. HEARINGS – *Zoning Bylaw Amendment 16-775: Amendment - Zoning Map Changes from Rural Residential I to Residential VII an Area on Summer Street- 7:10 PM*

G. LICENSE TRANSACTIONS

H. PRESENTATIONS/DISCUSSIONS

I. SUBCOMMITTEE REPORTS

J. LEGISLATION FOR ACTION

1. *Resolution 16-80: Appropriation Public Safety Antennas (majority vote)*
2. *Resolution 16-82: Acceptance of Gift - Fire Department (majority vote)*
3. *Zoning Bylaw Amendment 16-775: Amendment to Chapter 185 Section 5 Zoning Map Changes from Rural Residential I to Residential VII an Area on Summer Street – 1st Reading (Motion to move bylaw amendment 16-775 to a 2nd Reading (majority vote))*
4. *Bylaw Amendment 16-776: Amendment to Chapter 82, Municipal Service Fees – 2nd Reading (Motion to approve bylaw amendment 16-776, Municipal Service Fees (majority Roll Call Vote))*
5. *Bylaw Amendment 16-777: Amendment to Chapter 151, Solid Waste and Recycling – 2nd Reading (Motion to approve bylaw amendment 16-777, Solid Waste and Recycling (majority Roll Call Vote))*
6. *Resolution 16-75: Adoption of G.L. Chapter 64N Section 3 Local Tax on Marijuana Retail Sales and Establishment of Tax Rate (majority vote)*
7. *Zoning Bylaw Amendment 17-779: Changes to Chapter 185 Section 3 Definitions- Referral to Planning Board (majority vote)*
8. *Zoning Bylaw Amendment 17-780: Changes to Chapter 185 Section 4 Districts Enumerated - Referral to Planning Board (majority vote)*
9. *Zoning Bylaw Amendment 17-781: Changes to Chapter 185 Section 5 Zoning Map - Referral to Planning Board (majority vote)*
10. *Zoning Bylaw Amendment 17-782: Changes to Chapter 185 Section 7 Compliance required - Referral to Planning Board (majority vote)*
11. *Zoning Bylaw Amendment 17-783: Amendment to Chapter 185 Section 49 Marijuana Use Overlay District – Referral to Planning Board (majority vote)*

- K. TOWN ADMINISTRATOR'S REPORT**
- L. FUTURE AGENDA ITEMS**
- M. COUNCIL COMMENTS**
- N. EXECUTIVE SESSION**
- O. ADJOURN**



Swearing In

of

Franklin Fire Lieutenant Keith Darling

HEARING – 7:10 PM

1. ZONING BYLAW AMENDMENT 16-775:
AMENDMENT – ZONING MAP CHANGES
FROM RURAL RESIDENTIAL I TO
RESIDENTIAL VII AN AREA ON SUMMER
STREET

SPONSOR: *Hunchard*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 16-775
ZONING MAP CHANGES FROM RURAL RESIDENTIAL I TO
RESIDENTIAL VII AN AREA ON SUMMER STREET
A ZONING BY-LAW AMENDMENT TO THE CODE OF THE TOWN OF
FRANKLIN AT CHAPTER 185 SECTION 5, ZONING MAP**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

The Code of the Town of Franklin is hereby amended by making the following amendment to §185-5, Zoning Map:

By changing from Rural Residential I to Residential VII an area containing 10.810± acres, comprising of the following parcel of land as shown on the Town of Franklin's Assessor's Maps: Parcel Number 302-008-000.

The area to be rezoned is shown on the attached zoning map (“Zoning Map - Rural Residential I to Residential VII”).

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2016

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

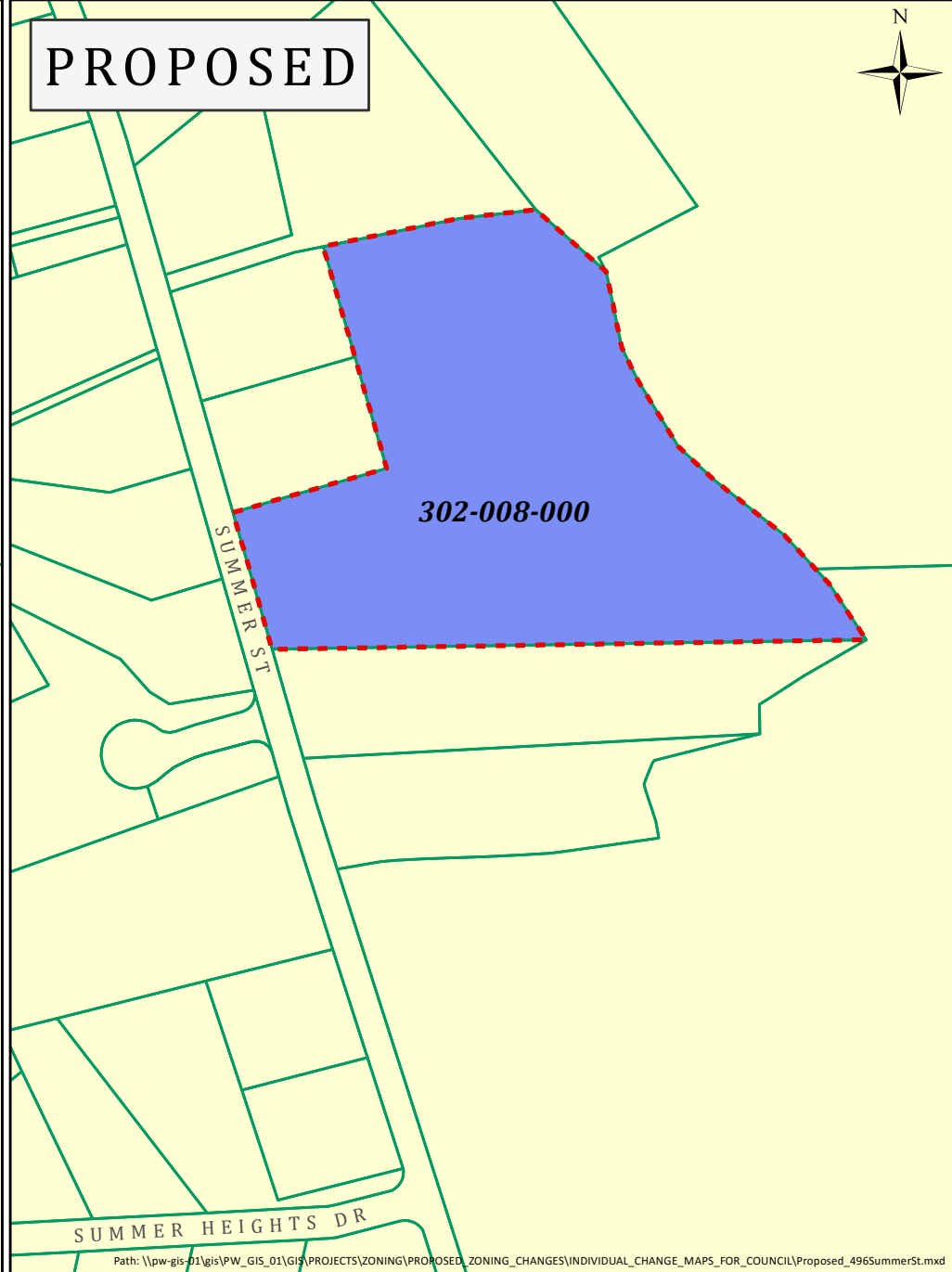
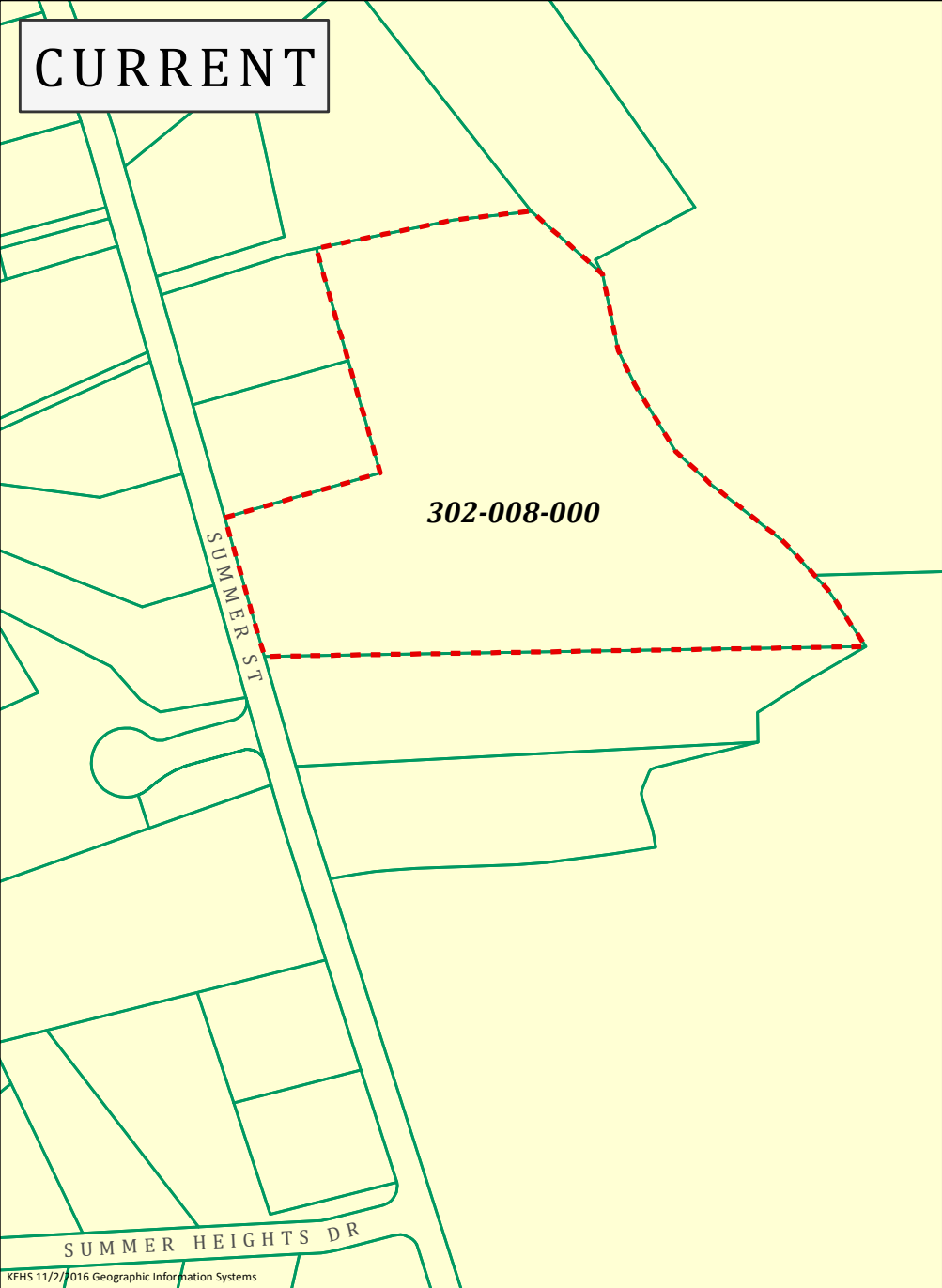
Judith Pond Pfeffer, Clerk

Proposed Zoning Map Changes

Rural Residential I to Residential VII

-  Residential VII
-  Rural Residential I
-  Area of Proposed Change
-  Parcel Line

0 200 400 800 Feet




Office of the Town Administrator



MEMORANDUM

Date: September 29, 2016

To: Town Council

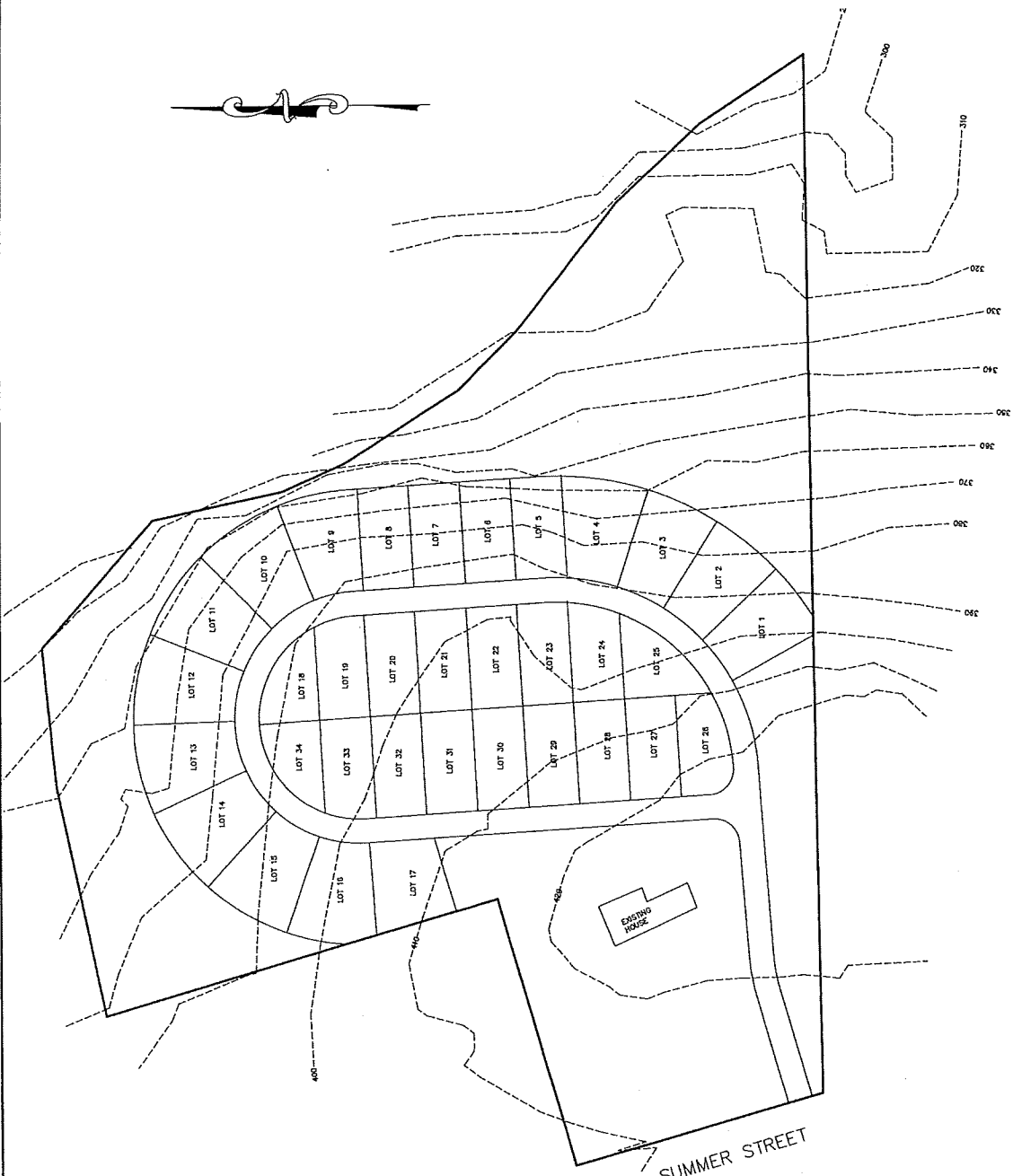
From: Jeffrey Nutting, Town Administrator 

Subject: Citizens request to have his land rezoned from Residential One (R1 to Residential Seven (R7))

We have received a request from the owner of 10 acres of land at 496 Summer Street to have the Council consider changing the zoning from R 1 which allows one house for every 40,000 square feet of land and has 200 feet of Frontage to R 7 which allows 4 units of housing for every 40,000 square foot of land or four times the density of R1. Any development of the property would require a water and sewer extension. The sewer is nearby on Summer Street and the water line is several hundred feet down the road. (See map)

R7 was created in 2013 to allow for the "Cooks Farm Development" that is currently under construction on Route 140 at and near the Franklin County Club.

Zoning is a policy matter for the Town Council. You should note that I have also received a phone call from another developer indicating he was interested in having a parcel of land rezoned to R7 as well. Please find attached my memo from a few weeks ago, a zoning map, a water/sewer map, a proposed plan of the development, and general information about R7. I am happy to answer any questions you may have.



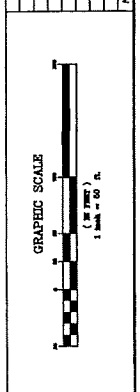
REFERENCES:
 1. PERIMETER TAKEN FROM PLAN
 BY WILLIAM ROSETTI
 2. TOPOGRAPHY AND EXISTING
 HOUSE TAKEN FROM FRANKLIN
 GIS.

STEVENS PLAN
 496 SUMMER STREET
 FRANKLIN, MASSACHUSETTS
 FOR
 GRANDIS HOMES
 400 FOXBOROUGH BLVD. UNIT 8808
 FOXBOROUGH, MASSACHUSETTS
 PROJECT DATE: APRIL, 2015
 SCALE: 1" = 50'

UNITED CONSULTANTS INC.		DATE: APRIL, 2015
860 FRANKLIN STREET SUITE 110		SCALE: 1" = 50'
WILMINGTON, MASSACHUSETTS 02095		PRODUCT: UC-496-SUM
800-361-8666 FAX 508-361-8668		SHEET: 1 of 1

DATE	FIELD BY:	INT.
4/7/15	FIELD BOOK	PG#
4/7/15	CALCS BY:	RCG
4/7/15	DESIGNED BY:	RCG
4/7/15	DRAWN BY:	RCG
4/7/15	CHECKED BY:	RCG


NO.	DATE	DESCRIPTION	BY



OFFICE OF THE TOWN ADMINISTRATOR



MEMORANDUM

Date: September 7, 2016
To: Town Council
From: Jeffrey D. Nutting, Town Administrator 
Re: Proposed Agenda Item about Zoning Game Plan

Lately, I have been approached by landowners/developers (L/D) seeking my opinion on whether the Town will provide a zoning change so they can develop their land into Condos, Apartments and Zone 7 (which allows 4 times the density of Rural Residential zoning). All the requests require a zoning change for the L/D. While a project may offer some benefit, it is the Town Council that needs to decide on zoning and the pace of development you want for Franklin.

The Town Council adopted an updated Master Plan in 2013 as a road map to continued improvements for the citizens of Franklin. The plan covered a wide range of topics many which the Council have embraced to date, most notably zoning changes, sidewalk construction, as well as open space/recreation issues.

Currently, the economy seems to be in good shape and the demand for housing in Franklin is higher than it has been in a long time. You will recall the tremendous growth of the 1990's and the various steps Town Council took to reign in the growth. They rezoned residential land to industrial land, adopted over-55 housing, bought open space when available, adopt the water and sewer extension bylaws, a growth control bylaw, the so-called circle bylaw, etc. Further, the Council voted for an impact fee on new homes that was rejected by the Court. All the efforts to control development happened after the spike in housing production of the mid-1990's and the fast growth created problems that we are still dealing with today. Housing starts continued in the early 2000's at a slower pace and then the recession of 2008 reduced development further.

In review, dwelling units created in the last five years by the Building Commissioner reports the following dwelling units:

2011 - 20 units
 2012 - 57 units
 2013 - 48 units
 2014 - 47 units
 2015 - 38 units

This does not count the two developments on King Street and East Central Street with a total of over 250 units for elderly citizens.

Since 2012, we are averaging about 48 units a year. This seems to be a reasonable and steady growth. Franklin is now at a crossroad again concerning proposed dwelling units. Currently, there are over **800** units in various stages of development.

Under Construction (Various Stages)

Weston Woods - 40B Apartments	280
Lorriane Metcalf – Subdivision	4
Cooks Farm - Condos	55
Lincoln Street – Subdivision	9
County Side Estates - Subdivision	8
Franklin Heights - Condos	7
Winter Gardens- Subdivison	5

Approved

Uncas Ave - Subdivision	18
Upper Union Street - Subdivision	7
East Central Street - Apts.	7
Chestnut Street - Over 55	10

Before Planning Board

Maple Street – Subdivision	10
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In the Works

Madeline Village 40B	30-40	Decision by ZBA by end of the year
Pond Street Condos	96	Expects to file prior to end of year
Apartments at the end of Dean Ave	250	Expects to file prior to the end of year
Condos on West Central Street	30 ??	Recently rezoned
Others units that are currently approved	20 +/-	or under construction
Total possible Dwelling Units	800 +/-	

While not all of these units will be constructed at once, we could see well over 600 units in the next 3 years. Further, we do not know how many other "as of right" dwelling units may be proposed in the next couple of years.

The housing development speaks well to Franklin's quality of life and all the improvements that have happen over the last 15 years under the leadership of the various Town Councils that make Franklin a desirable community to live.

Does the Town Council want to maintain the zoning plan adopted in the Master Plan or make changes to the plan? Providing a clear message to L/D's makes a lot more sense than dealing with zoning on a case-by-case basis. It is hard to say yes to one person and no to the next if you do not have an overall game plan.

I suggest this topic be put on a Council agenda or workshop in the near future. I am happy to answer any questions.

JDN:ce

cc: Bryan Taberner, Director of Community Planning
Planning Board

C. Establishment of Medical Marijuana Use Overlay Districts and relationship to underlying districts.

1. The Medical Marijuana Use Districts are established as districts which overlay the underlying districts, so that any parcel of land underlying in a Medical Marijuana Use District shall also lie in one or more of the other zoning districts in which it was previously classified, as provided for in this Zoning Bylaw.


D. Permitted uses.

1. Uses allowed by right. The following uses are allowed as of right within Medical Marijuana Districts:
 - (a) All uses permitted as of right in the underlying base zoning district.
 - (b) Medical marijuana treatment facility.
 - (c) Medical marijuana testing facility.

E. Location.

1. The Medical Marijuana Use Overlay District consists of those parcels of land zoned industrial that are located south or west of the sideline of Interstate 495; and which are not within 200 feet of a residential zoning district, school, library, church, child-care facility, park, and playground. The 200 feet shall be measured from all property lines of the proposed use; state forest land shall not be considered when determining the proximity of a parcel to a residential zoning district.
2. This district is delineated on the map entitled "Medical Marijuana Use Overlay District" and created under § 185-4, Districts enumerated.

F. Severability. If any of this section or portion of this section is ruled invalid, such ruling shall not affect the validity of the remainder of the section.

 § 185-50. Residential VII Zoning District. [Added 10-16-2013 by Bylaw Amendment 13-722]

1. Purpose. To allow for planned residential developments.

A. Uses allowed:

- (1) Single-family dwelling units by right;
- (2) Multiple, single-family dwelling units by special permit from the Planning Board; and
- (3) All other uses as permitted in Residential VII as shown in Chapter 185, Attachment 2, Town of Franklin Use Regulations Schedule.

2. Special permit, for multiple, single-family.

A. General requirements.

- (1) Special permits. Multiple, single-family dwelling units may be authorized by special permit from the Planning Board in the Residential VII Zoning District, but only in accordance with the requirements as set out in § 185-45, Administration and enforcement, and if in accordance with the following requirements of this section, and as long as all other applicable requirements of Chapter 185 are met.
- (2) Site plan review. The requirements of § 185-31, Site plan review, shall be complied with at the time of application for a special permit.

B. Other requirements.

- (1) Mitigation. Design and construction shall reduce, to the extent reasonably possible, the following:
 - (a) The volume of cut and fill.
 - (b) The number of trees removed.
 - (c) The extent of waterways altered or relocated.
 - (d) The visual prominence of man-made elements not necessary for safety or orientation.
 - (e) The removal of existing stone walls.
 - (f) The visibility of building sites from existing streets.
 - (g) The alteration of groundwater or surface water elevations.
 - (h) The disturbances of important wildlife habitats, outstanding botanical features and scenic or historic environs.
 - (i) The soil loss or instability during and after construction.
- (2) Enhancement. Design and construction shall increase, to the extent reasonably possible, the following:
 - (a) Visual prominence of natural features of the landscape.
 - (b) Legal and physical protection of views from the public ways.
 - (c) Use of curvilinear street patterns.

C. Building design and placement.

- (1) Minimum lot size. Multiple, single-family developments shall be constructed on a parcel of land totaling at least five acres of upland.
- (2) Density. The maximum number of dwelling units permitted shall not exceed four units per acre of upland.

- (3) There shall be at least 20 feet between buildings, or space between buildings may be reduced by 50% if all adjacent buildings are fire-sprinkled. In all other respects, the requirements of the Schedule of Lot, Area, Frontage, Yard and Height Requirements must be met.
- (4) If no public water supply is available, dwelling units must be fire-sprinkled.

D. Roadways.

- (1) Roadways construction. All the work and the materials used shall conform to the requirements of the MassDOT's "Standard Specifications for Highways and Bridges," including the most recent Supplemental Specifications:
 - (a) All roadways shall be designed so that, in the opinion of the Planning Board, they will provide safe vehicular and pedestrian travel.
 - (b) Width requirements.
 - i Roadways and alleys shall be 24 feet in width, of which a minimum of 20 feet shall be paved; the balance shall consist of a continuous shoulder with no obstructions, constructed, in the opinion of the Fire Chief, to be capable of supporting and providing supplemental access for heavy emergency vehicles.
 - ii Alleys may be reduced to 18 feet in width provided that the following requirements are met:
 - a. There is a primary roadway constructed consistent with the requirements of this Subsection 2D, Roadways;
 - b. The alley is one-way; and
 - c. There is no parking allowed along the alley.
- (2) Dead-end streets.
 - (a) Dead-end streets shall be no longer than 600 feet measured from the sideline of the closest, connecting street.
 - (b) Dead-end streets shall be provided, if a closed end, with a turnaround having a pavement radius of 45 feet.
 - (c) Approval. Approval of dead-end streets may be contingent upon provision of easements and necessary facilities to allow continuity of utility and drainage systems. Water mains shall normally be looped.
- (3) Other roadway requirements.
 - (a) Streets. Streets indicated on the plan that are not fully constructed to provide through traffic shall provide for paved temporary turnarounds suitable for snowplowing purposes; to be approved by the Planning Board, before any houses on such streets shall be occupied.

- (4) Ownership and maintenance.
 - (a) Ownership and maintenance of all roadways and related infrastructure shall remain private.
 - (b) A private road covenant to ensure compliance with Subsection 2D(4)(a) shall be approved by the Town Council prior to endorsement of plans by the Planning Board.

E. Other improvements.

- (1) Sidewalks. Location. Sidewalks are required on one side of the road to adequately service pedestrian traffic.
- (2) Sidewalks shall be at least five feet wide and shall extend to the paved roadway at intersections to provide convenient walk-off crossings. Sidewalks shall be ramped for handicapped to access the gutter with no curb. Handicap ramps shall be shown on the plan and shall be constructed in accordance with the latest Rules and Regulations of the Architectural Access Board.

F. Utilities.

- (1) Wiring. Electrical, telephone and television community cable conduits shall be placed underground. Size and materials of these conduits and lateral spacing between conduits shall meet the requirements of the respective utility company. The utilities shall not be located under either paved areas of roadways or the sidewalks.
 - (a) Ownership and maintenance of utilities shall remain private.
- (2) Water and sewer. Water and sewer services shall be constructed in compliance with Department of Public Works Standards.
 - (a) The water and sewer system shall remain private; however, DPW personnel shall have access as necessary to maintain the public systems.
 - (b) The Town of Franklin, its agents and servants shall have the right but not the obligation at all times to enter an approved development for the purposes of inspecting, maintaining and/or making emergency repairs including, but not limited to, private water, private sewer and/or private drainage systems. In such event, the private property owners shall be liable, jointly and severally, for the payment of all expenses incurred by the Town in connection therewith, and unpaid expenses shall constitute a lien on their property.

G. Homeowners' association.

- (1) A homeowners' association shall be established to provide maintenance of all roadways, related infrastructure and utilities.

- (2) Legal documents creating such homeowners' association shall be submitted to the Town for review and shall be determined to be acceptable prior to plans being endorsed by the Planning Board.

ZONING

185 Attachment 9

Town of Franklin

SCHEDULE OF LOT, AREA, FRONTAGE, YARD AND HEIGHT REQUIREMENTS

[Amended 5-20-1998 by Bylaw Amendment 98-357; 5-6-1998 by Bylaw Amendment 98-361; 5-3-2000 by Bylaw Amendment 00-430; 7-11-2001 by Bylaw Amendment 01-468; 12-5-2001 by Bylaw Amendment 01-486; 10-2-2002 by Bylaw Amendment 02-507; 6-11-2003 by Bylaw Amendment 03-511; 3-1-2006 by Bylaw Amendment 05-575; 7-13-2011 by Bylaw Amendment 11-654; 6-19-2013 by Bylaw Amendment 13-717; 10-16-2013 by Bylaw Amendment 13-719; 1-22-2014 by Bylaw Amendment 13-726]

District	Area (square feet)	Minimum Lot Dimensions			Minimum Yard Dimensions			Maximum Height of Building		Maximum Impervious Coverage of Existing Upland	
		Continuous Frontage (feet)	Depth (feet)	Lot Width (minimum circle diameter)	Front (feet)	Side (feet)	Rear (feet)	Stories	Feet	Structures	Structures Plus Paving ³
Rural Residential I	40,000	200	200	180 ⁴	40	40	40	3	35	20	25
Rural Residential II	40,000	200	200	180 ⁴	40	40	40	3	35	20	25
Rural Residential III	30,000	150	200	135 ⁴	40	35	35	3	35	20 ¹²	25 ¹²
Single-Family Residential I	125	125	160	112.5	40	25	30	3	35	25	35
Single-Family Residential II	100	100	100	90	30	20	20	3	35	30	35
General Residential III	100	100	100	90	20	15	20	3	40	30	35
Neighborhood Commercial	18,000	100	100	90	20	30	40	3	35	30	35
Downtown Commercial	5,000	50	50	45	5 ¹⁰	0 ³	15	3 ⁸	40 ⁹	80	90
Commercial I	5,000	50	50	45	20 ¹	0 ²	15	3 ⁶	40 ⁶	90	100
Commercial II	40,000	175	200	157.5	40	30	30	3	40	70	80
Business	20,000	125	160	112.5	40	20	30	3	40	70	80
Industrial	40,000	175	200	157.5	40	30 ³	30 ³	3 ⁶	—	70	80
Limited Industrial	40,000	175	200	157.5	40	30 ³	30 ³	3 ⁶	40 ⁶	70	80
Office	40,000	100	100	90	20	30 ³	30 ³	3 ⁶	40 ⁶	70	80

Current →

Setbacks: No structure or pole carrying overhead wires shall be put up within 60 feet nor shall a billboard be erected within 100 feet of a right-of-way which is 75 feet or more.

NOTES:

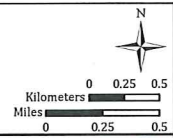
- 1 But no new structure shall be required to provide a deeper yard than that existing on that parcel upon adoption of this amendment.
- 2 Increase to 20 feet when abutting a residential district.
- 3 See definition of "upland" in § 185-3, § 185-36, Impervious surfaces, and § 185-40, Water Resource District.

FRANKLIN CODE

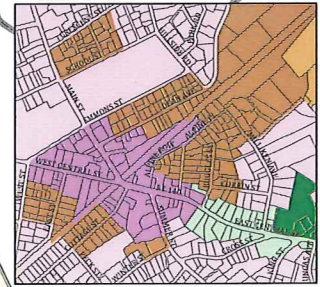
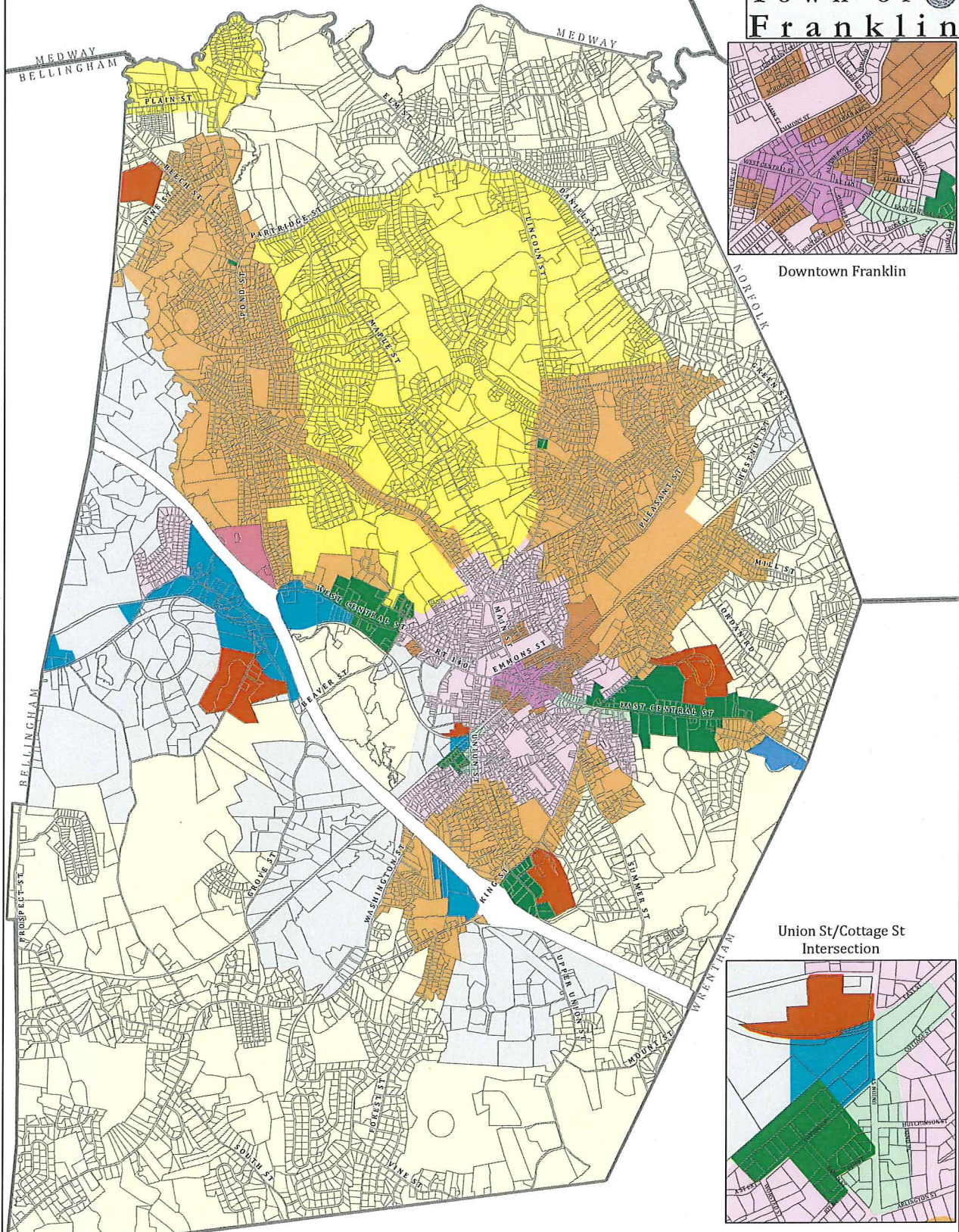
- 4 Within open space developments (see § 185-43), the lot width must be met for individual lots and shall be no less than 1/2 those required within the underlying district.
- 5 Increase by the common building height of the structure, when abutting a residential use.
- 6 Up to five stories and/or 60 feet, whichever is greater, may be permitted by a special permit from the Planning Board.
- 7 Permitted residential uses must observe requirements of the General Residential V District for residential use building only. Mixed-use buildings are exempt from this requirement.
- 8 Increase by 1.5 the common building height of a structure, when abutting a residential district or use.
- 9 Up to four stories and/or 50 feet, whichever is less, may be permitted by a special permit from the Planning Board provided the structure is set back at least 15 feet from frontage.
- 10 Minimum five-foot setback required on first floor, street level; upper floors can overhang required first floor setback.
- 11 See § 185-50.
- 12 Total impervious surface in the upland shall be no more than 50% if a special permit for multiple, single-family dwelling units is granted in RVII.

ZONING DISTRICTS

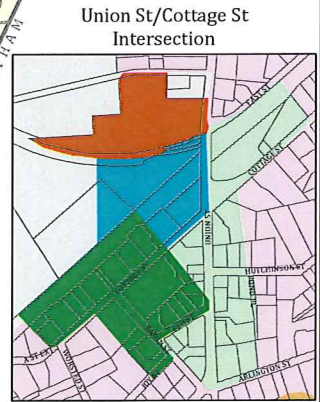
- Business
- Commercial I
- Commercial II
- Downtown Commercial District
- General Residential V
- Industrial
- Office
- Residential VI
- Residential VII
- Rural Residential I
- Rural Residential II
- Single-Family III
- Single-Family IV



Town of Franklin



Downtown Franklin



Union St/Cottage St Intersection

GIS Zoning Map Approved 11-01-2000; Zoning Bylaw 00-446

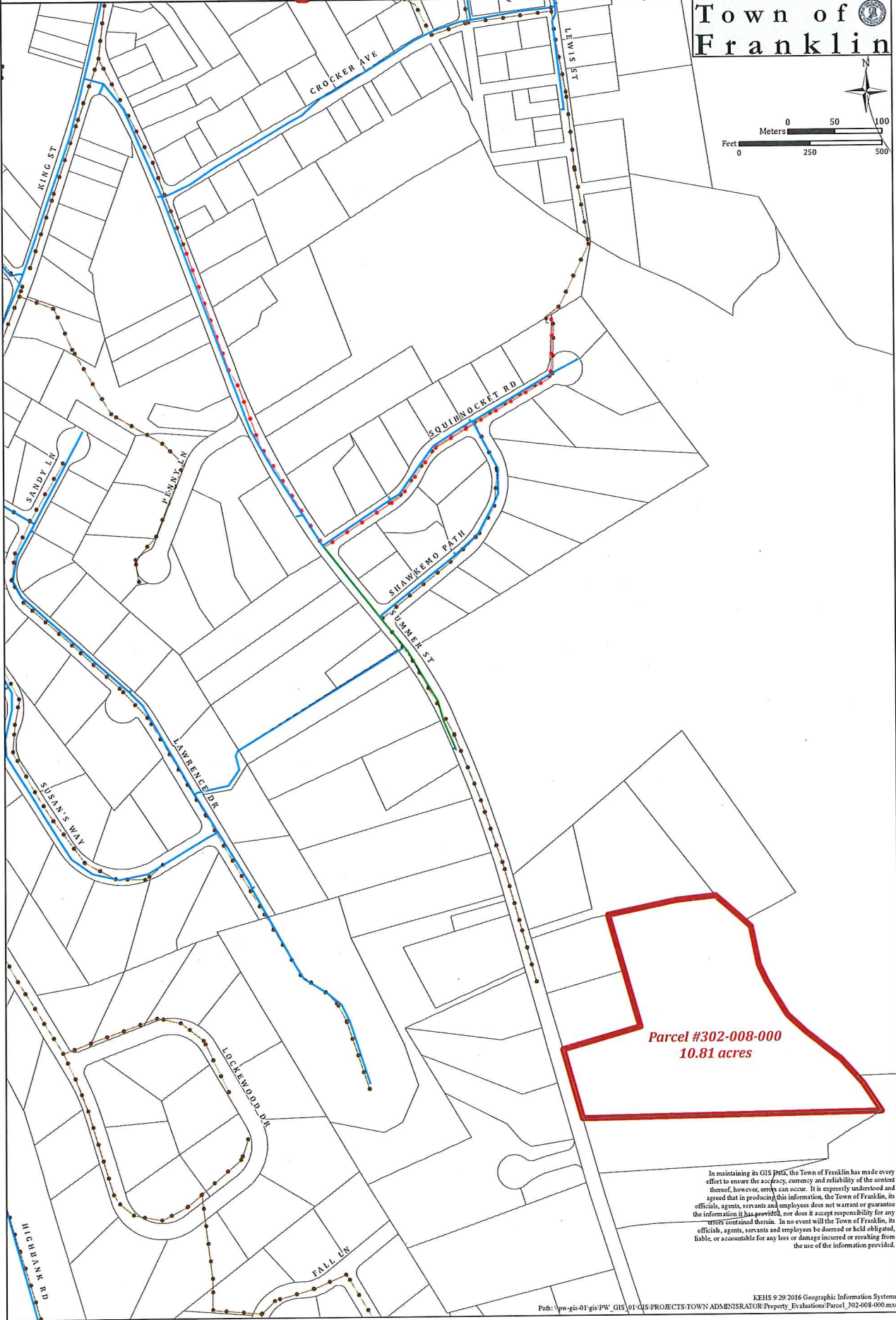
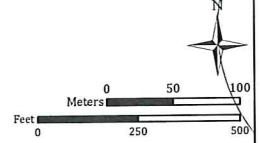
-Amendment 99-414: 07-21-1999	-Amendment 04-539: 06-02-2004	-Amendment 13-721: 10-16-2013
-Amendment 00-444: 12-06-2000	-Amendment 05-558: 03-23-2005	-Amendment 14-728-R: 06-04-2014
-Amendment 00-454: 04-18-2001	-Amendment 05-559: 03-02-2005	-Amendment 14-733: 06-04-2014
-Amendment 01-469: 07-11-2001	-Amendment 07-607: 09-05-2007	-Amendment 14-734: 06-04-2014
-Amendment 01-472: 08-01-2001	-Amendment 07-608: 09-05-2007	-Amendment 15-750: 10-09-2015
-Amendment 01-474: 08-15-2001	-Amendment 07-609: 09-05-2007	-Amendment 16-753: 07-13-2016
-Amendment 01-475: 08-15-2001	-Amendment 07-610: 09-05-2007	
-Amendment 01-479: 12-05-2001	-Amendment 08-625: 11-05-2008	
-Amendment 02-492: 02-20-2002	-Amendment 11-652: 07-13-2011	
-Amendment 02-500: 07-17-2002	-Amendment 12-666: 01-04-2012	
-Amendment 02-506: 11-20-2002	-Amendment 12-689: 10-03-2012	
-Amendment 03-520: 08-06-2003	-Amendment 13-705: 05-15-2013	

Attested to date 6.3.2016
 Signature _____
 Teresa M. Burr, Town Clerk

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.

-  Water Pipe (CLDI)  Sewer Pipe (Gravity)
-  Water Pipe (AC)  Parcel Line
-  Sewer Pipe (Pressure)  Parcel of Interest (302-008-000)

Town of Franklin



Parcel #302-008-000
10.81 acres

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LAW OFFICES
CORNETTA, FICCO & SIMMLER, P.C.
ATTORNEYS AT LAW
4 WEST STREET
FRANKLIN, MASSACHUSETTS 02038

RICHARD R. CORNETTA, JR.

VOICE (508) 528-5300
FAX (508) 528-5555

October 12, 2016

Mr. Matthew Kelly, Chairman
ATTN: Jeffery D. Nutting
Franklin Town Council
Town of Franklin
355 East Central Street
Franklin, MA 02038
Via email: jnutting@franklin.ma.us

Re: Proposed Zoning Map Amendment
496 Summer Street, Franklin, Massachusetts

Dear Mr. Chairman:

Please be advised that this correspondence has been sent on behalf of Bruce J. Hunchard and Gwynne A. Hunchard, (hereinafter collectively referred to as the "Hunchard"), the record fee owner of the real property located at 496 Summer Street, Franklin, Massachusetts, shown on the Franklin Assessor's Map 302, Parcel 008.

Pursuant to Massachusetts General Law, Chapter 40A, §5, Hunchard petitions the Franklin Town Council to change the zoning district designation of the above-entitled real property from Rural Residential I (RRI) to Single Family Residential VII (SFRVII) through an amendment to the Franklin Zoning Map as set forth in the Franklin Town Code, Chapter 185, §5.

In support of this petition, attached please find the Memorandum in Support of Zoning Bylaw Amendment; including the Certificate of Ownership of Bruce J. Hunchard and Gwynne A. Hunchard; Sketch Plan of Locus; and the conceptual illustration plans for the site overview, building elevations, streetscape views and interior floor plans prepared by Grandis Homes, LLC.

On behalf of Hunchard, I would respectfully request that this matter be placed on the next available agenda of the Council for consideration.

Very truly yours,

Richard R. Cornetta, Jr.

Richard R. Cornetta, Jr.

COMMONWEALTH OF MASSACHUSETTS
TOWN OF FRANKLIN
FRANKLIN TOWN COUNCIL

NORFOLK, ss.

Owner Petition: **Bruce J. Hunchard and Gwynne A. Hunchard**

**MEMORANDUM IN SUPPORT OF ZONING BY-LAW TO AMEND
THE FRANKLIN TOWN CODE AT CHAPTER 185, § 5**

LOCUS HISTORY

1. **Relevant District.** The subject real property is located wholly within the Rural Residential I (RRI) zoning district.
2. **Location.** The subject real property consists of a parcel of land totaling ±10.8 acres (Franklin Assessor Map 302-008-000) located along the easterly side of Summer Street in Franklin; and is bounded to the east by open space land owned by the town of Franklin, to the south by residential property, to the west by Summer Street, to the north by residential property (said subject property is referred to herein as the “Locus”).
3. **Current Use.** The Locus is owned by Bruce J. Hunchard and Gwynne A. Hunchard, and has served as the Hunchard family’s personal single family residence for over thirty years. The Locus contains a single family colonial style residence along with a detached garage, with the remainder of the acreage being wooded.

PRESENT APPLICANT/APPLICATION

4. **Applicant/Owner/Developer.** The present applicant/owner is Bruce J. Hunchard and Gwynne A. Hunchard. A certificate of ownership signed by the applicant/owner has been attached along herewith. The developer of the prospective multi-family planned residential development is Grandis Homes, LLC, a limited liability company duly organized under the laws of the Commonwealth of Massachusetts with a principal place of business at 135 Main Street, Suite 5, Medway, Massachusetts.
5. **Requested Action.** Pursuant to Massachusetts General Law, Chapter 40A, §5, the applicant seeks to change the zoning district designation of the Locus from Rural Residential I (RRI) to Single Family Residential VII (SFRVII) through an amendment to the Zoning Map of Franklin as set forth in the Franklin Town Code, Chapter 185, §5.

PLANNED RESIDENTIAL DEVELOPMENT

6. **Development Overview.** The Single Family Residential VII (SFRVII) zoning district would allow for planned residential developments consisting of multiple single family dwelling units by special permit of the Franklin Planning Board in accordance with the specific criteria set forth in §185-45 and §185-50 of the Franklin Zoning Bylaw. The preliminary planned residential development would include the removal of the existing structures and the construction of a new thirty-four (34) single family home development, with associated bituminous paved access drive, landscaping, lighting, utilities and stormwater infrastructure. A conceptual site rendering of the proposed development prepared by United Consultants, Inc. has been filed along herewith.
7. **Single Family Form of Ownership.** The planned residential development would include the fee ownership of each individual single family lot, along with the proportionate membership in the privately established association for the maintenance and repair of the common access drive, common landscaped areas, pedestrian walkways, stormwater management system and any other infrastructural improvements serving the development. Although the residential development would resemble a conventional residential neighborhood found within the town of Franklin, the development would emphasize smaller individual lot/yard size with

larger deck/patio areas. The individual homes will contain three (3) bedrooms with the option of selecting from a variety of floor plan layouts. The exterior style for each home will vary in design, with alternating entry ways, rooflines, colors and architectural finish so as to promote the appearance of a traditional New England neighborhood. This variety in design will continue in the interior floor plan of each home, offering the homeowner a choice in design which may include a first floor master bedroom, cathedral/open ceiling, guest suites and varied porch layouts. Conceptual illustration plans of the site overview, building elevations, streetscape views and varied interior floor plans prepared by Grandis Homes, LLC have been filed along herewith.

8. Utilities and Infrastructural Improvement of Planned Residential Development. The Locus has access to the public water service and sewer service, natural gas and telephone. The planned residential development would propose, pending approval of the Council, that each home be connected and serviced by the municipal water and sewer system to be constructed according to current standards thereby reducing the chance of infiltration and contamination. A primary access drive is planned to connect to Summer Street with a loop road providing motor vehicle and pedestrian access; access drive also designed to accommodate emergency vehicles to each home. In the course of acquiring special permit approval from the Franklin Planning Board, the development would be designed in compliance with the site plan requirements of §185-31 of the Franklin Zoning Bylaw, incorporating the Best Management Practices to meet the Department of Environmental Protection Stormwater Management runoff quality requirements. The access drive, landscaping, lighting, stormwater management system and associated infrastructural improvements of the development would remain in private ownership of the homeowner's association to be managed and maintained, in perpetuity, by the association of owners and not become the responsibility of the Town.

9. **Financial Impacts of the Planned Residential Development.** The following table summarizes the estimated financial analysis associated with the planned residential development, to wit:

Development of Summer Street			
Financial Analysis			
Locus		10 Acres	
34 three bedroom homes			
Trips per day		200 +/-	
One time permit fees (1)		\$270,940	
Income to Town		Estimated	
Total value of 34 units @ \$550,000 each (average)	\$	18,700,000	
Tax Revenue at 14.50/1000 after build out	\$	271,150.00	
Estimated Annual excise tax	\$	25,500.00	
Water and Sewer revenue (2)	\$	58,752.00	
Total income	\$	355,402	
Costs to Town after build out			
34, three bedroom with 11 students @ 6,000 (3)	\$	66,000	
Municipal cost - 78 residents @ 500 (4)	\$	39,000	
Total costs	\$	105,000	
Net total Per Year	\$	250,402	
(1) Building permit (\$81,600) Storm Water (\$3,360) Water (2,655x34=\$90,270) Sewer (2,815x34=\$95,710)			
(2) 160 cubic feet per unit x 34 (\$5.50 x 34 = 29,920 water/\$5.30 x 34 =28,832 sewer			
(3) .31 students per three bedroom unit			
(4) \$500 per resident			

CONCLUSION

The use of the properties to the north, west and south adjoining the Locus are residential in nature. Due to the residential character of the proposed use, the proposed zoning map amendment will not be detrimental or otherwise offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, visual or other nuisances. The planned residential development being proposed by such a zoning amendment would be favorable to a conventional single family residential subdivision. The individual homes would be characterized by less maintenance responsibilities, with emphasis on smaller lot/yard areas, larger deck/patio areas, common areas (ie. access drive, landscaping, lighting, stormwater management system) being maintained by a homeowner's association. In light of the proximate location of the Locus to the commercial center/train station area of the downtown, the planned residential development as proposed by this zoning amendment would appeal to and be more conducive to the emerging housing market comprised of 'millennials' and 'empty nesters'.

WHEREFORE, the applicant/owner/developer respectfully request that the Council revise the zoning district designation of the Locus from Rural Residential I (RRI) to Single Family Residential VII (SFRVII) through an amendment to the Zoning Map of Franklin as set forth in the Franklin Town Code, Chapter 185, §5.

Dated: October 12, 2016

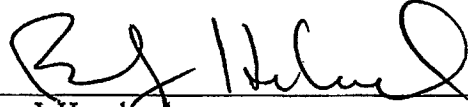
Respectfully submitted,
GRANDIS HOMES, LLC
By its Attorneys,


Richard R. Cornetta, Jr

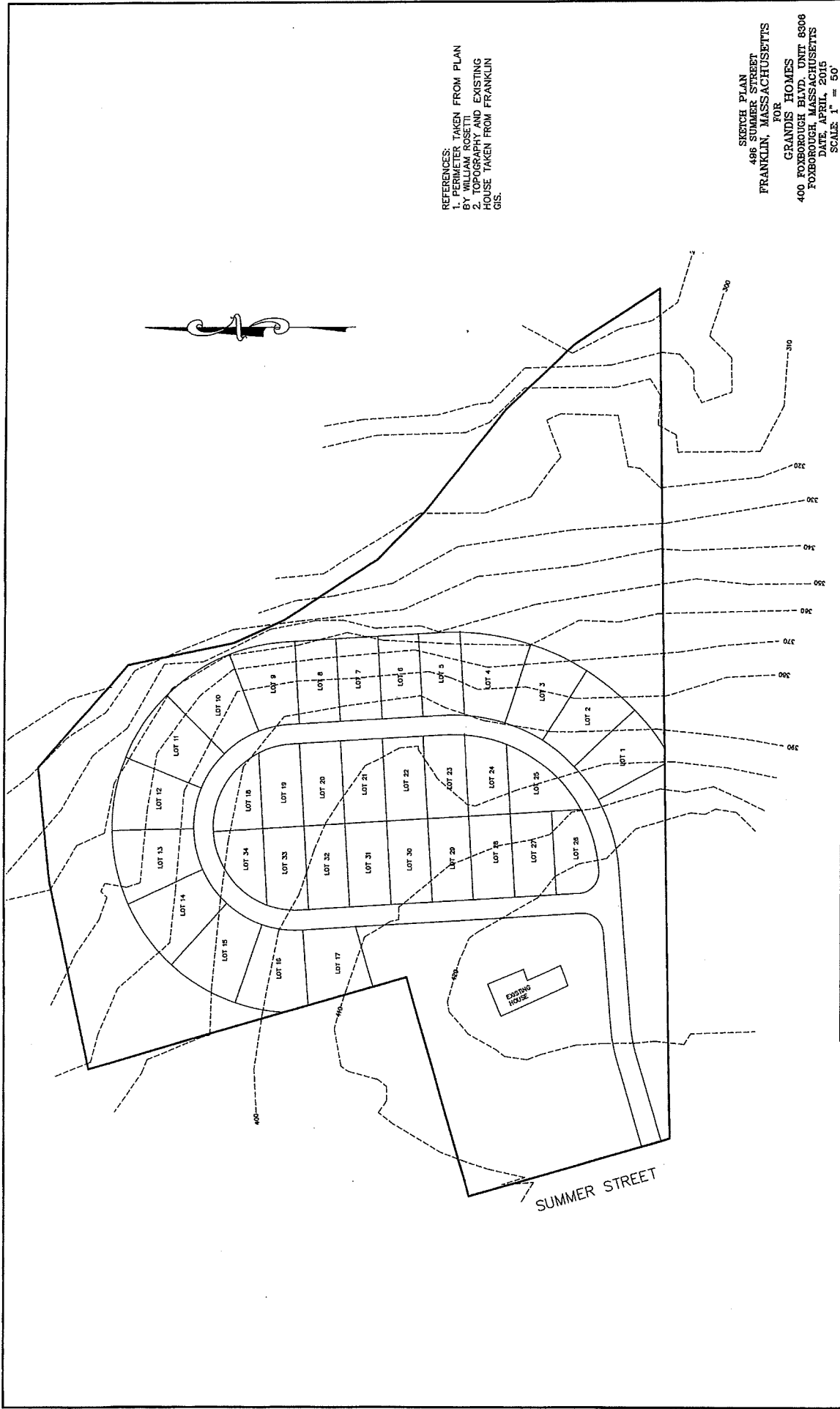
Richard R. Cornetta, Jr., Esquire
Cornetta, Ficco & Simmler, PC
Four West Street
Franklin, MA 02038
Tel: (508)528-5300
Fax: (508)528-5555
Email: Richard@cornettalaw.com

CERTIFICATE OF OWNERSHIP

We, the undersigned applicant/owner, Bruce J. Hunchard and Gwynne A. Hunchard, do hereby certify to the Town of Franklin, through its Town Council, that we are the current fee title holder of the real property located at 496 Summer Street, Franklin, Norfolk County, Massachusetts, also identified on the Franklin Assessor Map 302-008-000, more particularly described in a deed dated January 17, 2002 and filed with the Norfolk District of the Land Court with Certificate Number 161598, in Book 808, Page 198, and further hereby verify and acknowledge this petition which seeks to change the zoning district designation of the Locus from Rural Residential I (RRI) to Single Family Residential VII (SFRVII) through an amendment to the Zoning Map of Franklin as set forth in the Franklin Town Code, Chapter 185, §5.


Bruce J. Hunchard


Gwynne A. Hunchard



REFERENCES:
 1. PERMETER TAKEN FROM PLAN BY WILLIAM ROSETTI
 2. TOPOGRAPHY AND EXISTING HOUSE TAKEN FROM FRANKLIN GIS.

SKETCH PLAN
 496 SUMMER STREET
 FRANKLIN, MASSACHUSETTS
 FOR
 GRANDIS HOMES
 400 FOXBOROUGH BLVD. UNIT 8306
 FOXBOROUGH, MASSACHUSETTS
 DATE, APRIL, 2015
 SCALE 1" = 50'

DATE APRIL, 2015
 SCALE 1" = 50'
 PROJECT UC-496-SUM
 SHEET 1 of 1

UNITED CONSULTANTS INC.
 850 FRANKLIN STREET SUITE 110
 WENDELL, MASSACHUSETTS 02099
 508-981-8800 FAX 508-941-8800

DATE	FIELD BY:	INT.
3/4	FIELD BOOK	PG#
4/15	CALCS BY:	RRG
4/15	DESIGNED BY:	RRG
4/15	DRAWN BY:	RRG
4/15	CHECKED BY:	RRG

NO.	DATE	DESCRIPTION	BY

GRAPHIC SCALE
 (IN FEET)
 1 Inch = 50' ft.



Summer Street

PROPOSED RESIDENTIAL DEVELOPMENT
FRANKLIN, MASSACHUSETTS



135 MAIN STREET
SUITE #5
MEDWAY MA 02053



SUMMER STREET
PROPOSALS:
STREET VIEW



135 MAIN STREET
SUITE #5
MEDWAY MA 02053



SUMMER STREET
PROPOSALS:
STREET VIEW



135 MAIN STREET
SUITE #5
MEDWAY MA 02053



SUMMER STREET
PROPOSALS:
STREET VIEW (NIGHT)



135 MAIN STREET
SUITE #5
MEDWAY MA 02053



SUMMER STREET
PROPOSALS:
STREET VIEW



SUMMER STREET
PROPOSALS:
STREET VIEW

135 MAIN STREET
SUITE #5
MEDWAY MA 02053





135 MAIN STREET
SUITE #5
MEDWAY MA 02053

SUMMER STREET
PROPOSALS:
SITE OVERVIEW (TOP)





135 MAIN STREET
SUITE #5
MEDWAY MA 02053

SUMMER STREET
PROPOSALS:
SITE OVERVIEW (ORTHO)





135 MAIN STREET
SUITE #5
MEDWAY MA 02053



SUMMER STREET
PROPOSALS:
ELEVATION



135 MAIN STREET
SUITE #5
MEDWAY MA 02053



SUMMER STREET
PROPOSALS:
ELEVATION



SUMMER STREET
PROPOSALS:
ELEVATION

135 MAIN STREET
SUITE #5
MEDWAY MA 02053





SUMMER STREET
PROPOSALS:
ELEVATION

135 MAIN STREET
SUITE #5
MEDWAY MA 02053





135 MAIN STREET
SUITE #5
MEDWAY MA 02053



SUMMER STREET
PROPOSALS:
ELEVATION



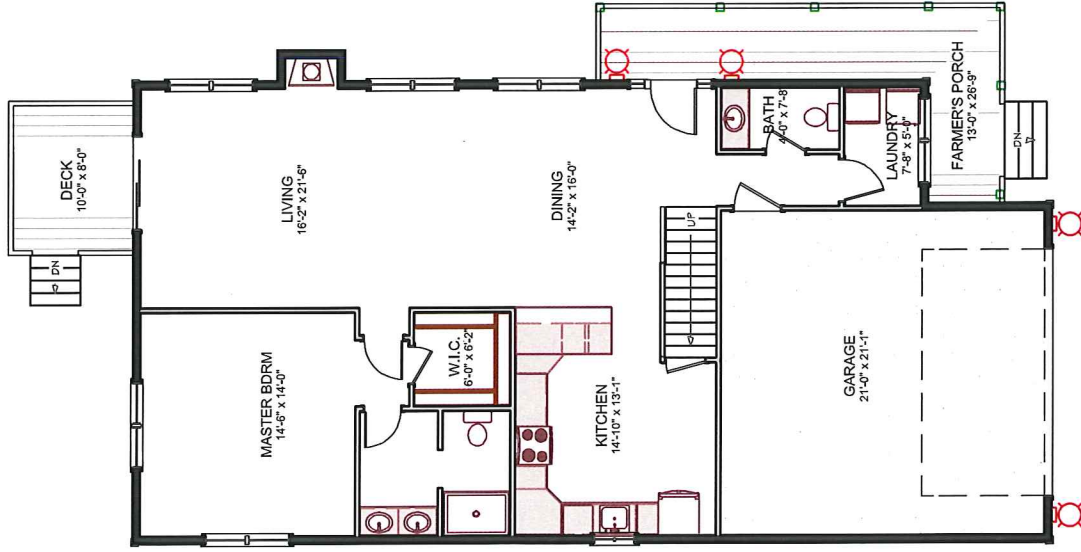
135 MAIN STREET
SUITE #5
MEDWAY MA 02053



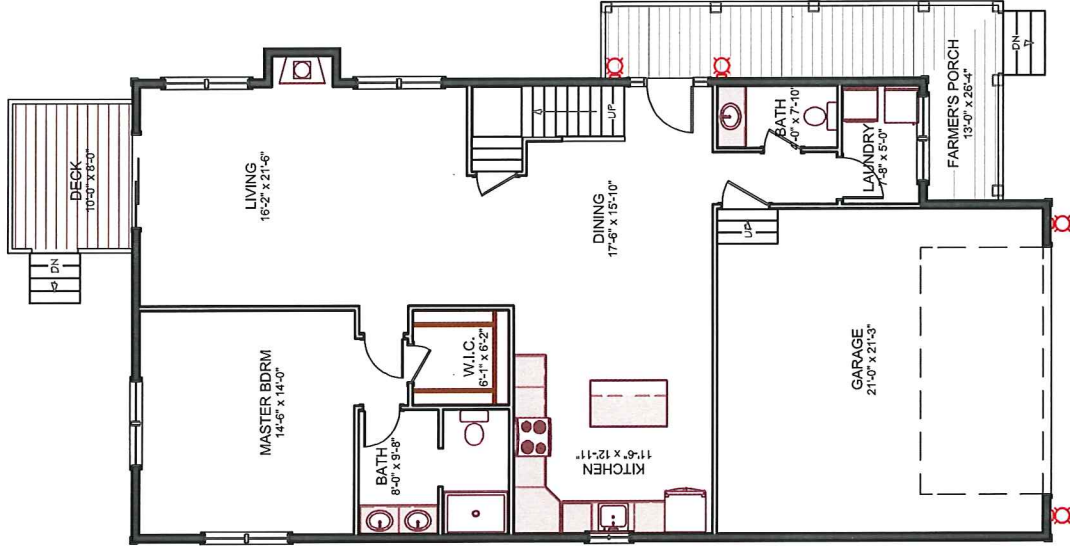
SUMMER STREET
PROPOSALS:
ELEVATION

FIRST FLOOR PLAN
60' OPTIONS

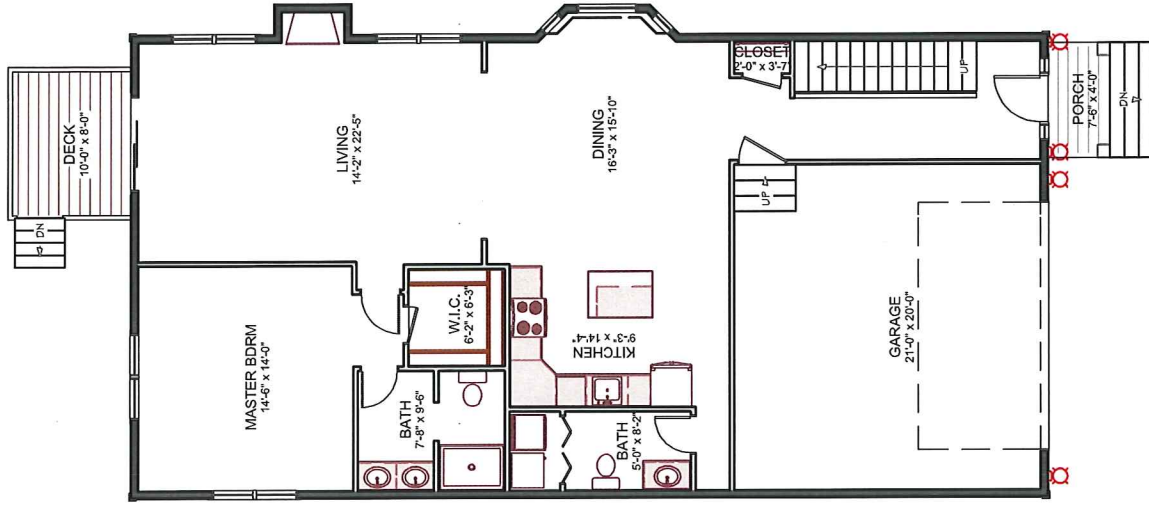
A.) FIRST FLOOR MASTER
OPTION 1



B.) FIRST FLOOR MASTER
OPTION 2



C.) FIRST FLOOR MASTER
OPTION 3

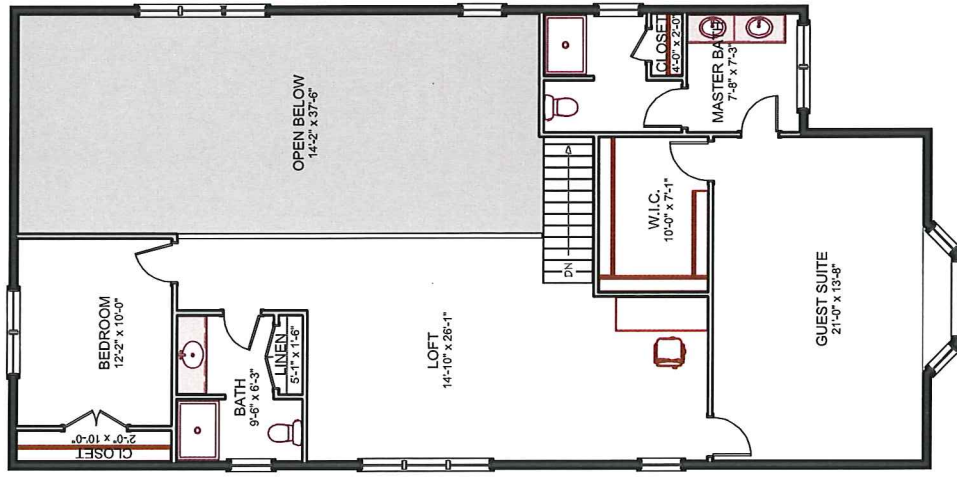


135 MAIN STREET
SUITE # 5
MEDWAY MA 02053

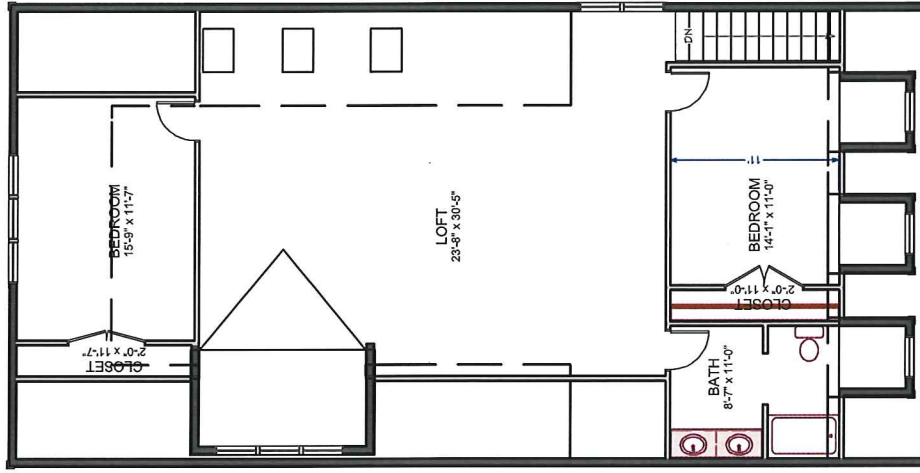
SUMMER STREET
PROPOSALS:
FIRST FLOOR PLAN
60' OPTIONS

SECOND FLOOR PLAN
60' DESIGN SAMPLING

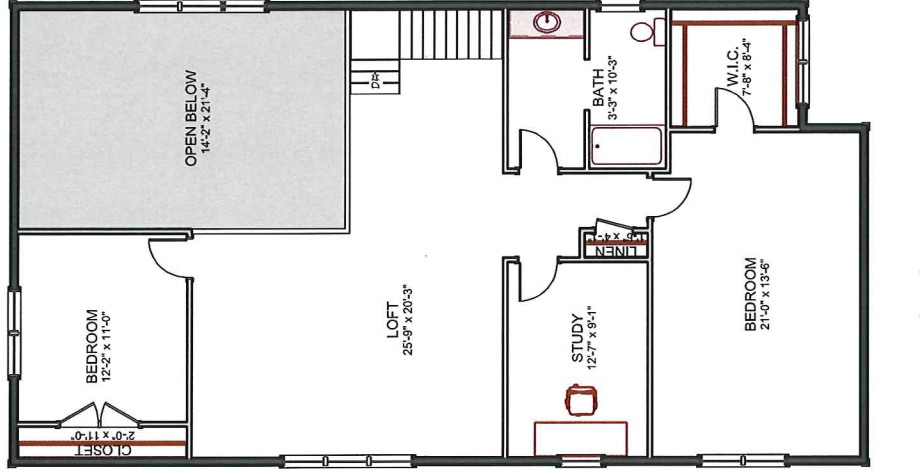
OPTION 1



OPTION 2



OPTION 3

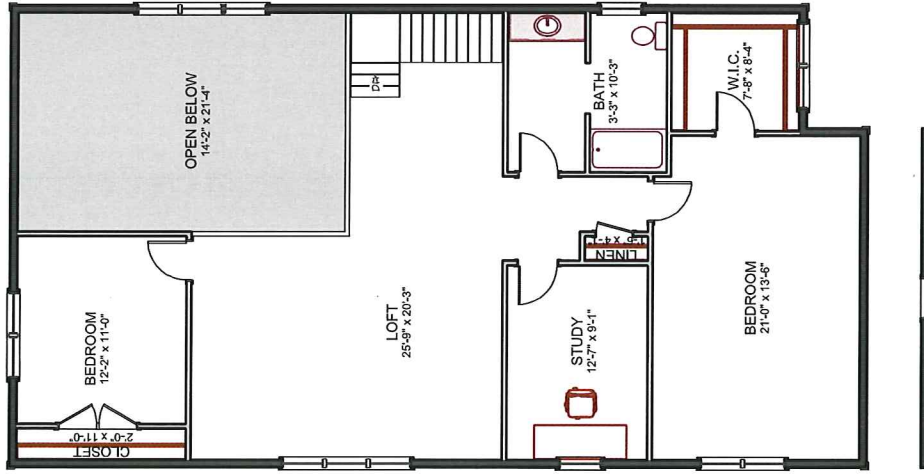


135 MAIN STREET
SUITE #5
MEDWAY MA 02053

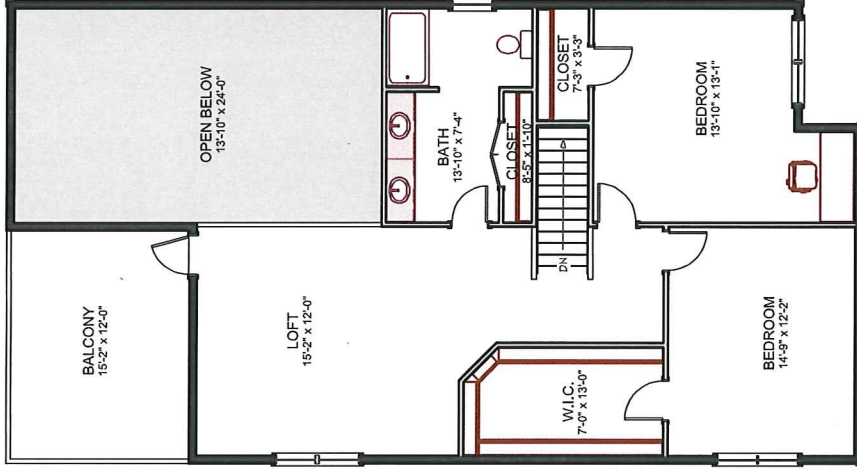
SUMMER STREET
PROPOSALS:
SECOND FLOOR PLAN
60' OPTIONS

SECOND FLOOR PLANS
60' DESIGN SAMPLING
(cont.)

OPTION 4

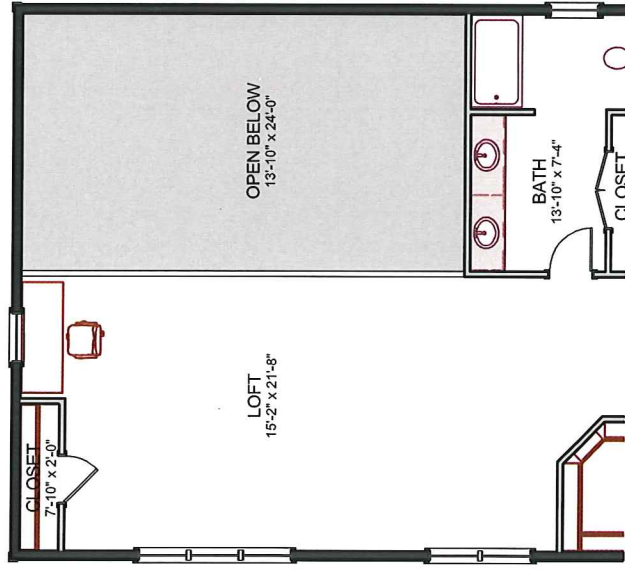


OPTION 5

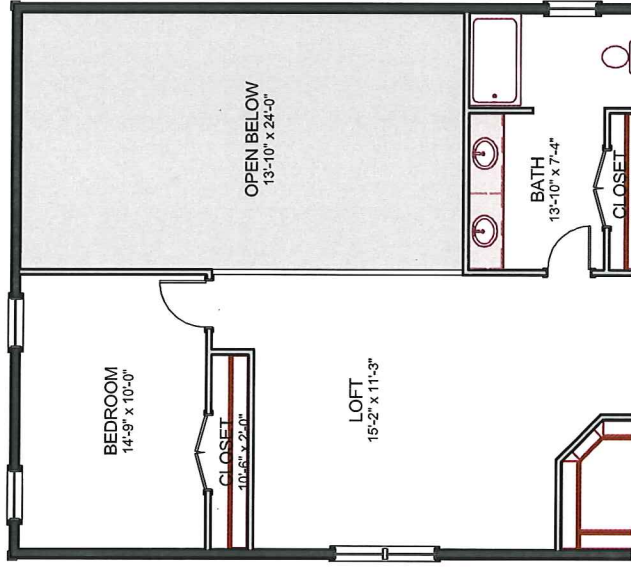


MOST SECOND FLOORS HAVE
OPTIONS OF:

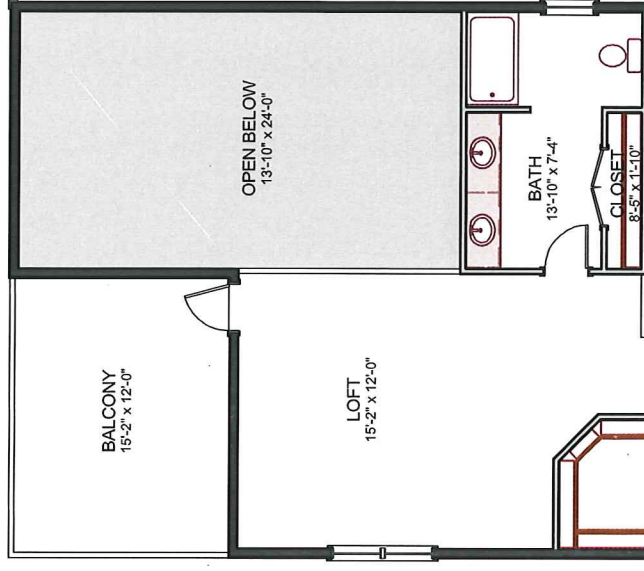
OPTION A.) LARGE
LOFT SPACE (OPEN
TO BELOW)



OPTION B.) LOFT +
EXTRA BEDROOM

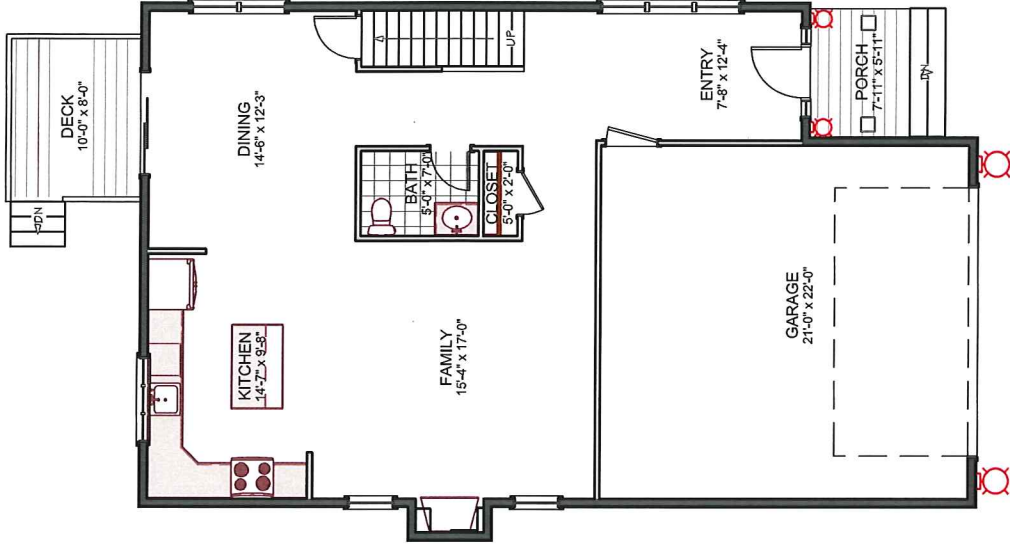


OPTION C.) LOFT +
BALCONY

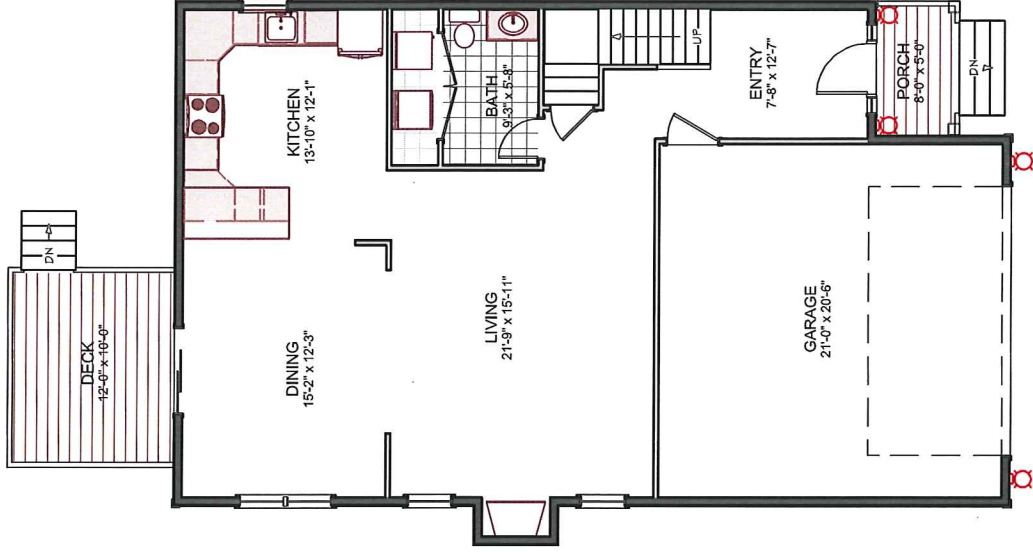


FIRST FLOOR PLAN
50' OPTIONS

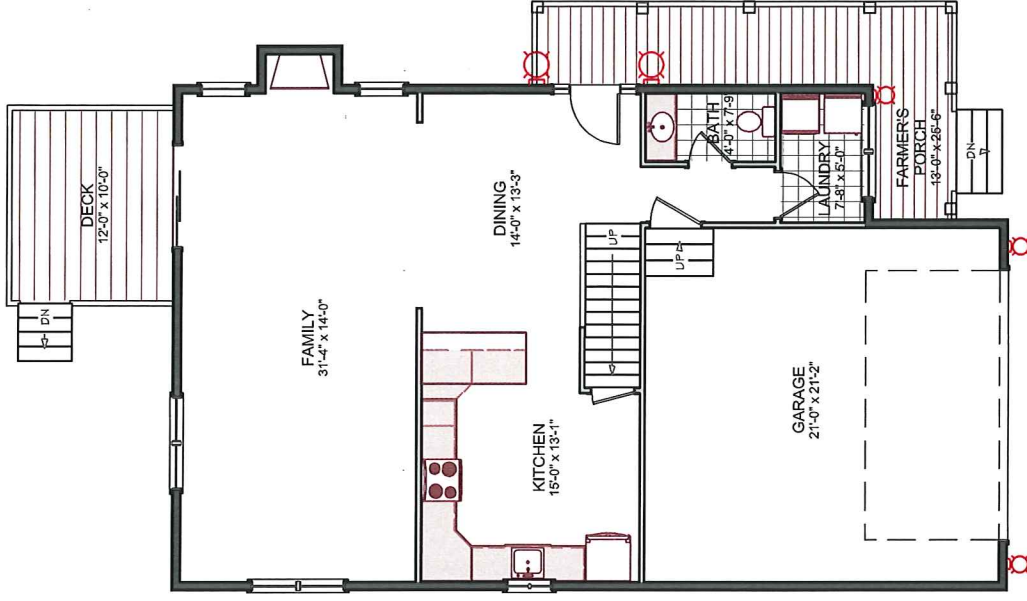
A) SECOND FLOOR MASTER
OPTION 1



B) SECOND FLOOR MASTER
OPTION 2

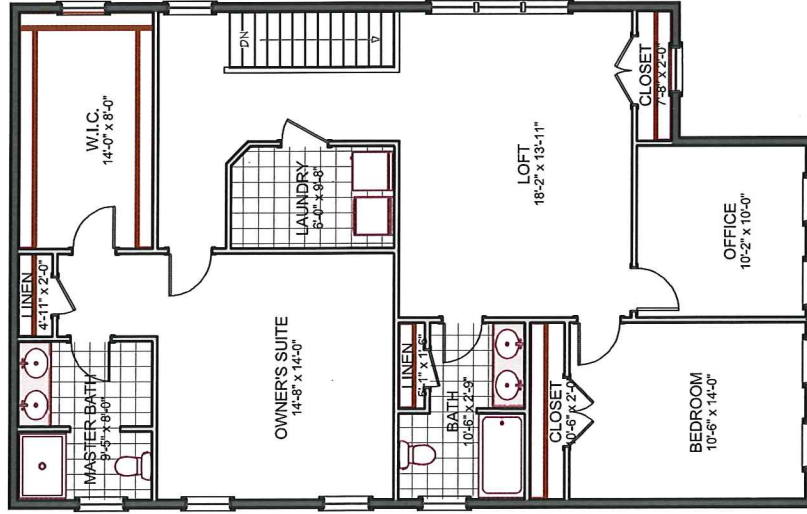


C) SECOND FLOOR MASTER
OPTION 3

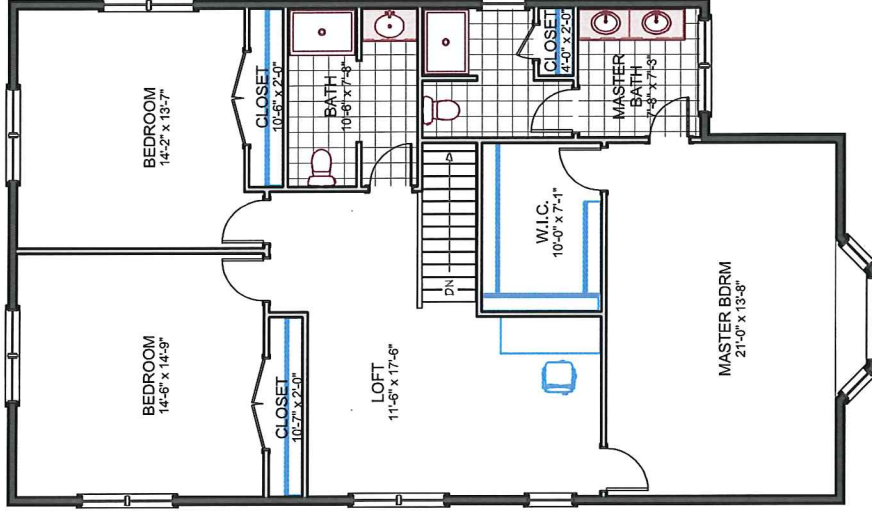


SECOND FLOOR PLAN
50' DESIGN SAMPLING

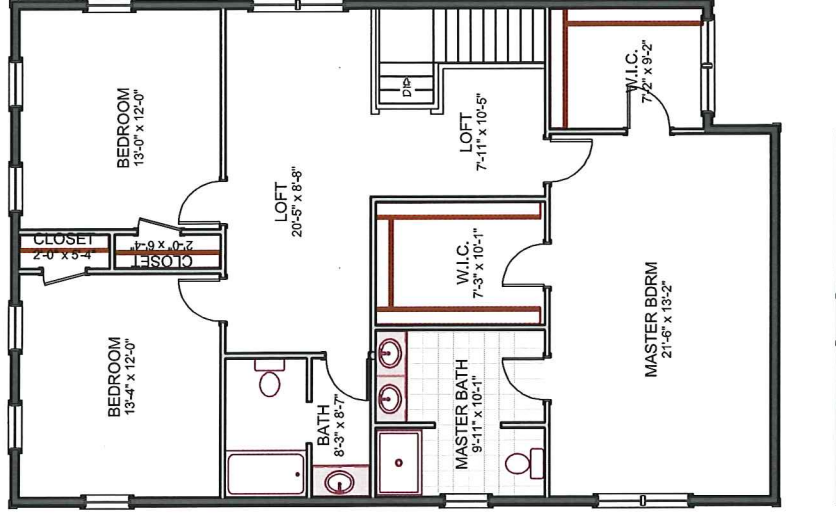
A) SECOND FLOOR MASTER
OPTION 1



B) SECOND FLOOR MASTER
OPTION 2



C) SECOND FLOOR MASTER
OPTION 3



LEGISLATION

FOR

ACTION



Memorandum

To: Town Council
From: Jeffrey Nutting, Town Administrator
Date: 12/16/2016
Re: Request for \$15,000

I am requesting \$15,000 to pay to move two of the Town's public safety antenna's onto Franklin Cable Access Corporation's (Franklin TV) new antenna that will be constructed in 2017.

We currently pay a private vendor \$12,000 to host the antennas. Once they are relocated there will be no cost to the Town.



TOWN OF FRANKLIN

RESOLUTION NO.: 16-80

APPROPRIATION: Administration – Public Safety Antennas

AMOUNT REQUESTED: \$ 15,000

PURPOSE: To transfer funds from Free Cash for the installation of public safety antennas on tower near Forge Hill Water Tank.

MOTION

Be It Moved and Voted by the Town Council to transfer Fifteen Thousand dollars (\$15,000.00) from Free Cash for the installation of public safety antennas on tower near Forge Hill Water Tank.

DATED: _____, 2016

VOTED:

UNANIMOUS _____

YES _____ **NO** _____

ABSTAIN _____

ABSENT _____

A True Record Attest:

Teresa M. Burr
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council



TOWN OF FRANKLIN

RESOLUTION 16-82

Acceptance of Gift – Town of Franklin Fire Department

WHEREAS, the Town of Franklin wishes to accept a gift of \$3,500 from Digital Federal Credit Union in support of the Franklin Fire Department.

NOW THEREFORE, BE IT RESOLVED THAT: The Town Council of the Town of Franklin on behalf of the Fire Department gratefully accepts this gift and thanks Digital Federal Credit Union for their continued support of the Franklin Fire Department.

This resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

DATED: , 2016

VOTED: _____

UNANIMOUSLY: _____

A TRUE RECORD ATTEST:

YES: ____ **NO:** ____

ABSTAIN: ____ **ABSENT:** ____

Teresa M. Burr
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council

SPONSOR: *Hunchard*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 16-775
ZONING MAP CHANGES FROM RURAL RESIDENTIAL I TO
RESIDENTIAL VII AN AREA ON SUMMER STREET
A ZONING BY-LAW AMENDMENT TO THE CODE OF THE TOWN OF
FRANKLIN AT CHAPTER 185 SECTION 5, ZONING MAP**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

The Code of the Town of Franklin is hereby amended by making the following amendment to §185-5, Zoning Map:

By changing from Rural Residential I to Residential VII an area containing 10.810± acres, comprising of the following parcel of land as shown on the Town of Franklin's Assessor's Maps: Parcel Number 302-008-000.

The area to be rezoned is shown on the attached zoning map ("Zoning Map - Rural Residential I to Residential VII").

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2016

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

**Teresa M. Burr
Town Clerk**

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk

Proposed Zoning Map Changes

Rural Residential I to Residential VII

-  Residential VII
-  Area of Proposed Change
-  Rural Residential I
-  Parcel Line

0 200 400 800 Feet





Sponsor: Administration

TOWN OF FRANKLIN

BYLAW AMENDMENT 16-776

CHAPTER 82, MUNICIPAL SERVICE FEES

A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 82

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL that Chapter 82 of the Code of the Town of Franklin is amended by striking the existing language in its entirety and replacing it as follows:

Chapter 82

MUNICIPAL SERVICE FEES

- § 82-1. **Policy on service fees.**
- § 82-2. **Late Fee.**
- § 82-3. **Enforcement action service fees.**
- § 82-4. **Community support program.**
- § 82-5. **Service fee definitions.**
- § 82-6. **Schedule of service fees.**

§ 82-1. **Policy on service fees.** It shall be the policy of the Town of Franklin to provide service fee rates that best estimate and reflect the cost to the Town of providing service.

§ 82-2. **Late fee.** All fees must be paid within 30 days of receipt. Late payments will be charged fourteen-percent interest per annum from the due date and the license or permit will be held in abeyance until fee and penalties are paid in full.

§ 82-3. **Fees enforcement action.** Service fees shall be charged triple the permit or license fee rate for activity begun before first obtaining a permit or license within the time required by the applicable code. Service fees are not a substitute for any other enforcement remedy available to the Town and in no way limit or preclude the Town from pursuing such other available remedies.

§ 82-4. **Community assistance program.** Under the Community Assistance Program, qualifying residents are eligible to receive discounted rates for certain town services. Participating town departments shall establish application and eligibility verification processes

using tax returns as verification of income, dependents or other information to verify eligibility. The program is available to residential households for the following town services:

- A. **Water, sewer and trash discount credits.** Residential water, sewer and trash customers are eligible to receive a twenty-percent credit, per quarter, on their water, sewer and trash bills. Where a bill has been issued prior to an eligibility determination, no abatement will be made unless the amount to be abated amounts to \$10 or more. Discounts are not eligible on penalties for late payment.
- B. **Recreation Department program discount.** Residents of Franklin are eligible for up to a 100% discount on registration or program fees for qualifying residents who meet certain income eligibility guidelines.

§ 82-5. **Service fee definitions.**

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

- i. Sewer inflow/infiltration removal fee:

Fee charged to allow continuation of new sewer connections or increases in existing connections to the sewer system. Funds raised through this fee shall be dedicated to the sewer fund, to be used to assist in the removal of inflow and infiltration from the sewer system. Said fee shall be in addition to any applicable sewer entry, connection or main tap fees. Existing single-family residential structures or existing sewer system users, for which building permits were issued prior to October 24, 2001, shall be exempt from this sewer inflow/infiltration removal fee. Fees for users proposing to increase their flow, whether through increased discharge from the existing use or a change in use shall be calculated on the basis of the increased discharge amount, provided the existing use had not been inactive for more than two years prior to the date of the sewer permit application. Said fee shall be based on average daily flow capacity used, as calculated in accordance with Title V of the State Sanitary Code guidelines.

- ii. Sewer main tap fee:

Fee charged to extend the sewer main from the Town sewer distribution system. The fee is designed to recover the Town's cost of labor to inspect sewer line installations, engineering review and the application process. The fee shall not cover materials or labor to tap the sewer main, which shall be the cost and responsibility of the owner to arrange with a private contractor; the Town will not provide such services. This fee is in addition to the required sewer service connection fee for individual services. Such a fee shall be payable prior to the time of issuance of a building permit or application for services, if a building permit is not required.

- iii. Sewer system entry fee:

Fee charged to recover the Town's share of the costs of building replacement capacity at the sewage treatment plant, as well as the lines and pump stations leading to the plant which are necessitated by the new user's connection to the system. The fee shall be placed in the Town's sewer enterprise fund for construction, operating and equipment costs to improve, maintain and develop the municipal wastewater system capacity. Such fee shall be payable for each new service at time of issuance of a building permit. Any person who is legally responsible for paying a betterment assessment for the extension of sewer to their property shall be credited the amount of the paid or to be paid assessment towards the sewer system entry fee, up to but not exceeding the full amount of this fee.

iv. Sewer service renewal fee:

Fee charged to upgrade or replace an existing service. The fee is designed to recover the expenses for the Town to process the application, perform the engineering reviews, and inspect the sewer service installation. This fee is in addition to the cost of materials or labor to install sewer lines and tap the sewer main, which shall be the cost and responsibility of the owner to arrange with a private contractor; the Town will not provide such services. The fee shall be payable at the time of issuance of renewal.

v. Sprinkler/hydrant fee:

Fee charged for availability of water capacity to sprinkler systems, standpipes and private fire hydrants within commercial or industrial properties.

vi. Water main tap fee:

Fee charged to extend the water main from the Town water distribution system. The fee is designed to recover the Town's cost of labor to inspect waterline installations, engineering review and the application process. The fee shall not cover materials or labor to tap the main, which shall be the cost and responsibility of the owner to arrange with a private contractor, the Town will not provide such services. This fee is in addition to the required water service connection fee for individual services. Such a fee shall be payable prior to the time of issuance of a building permit or application for services, if a permit is not required.

vii. Water reconnection fee:

Fee charged to reconnect after service has been disconnected for nonpayment of bill within 60 days of issue.

viii. Water service renewal fee:

Fee charged to upgrade or replace an existing service. The fee is designed to recover the expenses for the Town to process the application, perform the engineering reviews, and

inspect the waterline and water meter installation. This fee is in addition to the cost of materials or labor to install waterlines and tap the water main, which shall be the cost and responsibility of the owner to arrange with a private contractor; the Town will not provide such services. The fee shall be payable at the time of issuance of renewal.

ix. Water system entry fee:

Fee charged for capital improvements necessitated by connecting a new user to the water system. The fee shall be deposited in the Town's water enterprise fund for construction, operating and equipment costs to make improvements to the municipal water supply system including water mains. Such fee shall be payable for each new service at time of issuance of a building permit.

§ 82-6. Schedule of service fees.

A. Administration

Service Fee	Rate
Club/Wine Malt	\$750.00
Liqueurs and cordials	\$900.00
Package – Wine & Malt	\$1,500.00
Common victualler – wine and malt	\$1,500.00
Club/All alcohol	\$1,750.00
Package – all alcohol	\$2,500.00
Common victualler – all alcohol	\$2,500.00
Innholder – all alcohol	\$3,500.00
One-Day (all alcohol or wine and malt)	\$75.00
Alcohol innholder/rooms only	\$1,300.00
Common victualler	\$125.00
Innholders	\$125.00
Farmer Brewery or Wine	\$50.00
Alcohol license modification	\$500.00
Automatic amusement	\$125.00
Weekday amusement	\$125.00
Entertainment	\$125.00
Billiard/Bowling	\$125.00
Class I	\$125.00
Class II	\$125.00
Class III	\$125.00
Boardinghouse	\$125.00
Auctioneer	\$85.00
One-Day Auctioneer	\$85.00

Junk dealer	\$85.00
Taxi/limousine	\$85.00
Transient vendor	\$480.00
Fortune Teller	\$85.00
Public Way Access Permit	\$150.00

B. Animal Control

Service Fee	Rate
Kennel - Boarding	\$25.00 per day after the first 24 hours
Pickup	\$50.00

C. Assessors

Service Fee	Rate
Certified list of abutters	\$25.00
Rollbacks	\$100.00

D. Conservation

Service Fee	Rate
Permit request for determination (RFDA)	\$100.00
Minor Buffer Zone Permit (MBZP)	\$50.00
Abbreviated Notice of Resource Area Determination (ANRAD)	\$.50 per linear foot, per resource area
Notice of Intent (NOI) Permit:	
Single Family Home (SFH), Base Fee	\$200.00
Single Family Home (SFH), all accessory projects	\$50.00
Subdivisions, Base Fee	\$600.00
Subdivisions, Roads	\$2 per foot
Subdivisions, Drainage	\$10/per structure
Subdivisions, Resource Area Disturbance	\$.50/square foot
Multiple Dwellings, Base Fee	\$100.00/per unit within jurisdiction
Multiple Dwellings, Resource Area Disturbance	\$.50/per square foot
Commercial/Industrial, Base Fee:	\$600.00

Commercial/Industrial, Roads	\$2 per foot
Commercial/Industrial, Drainage	\$10/per structure
Commercial/Industrial, Resource Area Disturbance	\$.50/square foot
All Improvements (landscaping/maintenance)	\$100.00
Permit, time extensions:	
Single Family Home or accessory project	\$50.00
Other projects	\$50.00
Permit, certificate of compliance:	
Residential	\$50.00
Commercial/industrial	\$50.00
Re-inspection	\$50.00
Permit, control of nuisance vegetation	\$100.00
Permit, Permit status letter for financial institutions	\$100.00
Permit, project amendment	\$100.00

E. Council on Aging

Service Fee	Rate
Recreational trips	\$2 each way for towns bordering Franklin and Medway; \$5 each way to other
Computer classes	\$15 registration fee
Social events	\$6 per person
Supportive Day programs	\$35 per day

F. Fire

Service Fee	Rate
Ambulance Fees:	
ALS Base Rate 1	\$1,376.00
ALS Base Rate 2	\$1,990.00
BLS Rate	\$1,159.00
Response treatment, no support	\$935.00
Cardiac monitoring	\$175.00
Extra Attendant – ALS/BLS	\$265.00
IV therapy/drug administration	\$150.00
Mileage	\$22.01
Oxygen	\$80.00

BLS disposable supplies	\$75.00
ALS disposable supplies	\$150.00
Building Plan Review:	
Commercial/Industrial	\$150.00
Residential – Multifamily	\$100.00
Residential – one and two single family	\$65.00
Residential – single family	\$35.00
Storage uses	\$50.00
Utility, miscellaneous	\$50.00
False alarm fee	\$300.00
Fire alarm connection/programming	\$130.00
Fire alarm inspections:	
Less than 3,000 square feet	\$45.00
3,001 to 10,000 square feet	\$60.00
10,001 to 20,000 square feet	\$95.00
20,001 to 30,000 square feet	\$175.00
30,001 or more square feet	\$175.00
Fire permits:	
Blasting permits	\$45.00
Bonfires and burning Christmas trees	\$10.00
Bowling pin and lane refurbishing	\$10.00
Cannon and mortar firing.	\$45.00
Cellulose nitrate film	\$110.00
Combustible fibers	\$110.00
Compressed natural gas (CNG)	\$110.00
Covered mall buildings	\$45.00
Crop ripening or color processing	\$110.00
Cutting and welding	\$45.00
Dust explosion prevention	\$110.00
Explosives	\$45.00
Fire protection equipment – modification	\$60.00
Fire protection systems – new installation	See fire alarm inspections
Fireworks displays	\$110.00
Fireworks manufacture, storage and handling	\$210.00
Flammable and combustible liquids:	
11 to 20 gallons	No charge
21 to 100 gallons	\$75.00
101 to 500 gallons	\$150.00

500 to 1,000 gallons	\$300.00
1,001 to 5,000 gallons	\$450.00
5,001 to 10,000 gallons	\$600.00
10,000 gallons or more	\$750.00
Flammable and combustible gases:	
Less than 3,000 cubic feet	No charge
3,001 to 6,000 cubic feet	\$75.00
6,001 to 9,000 cubic feet	\$150.00
9,001 to 12,000 cubic feet	\$300.00
12,001 to 15,000 cubic feet	\$450.00
Greater than 15,000 cubic feet	\$600.00
Flammable solids:	
0 to 20 pounds	No charge
21 to 100 pounds	\$75.00
101 to 500 pounds	\$150.00
501 to 1,000 pounds	\$300.00
1,001 to 5,000 pounds	\$450.00
5,001 to 10,000 pounds	\$600.00
10,000 gallons or more	\$750.00
Fuel transfer operations – service stations	\$75.00
Fumigation and insecticidal fogging	\$10.00
Hazardous substances left unattended:	
Limited special effects	\$110.00
LP Gas	\$45.00
Lumberyards	\$110.00
Matches	\$45.00
Model rockets	\$45.00
Oil-burning equipment	\$45.00
Open air fires	No charge
Ovens and furnaces	\$45.00
Rubbish containers	\$45.00
Salamanders	\$55.00
Special seasonal decorations	\$60.00
Storage, combustible materials	See storage of flammable and combustible liquids
Tank vehicles parked overnight	\$55.00
Tanks and containers	See storage of flammable and combustible liquids and gases

Tank removal	\$75.00
Tar kettles on roofs	\$45.00
Tire recapping and rebuilding plants	\$210.00
Tire storage	\$75.00
Torches and heat producing devices	\$45.00
Transportation of combustible liquids (tank truck)	\$75.00
Fire protection equipment testing	\$35.00
Fire reports	\$10.00
Quarterly or annual inspections	\$65.00
Site plan review:	
Site plan review	\$50.00
Amended site plan review	\$25.00
Vehicle accidents – fire apparatus response	\$135.00

G. Health

Service Fee	Rate
Biotech application	\$600.00
Biotech annual renewal	\$100.00
Body art, establishment	\$150
Body art, operator	\$60.00
Bottling	\$75.00
Camps, day	\$100.00
Camps, residential	\$100.00
Chapter 21E site assessment	\$100.00
Cleaners/laundromat	\$30.00
Disposal of garbage, offal	\$65.00
Food service establishment:	
1-49 seats	\$200.00
50 plus seats	\$250.00
Frozen desserts	\$60.00
Funeral director	\$25.00
Grocery store, greater than 10,000 square feet	\$300.00
Infectious waste disposal	\$50.00
Keeping of animals permit	\$35.00
Manicure establishment	\$150.00
Mobile food vehicle	\$100.00
Outdoor wood burnings boiler	\$100.00

Perc testing/soil testing	\$250.00
Septic plan review/inspections:	
Repair	\$275.00
New	\$375.00
Pump system, additional	\$100.00
Innovative/alternative system:	
Repair	\$125.00
New	\$200.00
Retaining wall, additional	\$50.00
Design plan revision, 1 st , subsequent revision:	
Repair	\$75.00
New	\$125.00
Septic system inspections (N/C 1st 3):	
Repair	\$50.00
New	\$100.00
Commercial	\$400.00 Base fee, plus \$25.00 per 1,000 gallons plus an additional \$150 for pump system, I/A system
Private well	\$125.00
Retail food establishment	\$100.00
Recycling permit	\$100.00
Septic hauler	\$65.00
Septic minor repair	\$75.00
Septic system installer	\$150.00
Splash pad	\$50.00
Stable permit	\$50.00
Swimming pool/spa	\$50.00
Tanning parlor	\$150.00
Temporary food event	\$50.00
Tobacco products sale permit	\$150.00
Trench	\$25.00

H. Inspections

Service Fee	Rate
Residential Building Permits	\$9 per \$1,000 of value
Commercial Building Permits	\$10 per \$1,000 of value
Minimum fee for all permit inspections	\$75.00

Minimum fee for all permit re-inspections	\$75.00
Electrical Permits and Underground (New, Remodeling, Pools)	\$75.00 up to five fixtures; \$10 per fixture thereafter.
Gas Permits and Underground (New, Remodeling, Pools)	\$75.00 up to five fixtures; \$15 per fixture thereafter.
Plumbing Permits and Underground (New, Remodeling, Pools)	\$75.00 up to five fixtures; \$15 per fixture thereafter.
Sheet Metal Permit (New, Remodeling)	\$75.00 up to five fixtures; \$15 per fixture thereafter.
Replacement of Existing Gas Hot Water Heater Combo (Plumbing & Gas)	\$100.00
Traffic and Street Lighting Poles	\$75.00, per pole
Temporary Service	\$75.00, per pole
Security, burglar alarms and low voltage wiring (New or Remodeling)	\$75.00 up to 5 devices, \$10 each additional device
Yearly maintenance service for electrical	\$200.00
Carnivals	\$200.00
After hours inspection for Electrical or Plumbing	\$200.00
Photovoltaic solar panel systems:	
1 to 100	\$2.00 per panel
101 to 5,000	\$1.50 per panel
5,001 +	\$1.00 per panel
Scales:	
Weights (all types)	\$1.10
Under 10 pounds	\$16.50
10 to 100 pounds	\$22.00
1,000 to 5,000 pounds	\$33.00
5,000 to 10,000 pounds	\$66.00
Over 10,000 pounds	\$110.00
Measuring devices:	
Linear measures	\$11.00
Cordage measures	\$22.00
Fabric measures	\$22.00
Taxi meters	\$27.50
Bulk storage	\$82.50

Vehicle tank	\$55.00
Gasoline meters (per meter)	\$22.00
Other devices:	
Reverse vending	\$11.00
Automatic retail checkout systems (2 years)	
Less than 4 units	\$82.50
4 units to 11 units	\$165.00

I. Library

Service Fee	Rate		
	Item	Late fee	Maximum late fee
Overdue late fees	Books, audio CD's, audio books	.10/per day	\$5.00
	Speed readers	.10/per day	\$5.00
	DVD's	\$1/per day	\$5.00
	New DVD's	\$1/per day	\$5.00

J. Planning

Service Fee	Rate
Approval not required (81 P)	\$150.00
Approval not required (81 P) with new buildable lots proposed	\$350.00
Preliminary plan:	
1 to 5 lots	\$700.00
Each lot after 5 lots	\$100.00 per lot
Definitive plan	\$2.00 per linear foot of roadway; \$800 minimum
Planning Board special permit	\$750.00
Bond release (estimate)	\$500.00
Bond release (reduction)	\$500.00
Site plan:	
Up to 9,999 square feet of impervious coverage	\$1,500.00
10,000 to 24,999 square feet of impervious coverage	\$2,500.00

25,000 to 50,000 square feet of impervious coverage	\$4,000
Over 50,000 square feet	\$4,000, plus \$100 per each 10,000 square feet of impervious coverage over 50,000 square feet
Limited site plan	\$500.00
Subdivision modification application	\$750.00
Independent consultant review fees (subdivision and site plan)	Determined by inspection consultant; due before issuance of decision by Planning Board
Construction and administration inspection fee (subdivision and site plan)	Determined by inspection consultant; due before issuance of decision by Planning Board

K. Police

Service Fee	Rate
False alarms:	
1 to 3 times	No Charge
Fourth	\$25
Fifth or more	\$50.00 per alarm
FID Permit	Subject to Massachusetts General Law
Finger prints:	
Franklin resident	\$20.00
Non-Franklin resident	\$50.00
Hackney license	\$25.00
Parking Permits:	
Downtown employee municipal lot	\$180 per six months
Commuter rail municipal parking	\$120 per quarter
Pistol permit	Subject to Massachusetts General Law
Solicitor's permit:	
One person	\$100.00
More individuals	\$20.00 per person

L. Public Works

Service Fee	Rate
Beaver Street Recycling Center (Annual Sticker Fee)	\$25.00
Beaver Street Recycling Center (Beaver Street recycling sticker required)	
ABC (asphalt, brick, concrete) per load	\$15.00
Auto batteries	No charge
Carpeting – 4 foot rolls, 24-inch diameter	\$10.00
Freon containing items	\$15 per item
Grills	No Charge
Hazardous Waste	\$5 per gallon, \$5 per 10 pounds
Mattresses and Box Springs	\$10.00
Propane tanks	\$5.00 each
Sinks	\$10.00
Televisions (less than 25 inches)	\$15.00
Televisions (25 inches and greater)	\$25.00
Tires (all sizes)	\$5.00 each
Toilets	\$15.00
Tubs/showers	\$50.00
Yard Waste (per registered vehicle or trailer):	
Car, pickup truck, van or trailer under 4 x 8 without sides	No Charge
Pickup truck with extended sides	\$25.00 per load
Trailer (over 4 x8) or enclosed cargo trailer	\$25.00 per load
Curbside Collection (home pickup by vendor, no recycling sticker required):	
Freon containing items	\$33 per item
Mattresses and Box Springs	\$18.00
Televisions (less than 25 inches)	\$28.00
Televisions (25 inches and greater)	\$38.00
Curbside Trash (annual)	
Fee using 65-gallon trash and recycling carts	\$204.00
Fee using 35-gallon trash and recycling carts	\$180.00
Extra trash cart annual fee	\$150.00
Extra recycling cart annual fee	\$75.00
Extra recycling cart business annual fee	\$100.00
Overflow bag	\$3.00
Drain Layer's license (new – 2 years)	\$125.00
Drain layer's license (renewal – 2 years)	\$65.00
Map Sales	\$15.00
Public way access permit	\$100.00

Street excavations	\$310.00
Trench	\$25.00
Water and Sewer Fees:	
Water main tap	\$475.00
Water service renewal	\$225.00
Water/sewer extension permit	\$20.00
Water connection	\$300.00
Water reconnection	\$50.00
Final meter reading	\$75.00
Sewer connection	\$400.00
Water turnoff – operating hours	\$60.00
Water turnoff – after hours	\$300.00
Water map amendment	\$325.00
Fire service (sprinkler) connection	\$275.00
Hydrant flow test	\$125.00
Backflow inspection	Subject to public procurement, with a ten percent overhead added to the final amount
Sewer map amendment	\$325.00
Sewer service renewal	\$250.00
Sewer main tap	\$275.00
Sewer inflow/infiltration (to be removed, less a credit up to the amount of the sewer entry fee, if any, paid at the time of application)	\$6.00 per gallon
Sprinkler/hydrant	\$500.00
Water system entry	\$2,440
Sewer system entry	\$2,440

M. Recreation

Service Fee	Rate
All recreation programs	\$5 to \$200.00 per participant
Chilson Beach Passes:	
Day Fee	\$10 per day/per car
Season Pass	\$75.00, half price for senior citizens.
Swimming lessons	\$100 to \$200.00
Field rental fee (for profits)	Town Administrator sets the rate for all field rentals

Facilities Permit fee (nonprofits)	\$50.00 per hour; electrical fees apply to groups using the lights.
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N. Town Clerk

Service Fee	Rate
Certified copy (First Copy)	\$10.00
Certified copy (Additional copies)	\$5.00 per copy
Marriage intentions notice	\$25.00
Marriage intentions notice (amendment)	\$10.00
Dog Licensing Registration:	
Before April 1 st (spayed/neutered)	\$20.00
Before April 1 st (not spayed/neutered)	\$30.00
After April 1 st (Late dog registration fee, spayed/neutered)	\$50.00
After April 1 st (Late dog registration fee, not spayed/neutered)	\$60.00
Kennel license:	
Up to four dogs	\$75.00
Five to ten dogs	\$150.00
11 or more dogs	\$250.00
Recording, filing, amending	\$15.00
Pole location	\$50.00, plus \$5.00 per pole
Code supplement	\$75.00
Zoning/subdivision books	\$30.00
Street listings	\$25.00
Business certificates (every four years)	\$40.00
Underground storage tank license	\$100.00
Hazardous materials	\$100.00
Research/genealogical	\$20.00/per hour

O. Treasurer-Collector

Service Fee	Rate
Municipal Liens	\$50.00
Demand Notice	\$10.00
Redemption	\$165.00
Duplicate bill fee	\$2.00
Tax taking	\$125.00
Electronic tax file fee	\$250.00

This bylaw amendment shall become effective on and after January 1, 2017.

DATED: _____, 2016

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ NO _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council

Memo

To: Town Council, Jeff Nutting

From: Jamie Hellen

Re: Update of Section 82 Fees bylaw

The following memo outlines a restructure and simplification of the Bylaw Section 82: Fees.

Overall, we are looking to simplify, clean up, delete, increase, decrease and restructure in some areas the Town's fees bylaw. The main goal is to provide better customer service by making the fee structure easier to understand and reflect the best estimates for costs to the Town for each respective service. The entire bylaw has not been looked at least 20 plus years.

Overall the current bylaw has 493 fees. The proposed new bylaw has 383 fees or categories; a decrease of 116 fees or categories. The summary below showcases each individual department's changes.

A summary of substantive changes in the proposal:

1. Simplified fee schedule: The new bylaw proposal looks to simplify rates and the organization of the bylaw charts by having one column with one rate. The current bylaw has a multiple columns from different fiscal years and different definitions based on outdated fees and language. We are proposing one column with the current rate and when the Council desires to change a fee, it just adds or subtracts the fee. The most substantial changes were in Conservation, Fire, Inspections and Public Works (see below for details).
2. Community Assistance Program: The proposed bylaw redesigns the "Lifeline Program" to be named the Community Assistance Program to develop consistency in the administration of the program and due to outdated language (e.g. department of public welfare).

The goal of the program is to maintain and enhance opportunities for residents of lower incomes afford to live in Franklin. The two opportunities to get discounts on fees are through programs at the Recreation Department, as well as credits on their water, sewer and trash bills. Staff are proposing the water, sewer and trash credits are consistent discounts at twenty percent credit for each, which staff propose to increase the allowable credit from ten percent to twenty percent for water and sewer.

3. Reorganized bylaw: The proposal merges the appendices into the main bylaw, reordered the departments into alphabetical order, and eliminated outdated language.
4. Water & Sewer definitions: Eliminated all definitions of fees, sans the water and sewer definitions, which are slightly amended to commensurate with current Town Code and Bylaws.

Below is a summary of the major changes by department:

1. Administration –
 - a. No fee increases.
 - b. Added a Farmer Brewery and Wine license fee at \$50.00.

2. Animal Control –
 - a. One fee increase: increasing the kennel fee to \$25.00 from \$20.00 per 24 hours.
 - b. Merged Appendix C, which was duplicative, into the main fee table.

3. Assessors –
 - a. Have requested one fee increase, abutters list increase from \$20 to \$25.
 - b. Eliminated all records based charges to comply with new state law to take effect on January 1, 2017.
 - c. Reduced fees from 6 to 2 fees.

4. Conservation –
 - a. Conservation has proposed a significant simplification of their fee structure. The current bylaw has a complicated structure.
 - b. Staff propose a streamline fee structure from 53 fees to 25 with small increases and consolidation of fees into the new categories.

5. Council on Aging/Senior Center
 - a. No fee changes.

6. Fire Department –
 - a. Eliminates 3 ambulance fees that are not needed any longer: Airway management, two defibrillation fees.
 - b. Consolidated "Building Plan review" fees from 13 fee categories to 5 fee categories.
 - c. The proposal increases only ambulance rates to the full maximum, as industry standards are moving more toward cities and towns being better compensated from insurance companies than on the backs of Franklin taxpayers.
 - d. The vast majority of the 80+ service fees staying the same.
 - e. The false alarm fee is being reduced to \$300.00 from \$375.00 to stay commensurate with state code.

7. Health Department –
 - a. The Health Department is proposing to eliminate ten fees that are no longer necessary to have on the books: Bottling, Demolition permit, Milk/cream store, Emergency repair, Household hazmat, bakery, catering, catering one-day, milk pasteurizing, milk trucks, motel
 - b. Proposed five new fees to be incorporated into the bylaw; splash pads, tobacco permits, temporary food event permit, septic haulers.
 - c. Fees that are proposed to increase are: food service permits, grocery stores, Perc testing, Septic plan review. These fees are proposed to increase based off the growing

complexity and staff time to perform these functions. The increases are approximately 10%.

8. Inspections Department –

- a. Completely reworked the entire bylaw, working to simplify the system.
- b. Current bylaw has 84 fees. Staff are proposing a new structure with only 34 fees.
- c. The proposed system is based off a minimum fee, \$75.00, for basic gas, plumbing, electrical, sheet metal inspections (e.g. fixtures, etc.) and giving the customer a per fixture cost after a minimum amount.

The idea is simple: The main cost for an inspection is the time to make an appointment, drive there and conduct one inspection. After the first five fixtures, the cost of the Town diminishes, hence the proposal to give a significant discount for each fixture after, which accurately reflects the inspector’s cost.

- d. The proposed new system will be more transparent and easy to calculate when the town transitions to an E-Permitting system in the next year.
- e. Solar panel, scales, weights and measures fees stay the same.

9. Library

- a. No proposed fee changes.
- b. Eliminated replacement card fee, printer fees (to be administered at department level)
- c. One exception: staff proposal is to take Minuteman Regional recommendations:

<u>Item</u>	<u>Late fee</u>	<u>Maximum late fee</u>
Books, audio CD’s, audio books	.10/per day	\$5.00
Speed readers	.10/per day	\$5.00
DVD’s	\$1/per day	\$5.00
New DVD’s	\$1/per day	\$5.00

10. Planning Department

- a. No proposed fee changes.

11. Police

- a. Eliminated parking meter amounts, per recent bylaw change.
- b. Add three new fees: false alarms (commensurate with bylaw 125-14), finger prints (resident and non-resident rates), and solicitor’s license.
- c. The Police Department will now require Solicitor’s to wear name badges or company attire to properly identify themselves when going door to door.
- d. Firearms related permits set by state statute.

12. Public Works

- a. Eliminated 13 fees not needed any longer, notably items like clothing that are no longer recycled at Beaver Street.

- b. Increased five items of the a la carte menu at Beaver Street: ABC, televisions, computer monitors, auto batteries, tubs and showers.
- c. Increased fees: most water and sewer fees have increased approximately 10 percent to maintain the cost of doing service and minimize costs to the taxpayers at large.
 - i. These fees have not been increased in almost 8-9 years,
 - ii. The water and sewer entry fees have not changed since 1995.
- d. The proposed bylaw maintain the language for the definitions of the water and sewer fees with changes occurring to update the language to reflect current accounting and budgetary language.

13. Recreation

- a. Maintains Recreation Department flexibility to set rates based on market costs for program costs to the town.
- b. Increase in swimming lesson fees from \$75.00 to \$175.00 to \$100.00 to \$200.00.
- c. Proposed elimination of stated fees for field rentals in the bylaw, annual rates set by the Town Administrator due to market fluctuations.
- d. Adding into town bylaw the popular program for lower income families to get discounts on programs if they meet certain income guidelines.

14. Town Clerk

- a. Restructure certified copy rates to \$10.00 for the first copy for all certified copies, \$5.00 for each copy thereafter.
- b. Code supplement was increased from \$50.00 to \$75.00.
- c. Added an additional fee for amendments to Marriage Intentions Notices to reflect the staffing costs needed to correct the problem.
- d. Dog licensing has been increased:
 - i. \$20.00 for all dog licenses where the pooch is spayed or neutered (\$50.00 is not registered by April 1st)
 - ii. \$30.00 if the pooch is not spayed or neutered (\$60.00 if not registered by April 1st)
 - iii. There will be one late fee date (April 1st)
 - iv. Please note, the increase in the dog registration fee across the board will assist in paying for an E-Permitting Pilot Program for dog licenses, vitals and DBA certificates. The E-Permitting software will allow residents or business owners to set up an account with the Town (just like LL Bean or any other business) to conduct their business with the Town.
- e. Kennel licensing rates are being proposed to change:
 - i. Up to four dogs increase from \$50.00 to \$75.00
 - ii. Five to ten dogs from \$30.00 to \$150.00
 - iii. Eleven dogs or more from \$100.00 to \$250.00
- f. Street listing books would be \$25.00, not "\$20.00 to \$25.00."

15. Treasurer-Collector

- a. No proposed fee increases.


Chapter 82. Fees


[HISTORY: Adopted by the Town Council of the Town of Franklin 12-9-1987 by Bylaw Amendment 87-116. Amendments noted where applicable.]

GENERAL REFERENCES

Dogs — See Ch. 75.
Hazardous materials — See Ch. 99.
Junk dealers and collectors — See Ch. 105.
Pawnbroking — See Ch. 121.
Transient vendors — See Ch. 165.
Abrasive blasting and sanding — See Ch. 200.
Building material disposal — See Ch. 205.
Burying — See Ch. 209.
Laundromats — See Ch. 235.
Massage parlors — See Ch. 240.
Mobile food units — See Ch. 244.
Sewage disposal — See Ch. 250.
Stables — See Ch. 258.
Subdivision of land — See Ch. 300.

Attachment 1 - Appendix A, List of Service Fee Rates 

Attachment 2 - Appendix B, Utility Service Rates 

Attachment 3 - Appendix C, Other Service Fee Rates 

§ 82-1. Municipal service fees.

[Added 7-21-1993 by Bylaw Amendment 93-241^[1]]

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

CENTRALLY BUDGETED COST

A cost budgeted for an administrative support function which is centrally administered, including but not limited to the Town

Administrator, Treasurer-Collector and personnel.

CENTRAL SERVICE COST

Costs incurred by departments, but budgeted centrally to a nondepartmental cost pool for the purpose of easier cost accounting, including but not limited to health and life insurance, workers' compensation and retirement.

COMMUNITY-OWNED

An elective service for which the Town assumes a significant cost share by using tax dollars to subsidize all or a large proportion of the full cost to deliver the service.

COST ALLOCATION PLAN

A document which accounts for all centrally budgeted costs and all central service costs and provides an allocation basis to redistribute each such cost in a fair and equitable manner to departments benefiting from such central expenditures.

CROSS-ALLOCATED SERVICE COST

That portion of the full cost which is incurred and budgeted by a department other than the department which directly delivers an elective service, including review functions performed by one department on behalf of the service delivery department.

DIRECT SERVICE COST

That portion of the full cost which is incurred and budgeted by departments for the resources necessary to perform its functions and to deliver elective services, including but not limited to wages, materials and supplies, equipment and contracted services.

ELECTIVE SERVICES

Municipal services which are either not available to or are not requested by all residents.

FULL COST

The total cost to deliver a service, including the direct service cost, indirect service cost and cross-allocated service cost.

FULL COST FEE CERTIFICATION

A statement filed by the Town Comptroller at least once annually, concurrent with distribution of the annual budget recommendations to the Finance Committee, to indicate that the Town Comptroller's Department has reviewed and recalculated the full cost of indicated service fees; such certification is a verification of the accuracy and currency of the full cost calculations.

INDIRECT SERVICE COST

That portion of an elective service's full cost which may be budgeted somewhere else other than the departmental budget for that elective service.

LISTING OF SERVICE FEE RATES

A list prepared by the Town Treasurer-Collector at least once annually on or before May 1 of each year and presented to the Town Council for bylaw ratification.

SERVICE FEE

The amount charged for an elective service and published in the Town's listing of service fee rates.

SEWER INFLOW/INFILTRATION REMOVAL FEE

Fee charged to allow continuation of new sewer connections or increases in existing connections to the sewer system. Funds raised through this fee shall be dedicated to the sewer fund, to be used to assist in the removal of inflow and infiltration from the sewer system. Said fee shall be in addition to any applicable sewer entry, connection or main tap fees. Existing single-family residential structures or existing sewer system users, for which building permits were issued prior to October 24, 2001, shall be exempt from this sewer inflow/infiltration removal fee. Fees for users proposing to increase their flow, whether through increased discharge from the existing use or a change in use shall be calculated on the basis of the increased discharge amount, provided the existing use had not been inactive for more than two years prior to the date of the sewer permit application. Said fee shall be based on average daily flow capacity used, as calculated in accordance with Title V of the State Sanitary Code guidelines.

[Added 10-17-2001 by Bylaw Amendment 01-488; amended 2-6-2002 by Bylaw Amendment 02-496]

SEWER MAIN TAP FEE

Fee charged to extend the sewer main from the Town sewer distribution system. The fee is designed to recover the Town's cost of labor to inspect sewer line installations, engineering review and the application process. The fee shall not cover materials or labor to tap the sewer main, which shall be the cost and responsibility of the owner to arrange with a private contractor; the Town will not provide such services. This fee is in addition to the required sewer service connection fee for individual services. Such a fee shall be payable prior to the time of issuance of a building permit or application for services, if a building permit is not required.

[Added 12-20-1995 by Bylaw Amendment 95-306]

SEWER SYSTEM ENTRY FEE

Fee charged to recover the Town's share of the costs of building replacement capacity at the sewage treatment plant, as well as the lines and pump stations leading to the plant which are necessitated by the new user's connection to the system. The fee shall be placed in the Town's capital sewer construction and equipment costs fund to improve and develop the municipal wastewater system capacity. Said fee to be reserved for appropriation for the above-mentioned capital improvements. Such fee shall be payable for each new service at time of issuance of a building permit. Any person who is legally responsible for paying a betterment assessment for the extension of sewer to their property shall be credited the amount of the paid or to be paid assessment towards the sewer system entry fee, up to but not exceeding the full amount of this fee.

[Added 12-20-1995 by Bylaw Amendment 95-306; amended 5-16-2001 by Bylaw Amendment 01-471]

SPRINKLER/HYDRANT FEE

Fee charged for availability of water capacity to sprinkler systems, standpipes and private fire hydrants within commercial or industrial properties.

[Added 12-20-1995 by Bylaw Amendment 95-306]

TAX SUBSIDY

That portion of an elective service's full cost which is not recovered by the service fee.

WATER MAIN TAP FEE

Fee charged to extend the water main from the Town water distribution system. The fee is designed to recover the Town's cost of labor to

inspect waterline installations, engineering review and the application process. The fee shall not cover materials or labor to tap the main, which shall be the cost and responsibility of the owner to arrange with a private contractor, the Town will not provide such services. This fee is in addition to the required water service connection fee for individual services. Such a fee shall be payable prior to the time of issuance of a building permit or application for services, if a permit is not required.
[Amended 12-20-1995 by Bylaw Amendment 96-306]

WATER RECONNECTION FEE

Fee charged to reconnect after service has been disconnected for nonpayment of bill within 60 days of issue.
[Added 12-20-1995 by Bylaw Amendment 95-306]

WATER SERVICE RENEWAL FEE

Fee charged to upgrade or replace an existing service. The fee is designed to recover the expenses for the Town to process the application, perform the engineering reviews, and inspect the waterline and water meter installation. This fee is in addition to the cost of materials or labor to install waterlines and tap the water main, which shall be the cost and responsibility of the owner to arrange with a private contractor; the Town will not provide such services. The fee shall be payable at the time of issuance of renewal.
[Added 12-20-1995 by Bylaw Amendment 95-306]

WATER SYSTEM ENTRY FEE

Fee charged for capital improvements necessitated by connecting a new user to the water system. The fee shall be deposited in the Town's capital well construction and equipment costs fund to make improvements to the municipal water supply system including water mains. Said fee to be reserved for appropriation for the above-mentioned capital improvements. Such fee shall be payable for each new service at time of issuance of a building permit.
[Added 12-20-1995 by Bylaw Amendment 95-306]

- B. Policy statement. It shall be the policy of the Town of Franklin to minimize the use of property tax revenues to subsidize the costs of delivering elective services. It shall also be the Town's policy, in each case, to calculate, establish and review the full cost of an elective service prior to adopting or revising the service fee rate for such service.
- C. Fee setting procedures.
[Amended 3-15-1995 by Bylaw Amendment 95-285]
- (1) Concurrent with distribution of the annual budget recommendations to the Finance Committee, the Town Comptroller shall every other fiscal year prepare and distribute a full cost fee certification, with recommended fee levels, to the Town Council and other elected boards; such certification shall be based upon a recalculation of current costs to deliver elective services. Recommended full cost service fee levels shall be consistent with full cost rates, but shall be adjusted up to the nearest dollar.
 - (2) Full cost service fees shall be set by bylaw at the Town Comptroller's recommended levels, unless otherwise moved to another service fee category by majority vote of the Town Council.
 - (3) A listing of service fee rates shall become effective 30 days after publication and bylaw ratification. The published listing shall be organized by assigned service fee categories and shall present rates in effect for the previous fiscal year. A fee that is ratified in an amount that is less than the full cost to deliver the service shall be redesignated to the appropriate service fee category.

- D. Service fee categories. Each service fee shall be assigned to one of the following service fee categories in accordance with the definitions in Subsection A:
- (1) Waived service fees. These service fees shall be set at a level of \$0 and shall be indicative of the Town's decision to consider such services as community-owned and appropriate for full tax subsidy.
 - (2) Discounted service fees. These service fees shall be discounted below full cost and shall be indicative of the Town's decision to consider such services as community-owned in part and appropriate for partial tax subsidy.
 - (3) Minimum level service fees. These service fees shall be set at existing levels, as indicated at the listing of service fee rates, and shall remain at such levels until their actual full cost exceeds such levels, whereupon such fees shall be automatically reclassified as full cost service fees.
 - (4) Phased-In service fees. These service fees shall be set and scheduled to phase-in at different levels for each year indicated in the listing of service fee rates.
 - (5) Full cost service fees. These service fees shall be set automatically and individually adjusted annually to levels which incorporate changes in the full cost basis for providing services.
 - (6) Utility service fees. These service fees, as indicated at the listing of service fee rates, shall be set and reviewed periodically by the Town Council.
 - (7) Service fees set by elected boards. These service fees shall be set independently by an elected board authorized to set fees.
 - (8) Enforcement action service fee. These service fees shall be set at triple the permit or license fee rate for activity begun before first obtaining a permit or license within the time required by the applicable code. Enforcement action service fees are not a substitute for any other enforcement remedy available to the Town and in no way limit or preclude the Town from pursuing such other available remedies.
[Added 8-3-1994 by Bylaw Amendment 94-265]

[1] *Editor's Note: This bylaw also renumbered former § 82-1, Fee schedule, as § 82-2. Former § 82-2, Billing practices, was renumbered by the editor.*

§ 82-2. (Reserved)

[1] *Editor's Note: Former § 82-2, Fee Schedule, as amended, was repealed 8-25-1993 by Bylaw Amendment 93-247. For current provisions, see Appendixes A, B and C at the end of this chapter.*

§ 82-3. Billing practices.

[Added 2-27-1991 by Bylaw Amendment 91-205]

- A. Lifeline program.

- (1) Under the Lifeline Program, residential water and sewer system customers are eligible to receive a ten-percent credit per quarter. Where a bill has issued prior to an eligibility determination, no abatement will be made unless the amount to be abated amounts to \$5 or more. This program is available to residential accounts for which one or more household members receive any of the following benefits:
 - (a) Aid to Families with Dependent Children.
 - (b) Massachusetts General Relief.
 - (c) Supplemental Security Income.
 - (d) Medicaid.
 - (e) Food stamps.
 - (f) Fuel assistance.
 - (2) Eligibility for the lifeline Program must be verified by the Department of Public Welfare or the Fuel Assistance Program. Credit shall be given upon each payment accompanied by proof of eligibility verification.
- B. Late fee. All bills must be paid within 30 days of receipt. Late payments will be charged fourteen-percent interest per annum from the due date.
[Amended 12-19-2001 by Bylaw Amendment 01-490^[1]]
- [1] *Editor's Note: This bylaw amendment also provided that it shall take effect 7-1-2002.*

FEES

82 Attachment 1

Town of Franklin

Appendix A

List of Service Fee Rates

[Added 8-25-1993 by Bylaw Amendment 93-247;
last amended 5-18-2005 by Bylaw Amendment 05-570¹]

A. Administration. [Amended 1-22-2013 by Bylaw Amendment 13-699]

Service Fee	FY04 Rate	FY2013 Rate	Service Category
Club/wine and malt	\$750.00		Minimum
Liqueurs and cordials	\$900.00		Minimum
Package - wine/malt	\$1,500.00		Minimum
Common victualler - wine and malt	\$1,500.00		Minimum
Club/All alcohol	\$1,750.00		Minimum
Package - all alcohol	\$2,500.00		Minimum
Common victualler - all alcohol	\$2,500.00		Minimum
Innholders - all alcoholic beverages		\$3,000.00	Minimum
Minimum (one-day all alcohol/wine and malt)	\$75.00		Full cost
Alcohol innholder/rooms only	\$1,300.00		Minimum
Common victualler (miscellaneous)	\$125.00		
Innholders*	\$125.00		
Alcohol license modification	\$500.00		
Automatic amusement (miscellaneous)	\$125.00		
Weekday amusement (miscellaneous)	\$125.00		
Entertainment	\$125.00		
Miscellaneous (billiard/bowling)	\$125.00		
Miscellaneous (Class I)	\$125.00		
Miscellaneous (Class II)	\$125.00		
Miscellaneous (Class IV)	\$125.00		
Miscellaneous (boardinghouse)	\$125.00		
Auctioneer	\$85.00		
One-day auctioneer	\$85.00		
Junk dealer	\$85.00		
Taxi/limousine	\$85.00		
Transient vendor	\$480.00		
Fortune teller	\$85.00		

B. Animal Control. [Amended 11-7-2012 by Bylaw Amendment 12-694]

Service Fee	FY04 Rate	FY13 Rate
Kennel – boarding	\$20.00 per day after first 24 hours	\$25.00 per day
Pickup	\$45.00	\$50.00

¹ Editor's Note: Subsequent amendments to this Appendix noted where applicable.

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C. Assessors. [Amended 4-15-2009 by Bylaw Amendment 09-631]

Service Fee	FY04 Rate	FY09 Rate	Service Category
Certified list of abutters		\$20.00	Full cost
Property record cards	\$1.00		Full cost
Maps	\$1.00		Full cost
Copies per page	\$0.25		Full cost
Abatements	—		Waived
Rollbacks	\$100.00		Full cost

D. Clerk. [Amended 4-15-2009 by Bylaw Amendment 09-631; 11-7-2012 by Bylaw Amendment 12-694]

Service Fee	FY04 Rate	FY09 Rate	FY13 Rate	Service Category
Certified copy - long	\$6.00			Full cost
Certified copy - short	\$4.00			Full cost
Marriage intentions notice		\$25.00		Full cost
Dog registration		\$15.00 - \$20.00		Full cost
Late dog fee		\$25, plus license fee		Minimum
Kennel license				
Four dogs or fewer			\$25.00	
Five to 10 dogs			\$50.00	
11 or more dogs			\$100.00	
Recording, filing, amending	\$12.00			Full cost
Pole location	\$50.00 plus \$5.00 per pole			Minimum
Code supplement	\$50.00			Discounted
Zoning/subdivision books	\$30.00			Full cost
Street listings		\$20.00 - \$25.00		Discounted
Business certificates	\$40.00			Full cost
Maps	\$4.00			Minimum
Underground storage tanks license renewal		\$100.00		Full cost
Hazardous materials	\$50.00	\$100.00		Full cost
Research/genealogical		\$20.00 per hour		Full cost

E. Conservation.

Service Fee	FY04 Rate
Permit request for determination (RFDA)	

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Service Fee	FY04 Rate
SFH	—
New	—
Addition to existing	—
ANRAD	—
Permit, NOI	
SFH	\$100.00
Minor (pools, patios, swingsets, fences additions, utility work) (not qualifying for minor buffer zone regulation)	\$25.00
Subdivisions	Base fee: \$500.00.
	Infrastructure in BZRA:
	Roads: 2 per 1 foot
	Drainage: \$0.50 per square foot
	Resource area disturbance:
	BVW/IWL: \$0.50 per square foot
	Floodplains: \$0.20 per square foot
	Homes (SFH): If proposed as part of subdivision, \$125.00*.
	If not proposed as part of subdivision, see multiple dwellings.
Multiple dwellings (including dwellings in a subdivision plan)	\$100.00 per unit in jurisdiction of \$0.50 per square foot wetland disturbed and \$0.02 per square foot floodplain disturbed and \$0.02 per square foot resource area impact (Local Chapter 181), whichever is greater.
Minor projects	—
Commercial/industrial	Base fee: \$500.00
	Infrastructure in BZRA:
	Roads: \$2.00 per 1 foot
	Drainage: \$0.50/per square foot
	Resource area disturbance:
	BVW/IWL: \$0.50 per square foot
	Floodplains: \$0.20 per square foot
	Buildings: \$125.00
Infrastructure	—
Parking lot	—
Limited projects	—
Driveway SFH	—
Any point discharge	—
Grading and site preparation	—
Improvements (landscaping/maintenance	—
Permit, abbreviated NOI	

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Service Fee	FY04 Rate
SFH less than 1,000 square feet	\$25.00 plus \$1.00 per linear foot of roadway or driveway within jurisdiction
Other	\$25.00
Permit, permit extensions	
SFH/minor project	\$25.00
Other projects	\$25.00
Permit, certificate of compliance	
Residential	\$25.00
Commercial/industrial	\$25.00
Reinspection(s)	\$25.00
Permit, refile of project denied within 3 years	Original fee or \$1,000.00, whichever is less
Permit, control of nuisance vegetation (10.53(4))	\$50.00
Permit, enforcement order	—
Permit, bank closing letter	\$50.00
Permit, minor amendment	—
Permit, major amendment	—
Permit, change of plan review	—
Permit, informal plan review	—
NOTES: * Provides an incentive to NOIs for individual homes. Gives Conservation Commission more control on individual lots. Also efficient certificate of compliance processing for staff and Registry of Deeds	

F. Fire. [Amended 4-15-2009 by Bylaw Amendment 09-631]

Service Fee	FY04 Rate	FY09 Rate	Service Rate Category
Ambulance fees			
Airway management (intubation) - ALS		\$150.00	Full cost
ALS 1 base rate		\$710.00	Full cost
ALS 2 base rate		\$860.00	Full cost
BLS base rate		\$495.00	Full cost
Response, treatment - no transport		\$250.00	Full cost
Cardiac monitoring	\$175.00		Full cost
Defibrillation - BLS		\$150.00	Full cost
Defibrillation - ALS		\$175.00	Full cost
Extra attendant - ALS/BLS	\$180.00		Full cost
IV therapy/drug administration - ALS	\$150.00		Full cost
Mileage		\$17.00	Full cost
Oxygen		\$75.00	Full cost
BLS disposable supplies		\$75.00	Full cost
ALS disposable supplies		\$100.00	Full cost

FEES

Service Fee	FY04 Rate	FY09 Rate	Service Rate Category
Building plan review			
Assembly uses	\$150.00		Full cost
Business uses	\$50.00		Full cost
Educational uses	\$100.00		Full cost
Factory and industrial uses	\$100.00		Full cost
High hazardous uses	\$200.00		Full cost
Institutional uses	\$100.00		Full cost
Mercantile uses	\$100.00		Full cost
Residential - hotels (R1)	\$150.00		Full cost
Residential – multifamily (R2)	\$100.00		Full cost
Residential - one- and two-family	\$65.00		Full cost
Residential - single-family	\$35.00		Full cost
Storage uses	\$50.00		Full cost
Utility, miscellaneous uses	\$50.00		Full cost
False alarm fee. Fee to be assessed after the third false alarm within 30 days.	\$375.00		
Fire alarm connection/programming	\$130.00		Full cost
Fire alarm inspections			
Less than 3,000 square feet	\$45.00		
3,001 square feet to 10,000 square feet	\$60.00		
10,000 to 20,000 square feet	\$95.00		
20,000 to 30,000 square feet	\$175.00		
30,000 square feet or more	\$175.00		
Additional detail personnel may be required at the discretion of the Fire Chief			
Repeat inspections will require one-half the inspection fee			
Fire permits			
Blasting permits. Detail personnel shall be required for more than 2 blasts within an eight-hour day.	\$45.00		
Bonfires and burning Christmas trees. Detail personnel shall be required at the discretion of the Fire Chief	\$10.00		
Bowling pin and lane refinishing	\$10.00		
Cannon and mortar firing. Detail personnel shall be required at the discretion of the Fire Chief	\$45.00		
Cellulose nitrate film	\$110.00		
Combustible fibers	\$110.00		
Compressed natural gas (CNG)	\$110.00		

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Service Fee	FY04 Rate	FY09 Rate	Service Rate Category
Covered mall buildings	\$45.00		
Crop ripening or color processing	\$110.00		
Cutting and welding. Detail personnel shall be required at the discretion of the Fire Chief	\$45.00		
Dust explosion prevention	\$110.00		
Explosives	\$45.00		
Fire protection equipment - modification	\$60.00		
Fire protection systems – new installation	See fire alarm inspections		
Fireworks displays. Detail personnel shall be required at the discretion of the Fire Chief	\$110.00		
Fireworks manufacture, storage and handling	\$210.00		
Flammable and combustible liquids			
11 to 20 gallons	—		
21 to 100 gallons	\$75.00		
101 to 500 gallons	\$150.00		
500 to 1,000 gallons	\$300.00		
1,001 to 5,000 gallons	\$450.00		
5,000 to 10,000 gallons	\$600.00		
10,000 gallons or more	\$750.00		
Flammable and combustible gases			
Less than 3,000 cubic feet	—		
3,001 to 6,000 cubic feet	\$75.00		
6,000 to 9,000 cubic feet	\$150.00		
9,001 to 12,000 cubic feet	\$300.00		
12,001 to 15,000 cubic feet	\$450.00		
More than 15,000 cubic feet	\$600.00		
Flammable solids			
0 to 20 pounds	—		
21 to 100 pounds	\$75.00		
101 to 500 pounds	\$150.00		
500 to 1,000 pounds	\$300.00		
1,001 to 5,000 pounds	\$450.00		
5,000 to 10,000 pounds	\$600.00		
10,000 gallons or more	\$750.00		
Fuel transfer operations - service stations	\$75.00		
Fumigation and insecticidal fogging	\$10.00		
Hazardous substances left unattended	—		

FEES

Service Fee	FY04 Rate	FY09 Rate	Service Rate Category
Limited special effects. Detail personnel shall be required at the discretion of the Fire Chief	\$110.00		
LP gas	\$45.00		
Lumberyards	\$110.00		
Matches	\$45.00		
Model rockets	\$45.00		
Oil-burning equipment	\$45.00		
Open air fires	-		
Ovens and furnaces	\$45.00		
Rubbish containers	\$45.00		
Salamanders	\$55.00		
Special seasonal decorations	\$60.00		
Storage, combustible materials	See storage of flammable liquids, solids and gases		
Tank vehicles parked overnight	\$55.00		
Tanks and containers	See storage of flammable and combustible liquids and gases		
Tank removal	\$75.00		
Tar kettles on roofs	\$45.00		
Tire recapping and rebuilding plants	\$210.00		
Tire storage	\$75.00		
Torches and heat-producing devices	\$45.00		
Transportation of combustible liquids (tank truck)	\$75.00		
Fire protection equipment testing	\$35.00		
Fire reports	\$10.00		
Quarterly and annual inspections	\$65.00		
Site plan review			
Site plan review	\$50.00		
Amended site plan review	\$25.00		
Vehicle accidents – fire apparatus response	\$135.00		

G. Health. [Amended 4-15-2009 by Bylaw Amendment 09-631; 7-18-2012 by Bylaw Amendment 12-688; 6-18-2014 by Bylaw Amendment 14-736]

Service Fee	FY06 Rate	FY09 Rate	FY13 Rate	FY15 Rate	Service Category
Bakery	\$100				Discounted
Biotech application	\$600				Full cost

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Service Fee	FY06 Rate	FY09 Rate	FY13 Rate	FY15 Rate	Service Category
Biotech annual renewal	\$464				Full cost
Body art establishment			\$150		Full cost
Body art operator			\$60		Full cost
Bottling	\$63				Full cost
Camps - day	\$100				Discounted
Camps - residential	\$100				Discounted
Catering - establishment	\$100				Discounted
Catering - One-day	\$50				Discounted
Ch. 11 housing certification	\$100				Discounted
Ch. 21E site assessment	\$100				Full cost
Cleaners/laundromat			\$30		Full cost
Demolition permit			\$60		Full cost
Disposal of garbage/offal	\$45				Full cost
Disposal works installer			\$100		Full cost
Food retail establishment	\$100				Discounted
Food service establishment					Discounted
1 to 49 seats			\$150		Full cost
50 plus seats			\$175		Full cost
Frozen desserts			\$60		Full cost
Funeral director			\$25		Full cost
Grocery store - greater than 10,000 square feet			\$250		Full cost
Infectious waste disposal	\$50		\$50		Full cost
Keeping of animals permit			\$25		Full cost
Manicure establishment			\$150		Full cost
Milk pasteurizer			\$20		Full cost
Milk trucks			\$20		Full cost
Milk/cream store			\$40		Full cost
Mobile food vehicle	\$100				Discounted
Motel	\$100				Full cost
Outdoor wood-burning boiler		\$100			
Perc testing/soil testing				\$200	Minimum
Septic plan review/inspections	\$225				Full cost
Repair				\$250	
New				\$350	
Additional fee if pump system				\$100	
Additional fee with innovative/alternative system					

FEES

Service Fee	FY06 Rate	FY09 Rate	FY13 Rate	FY15 Rate	Service Category
Repair				\$125	
New				\$200	
Additional fee if retaining wall				\$50	
Design plan revision, 1st, subsequent revision					
Repair				\$75	
New				\$125	
Septic system inspections–N/C 1st 3					
Repair				\$50	
New				\$100	
Emergency repair				\$75	
Commercial					
Over 1,000 gallons per day				\$400 plus \$25 per 1,000 gallons plus additional \$150 for pump system, I/A system	
Private well			\$125	\$125	Full cost
Recycling permit	\$100			\$100	Full cost
Septic repair (minor)/alteration				\$75	Full cost
Stable permit	\$45				Full cost
Swimming pool	\$50				Discounted
Tanning parlor			\$150		Full cost
Trench		\$25			
Household hazmat collection	\$10				Discounted

H. Inspection. [Amended 4-15-2009 by Bylaw Amendment 09-631; 3-7-2012 by Bylaw Amendment 12-679]

Service Fee	FY09 Rate	FY12 Rate	Service Category
Building permit	Minimum \$40 or:		Full cost
Residential	\$9 per \$1,000 value		Full cost
Commercial	\$10 per \$1,000 value		Full cost
Failure to obtain permit	Triple fee		Full cost
Trench permit			Full cost
Periodic inspection			
To 4,000 square feet	\$150		Full cost
4,000 or more square feet	\$300		Full cost
Photovoltaic solar panel systems			

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Service Fee	FY09 Rate	FY12 Rate	Service Category
One to 100		\$2 per panel	Full cost
101 to 5,000		\$1.50 per panel	Full cost
5,000 +		\$1 per panel	Full cost
Electrical permits - residential			
New dwelling	\$150		Full cost
New condominium (up to 3 units; 4 or more requires commercial permit)	\$150 per each unit		Full cost
In-ground pool	\$60		Full cost
Above-ground pool	\$60		Full cost
Hot tub	\$60		Full cost
Burglar alarm	\$60		Full cost
Smoke alarm	\$60		Full cost
Air-conditioning unit	\$60		Full cost
Irrigation	\$60		Full cost
Old work/new work			
1 - 5 devices (smoke detectors, receptacles, switches, oil/gas burner, water heater, electric heater)	\$50		Full cost
6 plus devices	\$75		Full cost
Replace cable service	\$50		Full cost
Temporary service	\$50		Full cost
Sub panel (extra)	\$50		Full cost
Service change (electrical only): single-family/two-family/triple	\$50/\$80/\$140		Full cost
Failure to obtain permit	Triple fee		Full cost
Electrical permits - commercial			
New, addition, alteration	\$200 plus \$0.006 per square foot		Full cost
Low-voltage wiring	\$150		Full cost
Data cable and telephone	\$130		Full cost
Fire and burglar alarms (new)	\$130		Full cost
Generators	\$130		Full cost
Service upgrade new and old	\$130		Full cost
Ansul system	\$130		Full cost
Old work:			
1 - 5 devices (smoke detectors, signs, water heaters, receptacles, switches, oil/gas burner, electric heater)	\$75		Full cost

FEES

Service Fee	FY09 Rate	FY12 Rate	Service Category
6 - 25 devices (more than 25 = new fees)	\$125		Full cost
Reinspection	\$45		Full cost
Traffic lights	\$125		Full cost
Streetlight poles	\$85 per pole		Full cost
Temporary service	\$85 per pole		Full cost
Yearly maintenance service	\$200		Full cost
Carnivals	\$100		Full cost
After-hours inspection (plus permit fee)	\$200		Full cost
Failure to obtain permit	Triple fee		Full cost
Plumbing permits - residential			
Failure to obtain permit	Triple fee		Full cost
Reinspection	\$40		Full cost
Underground	\$30		Full cost
New dwelling (house or addition)			
Up to 10 fixtures	\$200		Full cost
11 fixtures and over	Permit plus \$7 each additional		Full cost
New/old remodel/renovate			
Up to 3 fixtures	\$100		Full cost
4 fixtures and over	Permit plus \$15 each additional		Full cost
New water heater (plus: gas permit, electric permit, oil permit (Fire Department) as applicable)	\$50		Full cost
Plumbing permits - commercial			
Failure to obtain permit	Triple fee		Full cost
Reinspection	\$45		Full cost
Underground (if pulled alone otherwise/fixture rate)	\$50 per inspection		Full cost
New work			
For 1 fixture	\$75		Full cost
Each additional fixture over 1	\$15		Full cost
Old work			
Up to 3 fixtures	\$75		Full cost
Each additional fixture over 3	\$15		Full cost
Yearly maintenance	\$200		Full cost
Gas permits - residential			
New work, alterations, replacements			
Up to 3 appliances	\$75		Full cost

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Service Fee	FY09 Rate	FY12 Rate	Service Category
Each additional appliance over 3	\$15		Full cost
Gas permits - commercial			
New work, alterations, replacements			
Up to 3 appliances	\$100		Full cost
Each additional appliance over 3	\$15		Full cost
Gas water heater			
New (plus plumbing permit)	\$42		Full cost
Replacement (no gas permit fee but need plumbing permit)			Full cost
Gas boiler (considered an appliance)			Full cost
Hot air furnace (considered an appliance)			Full cost
Scales			
Over 10,000 pound	\$110		Full cost
5,000 to 10,000 pounds	\$66		Full cost
1,000 to 5,000 pounds	\$33		Full cost
10 to 100 pounds	\$22		Full cost
Under 10 pounds	\$16.50		Full cost
Weights (all types)	\$1.10		Full cost
Measuring devices			
Gasoline meters (each)	\$22		Full cost
Vehicle tank	\$55		Full cost
Bulk storage	\$82.50		Full cost
Taxi meters	\$27.50		Full cost
Fabric measures	\$22		Full cost
Cordage measures	\$22		Full cost
Linear measures	\$11		Full cost
Other devices			
Reverse vending	\$11		Full cost
Automatic retail checkout systems (2 years)			
Less than 4 units	\$82.50		Full cost
4 units to 11 units	\$165		Full cost

FEES

I. Planning. [Amended 4-15-2009 by Bylaw Amendment 09-631; 11-2-2011 by Bylaw Amendment 11-665]

Service Fee	FY11 Rate	Service Category
Approval not required (81 P)	\$150	Full cost
Approval not required (81 P) with new buildable lots proposed	\$350	Full cost
Preliminary plan	\$700, 1 to 5 lots, plus \$100 each additional lot	Full cost
Definitive plan	\$2 per linear foot of roadway; \$800 minimum	Full cost
Planning Board special permit	\$750	Full cost
Bond release (estimate)	\$500	Full cost
Bond release (reduction)	\$500	Full cost
Site plan		Full cost
Up to 9,999 square feet of impervious coverage	\$1,500	
10,000 - 24,999 square feet of impervious coverage	\$2,500	
25,0000 - 50,000 square feet of impervious coverage	\$4,000	
Over 50,000 square feet	\$4,000, plus \$100 per each 10,000 square feet of impervious coverage over 50,000 square feet	
Limited site plan	\$500	Full cost
Subdivision modification application	\$750	Full cost
Review fees		
Independent consultant review fees	Determined by inspection consultant; due before issuance of decision by Planning Board	Full cost
Construction inspection fee		
Subdivision	Determined by inspection consultant; due before or at time of preconstruction meeting	Full cost
Site plan	Determined by inspection consultant; due before or at time of preconstruction meeting	Full cost

J. Police. [Amended 6-6-2012 by Bylaw Amendment 12-684]

Service Fee	FY04 Rate	FY13 Rate	Service Category
Parking			
Parking meters	\$0.50 for 120 minutes;		

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Service Fee	FY04 Rate	FY13 Rate	Service Category
	\$0.10 for 24 minutes;		
	\$0.05 for 12 minutes		
Downtown employee municipal lot		\$180 for 6 months	Minimum
Commuter rail municipal parking	\$120 quarterly		
FID permit	\$25		
Hackney license	\$25		
Pistol permit	\$25		
MVA reports	\$5 for 6 pages; \$0.50 each additional		
Incident/miscellaneous	\$1 per page		
Work permit	\$10		

K. Public Works. [Amended 2-1-2006 by Bylaw Amendment 06-584; 5-3-2006 by Bylaw Amendment 06-585; 5-2-2007 Bylaw Amendment 07-605; 5-21-2008 by Bylaw Amendment 08-621; 4-15-2009 by Bylaw Amendment 09-631; 2-10-2010 by Bylaw Amendment 10-641; 6-15-2011 by Bylaw Amendment 11-662; 4-4-2012 by Bylaw Amendment 12-680; 7-18-2012 by Bylaw Amendment 12-688; 4-4-2013 by Bylaw Amendment 13-700; 12-4-2013 by Bylaw Amendment 13-724; 4-16-2014 by Bylaw Amendment 14-731; 6-10-2015 by Bylaw Amendment 15-747]

Service Fee	FY07 Rate	FY09 Rate	FY10 Rate	FY11 Rate	FY12 Rate	FY16 Rate	Service Category
Street excavations						\$310	Minimum
Trench		\$25					Full cost
Map sales						\$15	Full cost
Beaver Street Recycling Center (sticker fee) - Annual						\$25	Minimum
Beaver Street Recycling Center (sticker fee) – 14 days from the time of purchase						\$10	Minimum
ABC (asphalt, brick, concrete)	\$10 per load	\$10 per load	\$10 per load	\$10 per load	\$10		Minimum
CRTs (computer monitors)	\$15 each	\$15 each	\$15 each	\$15 each	\$15 each		Minimum
Televisions							
Up to 25 inches			\$15 each	\$15 each	\$15		Minimum
26 inches and up			\$15 each	\$25 each	\$25		Minimum
Freon containing items		\$15 each	\$15 each	\$15 each	\$15		Minimum

FEEES

Service Fee	FY07 Rate	FY09 Rate	FY10 Rate	FY11 Rate	FY12 Rate	FY16 Rate	Service Category
Appliance			No charge	No charge	No charge		Minimum
Grills							
Small (table top)			No charge	No charge	No charge		Minimum
Large			No charge	No charge	No charge		Minimum
Microwave							
Small (countertop)			No charge	No charge	No charge		Minimum
Large			No charge	No charge	No charge		Minimum
Mattresses and box springs						\$10	
Carpeting – 4-inch rolls, 24-inch diameter						\$10	
Large rigid plastic			No charge	No charge	No charge		Minimum
Antifreeze				No charge	No charge		Minimum
Auto batteries				\$3	\$5		Minimum
Books				No charge	No charge		Minimum
Electronics				No charge	No charge		Minimum
Brush/yard waste				No charge	*See below		Minimum
Cardboard				No charge	No charge		Minimum
Paper				No charge	No charge		Minimum
Commingle containers				No charge	No charge		Minimum
Mercury				No charge		No charge	Minimum
Oil				No charge	No charge		Minimum
Hazardous waste						\$5 per gallon; \$5 per 10 lb	
Rechargeable batteries				No charge	No charge		Minimum
Propane tanks (20 pounds only)	\$3 each	\$3 each	\$3 each	\$3 each	\$5		Minimum
Tires (all sizes)	\$3 each	\$5	\$5	\$5	\$5		Minimum

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Service Fee	FY07 Rate	FY09 Rate	FY10 Rate	FY11 Rate	FY12 Rate	FY16 Rate	Service Category
Clothing				No charge	No charge		Minimum
Sink				No charge	\$10		Minimum
Toilet				No charge	\$15		Minimum
Tub/shower				No charge	\$20		Minimum
Styrofoam				No charge	No charge		Minimum
*Yard waste per registered vehicle and/or trailer							
Car, pickup truck, van or trailer under 4 x 8 without sides				No charge	No charge		Minimum
Pickup truck with extended sides				No charge	\$25		Minimum
Trailer (over 4 x 8) or enclosed cargo trailer)				No charge	\$25		Minimum
Curbside trash (annual)	\$300	\$244	\$244	\$220	\$220		Utility
Fee using 65-gallon trash cart						\$200	Utility
Fee using 35-gallon trash cart						\$180	Utility
Extra trash cart annual fee				\$150	\$150		Utility
Extra recycling cart annual fee				\$75	\$75		Utility
Extra recycling cart business annual fee				\$100	\$100		Utility
Overflow bag				\$3	\$3		Utility
Special curbside collection (sticker fees)							
Television							
Up to 25 inches		\$25	\$25	\$25	\$25		Minimum
26 inches and up		\$25	\$25	\$35	\$35		Minimum
Freon appliance		\$25	\$25	\$30	\$30		Minimum
Appliance (nonfreon)		\$25	\$25	\$25	\$25		Minimum
Grills					\$25		
Brush/yard waste (four times per year)				No charge	No charge		Minimum
Service change fee	\$1						Utility
Water main tap						\$425	Full cost
Water service renewal						\$180	Full cost

FEES

Service Fee	FY07 Rate	FY09 Rate	FY10 Rate	FY11 Rate	FY12 Rate	FY16 Rate	Service Category
Water/sewer extension permit						\$20	Full cost
Water connection						\$215	Minimum
Water reconnection	\$49						Full cost
Final meter reading						\$60	Minimum
Sewer connection	\$310						
Water turnoff – operating hours						\$40	Full cost
Water turnoff – after hours						\$255	Full cost
Water Map amendment						\$310	Full cost
Fire service (sprinkler) connection						\$215	Full cost
Hydrant flow test						\$105	Full cost
Backflow inspection						\$105	Full cost
Sewer Map amendment						\$310	Full cost
Sewer service renewal						\$180	Full cost
Sewer main tap						\$215	Full cost
Sewer inflow/infiltration removal (to be removed, less a credit up to the amount of the sewer entry fee, if any, paid at time of application)	\$6 per gallon						Utility
Sprinkler/hydrant	\$500						Utility
Water system entry	\$2,440						Utility
Sewer system entry	\$2,440						Utility
Drain layers license (new – 2 years)						\$110	Full cost
Drain layers license (renewal – 2 years)						\$55	Minimum
Public way access permit						\$90	Full cost

L. Treasurer. [Amended 4-15-2009 by Bylaw Amendment 09-631]

Service Fee	FY04 Rate	FY09 Rate	Service Category
Municipal liens		\$50	Full cost
Demand notice		\$10	Per state law
Redemption	\$165		Full cost
Duplicate bill fee	\$2		Full cost
Tax taking	\$125		Full cost
Electronic tax file fee	\$250		Full cost

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M. Recreation. [Amended 4-15-2009 by Bylaw Amendment 09-631; 7-18-2012 by Bylaw Amendment 12-688]

Service Fee	FY10 Rate	FY13 Rate	Service Category
Active recreation programs	\$5 to \$200 per participant	\$5 to \$200 per participant	Full cost
Passive recreation programs	\$5 to \$200 per participant	\$5 to \$200 per participant	Full cost
Adult programs	\$5 to \$200 per participant	\$5 to \$200 per participant	Full cost
Chilson Beach		\$10 per day per car/ \$75 season pass/ seniors pay half price/ price reduced halfway through swim season	Full cost
Swimming lessons		\$75 to \$150 per participant	Full cost
Field rental fee (for-profits)		\$75 per hour for grass fields; \$100 per hour for turf fields; Town Administrator sets the rate for all field rentals	Full cost
Facilities permit fee (nonprofits)	Electrical fees apply to groups using lighted fields.	\$50 per hour; electrical fees apply to groups using fields with lights	Full cost

N. COA. [Amended 7-18-2012 by Bylaw Amendment 12-688]

Service Fee	FY10 Rate	FY13 Rate	Service Category
Recreational trips	\$2 each way to towns bordering Franklin and Milford; \$5 each way to all other	\$2 each way to towns bordering Franklin and Milford; \$5 each way to all other	Discounted
Computer classes		\$15 registration fee	Full cost
Social events		\$6 per person	Full cost
Supportive day program		\$35 per day	Discounted

FEES

O. Library. [Amended 4-15-2009 by Bylaw Amendment 09-631]

Service Fee	FY04 Rate	FY09 Rate	Service Category
Overdue materials		Up to \$1 for books and up to \$5 for videos and DVDs	Minimum
Replacement cards		\$2	Full cost
Reader printer	\$0.10		Full cost
Printing pages	\$0.10		Full cost

FEEES

82 Attachment 2

Town of Franklin

Appendix B¹

Utility Service Rates

[Added 8-1-2001 by Bylaw Amendment 01-473;
amended 6-19-2002 by Bylaw Amendment 02-503;
3-15-2006 by Bylaw Amendment 06-586; 5-7-2008
by Bylaw Amendment 08-620; by Bylaw Amendment 09-633; 9-14-2011 by Bylaw
Amendment 11-663; by Bylaw Amendment 11-664]

Effective for bills issued after June 30, 2012, sewer usage and water usage rates shall be as follows:

CCF	Water Usage
	Rate 6-30-2012
0 – 15	\$5.25
16 – 40	\$5.50
41+	\$6.45

CCF	Sewer Usage	
	Rate 6-30-2012	Rate 6-30-2013
0 – 15	\$4.15	\$5.00
16 – 40	\$4.40	\$5.30
41+	\$5.10	\$6.10

Sewer usage for residences without municipal water: \$125 per quarter/2012 and \$150 per quarter/2013.

¹ Editor's Note: Former Appendix B, Planning and Health Services, added 8-25-1993 by Bylaw Amendment 93-247, as amended, was repealed 3-15-1995 by Bylaw Amendment 95-285.

FEES

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Town of Franklin

Appendix C

Other Service Fee Rates

[Added 6-20-1994 by Bylaw Amendment 94-264; amended in its entirety
12-20-1995 by Bylaw Amendment 95-306]

The following fees shall remain in effect, unless otherwise amended; whereupon they will be, without further amendment, placed in Appendix A, List of Service Fee Rates:

Department	Service	Fee
Animal control	Kennel	\$15 per day after first 24 hours
Animal control	Dog pickup	\$45 per pickup
Administration [Added 9-2-1998 by Bylaw Amendment 98-386]	Public way access permit	\$150

Side-by-side comparison

NOTES:

1. Planning, Council on Aging and Treasurer have no proposed fee increases or amendments to the bylaw and are not reflected in this chart.
2. The new fee categories and rates are in red.
3. To keep this side-by-side chart somewhat legible, we cut out large chunks of the bylaw where fees are being proposed to stay the same in order to keep the chart a little shorter.

A. Administration

Service Fee	Current Rate	New Rate	Change
Club/Wine Malt	\$750.00	\$750.00	
Liqueurs and cordials	\$900.00	\$900.00	
Package – Wine & Malt	\$1,500.00	\$1,500.00	
Common victualler – wine and malt	\$1,500.00	\$1,500.00	
Club/All alcohol	\$1,750.00	\$1,750.00	
Package – all alcohol	\$2,500.00	\$2,500.00	
Common victualler – all alcohol	\$2,500.00	\$2,500.00	
Innholder – all alcohol	\$3,500.00	\$3,500.00	
One-Day (all alcohol or wine and malt)	\$75.00	\$75.00	
Alcohol innholder/rooms only	\$1,300.00	\$1,300.00	
Common victualler	\$125.00	\$125.00	
Innholders	\$125.00	\$125.00	
Farmer & Wine Brewery			New
Alcohol license modification	\$500.00	\$500.00	
Automatic amusement	\$125.00	\$125.00	
Weekday amusement	\$125.00	\$125.00	
Entertainment	\$125.00	\$125.00	
Billiard/Bowling	\$125.00	\$125.00	
Class I	\$125.00	\$125.00	
Class II	\$125.00	\$125.00	
Class IV	\$125.00	\$125.00	
Boardinghouse	\$125.00	\$125.00	
Auctioneer	\$85.00	\$85.00	
One-Day Auctioneer	\$85.00	\$85.00	
Junk dealer	\$85.00	\$85.00	
Taxi/limousine	\$85.00	\$85.00	
Transient vendor	\$480.00	\$480.00	
Fortune Teller	\$85.00	\$85.00	
Public Way Access Permit	\$150.00	\$150.00	Merged from Appendix C

B. Animal Control

Service Fee	Current Rate	New Rate	Change
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Kennel - Boarding	\$20.00 per day after the first 24 hours	\$25.00 per day after the first 24 hours	\$5.00; Merged from Appendix B
Pickup	\$50.00	\$50.00	

C. Assessors

Service Fee	Current Rate	New Rate	Change
Certified list of abutters	\$20.00	\$25.00	\$5.00
Property record cards	\$1.00	Delete	Delete
Maps	\$1.00	Delete	Delete
Copies per page	\$.25	Delete	Delete
Rollbacks	\$100.00		

D. Conservation

NOTE: Reorganized fee schedule to eliminate or consolidate 28 fee categories, thus some changes here reflect a consolidation of fees.

Service Fee	Current Rate	New Rate	Change
Permit request for determination (RFDA)	\$0	\$100.00	\$100.00
Minor Buffer Zone Permit (MBZP)	\$0	\$50.00	\$50.00
Abbreviated Natural Resources Area Determination (ANRAD)	\$0	\$.50 per linear foot, per resource area	\$.50 per linear foot, per resource area
Notice of Intent (NOI) Permit			
Single Family Home (SFH), Base Fee	\$100.00	\$200.00	\$100.00
Single Family Home (SFH), all accessory projects	\$25.00	\$50.00	\$25.00
Subdivisions, Base Fee:	\$500.00	\$600.00	\$100.00
Subdivisions, Roads:	\$2 per foot	\$2 per foot	
Subdivisions, Drainage:	\$.10/per square foot	\$10/per structure	Varies
Subdivisions, Resource Area Disturbance:	Varies	\$.50/square foot	Varies
Multiple Dwellings, Base Fee:	Varies	\$100.00/per unit within jurisdiction	Varies
Multiple Dwellings, Resource Area Disturbance	Varies	\$.50/per square foot	Varies
Commercial/Industrial, Base Fee:	\$500.00	\$600.00	\$100.00
Commercial/Industrial, Roads:	\$2 per foot	\$2 per foot	
Commercial/Industrial, Drainage:	\$.10/per square foot	\$10/per structure	Varies
Commercial/Industrial, Resource Area Disturbance:	Varies	\$.50/square foot	Varies
All Improvements (landscaping/maintenance)	\$0	\$100.00	\$100.00
Permit, time extensions			
Single Family Home or accessory project	\$25.00	\$50.00	\$25.00
Other projects	\$25.00	\$50.00	\$25.00

Permit, certificate of compliance			
Residential	\$25.00	\$50.00	\$25.00
Commercial/industrial	\$25.00	\$50.00	\$25.00
Re-inspection	\$25.00	\$50.00	\$25.00
Permit, control of nuisance vegetation	\$50.00	\$100.00	\$50.00
Permit, Permit status letter for financial institutions	\$50.00	\$100.00	\$50.00
Permit, project amendment	\$0	\$100.00	\$100.00

E. Council on Aging

No fee increases.

F. Fire

NOTE: Consolidated or eliminated 11 fees or categories. NOTE: This side by side chart only depicts fees in Fire that are proposed to increase or change. The vast majority of Fire Department fees are not being proposed to increase or alter.

Service Fee		Current Rate	New Rate	Change
Ambulance Fees				
	ALS Base Rate 1	\$710.00	\$1,376.00	\$666.00
	ALS Base Rate 2	\$860.00	\$1,990.00	\$1,130.00
	BLS Rate	\$495.00	\$1,159.00	\$664.00
	Response treatment, no support	\$250.00	\$935.00	\$685.00
	Cardiac monitoring	\$175.00	\$175.00	
	Extra Attendant – ALS/BLS	\$180.00	\$265.00	\$85.00
	IV therapy/drug administration	\$150.00	\$150.00	
	Mileage	\$17.00	\$22.01	\$4.01
	Oxygen	\$75.00	\$80.00	\$5.00
	BLS disposable supplies	\$75.00	\$75.00	
	ALS disposable supplies	\$100.00	\$150.00	\$50.00
Building Plan Review				
	Commercial/Industrial	Varies	\$150.00	Consolidate 8 fees into one.
	Residential – Multifamily	\$100.00		
	Residential – one and two single family	\$65.00		
	Residential – single family	\$35.00		
	Storage uses	\$50.00		
	Utility, miscellaneous	\$50.00		
False alarm fee		\$375.00	\$300.00	(\$75.00)

G. Health

Service Fee		Current Rate	New Rate	Change
Biotech application		\$600.00		
Biotech annual renewal		\$464	\$100.00	(364.00)
Body art, establishment		\$150		

Body art, operator		\$60.00		
Bottling		\$63.00	\$75.00	\$12.00
Camps, day		\$100.00		
Camps, residential		\$100.00		
Chapter 21E site assessment		\$100.00		
Cleaners/laundromat		\$30.00	\$30.00	
Disposal of garbage, offal, septic hauler		\$45.00	\$65.00	\$20.00
Food service establishment:				
	1-49 seats	\$150.00	\$200.00	\$50.00
	50 plus seats	\$175.00	\$225.00	\$50.00
Frozen desserts		\$60.00	\$60.00	
Funeral director		\$25.00	\$25.00	
Grocery store, greater than 10,000 square feet		\$250.00	\$300.00	\$50.00
Infectious waste disposal		\$50.00	\$50.00	
Keeping of animals permit		\$25.00	\$35.00	\$10.00
Manicure establishment		\$150.00	\$150.00	
Mobile food vehicle		\$100.00	\$100.00	
Outdoor Wood burnings boiler		\$100.00	\$100.00	
Perc testing/soil testing		\$200.00	\$250.00	\$50.00
Septic plan review/inspections				
	Repair	\$250.00	\$275.00	\$25.00
	New	\$350.00	\$375.00	\$25.00
	Pump system, additional	\$100.00	\$100.00	
Innovative/alternative system				
	Repair	\$125.00	\$125.00	
	New	\$200.00	\$200.00	
	Retaining wall, additional	\$50.00	\$50.00	
Design plan revision, 1 st , subsequent revision				
	Repair	\$75.00		
	New	\$125.00		
Septic system inspections (N/C 1st 3)				
	Repair	\$50.00		
	New	\$100.00		
Commercial				

		\$400.00 Base fee, plus \$25.00 per 1,000 gallons plus an additional \$150 for pump system, I/A system	\$400.00 Base fee, plus \$25.00 per 1,000 gallons plus an additional \$150 for pump system, I/A system	
Private well		\$125.00	\$125.00	
Recycling permit		\$100.00	\$100.00	
Retail Food Establishment			\$100.00	New
Septic hauler			\$65.00	New
Septic minor repair		\$75.00	\$75.00	
Septic system installer		\$100.00	\$150.00	
Splashpad			\$50.00	New
Stable permit		\$45.00	\$50.00	\$5.00
Swimming pool/spa		\$50.00	\$50.00	
Tanning parlor		\$150.00	\$150.00	
Temporary food event			\$50.00	New
Tobacco Products Sale Permit			\$150.00	New
Trench		\$25.00	\$25.00	

H. Inspection

NOTE: Cannot complete a side-by-side chart due to the significant restructuring of the fee schedule. Current bylaw has 84 fees, proposed bylaw has 34 fee categories. See current bylaw.

I. Library

Service Fee	Current Rate	New Rate			Change
		Item	Late fee	Maximum late fee	
Overdue materials	Up to \$1 for books and up to \$5 for videos and DVD's	Books, audio CD's, audio books	.10/per day	\$5.00	See chart
		Speed readers	.10/per day	\$5.00	
		DVD's	\$1/per day	\$5.00	
		New DVD's	\$1/per day	\$5.00	
		Replacement cards	\$2		
Reader printer	\$.10 per page			Delete	
Printing pages	\$.10 per page			Delete	

J. Planning

NOTE: No proposed fee increases.

K. Police

Service Fee		Current Rate	New Rate	Change
False alarms				
	1 to 3 times		No Charge	
	Fourth		\$25 per false alarm	New, per Code 125-14
	Fifth		\$50.00	New, per Code 125-14
FID Permit		\$25.00		
Finger prints			\$20.00	New, Franklin resident
			\$50.00	New, Non-Franklin resident
Hackney license		\$25.00		
Parking Permits				
	Downtown employee municipal lot	\$180 per six months	\$180 per six months	
	Commuter rail municipal parking	\$120 per quarter	\$120 per quarter	
Pistol permit		\$25.00		
Solicitor's permit			\$100 (first person)	New
			\$20 (each add. Person)	New

L. Public Works

NOTE: This side by side chart only depicts fees in DPW that are proposed to increase. The vast majority of DPW fees are not being proposed to increase.

Service Fee	Current Rate	New Rate	Change
Water and Sewer Fees:			
Water main tap	\$425.00	\$475.00	\$50.00
Water service renewal	\$180.00	\$225.00	\$45.00
Water/sewer extension permit	\$20.00	\$20.00	
Water connection	\$215.00	\$300.00	\$85.00
Water reconnection	\$49.00	\$50.00	\$1.00
Final meter reading	\$60.00	\$75.00	\$15.00
Sewer connection	\$310.00	\$400.00	\$90.00
Water turnoff – operating hours	\$40.00	\$60.00	\$20.00
Water turnoff – after hours	\$255.00	\$300.00	\$45.00
Water map amendment	\$310.00	\$325.00	\$15.00
Fire service (sprinkler) connection	\$215.00	\$275.00	\$60.00
Hydrant flow test	\$105.00	\$125.00	\$20.00
Backflow inspection	\$105.00	Subject to public procurement, with a ten percent overhead added to the final amount	Varies

Sewer map amendment	\$310.00	\$325.00	\$15.00
Sewer service renewal	\$180.00	\$250.00	\$70.00
Sewer main tap	\$215.00	\$275.00	\$60.00
Sewer inflow/infiltration (to be removed, less a credit up to the amount of the sewer entry fee, if any, paid at the time of application)	\$6.00 per gallon	\$6.00 per gallon	
Sprinkler/hydrant	\$500.00	\$500.00	
Water system entry	\$2,440	\$2,440	
Sewer system entry	\$2,440	\$2,440	

M. Recreation

Service Fee		Current Rate	New Rate	Change
All recreation programs		\$5 to \$200.00 per participant	\$5 to \$200.00 per participant	
Chilson Beach				
	Day Fee:	\$10 per day/per car	\$10 per day/per car	
	Season Pass:	\$75.00, half price for senior citizens.	\$75.00, half price for senior citizens.	
Swimming lessons		\$75 to \$150.00	\$100 to \$200.00	\$25.00 to \$50.00
Field rental fee (for profits)		\$75.00 per hour for grass fields, \$100.00 per hour for turf fields; Town Administrator sets the rate for all field rentals	Town Administrator sets the rate for all field rentals	Eliminate specific fee language; TA sets rates annually
Facilities Permit fee (nonprofits)		\$50.00 per hour; electrical fees apply to groups using the lights.	\$50.00 per hour; electrical fees apply to groups using the lights.	

N. Town Clerk

Service Fee		Current Rate	New Rate	Change
Certified copy (First copy)		\$4.00	\$10.00	\$6.00
Certified copy (each copy thereafter)		\$6.00	\$5.00	(\$1.00)
Marriage intentions notice		\$25.00	\$25.00	
Marriage intentions notice amendment			\$10.00	New
Dog Registration				
	Before April 1 st (spayed/neutered)	\$15.00	\$20.00	\$5.00
	Before April 1 st (not spayed/neutered)	\$20.00	\$30.00	\$10.00

	After April 1 st (Late dog registration fee, spayed/neutered)	\$40.00	\$50.00	\$10.00
	After April 1 st (Late dog registration fee, not spayed/neutered)	\$45.00	\$60.00	\$15.00
Kennel license:				
	Four dogs or fewer	\$25.00	\$25.00	
	Five to ten dogs	\$50.00	\$50.00	
	11 or more dogs	\$100.00	\$100.00	
Recording, filing, amending		\$12.00	\$12.00	
Pole location		\$50.00, plus \$5.00 per pole	\$50.00, plus \$5.00 per pole	
Code supplement		\$50.00	\$75.00	\$25.00
Zoning/subdivision books		\$30.00	\$30.00	
Street listings		\$20.00 to \$25.00	\$25.00	\$5.00
Business certificates (every four years)		\$40.00	\$40.00	
Maps		\$4.00	\$5.00	\$1.00
Underground storage tank license		\$100.00	\$100.00	
Hazardous materials		\$100.00	\$100.00	
Research/genealogical		\$20.00/per hour	\$20.00/per hour	

O. Treasurer-Collector

NOTE: No proposed fee increases.

Fiscal Year 2017
 Low-Income Home Energy Assistance Program (LIHEAP)
 Income Eligibility and Benefit Levels

Family Size (# of people in the household)	100% of Federal Poverty Level	125% of Federal Poverty Level	150% of Federal Poverty Level	175% of Federal Poverty Level	200% of Federal Poverty Level	60% of Estimated State Median Income
1	\$ 11,880	\$ 14,850	\$ 17,820	\$ 20,790	\$ 23,760	\$ 34,001
2	\$ 16,020	\$ 20,025	\$ 24,030	\$ 28,035	\$ 32,040	\$ 44,463
3	\$ 20,160	\$ 25,200	\$ 30,240	\$ 35,280	\$ 40,320	\$ 54,925
4	\$ 24,300	\$ 30,375	\$ 36,450	\$ 42,525	\$ 48,600	\$ 65,387
5	\$ 28,440	\$ 35,550	\$ 42,660	\$ 49,770	\$ 56,880	\$ 75,849
6	\$ 32,580	\$ 40,725	\$ 48,870	\$ 57,015	\$ 65,160	\$ 86,311
7	\$ 36,730	\$ 45,913	\$ 55,095	\$ 64,278	\$ 73,460	\$ 88,272
8	\$ 40,890	\$ 51,113	\$ 61,335	\$ 71,558	\$ 81,780	\$ 90,234
9	\$ 45,050	\$ 56,313	\$ 67,575	\$ 78,838	\$ 90,100	\$ 92,196
10	\$ 49,210	\$ 61,513	\$ 73,815	\$ 86,118	\$ 94,157	\$ 94,157
11	\$ 53,370	\$ 66,713	\$ 80,055	\$ 93,398	\$ 96,119	\$ 96,119
12	\$ 57,530	\$ 71,913	\$ 86,295	\$ 98,081	\$ 98,081	\$ 98,081
13	\$ 61,690	\$ 77,113	\$ 92,535	\$ 100,042	\$ 100,042	\$ 100,042
14	\$ 65,850	\$ 82,313	\$ 98,775	\$ 102,004	\$ 102,004	\$ 102,004
15	\$ 70,010	\$ 87,513	\$ 103,965	\$ 103,965	\$ 103,965	\$ 103,965
16	\$ 74,170	\$ 92,713	\$ 105,927	\$ 105,927	\$ 105,927	\$ 105,927
17	\$ 78,330	\$ 97,913	\$ 107,889	\$ 107,889	\$ 107,889	\$ 107,889
Homeowners and Non-Subsidized Housing Tenants						
Deliverable Fuel (Oil, Propane, Kerosene & Other)	\$ 850	\$ 748	\$ 658	\$ 579	\$ 579	\$ 448
Utility and Heat- Included-in-Rent	\$ 710	\$ 625	\$ 550	\$ 484	\$ 484	\$ 375
High Energy Cost Supplement	\$ 100	\$ 90	\$ 80	\$ 70	\$ 70	\$ 60
Subsidized Housing Tenants						
Deliverable Fuel (Oil, Propane, Kerosene & Other)	\$ 595	\$ 525	\$ 460	\$ 405	\$ 405	\$ 315
Utility and Heat- Included-in-Rent	\$ 495	\$ 440	\$ 385	\$ 340	\$ 340	\$ 260
High Energy Cost Supplement	\$ 100	\$ 90	\$ 80	\$ 70	\$ 70	\$ 60
High Energy Cost Supplement (HECS) Thresholds - TBD						

Notes: Contact DHCD to determine income eligibility for a family of 18 and above.

Sources (Income Level): "Annual Update of the HHS Poverty Guidelines, *Federal Register* 81 No. 15 (25 Jan 2016): 4036-4037 and "State Median Income Estimates", USHHS, OCS, DEA, *LIHEAP-IM-2016-03*

July 13, 2016



Sponsor: Administration

TOWN OF FRANKLIN

BYLAW AMENDMENT 16-777

CHAPTER 151, SOLID WASTE AND RECYCLING

A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 151.

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL that Chapter 151, Section 17 of the Code of the Town of Franklin is amended by striking Chapter 151-17 in its entirety:

~~§151-17. Lifeline rates.~~

~~A. The rate for curbside trash collection may be discounted by a lifeline rate of 25% per quarter to residential accounts where the household income does not exceed the current maximum income eligibility guidelines for the Low Income Home Energy Assistance Program (LIHEAP) as determined by the United States Department of Health and Human Services, Administration for Children and Families.~~

~~B. Eligibility for the Lifeline Program may be certified for a one-year period by:~~

~~(1) Presenting written evidence to the Town of participation in LIHEAP; or~~

~~(2) By certification by a Town department or other public agency that the applicant income does not exceed those current income limits based on household size.~~

This bylaw amendment shall become effective on and after January 1, 2017.

DATED: _____, 2016

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council

Memorandum

To: Town Council

From: Jeff Nutting



Re: Marijuana Bylaws & Local Option Tax

The Council will consider five zoning bylaw amendments relating to the new recreational marijuana law and one resolution to accept the local option tax provision in the new law that took effect on December 15th.

Overall, town staff believe these zoning bylaws and resolution are a proactive approach to best handle the new law with the best information we have. With uncertainty at the legislative and regulatory levels, the Town should be proactive now to do what we can within current state laws and zoning laws. The town can always modify things down the road when those uncertainties become clearer.

Zoning bylaws

The Council will consider five zoning bylaw amendments, which will:

1. Eliminate the Medical Marijuana Overlay District and create a Marijuana Overlay District that will relate to both medical marijuana and recreational marijuana. The overlay district includes the town's industrial parks and a portion of Grove Street.

This overlay district has worked well for medical marijuana and town staff are recommending the Town simply create one overlay district for all marijuana related uses.

2. Both medical marijuana and recreational marijuana will now require a special permit for any marijuana use. Currently, the medical marijuana uses are by right. Town staff are recommending any marijuana use is by special permit only in order for the town to properly evaluate any application for a medical or recreational use.

3. Protect the downtown area, commercial and residential districts from ever having a recreational marijuana store.

It is important to note that the medical marijuana laws and regulations allow applications for grow facilities and stores to begin at the local level. The new recreational law is the opposite. The application begins at the state level, thus underscoring the importance of addressing zoning now.

Local Option Tax

The new marijuana law allows for a local option 2% sales tax on all sales of recreational marijuana. Like the local option hotel and meals tax, town staff believe it's in the best interest to protect the town to have this on the books now before any applications are ever filed to the state. The maximum percentage allowed under the law is 2%. If the legislature raises this tax in the future, which is uncertain right now, the town can always increase it.



Sponsor: Administration

TOWN OF FRANKLIN

RESOLUTION 16-75

**LOCAL ADOPTION OF G.L. CHAPTER 64N, SECTION 3:
LOCAL TAX ON MARIJUANA RETAIL SALES AND
ESTABLISHMENT OF TAX RATE**

WHEREAS, The Regulation and Taxation of Marijuana Act passed by voters at the November 2016 state election added a new Chapter 64N to the General Laws, and

WHEREAS, Section 3 of Chapter 64N provides a local sales tax option on the sale or transfer of marijuana or marijuana products by a marijuana retailer at a rate not greater than two percent of the total sales price.

NOW, THEREFORE, the Franklin Town Council, acting on behalf of the Town of Franklin, hereby adopts G.L. Chapter 64N, Section 3 authorizing the imposition of a local sales tax on the sale or transfer of marijuana or marijuana products by a marijuana retailer, all as defined in the statute, and establishes the rate of said tax at the maximum of two percent (2%), as provided in said statute.

This Resolution shall become effective according to the rules and regulations of the Town of Franklin Home Rule Charter.

DATED: _____, 2016

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council

Sponsor: Administration

TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 16-779

Changes to §185-3. Definitions

A ZONING BY-LAW TO AMEND CHAPTER 185 SECTION 3 OF THE CODE
OF THE TOWN OF FRANKLIN

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by adding the following into §185-3 Definitions in alphabetical order:

NON-MEDICAL MARIJUANA ESTABLISHMENT.- A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2016

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ NO _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 16-780
Changes to § 185-4 Districts Enumerated**

**A ZONING BY-LAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN
AT CHAPTER 185, SECTION 4, DISTRICTS ENUMERATED, RE:
MARIJUANA USE OVERLAY DISTRICT**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by ~~deleting~~ and adding the following text at §185-4. Districts Enumerated:

~~B. In addition, there are eight overlay districts: the Flood Hazards District as established in §185-24, the Water Resource District as established in §185-40, the Wireless Communications Services District as established in §185-44, the Biotechnology Use Overlay District as established in §185-42, the Adult Use Overlay District as established in §185-47, the Senior Village Overlay District as established in §185-48, the Sign District Map as established in §185-20 and the Medical Marijuana Use Overlay District as established in §185-49.~~

B. In addition, there are eight overlay districts: the Flood Hazards District as established in §185-24, the Water Resource District as established in §185-40, the Wireless Communications Services District as established in §185-44, the Biotechnology Use Overlay District as established in §185-42, the Adult Use Overlay District as established in §185-47, the Senior Village Overlay District as established in §185-48, the Sign District Map as established in §185-20 and the Marijuana Use Overlay District as established in §185-49.

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2016

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Judith Pond Pfeffer, Clerk

TOWN OF FRANKLIN

ZONING BY-LAW AMENDMENT 16-781

MARIJUANA USE OVERLAY DISTRICT

Changes to § 185-5 Zoning Map

A ZONING BY-LAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 185 SECTION 5, ZONING MAP, RE: MARIJUANA USE OVERLAY DISTRICT.

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by making the following amendments to §185-5. Zoning Map:

That the Zoning Map of the Town of Franklin be amended by deleting the Medical Marijuana Use Overlay District, and by creating an overlay zoning district to be known as the Marijuana Use Overlay District. The Marijuana Use Overlay District shall consist of those parcels of land zoned industrial that are located south or west of the sideline of Interstate 495; and which are not within 500 feet of a public or private school, and not within 200 feet of a residential zoning district, library, church, child-care facility, park, and playground. The 500 feet and 200 feet distances shall be measured from all property lines of the proposed use; State Forest land shall not be considered when determining the proximity of a parcel to a residential zoning district.

This District is delineated on the map entitled “Marijuana Use Overlay District” and created under 185-4 Districts Enumerated.

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2016

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____




ABSTAIN _____

Teresa M. Burr
Town Clerk


ABSENT _____

Judith Pond Pfeffer, Clerk

MARIJUANA USE OVERLAY DISTRICTS

-  Marijuana Use Overlay District*
-  Parcel Line
-  Municipal Boundary

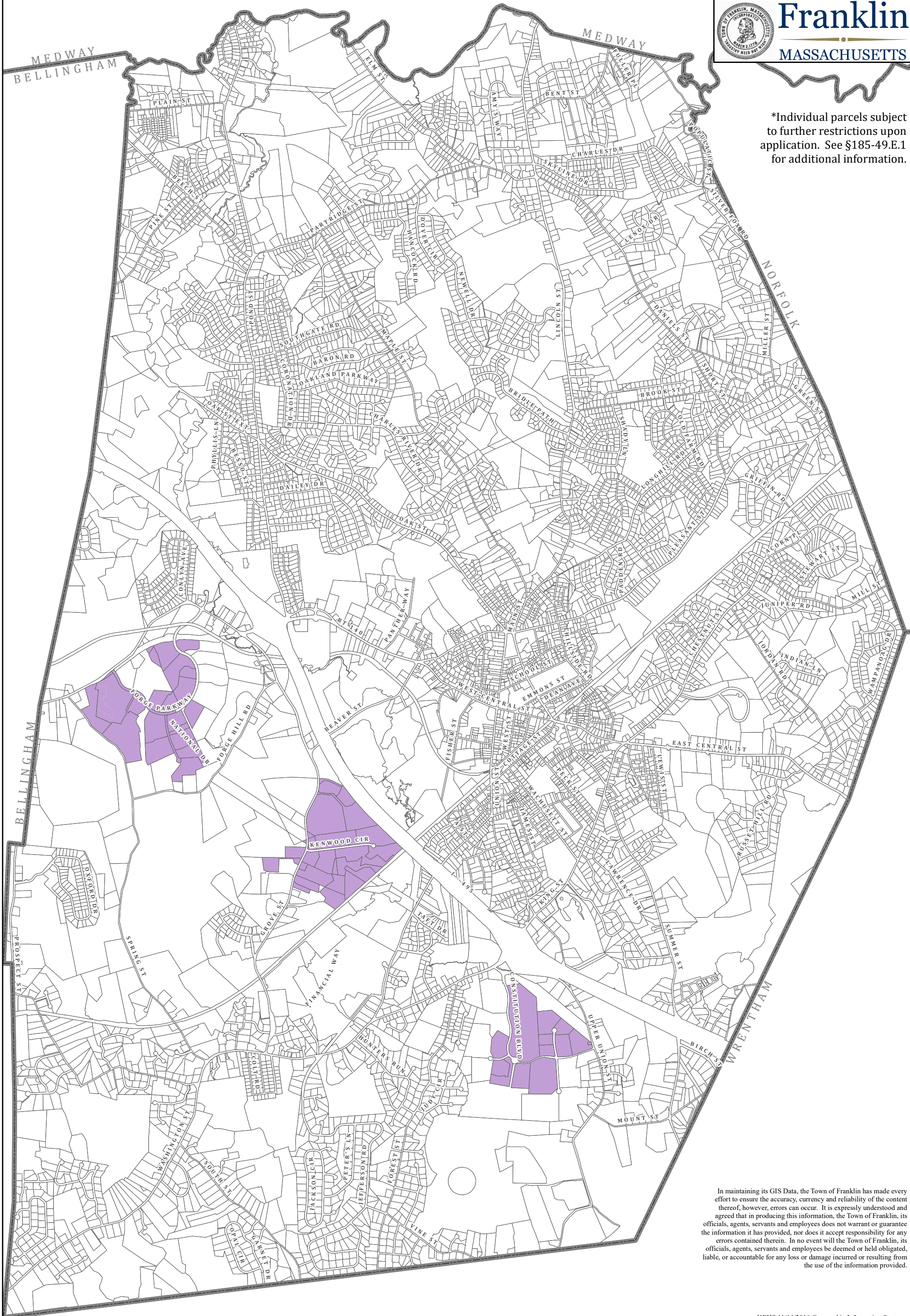
N



0 0.25 0.5
 Kilometers
 0 0.25 0.5
 Miles



*Individual parcels subject to further restrictions upon application. See §185-49.E.1 for additional information.



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.

Sponsor: *Administration*

TOWN OF FRANKLIN

ZONING BY-LAW AMENDMENT 16-782

Changes to §185-7 Compliance required.

**A ZONING BY-LAW TO AMEND CHAPTER 185 SECTION 7 OF THE CODE OF THE
TOWN OF FRANKLIN**

Note: Within this section, changes are shown in **Bold** type to retain the readability of the document, and appear as additions (**xvz**) and as deletions (~~xyz~~).

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by the following additions and deletions to §185-7. Compliance required:

185 Attachment 3
USE REGULATION SCHEDULE
PART II (Continued)

Principal Uses	District													
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O
2.10 Shopping center	N	N	N	N	N	N	N	PB	PB	N	PB	N	N	N
2.11 Storage facility	N	N	N	N	N	N	N	N	PB	N	N	N	N	N
2.12 Tattoo parlor/body-piercing studio	N	N	N	N	N	N	N	N	N	N	N	PB	N	N
2.13 Tourist home	PB	PB	P/SP	P/SP	P/SP	P/SP	N	P/SP	P/SP	N	P/SP	N	N	N
2.14 Office park	N	N	N	N	N	PB	N	PB	PB	N	PB	PB	N	Y
2.15 Other retail sales, services														
a. General	N	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	N ⁴	N ⁴	N ⁴
b. Personal	N	N	N	N	N	P/SP ⁵	N ⁴	P/SP	P/SP	P/SP	P/SP	N ⁴	N ⁴	N ⁴
c. Other	N	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	N ⁴	N ⁴	N ⁴
2.16 Vehicular service establishment	N	N	N	N	N	N	N	PB	PB	PB	PB	N	N	N
2.17 Trade center	N	N	N	N	N	N	N	N	N	N	N	N	P/SP	PB
2.18 Catering	PB	PB	PB	PB	PB	PB	N	PB	PB	PB	PB	Y	Y	N
2.19 Function Hall	PB	N	PB	PB	PB	PB	N	PB	PB	PB	PB	Y	Y	N
2.20 Psychic services/fortune-telling	N	N	N	N	N	PB	N	N	N	N	N	PB	N	N
2.21 Bed-and-breakfast	PB	PB	P/SP	P/SP	P/SP	P/SP	N	P/SP	P/SP	P/SP	P/SP	N	N	N
2.22 Country Store	N	N	N	N	N	Y	PB	Y	Y	N	Y	N	N	N
2.23 Non-Medical Marijuana Facility	N	N	N	N	N	N	N	N	N	N	N	PB⁷	N	N

NOTES:

1. If any part of a principal use is considered a VSE (see § 185-3, Definitions), the requirements for VSE must be met.
2. Except as permitted by a special permit within the Adult Use Overlay District as described in § 185-47.
3. Except BA if involving live or mechanical entertainment.
4. Only allowed as an accessory use to an otherwise permitted use as detailed in Use Regulations Schedule, Part VII, Accessory Uses.
5. Establishments are limited to a maximum gross building footprint of 2,800 square feet.
6. Not allowed on sidewalk level in multilevel development.

7. Non-Medical Marijuana Facilities may be permitted by Planning Board special permit in portions of the Industrial Zone which are in the Marijuana Use Overlay District, see §185-49.

185 Attachment 5
USE REGULATION SCHEDULE
PART IV

Symbols in the Use Regulations Schedule shall mean the following:

- Y = A permitted use.
- N = An excluded or prohibited use.
- BA = A use authorized under special permit from the Board of Appeals.
- PB = A use authorized under special permit from the Planning Board.
- P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Principal Uses	District													
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CH	DC	B	I	LI	O
4. Institutional														
4.1 Cemetery	Y	Y	Y	N	N	N	N	N	N	N	N	N	N	N
4.2 Hospital	N	N	N	N	N	N	N	N	PB	N	PB	PB	N	N
a. Medical Marijuana Treatment Facility	N	N	N	N	N	N	N	N	N	N	N	Y ⁴ PB ⁴	N	N
b. Medical Marijuana Testing Facility	N	N	N	N	N	N	N	N	N	N	N	Y ⁴ PB ⁴	N	N
4.3 Charitable institution	N	N	N	PB	PB	N	Y	Y	PB	N	N	N	N	N
4.4 Correctional facility	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
4.5 Library, museum, art gallery	N	Y	Y	Y	N	N	Y	Y	Y	Y	Y	N	N	N
4.6 Lodge, social nonprofit	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	N
4.7 Public use	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N ³	N	N ³
a. Municipal public safety	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
4.8 Religious or educational use:														
a. Exempt from zoning prohibition ²	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
b. Dormitories	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N

NOTES:

1. But not including any use, the principal activity of which is one customarily conducted as a business.
2. See MGL c. 40A, § 3.
3. Except for municipal public safety.

4. Medical Marijuana Treatment Facilities and Testing Facilities ~~are permitted~~ may be permitted by Planning Board special permit in portions of the Industrial Zone which are in the ~~Medical~~ Medical Marijuana Use Overlay District, see §185-49.

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2016

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk

TOWN OF FRANKLIN

ZONING BY-LAW AMENDMENT 16-783

MARIJUANA USE OVERLAY DISTRICT

**A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, SECTION 49.**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by deleting the entire text of §185-49. Medical Marijuana Use Overlay District, and by adding in its place the following §185-49. Marijuana Use Overlay District:

§185-49. Marijuana Use Overlay District.

1. Purpose and Intent.
 - a. This section is adopted with the purpose and intent of establishing zoning to allow the use of medical marijuana treatment centers, medical marijuana testing facilities, and non-medical marijuana facilities in the Town of Franklin.
2. Applicability. This §185-49 applies to the following:
 - a. All medical marijuana uses as defined in the Session Laws of The Commonwealth of Massachusetts Chapter 369 of the Acts of 2012 and medical marijuana testing facilities as regulated within this section and defined in §185-3.
 - i. No action taken under the enforcement powers of this chapter shall be in contradiction to the provisions of Chapter 369 of the Acts of 2012 as adopted or amended.
 - b. All Non-Medical Marijuana Establishments.
3. Establishment of the marijuana use overlay district and relationship to underlying districts.
 - a. The marijuana use overlay district is established as a district which overlays the underlying districts, so that any parcel of land underlying in the marijuana use overlay district shall also lie in one or more of the other zoning district in which it was previously classified, as provided for in this Zoning Bylaw.
4. Permitted uses.
 - a. Uses allowed by right. The following uses are allowed as of right within the marijuana use overlay district:

- i. All uses permitted as of right in the underlying base zoning district.
- b. Uses allowed by Special Permit. The following uses may be allowed within the marijuana use overlay district by Planning Board special permit:
 - i. Medical Marijuana Treatment Facility.
 - ii. Medical Marijuana Testing Facility.
 - iii. Non-Medical Marijuana Establishment.

5. Location.

- a. The marijuana use overlay district consists of those parcels of land zoned industrial that are located south or west of the sideline of Interstate 495; and which are not within 500 feet of a public or private school, and not within 200 feet of a residential zoning district, library, church, child-care facility, park, and playground. The 500 feet and 200 feet distances shall be measured from all property lines of the proposed use; State Forest land shall not be considered when determining the proximity of a parcel to a residential zoning district.
- b. This District is delineated on the map entitled “Marijuana Use Overlay District” and created under 185-4 Districts Enumerated.

6. Severability.

- a. If any of this section or portion of this section is ruled invalid, such ruling shall not affect the validity of the remainder of the section.

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2016

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Judith Pond Pfeffer, Clerk