

Town of Franklin



Planning Board

Due to the growing concerns regarding the COVID-19 virus, we will be conducting a remote/virtual Planning Board Meeting. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number (Cell phone or Landline Required) OR citizens can participate by copying the link (Phone, Computer, or Tablet required).

Please click on the link <https://zoom.us/j/93363222832> or call on your phone at 312-626-6799, meeting # is 93363222832.

April 27, 2020

- 7:00 PM** **Commencement/General Business**
- 7:05 PM** **PUBLIC HEARING** – *Continued*
122 Chestnut Street
Site Plan
TO BE CONTINUED
Adv.: Jan. 13 & Jan. 20, 2020
Abuts: January 8, 2020
- 7:10 PM** **PUBLIC HEARING** – *Continued*
Maple Hill
Definitive Subdivision
TO BE CONTINUED
Adv.: Feb. 24 & March 2, 2020
Abuts: February 24, 2020
- 7:10 PM** **PUBLIC HEARING** – *Initial*
Zoning By-Law Amendments
20-854: Zoning Map Amendment
Water Resource District Map
Adv.: April 13 & April 20, 2020

GENERAL BUSINESS:

A. Meeting Minutes: April 6, 2020 & April 13, 2020

This agenda is subject to change. Last updated: April 21, 2020
The next meeting of the Planning Board is scheduled for May 4, 2020.

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

MEMORANDUM

TO: FRANKLIN TOWN COUNCIL

FROM: BRYAN W. TABERNER, AICP, DIRECTOR

**RE: PROPOSED ZONING BYLAW AMENDMENT 20-854,
UPDATE TO FRANKLIN'S WATER RESOURCE DISTRICTS MAP**

**CC: JAMIE HELLEN, TOWN ADMINISTRATOR; FRANKLIN PLANNING BOARD;
MARK G. CEREL; CHRISSEY WHELTON; ROBERT CANTOREGGI; MICHAEL
MAGLIO; LAURIE RUSZALA; GUS BROWN; AMY LOVE**

DATE: MARCH 4, 2020

The Town of Franklin's Zoning Map includes several Overlay District Maps listed in §185-4B of Franklin Town Code. One of the more important overlay districts, Franklin's Water Resource District, was created to protect the Town's many wells and related aquifers. At this time the Department of Public Works is requesting an update to the Town's Water Resource District map, and an amendment to a related section of the Zoning Bylaw (§185-40).

The reasons for the proposed zoning bylaw amendment are explained in an attached letter from Town Engineer Michael Maglio. Zoning Bylaw Amendment 20-854 is likely the easiest bylaw amendment Town Council will ever need to consider; the proposed amendment makes one simple date change to §185-40B.

If Council members support the proposed Zoning Bylaw Amendment we request Town Council vote to refer Zoning Bylaw Amendments 20-854 to the Planning Board for a Public Hearing. Let me know if you have questions or require additional information.

Attachments:

- A. Letter from Town Engineer Michael Maglio;
- B. Existing Town of Franklin Water Resource Districts Map (2008);
- C. Updated Town of Franklin Water Resource Districts Map (2020); and
- D. Zoning Bylaw Amendment 20-854. Changes to §185-40. Water Resource District.



TOWN OF FRANKLIN

DEPARTMENT OF PUBLIC WORKS

Franklin Municipal Building
257 Fisher Street
Franklin, MA 02038-3026

March 4, 2020

To: Jamie Hellen, Town Administrator

Re: **Water Resource Map Update**

Dear Jamie,

We are requesting that the Town Council amend the Water Resource District Bylaw 185-40 to reflect the updated overlay district map. This is a housekeeping action to reflect the new district boundaries as defined by MassDEP.

Under Bylaw 185-40.B, the Water Resource District is defined as “those areas designated DEP Approved Zone 1; DEP Approved Zone 2; submitted for approval DEP Zone 2; and DEP approved Interim Wellhead Protection Areas.” MassDEP defines the limits of the Water Resource District and occasionally updates those limits and releases the data through GIS updates to the Town.

The District boundaries on the current Water Resource District Map were accurate as of March 28, 2008, however MassDEP has issued subsequent revisions since that time and we are requesting that the Council update the bylaw to reflect the most current data as shown on the attached map.

We will monitor new data releases from the State for future changes to the District boundaries and will request future map amendments accordingly.

Sincerely,

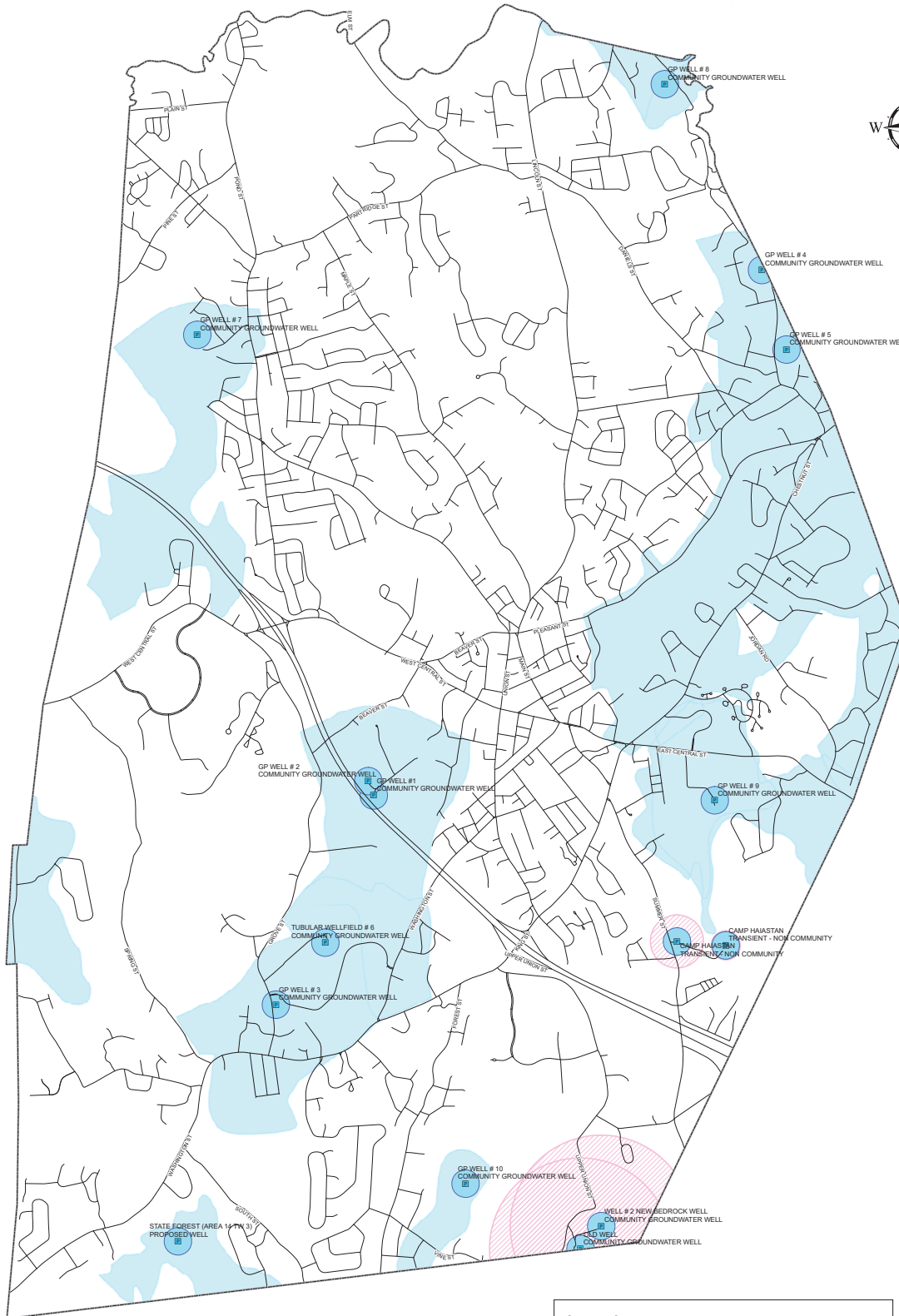
Michael Maglio, PE
Town Engineer

Cc: Robert Cantoreggi, Director of Public Works
Laurie Ruzala, Water & Sewer Superintendent
Bryan Taberner, Director of Planning and Community Development
Mark Cerel, Town Attorney

Town of Franklin Water Resource Districts

Dated: MARCH 28, 2008

Attachment B
Existing Town of Franklin
Water Resource Districts Map



Legend

- Public Water Supply Wellhead Location
- DEP Approved ZONE 1
- DEP Approved ZONE 2 & Submitted for Approval DEP Zone 2
- DEP Approved Interim Wellhead Protection Areas (IWPA)



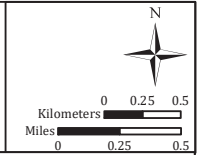
Produced By:
Town of Franklin GIS



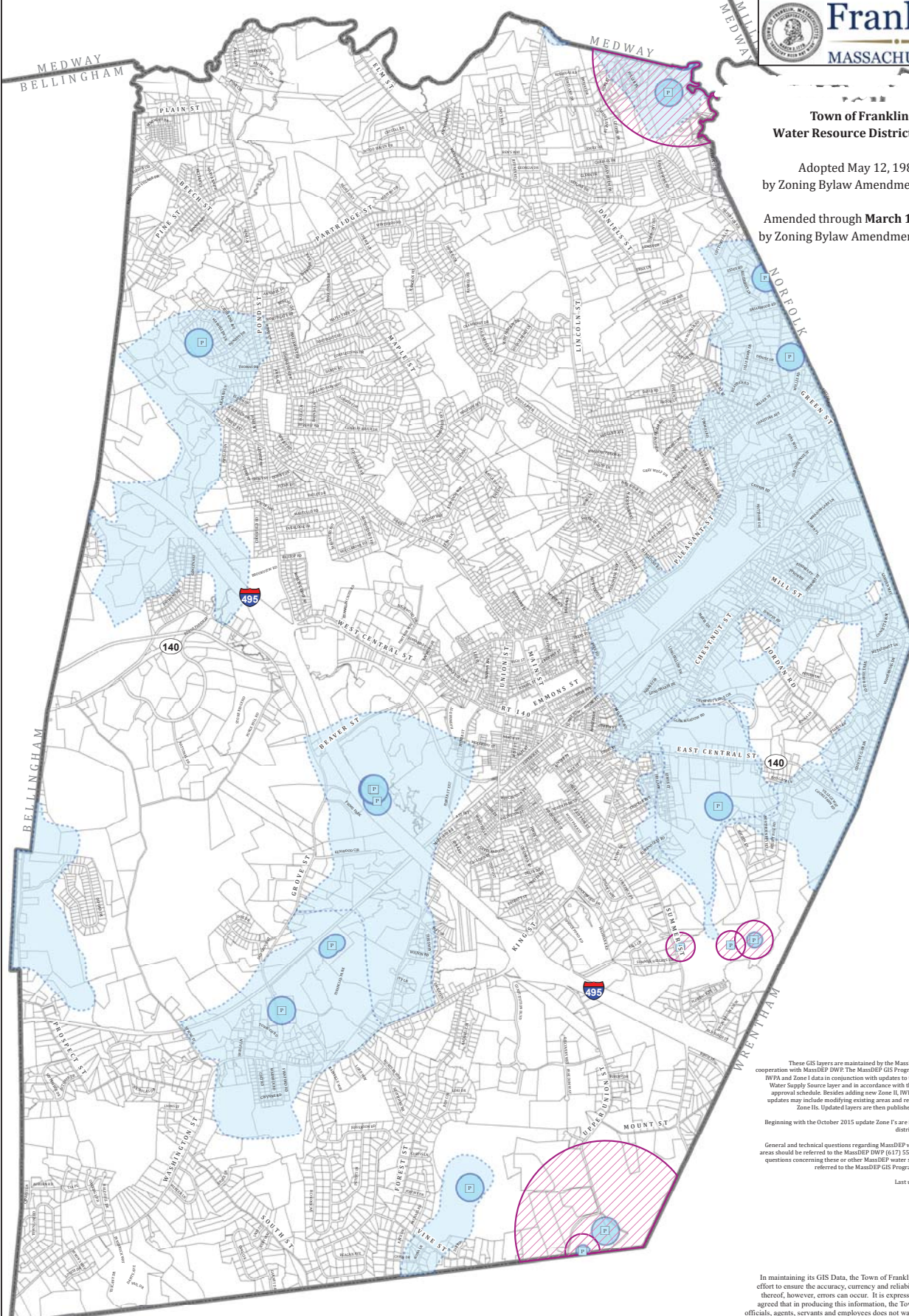
MAP SCALE
1:17,000

Water Resource Districts

- Public Water Supply
- DEP Approved Interim
- Wellhead Protection Areas (IWPA)*
- DEP Approved Zone I*
- DEP Approved Zone II*
- Parcel
- Municipal Boundary



Town of Franklin
Water Resource Districts Map
 Adopted May 12, 1986
 by Zoning Bylaw Amendment 86-65
 Amended through **March 18, 2020**
 by Zoning Bylaw Amendment 20-854



*Data Source:
 These GIS layers are maintained by the MassDEP GIS Program in cooperation with MassDEP DWP. The MassDEP GIS Program updates Zone II, I, WPA and Zone I data in conjunction with updates to the MassDEP Public Water Supply Source layer and in accordance with the DWP new source approval schedule. Besides adding new Zone II, WPA and Zone I areas, updates may include modifying existing areas and removing superceded Zone I's. Updated layers are then published through MassGIS.
 Beginning with the October 2015 update Zone I's are included in the data distributed to the public.
 General and technical questions regarding MassDEP well head protection areas should be referred to the MassDEP DWP (617) 556-1055. GIS-related questions concerning these or other MassDEP water supply layers can be referred to the MassDEP GIS Program (617) 574-6856.
 Last updated 12/9/2019

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: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 20-854**

CHANGES TO §185-40. WATER RESOURCE DISTRICT

**A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE
AT CHAPTER 185, SECTION 40.D**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT: The Code of the Town of Franklin is hereby amended by the following **additions** and **deletions** to §185-40. Water Resource District, sub-section B:

Establishment of district. The Water Resource District is hereby established as an overlay district. This overlay district shall apply to all new construction, reconstruction or expansion of existing buildings and new or expanded uses. The Water Resource District is defined as those areas designated DEP Approved Zone 1; DEP Approved Zone 2; submitted for approval DEP Zone 2: and DEP approved Interim Wellhead Protection Areas. The Water Resource District is delineated on the map entitled "Town of Franklin Water Resource Districts," dated ~~March 28, 2008~~ **March 18, 2020**, appended to this Zoning Bylaw and on file with the Town Clerk and Building Inspector.

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: _____, 2020

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

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

ABSTAIN _____

ABSENT _____

RECUSED _____

**Glenn Jones, Clerk
Franklin Town Council**

Town of Franklin



Planning Board

April 6, 2020 Meeting Minutes

Chair Anthony Padula called the above-captioned **Remote Access Virtual Zoom Meeting** to order this date at 7:12 PM. Members in attendance: Joseph Halligan, William David, Gregory Rondeau, Rick Power. Members absent: None. Also present: Michael Maglio, Town Engineer; Amy Love, Planner; Matthew Crowley, BETA Group, Inc.

7:00 PM **Commencement/General Business**

Chair Padula announced the **Remote Access Virtual Zoom Meeting** would be video and audio recorded for the public's information.

As stated on the agenda, Chair Padula reviewed that due to the growing concerns regarding the COVID-19 virus, the Planning Board will conduct a **Remote Access Virtual Zoom Meeting**. He stated that the Massachusetts State of Emergency and the associated state legislation allows towns to hold remote access virtual meetings during the COVID-19 pandemic crisis. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number, or citizens can participate by using the Zoom link also provided on the agenda; he read aloud the provided Zoom platform call-in phone number and the Zoom link. He stated that all public hearings on tonight's agenda will be continued due to the complexity of the hearings. He stated that for the upcoming Planning Board meetings scheduled for April 13, 2020 and April 27, 2020, the Planning Board will address General Business items, but they will continue all public hearings to a future meeting date.

A. Endorsement: 40 Alpine

Ms. Love stated that all the plans submitted to be endorsed are available to review online. The applicant provided all required documentation for the Certificate of Vote and all documentation needed to have the plans endorsed.

Motion to Endorse 40 Alpine. Rondeau. Second: David. Vote: 4-0-1 (4-Yes; 0-No; 1-Abstain). (Mr. Halligan abstained.)

B. Partial Form H: 186 Grove Street

Chair Padula asked Mr. Crowley why a photo of the right side of the entry way was provided, but a photo of the left side of the entry way was not provided.

Mr. Crowley confirmed the applicant had a radius curb on both sides. He confirmed the applicant will be installing the screening.

Motion to Approve the Partial Form H: 186 Grove Street. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

C. Lot Release and Bond: Mine Brook Estates

Chair Padula confirmed the bond amount of \$356,488. He stated that he does not have any concerns with the bond estimate; however, he has a problem with the lot releases. He stated that subdivision lots are not released without a binder course installed and all drainage working.

Motion to Accept Bond Amount for Mine Brook Estates. Halligan. Second: None.

Ms. Love stated that if the lots are not going to be released, then the bond will not be needed; as more work is completed, the bond amount will change.

Chair Padula recommended not to release the lots. Mr. Rondeau agreed.

Mr. Halligan retracted his motion.

Chair Padula stated this item will be put on a future agenda. He requested Ms. Love relay to the applicant that the binder course and functioning drainage are needed; then, this request can be resubmitted.

Chair Padula stated that the following public hearings will be continued to May 4, 2020. However, the specific time for each rescheduled public hearing will be provided at a future date. He stated that when the State of Emergency is lifted, on May 4, 2020, the Planning Board has 45 days to continue the public hearings.

7:05 PM **PUBLIC HEARING** – *Continued*
300 East Central Street
Site Plan – Change in Use
Documents presented to the Planning Board are on file.

Motion to Continue the public hearing for 300 East Central Street, Site Plan – Change in Use, to May 4, 2020. Rondeau. Second: David. Vote: 4-0-1 (4-Yes; 0-No; 1-Abstain). (Mr. Halligan abstained.)

7:05 PM **PUBLIC HEARING** – *Initial*
12 Forge Parkway
Site Plan Modification
Documents presented to the Planning Board are on file.

Motion to Waive the reading. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Continue the public hearing for 12 Forge Parkway, Site Plan Modification, to May 4, 2020. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – *Initial*
158 Grove Street
Special Permit & Site Plan Modification
Documents presented to the Planning Board are on file.

Motion to Waive the reading. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Continue the public hearing for 158 Grove Street, Special Permit & Site Plan Modification, to May 4, 2020. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – *Initial*
Panther Way
Special Permit & Site Plan
Documents presented to the Planning Board are on file.

Motion to Waive the reading. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Continue the public hearing for Panther Way, Special Permit & Site Plan, to May 4, 2020. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Chair Padula confirmed the next Planning Board meeting is scheduled for April 13, 2020 with four public hearings and an ANR for Spring Street. He thanked everyone for participating in the **Remote Access Virtual Zoom Planning Board Meeting**. He asked if there were any questions from the public.

One public comment was provided. Participant in the **Remote Access Virtual Zoom Planning Board Meeting** stated he had some questions regarding the 12 Forge Parkway public hearing; he will attend the public hearing on its rescheduled date of May 4, 2020.

Motion to Adjourn the Remote Access Virtual Zoom Planning Board Meeting. Power. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 7:30 PM.

Respectfully submitted,

Judith Lizardi,
Recording Secretary

Town of Franklin



Planning Board

April 13, 2020 Meeting Minutes

Chair Anthony Padula called the above-captioned **Remote Access Virtual Zoom Meeting** to order this date at 7:07 PM. Members in attendance: Joseph Halligan, William David, Gregory Rondeau, Rick Power. Members absent: None. Also present: Michael Maglio, Town Engineer; Bryan Taberner, Director Planning and Community Development; Amy Love, Planner.

7:00 PM **Commencement/General Business**

As stated on the agenda, Chair Padula reviewed that due to the growing concerns regarding the COVID-19 virus, the Planning Board will conduct a **Remote Access Virtual Zoom Meeting**. The Massachusetts State of Emergency and the associated state legislation allows towns to hold remote access virtual meetings during the COVID-19 pandemic crisis. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number, or citizens can participate by using the Zoom link also provided on the agenda; he read aloud the provided Zoom platform call-in phone number and the Zoom link. He stated that three of the public hearings on tonight's agenda will be continued to May 4, 2020.

A. 81-P ANR: Spring Street

Mr. Byron Andrews of Andrewes Survey & Engineering, Inc., representing Lewis Street Realty, LLC, stated that the ANR Plan is to combine three existing parcels into one parcel; all three parcels are under the same ownership. He reviewed the provided map and explained the parcel locations. He stated that currently only the parcel on Spring Street is a buildable parcel, but when combined, the entire parcel will be buildable. He stated the parcel sizes were approximately 24 acres, 10 acres, and 14 acres. He reviewed the location of the solar farm.

Chair Padula stated the lots were being combined so they equal the acreage on the solar farm.

Motion to Allow Chair Padula to Sign the 81-P for Spring Street. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – *Initial*
Zoning Bylaw Amendment 20-853
Zoning Map Amendment
Documents presented to the Planning Board are on file.

Motion to Waive the reading. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Mr. Taberner stated this zoning bylaw amendment is for a zoning map change; this is one of many being worked on as part of a multi-year project to better define the Town's zoning districts by following parcel lines. Where parcels are within two or more zoning districts, the Zoning District line is moved so each parcel is only in one zoning district. He discussed the provided diagram with two maps: one showing the

current zoning and one showing the proposed Zoning Map changes. He reviewed the provided list of parcels proposed for rezoning. He stated this is a request for a recommendation to the Town Council.

Mr. Halligan asked if any of the changes make any of the parcels more restrictive regarding uses and/or setbacks. Mr. Taberner stated no owner will be able to do less than they can now; no development rights are being taken away.

Motion to Recommend Zoning Bylaw Amendment 20-853: Zoning Map Amendment, to the Town Council. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

7:10 PM **PUBLIC HEARING** – *Continued*
94 East Central Street – Multi-Family
Special Permit & Site Plan
Documents presented to the Planning Board are on file.

Motion to Continue the public hearing for 94 East Central Street – Multi-Family, Special Permit & Site Plan, to May 4, 2020. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:10 PM **PUBLIC HEARING** – *Initial*
176-210 Grove Street
Site Plan
Documents presented to the Planning Board are on file.

Motion to Waive the reading. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Continue the public hearing for 176-210 Grove Street, Site Plan, to May 4, 2020. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:10 PM **PUBLIC HEARING** – *Continued*
160 Grove Street
Special Permit & Site Plan
Documents presented to the Planning Board are on file.

Motion to Continue the public hearing for 160 Grove Street, Special Permit & Site Plan, to May 4, 2020. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Adjourn the Remote Access Virtual Zoom Planning Board Meeting. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 7:25 PM.

Respectfully submitted,

Judith Lizardi,
Recording Secretary