

FRANKLIN TOWN COUNCIL

Agenda & Meeting Packet

June 7, 2023

Meeting will be held at the **Municipal Building**

2nd floor, Council Chambers

355 East Central Street

7:00 PM

A NOTE TO RESIDENTS: All citizens are welcome to attend public board and committee meetings in person. Meetings are also [live-streamed by Franklin TV](#) and shown on Comcast Channel 11 and Verizon Channel 29. Recordings of meetings are available on Franklin TV's "[Franklin Town Hall TV](#)" YouTube channel. In an effort to maximize citizen engagement opportunities, citizens will be able to continue to participate remotely via phone OR Zoom.

Link to access meeting via Zoom for the June 7, 2023 Town Council meeting:

- Zoom Link [HERE](#) -- Then click "Open Zoom".
- Or copy and paste this URL into your browser: <https://us02web.zoom.us/j/85262475989>
- Call-In Phone Number: Call 1-929-205-6099 and enter **Meeting ID # 852 6247 5989** --Then press #

1. ANNOUNCEMENTS FROM THE CHAIR

- This meeting is being recorded by Franklin TV and shown on Comcast channel 11 and Verizon Channel 29. This meeting may be recorded by others.*
- Chair to identify members participating remotely.*

2. CITIZEN COMMENTS

- Citizens are welcome to express their views for up to three 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.*

3. APPROVAL OF MINUTES

- [April 12, 2023](#)
- [April 26, 2023](#)
- [May 3, 2023](#)

4. PROCLAMATIONS / RECOGNITIONS

- Recognition: Electric Youth

5. APPOINTMENTS

- [Annual Reappointments of Boards and Committees](#)
 - See "Committee Appointments" in packet for names
- [Davis-Thayer Building Reuse Advisory Committee](#)
 - See "Appointments: Davis-Thayer Building Reuse Advisory Committee" in packet for names

6. PUBLIC HEARINGS - 7:00 PM

- a. [License Modification - Change of Officers/Directors/LLC Managers, Change of Stock Interest: Dharma Bhakti Corporation d/b/a Liquor World, Located at 365 West Central St., Franklin, MA 02038](#)
 - i. See 7: License Transactions (a) below
- b. [Zoning Bylaw Amendment 23-894: To Amend Chapter 185, Section 3 of the Code of the Town of Franklin to add Accessory Dwelling Unit \(ADU\) Definition](#)
 - i. Legislation for Action Item #9a
- c. [Zoning Bylaw Amendment 23-895R \(formerly 23-895\): To Amend Chapter 185, Attachment 8, Use Regulations Schedule Part VII: Accessory Uses of the Franklin Town Code to Add Accessory Dwelling Residential Units](#)
 - i. Legislation for Action Item #9b
- d. [Zoning Bylaw Amendment 23-896: To Amend Chapter 185, Section 19 of the Code of the Town of Franklin to Add on Accessory Dwelling Unit Setbacks](#)
 - i. Legislation for Action Item #9c

7. LICENSE TRANSACTIONS

- a. [License Modification - Change of Officers/Directors/LLC Managers, Change of Stock Interest: Dharma Bhakti Corporation d/b/a Liquor World, Located at 365 West Central St., Franklin, MA 02038](#)

8. PRESENTATIONS / DISCUSSION

9. LEGISLATION FOR ACTION

- a. [Zoning Bylaw Amendment 23-894: To Amend Chapter 185, Section 3 of the Code of the Town of Franklin to add Accessory Dwelling Unit \(ADU\) Definition - First Reading](#)
(Motion to Move Zoning Bylaw Amendment 23-894 to a Second Reading - Majority Vote)
- b. [Zoning Bylaw Amendment 23-895R \(formerly 23-895\): To Amend Chapter 185, Attachment 8, Use Regulations Schedule Part VII: Accessory Uses of the Franklin Town Code to Add Accessory Dwelling Residential Units - First Reading](#)
(Motion to Move Zoning Bylaw Amendment 23-895R to a Second Reading - Majority Vote)
- c. [Zoning Bylaw Amendment 23-896: To Amend Chapter 185, Section 19 of the Code of the Town of Franklin to Add on Accessory Dwelling Unit Setbacks - First Reading](#)
(Motion to Move Zoning Bylaw Amendment 23-896 to a Second Reading - Majority Vote)
- d. [Resolution 23-39: FY2024 Budget Adjustment](#)
(Motion to Approve Resolution 23-39 - Majority Vote)
- e. [Resolution 23-40: MECC Stabilization Account Transfer to MECC Appropriation FY24](#)
(Motion to Approve Resolution 23-40 - 2/3 Majority Vote)

10. TOWN ADMINISTRATOR'S REPORT

11. SUBCOMMITTEE & AD HOC COMMITTEE REPORTS

- a. Capital Budget Subcommittee
- b. Economic Development Subcommittee
- c. Budget Subcommittee
- d. GATRA Advisory Board

12. FUTURE AGENDA ITEMS

13. COUNCIL COMMENTS

14. EXECUTIVE SESSION - *None Scheduled.*

15. ADJOURN

Note: Two-Thirds Vote: requires 6 votes

Majority Vote: requires majority of members present and voting

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
April 12, 2023**

A meeting of the Town Council was held on Wednesday, April 12, 2023, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Brian Chandler, Theodore Cormier-Leger, Robert Dellorco, Cobi Frongillo, Melanie Hamblen, Glenn Jones, Thomas Mercer, Patrick Sheridan. Councilors absent: Deborah Pellegrini. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney.

CALL TO ORDER: ► Chair Mercer called the meeting to order at 7:00 PM. Chair Mercer called for a moment of silence. All recited the Pledge of Allegiance.

ANNOUNCEMENTS: ► Chair Mercer reviewed the following as posted on the agenda. A Note to Residents: All citizens are welcome to attend public board and committee meetings in person. Meetings are live-streamed by Franklin TV and shown on Comcast Channel 11 and Verizon Channel 29. In an effort to maximize citizen engagement opportunities, citizens will be able to continue to participate remotely via phone or Zoom. He announced that this meeting is being recorded by Franklin TV; this meeting may be recorded by others. He stated that Councilor Pellegrini will not be attending tonight's meeting.

CITIZEN COMMENTS: ► Mr. David Rittenhouse, 24 Hunters Run, thanked the Town of Franklin for his shirt that he received for picking up trash on Earth Day last year at Beaver Pond. He stated that that this year Earth Day is on Saturday, April 22. He stated that he is a climate activist and a member of the 350 Mass Greater Franklin Node. He stated that meetings are open to the public. He asked the Town Council to consider adding the cost of maintaining the Energize Franklin website to the FY24 budget which would be \$950 per year. He stated that this has been announced a few times in the Franklin Matters Newsletters. He discussed the parent Mass Energize and the website Energize Franklin. He stated that it took six months to raise enough money for this, and they are now trying to do outreach to make the Energize Franklin website a climate action tool for residents and businesses. He stated that on Earth Day weekend they will have booths on Saturday at the Town Common from 11 AM to 2 PM and on Sunday at DelCarte from 9 AM to 11 AM. He explained what the Energize Franklin website offers. He stated that the initial website set up cost is \$2,000; the annual cost is \$950 for website maintenance. ► Ms. Ruthann O'Sullivan, 175 Oak Street, stated that she and the One Franklin Group have a desire to have the Town develop a proposal that would propose an override to be able to have the citizens vote on. She stated that she would point out part of the presentation that Superintendent Giguere gave to the School Committee. She read aloud information and noted the Covid negative impacts on students, their gaps in knowledge, and their mental health concerns, and she provide statistics. She stated that she has heard about a decline in enrollment and that we cannot justify any sort of increase to a budget if there is a decline in enrollment. She stated that she wanted to point out that a class may have 25 to 26 students and it could go down to 21 students but it does not change the budget that much; it does negatively impact the budget because you lose that per pupil expenditure from the state. She stated that they know the teachers got a larger raise than other departments and that is causing stress. She stated that she knows it is going to be a difficult May, and she knows there is going to be cuts. She noted conversations at last night's School Committee meeting and documenting the cuts. She stated that she thinks there is underestimating of what the community would be willing to do to get an override passed. She stated that she thinks the last override was 2007. ► Ms. Ali Rheume, 47 Summer Street, requested that before the Farmers Market and the event season begins this year parking lines be added on High Street along the Common so cars can park more efficiently.

APPROVAL OF MINUTES: ► None.

PROCLAMATIONS/RECOGNITIONS: ► None.

APPOINTMENTS: ► *Police Station Building Committee.* ► Councilor Jones read the appointments.

► **MOTION** to **Ratify** the appointments of the 11 individuals listed

- 1) Thomas Mercer (Town Council)
- 2) Brian Chandler (Town Council)
- 3) Robert Dellorco (Town Council)
- 4) Thomas Lynch (Chief of Police)
- 5) Jamie Hellen (Town Administrator)
- 6) Michael D'Angelo (Director of Public Facilities)
- 7) Gary Premo (Executive Director of MECC)
- 8) Andressa Rosa (Female member of Police Department)
- 9) James West (Male member of Police Department)
- 10) Kelsey Alexander (At Large)
- 11) David Pellegrini (At Large)

by the Town Administrator to serve as members of the Police Station Building Committee with terms to expire upon substantial completion of the project by **Jones**. **SECOND** by **Dellorco**. **Discussion:** ► Mr. Hellen stated this is pretty basic. He thanked Andressa Rosa and James West for stepping up as members of the department, and he thanked Kelsey Alexander and David Pellegrini. ► Chair Mercer thanked those who were appointed and those who put in their names for consideration. ► **VOTE: Yes-8, No-0, Absent-1.**

HEARINGS: 7:00 PM. ► *License Modification - Change of Officers/Directors/LLC Managers, Change of Stock Interest, Change of Manager: Jai Ho Group, Inc. d/b/a The Curry House, Located at 418 West Central, Street, Franklin, MA 02038.* ► Councilor Jones read the license transaction. ► Chair Mercer declared the public hearing open. ► Attorney Richard Cornetta representing Jai Ho Group, Inc. introduced Manas Sahu who is the new owner of The Curry House and Nilu Patel who is the new manager and is also the chair of the Board of Directors of Jai Ho Group. ► Councilor Cormier-Leger asked if there would be any changes to the day-to-day operations. ► Mr. Cornetta stated no; it is just a changing of the guard. ► Chair Mercer declared the public hearing closed.

LICENSE TRANSACTIONS: ► *License Modification - Change of Officers/Directors/LLC Managers, Change of Stock Interest, Change of Manager: Jai Ho Group, Inc. d/b/a The Curry House, Located at 418 West Central, St., Franklin, MA 02038.* ► **MOTION** to **Approve** the request by Jai Ho Group, Inc. d/b/a The Curry House, for a change of officers/directors/LLC managers, change of stock interest, and change of manager to Nilu Patel by **Jones**. **SECOND** by **Dellorco**. **No discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**

HEARINGS: 7:00 PM (continued): ► *Zoning Bylaw Amendment 23-889: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Attachment 7., Part VI, Use Regulation Schedule: Residential Uses (Legislation for Action Item #9a).* ► Chair Mercer declared the public hearing open. ► Mr. Hellen stated that all the materials and memos on this item are available in the meeting packet on the Town's website. He reviewed that the following two bylaw proposals represent the Inclusionary Zoning package approved unanimously, 7-0, by the EDC+ Steering Committee, as well as a unanimous recommendation, 5-0, by the Franklin Planning Board. After months of deliberation, this package represents a policy that has widespread support and an incredible compromise. He stated that this helps the Town comply with the new MBTA communities' policy of the state. It also brings density down to 15 units per acre. He stated that this allows a builder to get 15 units by right and it mandates any new developments of 10 units or greater require one unit of those 10 to be legally deeded as an affordable unit. He stated that the only 100 percent proven method to actually create affordable housing that is not susceptible to market rate increases, is to make sure that unit is deeded affordable in perpetuity. ► Councilor Hamblen, EDC Chair, stated that she wanted to remind people why we were doing this. She stated that they spent 16 months in the Franklin for All process going through all this. She stated that she thinks this is one of the best solutions to the problem that we have. She reviewed that in 2019 the MAPC study was done and the results were more housing is needed in Franklin. She stated that we have a state approved Housing Production Plan which includes adding an inclusionary zoning bylaw. She stated that there are 12,000 people on the waiting list for affordable housing in Franklin. She stated that

complying with MBTA community regulations allows the Town to continue to apply for and receive MassWorks grants. She discussed how the inclusionary zoning will help with housing. She stated that the Town Council is obligated to meet the budget demand. She stated that they approved 200 acres of open space with means they have denied new growth potential in those 200 acres. She stated that we have to allow that someplace else because we need new growth in our budget; this is a way to allow the new growth. ► Chair Mercer stated this was 19 months of work. ► Councilor Frongillo stated that he echoed every word of Councilor Hamblen. He stated that he wanted to make it clear that this alone is not enough to reach all the potential that Councilor Hamblen just spoke to. He stated that if we want to right the ship and allow for the types of development that benefit Franklin at the same time we are slowing down the types of development that have hurt Franklin over the years, we need this and more. He stated that do not think the job is done, we have a long way to go to get to a better place in our budget and get to a better place in building a vibrant downtown. ► Councilor Sheridan stated that he agreed with everything that has been said. ► Councilor Jones thanked everyone who came out and participated. ► Councilor Dellorco asked if it is deemed affordable what is the cost. ► Director of Planning and Community Development Bryan Taberner stated that regarding affordability, whatever the dollar amount is that the state Department of Housing and Community Development puts out, is the dollar amount that the affordable unit is. ► Mr. Hellen stated that residents should understand that the rent that goes into this is out of our control, and it is out of the landlord's control. ► Mr. Cerel stated that it is predicated on 80 percent of the median income for the Greater Boston area and then depends on the size of the family; the rent is based on the percentage of that income. ► Councilor Chandler confirmed the order of the hearings and legislation for action for tonight's meeting. ► Councilor Cormier-Leger asked that of the 12,000 people who have identified as wanting to live in Franklin, what list is this on. ► Councilor Hamblen stated that this is on the Franklin Housing Authority list. ► Mr. Hellen stated that it is a regional list and it does not mean they qualify, it means they are looking. He explained that the 12,000 is people from all over the state and beyond. He stated that it is a little bit of a number that does not make a lot of sense to say it as it is not really accurate. ► Councilor Cormier-Leger stated that it is on the Franklin Housing Authority list which means it is low income, so that really has nothing to do with affordable housing from the state's formula. He stated that he is not against either one, he is just clarifying. ► Mr. Hellen stated that it is more middle-class income as it would be an income of about \$90,000 per year. ► Councilor Hamblen stated that people need housing and places to live and this is about taking care of the people in our community. ► Councilor Cormier-Leger stated that putting a deed restriction on a single-family or a condo is very different than a deed restriction on an apartment; deed restricted homes go to the lottery system in the Town. ► Chair Mercer declared the public hearing closed.

LEGISLATION FOR ACTION:

Note: Two-Thirds Vote requires six votes; Majority Vote requires majority of members present and voting.

- a. Zoning Bylaw Amendment 23-889: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Attachment 7., Part VI, Use Regulation Schedule: Residential Uses – First Reading (Motion to Move Bylaw Amendment 23-889 to a Second Reading - Majority Vote).* ► Councilor Jones read the zoning bylaw amendment. ► **MOTION to Move Zoning Bylaw Amendment 23-889: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Attachment 7., Part VI, Use Regulation Schedule: Residential Uses to a Second Reading by Dellorco. SECOND by Hamblen. No discussion. ► VOTE: Yes-8, No-0, Absent-1.**

HEARINGS: 7:00 PM (continued): ► Zoning Bylaw Amendment 23-890: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Section 51 (Legislation for Action Item #9b). ► Chair Mercer opened the public hearing. ► Mr. Hellen stated that this the actual bylaw language which sets out the parameters of inclusionary zoning. He gave a shout-out to Nancy Danello and George Danello who just clarified that out of the 12,000 people, 350 are Franklin residents. ► Councilor Hamblen stated that this is the bylaw that created all the other changes. She stated that this is going to help us stay above the 10 percent limit that we need for the state for the SHI number. She stated that this is an important tool so that we have more control over what

happens in Town. She stated that she thinks that most nearby towns already have inclusionary zoning.
 ► Chair Mercer closed the public hearing.

LEGISLATION FOR ACTION (continued):

- b. Zoning Bylaw Amendment 23-890: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Section 51 - First Reading (Motion to Move Bylaw Amendment 23-890 to a Second Reading - Majority Vote).** ► **MOTION to Waive** the reading by **Frongillo**. **SECOND** by **Dellorco**. **No discussion**.
 ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Move** Zoning Bylaw Amendment 23-890: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Section 51 to a Second Reading by **Dellorco**. **SECOND** by **Hamblen**. **No discussion**. ► **VOTE: Yes-8, No-0, Absent-1.**

PRESENTATIONS/DISCUSSIONS: ► **Presentation: Metacomet Public Health Alliance - Cathleen Liberty, Health Director.** ► Health Director Cathleen Liberty narrated a slideshow presentation. She stated that Mr. Hellen asked her to explain what the Metacomet Public Health Alliance was all about. She reviewed that the Metacomet Public Health Alliance was formed in the spring of 2021 as a new regional health department serving the towns of Norfolk, Wrentham, and Franklin. As the result of a shared services grant, the initiative is expanding public health services in all three towns. She stated that she is the shared coordinator and oversees Alisha Sullivan, Public Health Nurse; John Robertson, Regional Health Agent; and Cassia Monteiro, Regional Epidemiologist, who were all present at the meeting. She reviewed that the Public Health Nursing program seeks to provide member communities with access to comprehensive, professional public health nursing services. The public health nursing provides wellness programming, flu clinics, disease screening, and disease investigations for those who are challenged by location, mobility, and income. The nurses are promoting the wellbeing of the community. She stated that the mission is to protect, promote, and advance the health and safety of the residents of Franklin, Norfolk, and Wrentham through rapid and effective response to public health needs. She reviewed that the Inspectional Service program seeks to provide member communities with access to a trained, qualified health inspector/sanitarian. The regional health agent provides technical services including a variety of state sanitary code inspections including, but not limited to, food establishment inspections, camp inspections, swimming pool inspections, and housing/nuisance inspections. She reviewed research and data collection which includes creating story maps, GIS sites, and resources for all the communities to learn more about how specific health topics impact them as well as collecting data and research for program implementation and organizations. She reviewed the Covid-19 Dashboard and noted it is updated every Friday. She reviewed the Healthcare Resources and Services website and explained how to use the website. She reviewed that the Health Outcomes Dashboard was designed to explore regularly updated health outcomes, risk behaviors, prevention, health status, and healthcare resources across the towns of Franklin, Norfolk, and Wrentham. She reviewed that this will help residents and town leaders understand and improve the health and well-being of our communities. She discussed the Franklin Health Fair held on October 19, 2022, at the Franklin Public Library. She noted that over 480 people in the community attended and there were over 30 vendors, health resources and services, activities for kids and adults, demonstrations, free local produce, and a food truck. ► Town Council members asked questions, made comments, and thanked them for the work they do. ► Ms. Liberty noted that inspections of the marijuana facilities are under the state's cannabis control system. She noted that she is still collecting Covid data. ► Mr. Hellen reviewed how the three towns of Franklin, Wrentham, and Norfolk got together to form the regional collaboration of the Metacomet group. He stated they received almost \$1 million over three years from state grant money. He stated that they are hoping the money will not dry up. He discussed the importance of the public health nurse. ► Ms. Liberty explained why she does not think the funding will go away and reviewed the idea behind regionalizing. ► Councilor Hamblen stated that she really likes the dashboard and the information provided. ► Chair Mercer thanked the department for what they did during the pandemic for the community. He noted the dashboard data available on the Town's website.

LEGISLATION FOR ACTION (continued):

- c. ***Zoning Bylaw Amendment 23-887 (Formerly 22-887): Zoning Map Changes from Rural Residential II and Single Family Residential III to Rural Residential II or Single Family Residential III an Area On or Near Lincoln Street and Lincolnwood Drive - Second Reading (Motion to Approve Zoning Bylaw Amendment 23-887 (Formerly 22-887) – Two-Thirds Majority Roll Call Vote).*** ► Councilor Jones read the zoning bylaw amendment. ► **MOTION to Approve** Zoning Bylaw Amendment 23-887 (Formerly 22-887): Zoning Map Changes from Rural Residential II and Single Family Residential III to Rural Residential II or Single Family Residential III an Area On or Near Lincoln St. and Lincolnwood Drive by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen stated that this is the final reading for this lot line cleanup. ► Councilor Frongillo confirmed that everyone who gets affected by these gets notified. ► Councilor Chandler asked about Dacey’s and Lamberto’s being in the commercial zone and if there cannot be any more in this stretch. ► Director of Planning and Community Development Bryan Taberner reviewed the area and explained the commercial sections. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Sheridan-YES.** ► **VOTE: Yes-8, No-0, Absent-1.**
- d. ***Zoning Bylaw Amendment 23-891: Zoning Map Changes from Rural Residential II and Single Family Residential III to Rural Residential II or Single Family Residential III an Area On or Near Lincoln Street - Second Reading (Motion to Approve Zoning Bylaw Amendment 23-891 – Two-Thirds Majority Roll Call Vote).*** ► Councilor Jones read the zoning bylaw amendment. ► **MOTION to Approve** Zoning Bylaw Amendment 23-891: Zoning Map Changes from Rural Residential II and Single Family Residential III to Rural Residential II or Single Family Residential III an Area On or Near Lincoln Street by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen stated that this is the final reading of the lot line changes. ► Councilor Hamblen stated that it has been a really long project to clean up all these maps and zoning areas. She stated that Mr. Taberner has done a great job. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Sheridan-YES.** ► **VOTE: Yes-8, No-0, Absent-1.**
- e. ***Zoning Bylaw Amendment 23-894: A Zoning Bylaw to Amend Chapter 185, Section 3 of the Code of the Town of Franklin: Accessory Dwelling Unit Definition - Referral to the Planning Board (Motion to Refer Bylaw Amendment 23-894 to the Planning Board - Majority Vote).*** ► Councilor Jones read the zoning bylaw amendment. ► **MOTION to Refer** Zoning Bylaw Amendment 23-894: A Zoning Bylaw to Amend Chapter 185, Section 3 of the Code of the Town of Franklin: Accessory Dwelling Unit Definition to the Planning Board by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen stated that the next three bylaws are relating to accessory dwelling units. He stated that this takes a huge step forward. The first bylaw is the use table. He reviewed that these bylaws were recently approved by the EDC+ Steering Committee on a vote of 6-1. The lone dissent was ZBA Chair Bruce Hunchard for one reason: the current system of approving accessory dwelling units has worked very well for the past twenty years where all applications have been approved by the ZBA (with one exception that was denied). Mr. Hellen stated that he recommended that the Town Council support these so they can be referred to the Planning Board so they can hold a public hearing about what to recommend back to the Town Council. ► Chair Mercer reminded all that these items are referrals to the Planning Board. ► Councilor Hamblen, EDC Chair, explained why we are doing this. She stated that it is in the Housing Production Plan to define accessory dwelling units and to make it easier for people to know what the process is. She stated that this was also the Franklin for All recommendation. She stated that the definition was approved by everyone. She stated that they made it so it does not necessarily have to be a family member who lives there, but the owner of the property has to live in one or the other units. She stated that they had a lot of discussion on this. She stated that this is a step; it is a compromise and they have to keep working on it. ► Councilor Frongillo stated that he wanted to call attention to one of the amendments that failed 3-3. He stated that what we have done here is we have laid out, here is the type of accessory dwelling unit that you are allowed to build and here is how close you are allowed to build it to your neighbors, and you have to go through building code. He stated that what we said is even after all of that, you still have to go to Zoning Board of Appeals even if you meet all of that. He stated that what we

heard from someone who is currently looking to put in an accessory dwelling unit is the amount of money it takes to hire an architect to start to design the project, that is a lot of cost, and then still be going toward something that you do not know if it is going to get approved because it is based on the whims of the voting board and whether they deem it necessary. He stated that a whole bunch of what we are talking about when we say by right is saying are there certain types of projects that we can just agree that are good for the town. He stated that at some point we as a town have to say that there are certain projects that are just good for the town, they bring in new development, and they add affordable housing units. He stated that at least know that what we are voting on here falls short of actually allowing these by right. He stated that if you are worried about getting run over by accessory dwelling units, I will point out that 21 communities already allow them by right in Massachusetts. He stated that he would personally like to see us make that step now. ► Councilor Sheridan stated that he would like to make the amendment at the appropriate time. ► Chair Mercer stated that this is not the right bylaw. ► Councilor Cormier-Leger asked about the permit process and what triggers the Assessor's Office to reevaluate the dwelling; he asked will this same process happen with accessory dwelling units. ► Mr. Hellen stated that they anticipate that it would. He stated that if this bylaw goes through, they will put out some educational materials regarding the process. He stated that ADU's have always been happening for decades. He stated that this is not about making money, it is about the human element as people have been struggling to find housing affordably, and the pandemic has forced home-care situations, people moving, people wanting to be closer together, and the benefit and the large leap forward is about giving people an opportunity to customize and be flexible with their space and their property. He stated that we are not restricting this to a blood relative; we are leaving that up to the individual. He stated that if you allow splitting the utilities and making it by right, people will do whatever they want. He noted the law of unforeseen circumstances. He stated that this step forward is to make sure we have put the right protections in place. ► Councilor Cormier-Leger stated that it is important to note that adding an ADU to a piece of property should increase the value of that property and increase the assessment bringing in a little bit more tax revenue to the town. ► **VOTE: Yes-8, No-0, Absent-1.**

f. Zoning Bylaw Amendment 23-895: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Attachment 8, Use Regulations Schedule Part VII: Accessory Uses - Referral to the Planning Board (Motion to Refer Bylaw Amendment 23-895 to the Planning Board - Majority Vote).

► Councilor Jones read the zoning bylaw amendment. ► **MOTION to Refer Zoning Bylaw Amendment 23-895: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Attachment 8, Use Regulations Schedule Part VII: Accessory Uses to the Planning Board by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen stated that this is the Use Table. He stated that all of this is putting Franklin in the very elite category right now of towns that are really struggling to get through these things. He stated that even getting this in the Use Table is a huge achievement; it really does set us apart from other communities. ► Councilor Hamblen noted that we did not give up, what we have is like a compromise of everything. She stated that the Town staff listened to our conversation at the Steering Committee level and then said you guys are right, we are going to put it in the Accessory Use Table. She stated that this shows that everyone was working together. ► Councilor Frongillo reviewed a study of ADUs. He discussed Salem's accessory dwelling unit policy that failed. ► Councilor Chandler stated that it is bothering him about the listed administration and enforcement of this and reasons that they can be turned down regarding water use. ► Mr. Taberner explained that as part of a special permit criteria, you cannot tell a person that they cannot use the water, but if you ask for a special permit, you have to meet certain criteria which are listed and he reviewed some of them. He discussed that water consumption and sewer use is looked at for all special permits in town. He stated that if it is a by right use, then the special permit criteria are no longer looked at. He stated that you would be deciding through this process that an ADU would be allowed in certain zoning districts by special permit; if you wanted it by right then you would have to change the regulations. ► Councilor Chandler stated that he would support Councilor Frongillo's amendment if he makes it. ► Mr. Cerel stated that he wanted to speak for the Building Commissioner in his absence. He stated that the special permit is a conservative approach; it gives the Town some authority. He stated that he has been doing this for 30 to 40 years; unfortunately, the road

may be paved with best intentions, but actually gets constructed, not so much. Unfortunately, neighbor relations are not always ideal. There are houses in all kinds of proximity to each other, and invariably, someone will come up with putting something in the worst place for the neighbor because it works for them. He stated that what you have to do when it happens, is to say it is a private property matter and there is nothing the Town can do about it. So, this gives some control and allows for some protections.

► Councilor Frongillo stated that he wanted to clarify that we are putting regulations in as to where it can be located; if you want to locate it outside of those spaces, then you will still need a variance and have to go to the ZBA. He stated that all of California, Connecticut, and Vermont have these. ► Councilor Sheridan stated that he wanted to make an amendment to have it by right. ► Mr. Hellen stated that if the Town Council wants to move these across the board, he would request that the Town Council table this until we can get the Building Commissioner here to have a discussion with him. He stated that he is saying this out of his professional experience. He stated that by right may be more applicable in the more rural districts. He discussed potential neighbor battles. He discussed that Mr. Cerel, Mr. Brown, Mr. Taberner, and he have worked on this together; he noted the potential for unforeseen circumstances. He stated that this needs to be carefully done. ► Chair Mercer stated that a lot of work has gone into this and he would hate to see the Town Council stall this even for a brief period of time, but he does feel that the EDC brought forward these three zoning bylaw amendments at which the Building Commissioner was there and supported these as they have been brought forward. He stated that his feeling is let us move these forward to the Planning Board as is and get some more opinions and by doing that when it comes back to us we put the amendment on it at the first reading. He stated that he would like to see the process work out which is to refer to the Planning Board. ► Councilor Frongillo stated that he wants to get it right. He stated that it is his understanding that the process is that we as a council get to move forward the product that we agree upon and then the Planning Board gets to respond to that product and then we get to full hearings on it. He stated that it does not seem that it hurts us at all, in fact it seems better for us to push forward a better product and let the Planning Board have it. He stated that to put something forward to have them talk about it and then have us add something to it after they talk about it feels like not how the process works. ► Chair Mercer stated that he disagreed. He stated that part of the process is to have the Planning Board review what the EDC recommended to the Town Council. He stated that what is before the Town Council, the Building Commissioner supported. He reviewed the process. He stated that he is open to the will of the Town Council. ► Councilor Chandler asked for comments from the other EDC members. ► Councilor Hamblen stated that she would like to make an amendment but not for all of the zones. ► Chair Mercer stated that it appears that tabling this may be best. ► Mr. Hellen stated that there are two options. He stated that Councilor Hamblen can make an amendment to the amendment, and he explained that it has to be very specific to districts. ► Councilor Sheridan stated that he withdraws. ► Councilor Chandler stated that he feels people have a right and that is why he wants to vote that way. ► Mr. Hellen stated that the Planning Board is only considering the framework of the bylaw, they have no role in approving, litigating, discussing, any of these; the ZBA has approved all but one. ► **MOTION to Amend Zoning Bylaw Amendment 23-895: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Attachment 8, Use Regulations Schedule Part VII: Accessory Uses to the Planning Board, for the Table for Rural Residential I, II, IV, and all those Rs to make the accessory dwelling unit by right in that one zone and to see what the Planning Board has to say about it because we did not get to separate all the zones at that meeting and I really want to know what they think about the possibly for that to be by right by Hamblen. SECOND by Sheridan. Discussion:** ► Councilor Frongillo stated that this is very easy to think that this is above your ability to comprehend, but it is really not. He stated that it is a matter of value and what we want to allow people to do with their property. He stated that one of the things you will find from Planning Board and from your Zoning Board is that they do enjoy the ability to retain that control, to have that long list of reasons to say that it does not fit with the neighborhood character, or it is too much water; they like that ability to retain that as a way of controlling projects. He stated that when that happens at a mass scale, we end up getting fewer projects both coming forward and being approved because it is a risk for anyone to come forward. He stated that this is a matter of values. ► Councilor Jones asked Councilor Hamblen to clarify the districts within the regulation schedule to which she had referred. ► Councilor Hamblen stated it is the first section, the first

box in the Use Table so it is RRI, RRII, RRIV, and RRVI, by right. She stated that she thinks that it is when they get to the smaller and smaller lots, that is when they get those potential issues for the building commissioner. ► Chair Mercer stated that we have a motion and a second. ► Councilor Jones read the amendment. He stated that to clarify, the amendment is to reflect that accessory uses line 821 Accessory Dwelling Residential Unit for RRI, RRII, RRVI, RRVII be by right, and the remaining districts up to DC are Zoning Board of Appeals and that is B, I, LI, O, MBI not included. ► **VOTE (for the amendment as stated): Yes-6, No-2, Absent-1.** (Councilor Dellorco stated NO, Councilor Chandler stated NO.) ► **MOTION to Refer Zoning Bylaw Amendment 23-895: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Attachment 8, Use Regulations Schedule Part VII: Accessory Uses, as amended, to the Planning Board. No First. No Second. No Discussion. VOTE: Yes-6, No-2, Absent-1.** (Councilor Dellorco stated NO, Councilor Chandler stated NO.)

- g. Zoning Bylaw Amendment 23-896: A Zoning Bylaw to Amend Chapter 185, Section 19 of the Code of the Town of Franklin: Accessory Dwelling Unit Setbacks - Referral to the Planning Board (Motion to Refer Bylaw Amendment 23-896 to the Planning Board - Majority Vote).** ► Councilor Jones read the zoning bylaw amendment. ► **MOTION to Refer Zoning Bylaw Amendment 23-896: A Zoning Bylaw to Amend Chapter 185, Section 19 of the Code of the Town of Franklin: Accessory Dwelling Unit Setbacks to the Planning Board by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen stated this is the final one for the referral. ► **VOTE: Yes-8, No-0, Absent-1.**

TOWN ADMINISTRATOR’S REPORT: ► Mr. Hellen stated that the budget for FY24 will be out on Friday, he hopes. He stated that the Finance Committee dates are May 8 for general government, May 10 for all schools, and May 11 all DPW and public safety. He stated that each meeting usually takes a few hours. He stated that May 24 and May 25 will be the budget hearings for the Town Council. He thanked everyone for their kind comments to Ms. Liberty and the Board of Health staff; he appreciates everyone’s support for them.

SUBCOMMITTEE REPORTS:

- a. Capital Budget Subcommittee.** None.
- b. Economic Development Subcommittee.** None.
- c. Budget Subcommittee.** None.
- d. GATRA Advisory Board.** None.

FUTURE AGENDA ITEMS: ► Councilor Frongillo stated that he would like to talk about the ability to support the Energize Franklin project. He stated that we asked them to go out and get started on a website that organizes all the sustainability opportunities; they did that and a whole bunch of volunteers did that themselves, raised money. He stated that communities similar to our size put a substantial amount toward sustainability initiative. He stated that we have put very little. He stated that they are asking for less than \$1,000 annually to keep the website going. He stated that the other thing is that got brought up the last time is the LGBTQ flag for Pride Month. He stated that he is told they do not need a bylaw or anything in writing, and he hopes that he is not disappointed come June. ► Councilor Cormier-Leger stated that he wanted to support Councilor Frongillo’s two points.

COUNCIL COMMENTS: ► Councilor Cormier-Leger stated that Franklin went through a pretty horrific incident at the high school which luckily turned out to be a hoax with the active shooter call; he stated that he just wants to thank all of our first responders, educators, and Town staff, who immediately jumped into action and dealt with that in the appropriate way very quickly. ► Councilor Chandler stated thanks for allowing him to be on the Police Building Committee. He noted that the Police got their new pickup truck. He thanked the community for their engagement this week. ► Councilor Sheridan suggested hiking in DelCarte with the nice weather. ► Councilor Frongillo stated that there are still two surveys open to the public: Open Space and Recreation, and Arts and Culture. He stated that this Saturday people are walking the Lady Bug Trail; maps are available. He noted Earth Day is next Saturday. He stated that our favorite local

journalist is hosting a Poetry Day at the library on April 29. ► Councilor Hamblen reminded everyone to tune into the FinCom meetings as they go line item by line item. She noted the lady bug art and history trail. She gave a shout-out to Mr. Joseph Halligan; she stated that he has become the lady bug doctor and keeps them fixed. He noted office hours are next week at the Senior Center. She stated that Earth Day is on April 22 and DelCarte Day is on April 23. ► Councilor Jones noted the SNETT trail is a great place to go walking. He stated that the police busted people who were trying to steal catalytic converters at Jones Parking Lot at Dean College. He stated that they do read their emails and we do listen. ► Councilor Dellorco gave condolences to the family of Zeke Vignone. He stated that the SAFE Coalition had a great fundraiser tonight. ► Chair Mercer stated that next Tuesday at 6 PM at the Dean College Community Center/Campanella Board Room is the Dean Neighborhood Alliance meeting; the meeting is open to everyone. He stated that Dean has reached out over the last year to build some community relationships. He stated that it was originally all about parking, but it has grown. He thanked the Board of Health and the regional group that were here this evening; there is a lot of information out there, and they do a great job.

EXECUTIVE SESSION: None.

ADJOURN: ► MOTION to Adjourn by Dellorco. SECOND by Hamblen. No Discussion. ► VOTE: Yes-8, No-0, Absent-1.

Meeting adjourned at 9:41 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
April 26, 2023**

A meeting of the Town Council was held on Wednesday, April 26, 2023, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Brian Chandler, Theodore Cormier-Leger, Robert Dellorco, Cobi Frongillo, Melanie Hamblen, Glenn Jones, Thomas Mercer, Deborah Pellegrini, Patrick Sheridan. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney.

CALL TO ORDER: ► Chair Mercer called the meeting to order at 7:00 PM. Chair Mercer called for a moment of silence. All recited the Pledge of Allegiance.

ANNOUNCEMENTS: ► Chair Mercer reviewed the following as posted on the agenda. A Note to Residents: All citizens are welcome to attend public board and committee meetings in person. Meetings are live-streamed by Franklin TV and shown on Comcast Channel 11 and Verizon Channel 29. In an effort to maximize citizen engagement opportunities, citizens will be able to continue to participate remotely via phone or Zoom. He announced that this meeting is being recorded by Franklin TV; this meeting may be recorded by others.

CITIZEN COMMENTS: ► Ms. Maureen Sullivan, stated that she owned three properties in Franklin in the King Street and Washington Street areas. She stated that she was told by neighbors that there is a Mrs. Bennett bylaw, but she does not know what it is. She stated that there should be no trucking traffic coming from Grove Street toward Washington Street heading to Rt. 495. She asked if anyone was aware of that bylaw. She stated that there is UPS now, and there is already a situation with the trucking company on Washington Street. She stated that intersection is ridiculous, and there is another intersection down on Washington Street off where the high-tension line is. She stated that they have been taking in gravel and sand and there are 18-wheeler trucks that cannot make it around the corner. She discussed two companies that use those streets and that is not how it was set up. She stated that it is an absolute mess there. She noted that there is a Charter School there as well. She stated that when the businesses are okayed by the Planning Board, they need to follow through with it. ► Mr. Kenneth Elmore, President Dean College, 29 School Street, stated that he wanted to inform friends and neighbors that all would see a big exodus from campus and from Franklin this weekend and next weekend. He stated that next weekend there will be a number of visitors in town for Dean College's 157th graduation. He discussed the speakers for the event and invited the public to join. He stated that he looks forward to more conversations with the Town and Dean College. ► Ms. Mary O'Neill, Chair of Commission on Persons with Disabilities, 102 Beaver Street, stated that the Commission is having a Disability Expo at the Franklin Senior Center on May 20, 2023, from 11 AM to 2 PM, with many vendors sharing a variety of resources regarding disability services. She stated that many people do not realize this Commission is in town. She stated that when the Commission receives a call, they follow up every time. She noted autism awareness and showed and explained a seatbelt covering. She showed a flyer for the Disability Expo event. She stated that the Town Council is appreciated. ► DPW Director Brutus Cantoreggi and Highway and Grounds Superintendent Carlos Rebelo announced recognition as Tree City USA. Mr. Cantoreggi explained that it is a DPW award, and less than seven percent of Massachusetts towns/cities are designated as Tree City USA. He stated that the DPW gives away tree seedlings along with Recreation. He stated that he brought some extra tulip tree seedlings for anyone in the audience who may want one. He stated that there will be signs around town indicating Tree City USA. ► Mr. Stephen Sherlock, 10 Lawrence Drive, reminded everyone of the Read Your Favorite Poem at the Franklin Library on Saturday, April 29, 2023, from 12 PM to 3 PM. He explained that you can read a favorite published poem, and there will be discussion. ► Ms. Megan McCarthy, 148 Dean Avenue, stated that she is a member of 350 Mass Greater Franklin Node. She stated that she wanted to ask the Town Council and Police Station Building Committee to prioritize the most energy efficient approach as they begin to renovate or replace the current Police Station. She discussed net zero building. She noted that Franklin is a Green Community and has adopted the stretch

code. She discussed cost benefits of a net zero project/building including federal incentives. She stated that she appreciates the Town Council for all they do to prioritize sustainability in their decision-making.

APPROVAL OF MINUTES: ► *March 15, 2023.* ► **MOTION to Approve** the March 15, 2023 meeting minutes by **Dellorco. SECOND** by **Jones. No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: ► None.

APPOINTMENTS: ► None.

HEARINGS: 7:00 PM. ► *Transfer of Section 15 Wine and Malt Beverages Package Store License and Approval of Parth Patel as the Manager - Marlboro Food, Inc. d/b/a 7-Eleven 37380B, Located at 664 Union Street.* ► Councilor Jones read the license transaction. ► Chair Mercer declared the public hearing open. ► Mr. Hellen stated that the legislation for action is following this; all departments have signed off on this application. ► Chair Mercer declared the public hearing closed.

LICENSE TRANSACTIONS: ► *Transfer of Section 15 Wine and Malt Beverages Package Store License and Approval of Parth Patel as the Manager - Marlboro Food, Inc. d/b/a 7-Eleven, Located at 664 Union Street.* ► **MOTION to Approve** the request by Marlboro Food, Inc. d/b/a 7-Eleven 37380B for a transfer to it of an existing §15 Wine and Malt Beverages Package Store License, presently held by TM1 Solutions, Inc. d/b/a 7-Eleven Store #37380A, to be exercised at the same location, and to approve the manager, Parth Patel, by **Jones. SECOND** by **Dellorco. No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

► *Robert Vozzella / La Cantina Winery - Farmer-Winery, Farmer's Market License.* ► **MOTION to Approve** the issuance of a Farmer Winery, Farmer's Market License to Robert Vozzella, La Cantina Winery Company by **Jones. SECOND** by **Dellorco. No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

PRESENTATIONS/DISCUSSIONS: ► *Discussion: Open Space & Recreation Plan Update - Breeka Li Goodlander, Conservation Agent and Natural Resources Manager.* ► Mr. Hellen stated that Conservation Agent and Natural Resources Manager Breek Li Goodlander will give a brief update on the Open Space & Recreation Plan. He noted that he expects a complete draft plan before the Town Council later this fall which is a goal for the session. He explained that two additional Town Council goals for the session are to discuss potential opportunities on long-term trail maintenance and the master plan of the Maple Hill purchase. He discussed that he anticipates in 2024 adding more specific goals from the Open Space & Recreation Plan to the agenda on how to implement goals from the plan, including Maple Hill and Schmidt Farm, and to establish "Friends" groups of the various town parks and assets to help create a stewardship system of our town's open spaces and parks. He thanked Ms. Goodlander for her work. ► Ms. Goodlander narrated a slideshow presentation which is available on the Town's website. She discussed what is an Open Space and Recreation Plan (OSRP) and provided an overview and benefits of the OSRP. She reviewed the 11 components required by the state for the OSRP. She noted accomplishments since the 2016 OSRP including the CPA and SNETT. She provided an update of the process which includes bi-monthly focus group meetings, monthly staff meetings, digital citizen survey, three public hearings, and comment period. She noted that there have been 564 respondents as of today and reviewed some of the comments. She explained ways to get involved and encouraged people to attend the focus group meetings. ► Town Council members asked questions, made comments, and thanked Ms. Goodlander and resident volunteers. ► Ms. Goodlander provided a response to a request for the latest plans for Schmidt Farm. She stated that was more for the Master Plan process. She listed a few highlighted goals from resident feedback including to rehab/keep the barn, keep it in an agricultural setting, and the barn to be a meeting room. She stated that Michael Downey of DCR has been quite involved in the OSRP. ► Councilor Hamblen stated that the feedback from the community has been fun to listen to. She stated that having Ms. Goodlander as a full-time employee is making a difference. ► Mr. Hellen responded to a question about the parking at both Schmidt Farm and Maple Hill parcels. He stated that it will be the DPW in some way. He stated that there are a lot of

connectivity options. ► Chair Mercer stated that we continue to move forward with the 200 acres of open space that we now own, but it will take time.

► **Discussion: Display of Flags on Town Flagpoles or Property.** ► Mr. Hellen referenced his memo to the Town Council dated April 21, 2023, which is included in the meeting packet available on the Town's website. He reviewed that as indicated in the memo, his recommendation, along with the Town Attorney and DPW Director, is to not allow the town flagpoles to be used for such purposes. He noted that if the Town Council chooses to move forward, we will all fully respect that decision. He explained that there is no legislation for action regarding this item tonight; this item is on the agenda for discussion. ► Town Council members asked questions and made comments. ► Councilor Cormier-Leger stated that he wanted to frame his comments around the Pride Flag. He discussed the need to know how we want to market ourselves as a Town and stated that this is a part of this. He stated that the Pride Flag is a symbol to an awful lot of people that the Town is a safe, welcoming, and affirming place for them to come, live, raise a family, and do business. He stated that this is bigger than Franklin and the State of Massachusetts. He discussed that flying the Pride Flag for the month of June is a symbol. ► Councilor Frongillo stated that was wonderfully said. He noted the importance of the flag and of symbols. He discussed that historically this has been a group that has been targeted and silenced and a Pride Flag gives an opportunity. He discussed when he graduated from high school how many people came out after graduation. He explained that so many people did not feel comfortable fully expressing themselves in Franklin. He stated that he gets the approach of the Town, and he respects all the comments on both sides. He stated that it is easy to scare ourselves that it is something that we are reinventing. He stated that he looked up that 48 communities in Massachusetts have been already flying the Pride Flag in June. ► Councilor Chandler discussed that no one wants to see anyone in fear; this is a no place for hate Town. He stated that he does not want to okay this and then see what other flags people want to fly; he is trying to look at the big picture of the other flags that will come. ► Councilor Hamblen stated that this is not easy to put into words how we feel. She stated that she wanted to read a few things that she had written. She stated that it is important to have these discussions to listen and learn and to have unity. She stated that she flies a rainbow peace flag at her house, and she explained what it means to her. She stated that she believes that the government must be neutral and it is not. She stated that she is of the mind that if we allow one, we allow everything. For instance, if we celebrate a religious holiday, we celebrate all or none, and as a government that is what we do. She stated that if we decide to do something, we need to take time and make sure the policy works for everyone. ► Councilor Dellorco stated that he agreed with everyone. He stated that he is afraid of what else may fly there. He stated that it has to be worked on. He stated that this is a no place for hate. He stated that his children who were in the same grade as Councilor Frongillo did not see the same thing that Councilor Frongillo discussed earlier; he stated that he is not contradicting Councilor Frongillo who may have seen it in a different way. ► Councilor Sheridan asked the town attorney about the flags currently being flown and if we add another flag. ► Mr. Cerel stated that the approach other communities including Boston are taking is to rely on a document on government speech which is a relatively recent development which he explained. He stated that it is evolving, and he suspects there will be another round of legalities with municipalities that have adopted this approach and either government speech will be upheld or it will not be. He discussed how government speech is defined. He stated that it is a case of unintended consequences. ► Councilor Jones stated that ultimately what this comes down to is as a government we need to keep neutrality with the flags that we have up. He stated that we should not be in the position as a government to make the decision and should keep neutrality. ► Kathleen Trefethen, 3 Rizoli Circle, stated that she wanted the Pride Flag displayed in her town. She stated that she thinks the concern about the doors it could open are very valid. She stated that she thought about how that concern could be addressed. She stated that there is a list of monthly observances that were determined by presidential proclamations and Pride month is one of them. She stated that this would be one way to think about it. She discussed her thoughts on the criteria for flags to be flown. ► Mark Minnichelli, 31 Longfellow Drive, stated that he strongly supported the display of the Pride Flag at Franklin municipal buildings in the month of June. He stated that he has read court case decisions and explained the decisions. He stated that he proposed the Town Council develop or refine a clear policy which states that the Town flag poles and displays are for the Town to communicate governmental messages. He asked them to vote to display the Pride Flag as a

governmental message. ► Amber Wilson, 903 Lincoln Street, stated that as the person who initially requested this, she appreciates the attention it has been given. She stated that there has been much discussion put into this. She stated that she feels it is important to say that she is a member of the LGBTQ community and president of the LGBTQ Alliance which is hosting the Celebrate with Pride event in June for the second time. She stated that beyond that, she is a resident who has experienced issues in Franklin because of her sexuality. She stated that she is a combat veteran who is disabled, and she is a veteran who is asking for this. She stated that she understands that this is a potentially divisive conversation, but she has to live this divisiveness every day. She stated that she wants to feel like part of the community. She stated that other towns are doing this, and it is not impossible. She stated that she is going to collect little flags, put in for a permit, and put them on the Common. ► Rachel Plukas, 37 Anchorage Road, stated that she is here as an individual to add support to the Town Council to make it a goal for not just with the Pride Flag but for all the State Department heritage months which there are 10 that she listed that should have a space. She stated that there are 67 supporters who have signed a document that she will provide to the Town Council who support this. She explained a way in which the Town can make this happen. She stated that the Town Council needs to continue this conversation. ► Evelyn Rossling, 136 Summer Street, stated support for the Pride Flag. She stated that she wanted to comment on Councilor Hamblen's remark that government should be neutral. She said that is incompatible with calling Franklin no place for hate. She stated that as we have seen in the news across the country, there are a great many governments that are fully supporting a place for hate. If you are going to say Franklin is no place for hate, that is not a neutral position. She stated that she thinks it is important to demonstrate values of acceptance in the community which includes flying the Pride Flag and flags for other heritage months. ► Mary O'Neill, 102 Beaver Street, stated that if we are a town with no place for hate, she agrees we have to fly the flag. She stated that we are all unique, and we need to treat everyone with dignity and respect. She stated that the flag flying in Franklin would put a positive spin on no place for hate. ► Chair Mercer thanked the councilors for their comments. He stated that this is a divisive discussion. He stated that he believes it deserves more discussion. He stated that he thinks what would be a good thing to do would be to put together an ad hoc committee to look at this issue made up of Town Council members and the community; the committee would come back to the Town Council with some thoughts. He stated they should also get some more legal advice on the parameters of what they can and cannot do. ► Mr. Hellen stated that there is a space that the town has used for many years for situations like this and that is on the Town Common. He stated that he understands the goal is for municipal flagpoles. He stated that we are not fearful, but we want to be smart. He reviewed an example of a confederate flag being flown at someone's home and how many people were upset. He stated that in the past, the DPW and Town Administration have dealt with people asking for flags to be raised. He stated that engaging the community deeper is important. He noted the School Committee's policy of no symbols, flags, or banners located in school buildings or on school property. He stated that they have to engage the School Committee on this as well. He discussed the policy for flags and banners on Town Common/gazebo when a group rents out the space for free. He stated that they have had this tradition on the Town Common; while people have different views on that, that step is available for anyone right now. He stated that regarding the discussion, there will be a competitive nature for this flag flying; there are a lot of additional questions on this, and this is a thorny legal issue. ► Kyle Thompson, 8 Mercer Lane, stated that the Town Council is too nice. The first amendment provides protection for all views. He stated that the LGBTQ message is not a governmental message. Celebrating and raising a flag in Franklin in regard to someone's sexuality or gender identity is ridiculous. We are all members of the Franklin community and we are all Americans. He stated that he believes that the flags flown today represent us all. He stated that they should live in harmony and work together to build a strong community. A flag celebrating a person's sexually or gender identity will continue to divide this community. He asked about other flags that the Town Council would have to fly as well. He stated that the only flag that represents us all is the American, state, and town flags as well as some of the armed forces flags flown in town. He stated that there are people in town who do not support flying the LGBTQ flag. ► Chair Mercer stated that he thinks we have a consensus and we will put together an ad hoc committee to look at this further. ► Councilor Frongillo stated that this is a small piece to support the community; most of the work is done everyday by treating neighbors fair and with support and love.

LEGISLATION FOR ACTION:

Note: Two-Thirds Vote requires six votes; Majority Vote requires majority of members present and voting.

- a. **Resolution 23-28: Town Council Approval of County ARPA Funds (Motion to Approve Resolution 23-28 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 23-28: Town Council Approval of County ARPA Funds by Dellorco. SECOND by Hamblen.**
Discussion: ► Mr. Hellen stated that this is the last installment; this closes out the water main projects that we have until the county releases the last 20 percent. He referenced his memo to the Town Council dated April 21, 2023, which is in the meeting packet. He noted that they were able to purchase two electric vehicles to replace two gas vehicles for the fleet. He noted \$100,000 toward environmental assessment and preliminary remediation work on the Nu-Style property and \$1,000,000 in new road construction to replace the lost hotel revenue from the two pandemic years of 2020 and 2021. ► Town Council members asked questions and made comments. ► DPW Director Brutus Cantoreggi explained the use of the funds; he noted that the old pipe was about 70 years old. He stated that the two electric cars were delivered. ► Mr. Hellen discussed the purchase of the electric vehicles. ► Councilor Dellorco noted that the electric vehicle batteries are changed in five years at a cost of \$10,000. ► **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR’S REPORT: ► Mr. Hellen thanked all the Earth Day volunteers. He stated that the Town Administrator’s FY24 budget proposal is out and available on the Town’s website; it is long. He reviewed that May 8, 2023, is the Finance Committee hearing for general government, May 10, 2023, is the Finance Committee hearing for School Department, and the final Finance Committee meeting is May 11, 2023.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► Councilor Pellegrini stated they met this evening on four items which she reviewed. ► Chair Mercer stated those items would be on the next Town Council agenda for a vote.
 b. **Economic Development Subcommittee.** None.
 c. **Budget Subcommittee.** None.
 d. **GATRA Advisory Board.** ► Councilor Frongillo stated that they met on the 19th and mostly again they are cleaning up financials. He stated that if anyone has questions, please reach out to him.

FUTURE AGENDA ITEMS: ► Councilor Sheridan asked to look into the Washington Street issue. ► Councilor Frongillo stated that he wanted to look into the trucking issue. ► Councilor Cormier-Leger stated that he wanted to add his support to look into the road issue. ► Councilor Dellorco stated that he wanted to look into the road issue.

COUNCIL COMMENTS: ► Councilor Pellegrini offered condolences to retired firefighter Stephen Geer whose father Louis “Buddy” Geer passed away. She noted her granddaughter’s college graduation. ► Councilor Hamblen stated thanks to Kathy, Rachel, and Mark for coming up with solutions that we have not thought of yet. She thanked everyone for their comments. She congratulated KP Sompally for receiving an outstanding volunteer award from the Boston Cares group. She stated that the Arts & Culture listening tour is starting up again on April 28, from 9 AM to 11 AM, at the library. She thanked Ms. Goodlander and the Conservation Commission members in attendance at tonight’s meeting. ► Councilor Cormier-Leger thanked everyone for their comments tonight. He discussed that there is clearly work to be done. He stated that he is available to talk to people on the issue. He stated that he is looking forward to Friday to resume talks on Arts & Culture. ► Councilor Sheridan thanked Ms. Goodlander for her presentation, people who made positive comments, and the Recreation Department for the Earth Day event. ► Councilor Chandler stated that he received a lot of emails. He gave a shout-out to Councilor Dellorco for stealing the best Ford mechanic to come to the DPW. He gave a shout-out to Mr. Hellen for the van in the capital budget. He stated that Dean College was getting a real police department again and he did not know if they were running around carrying guns now and how big it was going to be. He stated that we all know how quick any incident

can escalate. ► Chair Mercer stated that Dean College President Kenneth Elmore will be coming back to one of the next meetings and we can ask those questions. ► Councilor Frongillo said there are two surveys: Open Space and Recreation, and Arts & Culture. He noted the Arts & Culture meeting at the library. He noted share your favorite poem at the library. He stated that he has two personal projects that he has been working on. He discussed movie nights which The Black Box helped him put together to be held the last Tuesday of every month. He discussed Jane Jacobs, social activist pushing people to observe their community by foot or biking. He stated that around her birthday every year they do a Jane’s Walk which is a national event, so he is holding one this year with Franklin Matters, and it will be next Saturday, meeting at the Town Common at 10:30 AM, to do a few miles walk around town. ► Councilor Dellorco thanked everyone for tonight; we made progress. He stated thanks to Amber for her military service. He gave condolences to the family of Louis “Buddy” Geer. ► Councilor Jones stated tonight’s meeting was very constructive. He stated that through teamwork you can fight through difficult battles. He thanked all veterans for their service. ► Chair Mercer gave condolences to the family of Louis “Buddy” Geer. He thanked everyone for coming to tonight’s meeting in person or via Zoom. He thanked Ms. Goodlander for all the information she provided. He stated that regarding the flag discussion, he thanked everyone and thought it was a great discussion. He stated that putting together the ad hoc committee is the right thing to do.

EXECUTIVE SESSION: None.

ADJOURN: ► MOTION to Adjourn by Dellorco. SECOND by Jones. No Discussion. ► VOTE: Yes-9, No-0, Absent-0.

Meeting adjourned at 9:16 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
May 3, 2023**

A meeting of the Town Council was held on Wednesday, May 3, 2023, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Brian Chandler, Theodore Cormier-Leger, Robert Dellorco, Cobi Frongillo, Melanie Hamblen, Glenn Jones, Thomas Mercer, Deborah Pellegrini, Patrick Sheridan. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator.

CALL TO ORDER: ► Chair Mercer called the meeting to order at 7:00 PM. Chair Mercer called for a moment of silence. All recited the Pledge of Allegiance.

ANNOUNCEMENTS: ► Chair Mercer reviewed the following as posted on the agenda. A Note to Residents: All citizens are welcome to attend public board and committee meetings in person. Meetings are live-streamed by Franklin TV and shown on Comcast Channel 11 and Verizon Channel 29. In an effort to maximize citizen engagement opportunities, citizens will be able to continue to participate remotely via phone or Zoom. He announced that this meeting is being recorded by Franklin TV; this meeting may be recorded by others.

CITIZEN COMMENTS: None.

APPROVAL OF MINUTES: None.

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: None.

HEARINGS: 7:00 PM. ► *New Section 12 Restaurant Common Victualer All Alcohol License and Approval of Katrina Psikarakis as the Manager - Here Come Two Greeks, LLC d/b/a Sierra's Brick Oven Pizza & Pub, Located at 370 King Street.* ► Chair Mercer declared the public hearing open. ► Attorney Richard Cornetta representing the applicant introduced Katrina Psikarakis as the Manager of Here Come Two Greeks, LLC. He noted the business has been getting some daily liquor licenses without incident. The location is 2,100 sq. ft. and employs about 20 people. He stated the hours are Monday through Thursday from 11 AM to 9 PM, and on the weekends they may stretch it a bit to 10 PM or 11 PM. It is a family owned and operated business. They serve a lot of brick oven items that would be paired nicely with alcohol options for their customers. They would like a full liquor license. He noted the previous business at the location had a liquor license. He noted other businesses in the commercial area that have liquor licenses. ► Mr. Hellen stated that all departments have signed off on the application. He noted that this is the site of a previous liquor license. ► Ms. Mauren Kravatas, 38 Quince Landing, resident of Spruce Pond Condominiums, stated that she was here on behalf of her friend who petitioned people at the condominium. She read aloud a petition signed by 42 people who about the establishment opposing the granting of a full liquor license to the applicant; this would not be welcomed. ► Mr. Cornetta responded and stated that there is not a lot of direct sight line to the establishment and stated that they will address noise concerns. ► Ms. Lauren Lannon, 90 Highbank Road, resident of Spruce Pond Condominiums, stated that she spoke to many residents who were in support of this. ► Mr. Stephen Knights, 74 Miller Street, stated that he has seen a lot of changes in Franklin. He stated that he does not feel this establishment would do any damage to the Spruce Pond environment; he knows the family and would appreciate the Town Council allowing this to happen. ► Chair Mercer declared the public hearing closed.

LICENSE TRANSACTIONS: ► *New Section 12 Restaurant Common Victualer All Alcohol License and Approval of Katrina Psikarakis as the Manager - Here Come Two Greeks, LLC d/b/a Sierra's Brick Oven*

Pizza & Pub, Located at 370 King Street. ► Councilor Jones read the license transaction. ► **MOTION** to **Approve** the request by Here Come Two Greeks, LLC d/b/a Sierra's Brick Oven Pizza & Pub, for a New Section 12 Restaurant All Alcoholic Beverages License and to approve Katrina S. Psikarakis as the manager by **Jones. SECOND** by **Dellorco. Discussion:** ► Councilor Jones stated that this location has had a liquor license in the past. He asked if the staff had TIPS training. He noted that there are Town bylaws that food must be served with alcohol. ► Mr. Cornetta stated that all the servers will be certified. ► Councilor Cormier-Leger noted he highly supported this and encouraged others to support this. ► Councilor Chandler stated that this is on a main way, and he wants to give them this license. He noted the seating capacity. He asked about entertainment. ► Mr. Cornetta stated that entertainment would be a separate request; there are no immediate plans for this. ► Councilor Dellorco confirmed that the establishment has applied for one-day liquor licenses with no issues. He stated that he is in support of this. ► Mr. Hellen noted that he is picturing acoustic guitar if there is entertainment. ► Councilor Frongillo stated that he supported all of the reasons that this liquor license should be granted. ► Councilor Hamblen stated that we have seen recently that eatery establishments are expected to have liquor. She stated that she understands the concerns of the neighbors, but noted that these applicants have worked with the Town. ► Councilor Pellegri stated that she goes along with this. ► **VOTE: Yes-9, No-0, Absent-0.**

► ***License Modification - Change of Manager: Rare Hospitality International, Inc. d/b/a Longhorn Steakhouse; Located at 250 Franklin Village Drive, Franklin, MA 02038.*** ► Councilor Jones read the license transaction. ► **MOTION** to **Approve** the request by RARE Hospitality International, Inc. d/b/a Longhorn Steakhouse, for a Change of Manager to Michael Barbosa by **Jones. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated that all departments have signed off, and Mr. Michael Barbosa was present at the meeting. ► **VOTE: Yes-9, No-0, Absent-0.**

► ***License Modification - Change of Officers/Directors/LLC Managers: 99 Restaurants of Boston, LLC d/b/a 99 Restaurant, Located at 847 West Central Street.*** ► Councilor Jones read the license transaction. ► **MOTION** to **Approve** the request by 99 Restaurants of Boston, LLC d/b/a 99 Restaurant for a change of Officers/Directors/LLC Managers as described by **Jones. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated that the ABCC has already approved this, but it is required to be rubber stamped and sent back to them. ► **VOTE: Yes-9, No-0, Absent-0.**

PRESENTATIONS/DISCUSSIONS: ► ***Presentation: FY22 Financial Audit - Scott McIntire, Partner, Marcum LLP.*** ► Mr. Hellen stated that this is the annual financial statements and audit for the Town. He thanked all the finance staff for all their good work. He stated that the Town is maintaining their AAA bond status. ► Mr. Scott McIntire (via Zoom) reviewed the results of the audit. He referenced pages of the document which was provided in the meeting packet. He discussed the Independent Auditor's Report opinion located on page 4. He noted that Melanson merged with Marcum LLP. He stated that so few students are going into accounting that they needed more resources, so they teamed up with a larger firm. He reviewed required communications that he must go through related to three major things. He stated that the audit went very well. They found the books and records to be in good working order and key account balances were all reconciled on a regular and timely basis. He stated that as a result of that, we did not need to propose any significant audit entries. He stated that another required communication deals with any disagreements between the Town and this firm, and there were no disagreements in how to apply generally acceptable accounting principles. He stated that the last of the three required communications deals with estimates, and there are several in the Town's financial statements. He stated that the opinion on the financial statements looks different than prior years as accounting and auditing standards change, but it really is not different. It is a clean opinion. He stated that it says the same thing but in a different order. He discussed page 17. He noted the long-term perspective regarding the net Pension liability of \$28.4M which is down about \$10M over the prior year, and net Other Post-Employment Benefits (OPEB) liability of \$73.9M. He noted the Town was very strong in investment earnings, and it brought the net Pension liability down. The OPEB is up slightly by a few million from the prior year. He noted that assumptions are in the footnotes. He noted page 19 and pointed out the second column titled Federal Grants Fund with account balance of just under \$3.9M.

Essentially, this is some of the ARPA money received and was unspent as of June 30, 2022. This revenue will not be recognized until those dollars are spent. He noted the General Fund is almost \$27.5M which is up about \$2M from the prior year. He noted the Unassigned Fund Balance is \$15.27M which is up almost \$1M from the prior year. ► Town Council members asked questions, made comments, and thanked staff for all their efforts. ► In response to questions, Mr. McIntire stated that the Town is on top of things, and they did not issue a management letter. He stated that the \$3M in the Stabilization Fund helps from a credit rating standpoint. It shows a willingness of the community to put money into a fund should it be needed. He reiterated the books and records are in good working order, and the audit went well. ► Mr. Hellen stated that in terms of trust, this shows a closer link to get to the quality-of-life question. ► Mr. Stephen Sherlock, 10 Lawrence Drive, stated that in the past there were many years of management letters. The statement that the books are good and there is no management letter indicates that we have come a long way. ► Ms. Sharon Angeli, 40 Quince Landing, stated that she sent the Town Council an email and her friend was supposed to come in and make a presentation regarding the liquor license listed as a previous agenda item. ► Chair Mercer stated that her friend did make the presentation, the Town Council heard it, a few people spoke on the item, and the liquor license was granted; we are on another subject now. ► Chair Mercer thanked Mr. McIntire for a great presentation and another great report. He thanked all for the work they have done for this.

► **Presentation: Charles River Pollution Control District (CRPCD) - Elizabeth Taglieri, Executive Director Charles River Pollution Control District (Legislation For Action 9a).** ► Ms. Elizabeth Taglieri, Executive Director Charles River Pollution Control District, reviewed her background. She noted other Board of Commissioner representatives in attendance at tonight's meeting. She narrated a slideshow presentation which was provided in the meeting packet. She reviewed that the CRPCD was established in 1973 by the towns of Franklin and Medway, the wastewater treatment began in 1979, the treatment capacity is 4.54 million gallons per day (MGD), the treatment plant was partially upgraded in the late 1990s which increased treatment capacity to 5.7 MGD, a major upgrade was completed in 2012 to 2016 to replace aging equipment and cap on-site landfill and meet more stringent total phosphorus permit limits of \$30M total, and currently designed and permitted to treat and discharge 5.7 MGD, and Franklin owns 63.9 percent or 3.642 MGD. She reviewed the collection system including over 240 miles of sewer in Medway, Franklin, Millis, and Bellingham, 149 miles of town-owned sewer in Franklin, 13 miles of district-owned interceptors including over 9 miles in Franklin, and the district-owned pump station by BJ's in Franklin. She reviewed the treatment process which includes screening and grit removal, primary clarification, activated sludge, secondary clarification, cloth filtration, disinfection with sodium hypochlorite, gravity belt thickening, off-site sludge disposal, and effluent discharged to Charles River. She discussed looking ahead including 495 pump station force main, sludge removal costs, chemical costs, discussion on increase in capacity, per- and polyfluoroalkyl substances (PFAS), and electrical supply rate. ► Town Council members asked questions and made comments. ► In response to questions, Ms. Taglieri reiterated that Franklin has the largest flow coming to the plant. It was noted the population in Franklin, the number of people on sewer, and that Franklin has been on sewer a lot longer than other towns. ► A Board of Commission member noted that Franklin has extra capacity at the sewer plant at this time. ► Ms. Taglieri stated that they are a medium-sized facility. They did a preliminary study regarding an aerobic digester; it did not make financial sense to do it at that time. She stated that it takes one day for a gallon of wastewater to go through the facility. She stated that when the water leaves the facility, the water is safe for recreation, but you cannot drink it. She stated that this is a field where we need more people; they have a co-op program with Tri-County. She stated that they do tours of the plant. She discussed that they are doing similarly budget-wise on costs compared to similarly sized plants. She stated that using low-flow fixtures is great and there should be no wipies in the toilet including the flushable kind. ► Chair Mercer thanked the presenters. He stated that it is very important to know the foresight Franklin had in the 1970s to buy the capacity; it will probably take care of us through buildout. ► Mr. Hellen stated that he would schedule a tour. He noted the passion of Ms. Taglieri and stated that they do a great job. He noted that Franklin is in a great position with the capacity especially regarding development. He noted that Town Councils past and present have never shied away from investing in infrastructure. ► Water & Sewer Superintendent Doug Martin stated that he wanted to bring the Town

Council up to date on the Beaver Street interceptor. He narrated a slideshow presentation. He stated that it was built in 1914. He stated that it was appropriated to borrow \$33M for the project. They are waiting on some DOT permits and will probably get started in the middle of the summer. He reviewed some sewer issues and the costs. He noted \$200K was appropriated for a study for future improvements. He reviewed items including limited projected surplus going forward, funding lift station master plan, funding future I & I programs, and increased costs from CRPCD. He noted that there is a lot on the project that they can move forward with while they are waiting for supplies. ► In response to a question, Ms. Taglieri stated that there is a capital piece and an operations and maintenance piece for calculating cost. ► Chair Mercer thanked all for the enlightening presentation.

LEGISLATION FOR ACTION:

Note: Two-Thirds Vote requires six votes; Majority Vote requires majority of members present and voting.

- a. ***Bylaw Amendment 23-897: Sewer Rate Increase - First Reading (Motion to Move Bylaw Amendment 23-897 to a Second Reading - Majority Vote).*** ► Councilor Jones read the bylaw amendment. ► **MOTION to Move Bylaw Amendment 23-897: Sewer Rate Increase to a Second Reading by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen stated that it is pretty straightforward; this will essentially allow us to pay for the Beaver Street Interceptor Project. It is a three-year project. ► Councilor Cormier-Leger asked if after the three-year project this 25 percent rate increase will go back down. ► Mr. Hellen stated that it is a 20-year payment schedule; it will stay there. ► Councilor Dellorco stated that it is a critical need. ► Mr. Martin stated that some of the old interceptor will continue; other sections will be decommissioned. ► **VOTE: Yes-9, No-0, Absent-0.**

PRESENTATIONS/DISCUSSIONS (continued): ► ***An Introduction to PFAS Regulations - DPW Director Brutus Cantoreggi and Water & Sewer Superintendent Doug Martin.*** ► Chair Mercer stated that DPW Director Brutus Cantoreggi was unable to attend this evening. ► Water & Sewer Superintendent Doug Martin addressed the Town Council. He stated that they wanted to provide an update to the PFAS regulations. He explained that per- and polyfluorinated substances (PFAS) are a family of chemicals used for nonstick, stain-resistant, and water-proof coatings, and are in numerous consumer products, industrial uses, and firefighting foams. PFAS are resilient and do not degrade easily. As a result, they are widely found in the environment as products are disposed of and PFAS leaches into the soil and water, finding its way to food and drinking water sources. He stated that they are still being made. The state has made level requirements. He reviewed that in Franklin, all sampling has been consistently and reliably below 20 ppt for the PFAS6 except for Well 7/7A. In January of 2020, Well 7/7A had four of the six regulated PFAS being detected in finished water with a sum of 31.4 ppt. This forced the Town to shut down the source, and it has been off ever since. All other sources have consistently and reliably been below the MassDEP PFAS6 drinking water standard. The EPA recently issued a draft federal drinking water rule which sets the limit for certain PFAS lower than the Massachusetts standard. EPA is entertaining public comment on their proposal now and if the proposed rule is finalized, Massachusetts will adopt limits at least as stringent as EPA; the EPA process may take another year before it is completed. He discussed that therefore, given the current MassDEP regulations, we are proposing a \$6.5 million project to construct a new PFAS treatment facility adjacent to the current building at the Well No. 7/7A site. In addition to Well 7/7A, if the proposed more stringent EPA rule goes into effect based on current sampling results, we will need to provide PFAS treatment at additional locations to be in compliance with the proposed rule. The cost for treatment at all these locations including Well 7/7A is likely to be around \$50 million. This does not include our other four well locations that are currently just under the proposed rule limits set for PFOA and PFOS. He explained that at the May 25, 2023, Town Council meeting, we will be asking the Town Council to appropriate the borrowing of the \$6.5 million for the Well 7/7A project. The Town was listed on the 2023 final State Revolving Fund (SRF) intended use plan and since this project will be a PFAS treatment facility, it will be eligible for an interest-free (0 percent) loan with additional principal loan forgiveness through the SRF program in thanks to the 2021 Bipartisan Infrastructure Law (BIL). He noted other infrastructure projects they were planning to do including the Fisher Street WTP, water main replacement/road improvement program, Hillside tank replacement, Pleasant Street tank & low

service area reconfiguration, and Bald Hill and Forge Hill tank maintenance. ► Town Council members asked questions and made comments. ► Chair Mercer discussed that this is scary. ► Mr. Hellen stated that it is difficult to clean something up that we have not gotten rid of. This would hit rate payers with a bill bigger than the Beaver Street Interceptor project. He stated that the DPW has completely stayed ahead of this. He stated that he will prepare the letter as recommended by Chair Mercer. ► Councilor Hamblen noted that some fertilizers have PFAS in them. ► Councilor Dellorco noted that PFAS causes cancer. ► Mr. Martin noted that it is a forever chemical.

LEGISLATION FOR ACTION (continued):

- b. Resolution 23-30: Authorizing the Borrowing of Money to Pay Costs Associated with the Franklin Sewer System Asset Management Plan (CWSRF 12541) (Motion to Approve Resolution 23-30 – Two-thirds Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 23-30: Authorizing the Borrowing of Money to Pay Costs Associated with the Franklin Sewer System Asset Management Plan (CWSRF 12541) by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen stated that the next two pieces of legislation are required by the state for us to file for the grant we just discussed. ► **VOTE: Yes-9, No-0, Absent-0.**
- c. Resolution 23-31: Authority for Town Administrator to File Clean Water State Revolving Fund Loan Application (Motion to Approve Resolution 23-31 – Two-thirds Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 23-31: Authority for Town Administrator to File Clean Water State Revolving Fund Loan Application by **Dellorco**. **SECOND** by **Hamblen**. **No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**
- d. Zoning Bylaw Amendment 23-889: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Attachment 7., Part VI, Use Regulation Schedule: Residential Uses - Second Reading (Motion to Approve Bylaw Amendment 23-889 - Majority Roll Call Vote).** ► **MOTION to Waive** the reading by **Hamblen**. **SECOND** by **Dellorco**. **No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Approve** Zoning Bylaw Amendment 23-889: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Attachment 7., Part VI, Use Regulation Schedule: Residential Uses by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen stated that items d and e are the final two votes for the Town of Franklin to finally have an inclusionary zoning bylaw. ► Councilor Hamblen thanked everyone who was involved in the Franklin for All Project, Planning Board, ZBA, and Town staff. ► Chair Mercer thanked all for their time on the project. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**
- e. Zoning Bylaw Amendment 23-890: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Section 51 - Second Reading (Motion to Approve Bylaw Amendment 23-890 - Majority Roll Call Vote).** ► **MOTION to Waive** the reading by **Hamblen**. **SECOND** by **Dellorco**. **No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Approve** Zoning Bylaw Amendment 23-890: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Section 51 by **Dellorco**. **SECOND** by **Hamblen**. **No discussion.** ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**
- f. Resolution 23-32: Gift Acceptance - Town of Franklin for Red Brick School House (Donation of “Established” Sign) (Motion to Approve Resolution 23-32 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 23-32: Gift Acceptance - Town of Franklin for Red Brick School House (Donation of “Established” Sign) by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Chair Mercer thanked Mr. Cam Afonso, owner of Signs by Cam, for the donation. ► **VOTE: Yes-9, No-0, Absent-0.**

- g. Resolution 23-29: FY23 Capital Round 2 (Motion to Approve Resolution 23-29 - Majority Vote).**
 ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 23-29: FY23 Capital Round 2 by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen reviewed the FY23 Round 2 Capital Plan requests as listed in his memo to the Town Council dated April 28, 2023, which was provided in the meeting packet. He stated that all the items were supported unanimously by the Capital Subcommittee.
 ► Town Council members made comments. ► Councilor Cormier-Leger explained the marketing and branding request for \$50,000. He stated that it was a smart decision to invest in the future of the Town.
 ► Councilor Frongillo and Councilor Hamblen stated their support for the marking and branding expense. ► **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR’S REPORT: ► Mr. Hellen stated that the Finance Committee hearings begin on Monday, May 8, 2023, and will also take place on Wednesday, May 10, and Thursday, May 11, 2023. The Town budget materials are posted on the Town’s website. He thanked and congratulated paramedic Becky Carloni as she won Paramedic of the Year of central Massachusetts. He congratulated the entire Franklin Fire Department.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** None.
- b. **Economic Development Subcommittee.** ► Councilor Hamblen stated that they met tonight before the Town Council meeting. She stated that we discussed our goals for the next six months; we have a good path forward to clean up some of the stuff we still have left over.
- c. **Budget Subcommittee.** None.
- d. **GATRA Advisory Board.** None for GATRA. ► Councilor Frongillo stated that they have an Arts & Culture ad hoc committee, they have been doing listening sessions, and they did a second one last week. He stated that last Friday they took thoughts and organized them and brought up new and innovative ideas. He stated that he is really excited about going into next month’s listening session.

FUTURE AGENDA ITEMS: None.

COUNCIL COMMENTS: ► Councilor Dellorco noted that former attorney general Francis X. Bellotti turned 100 years old today; he noted Mr. Bellotti’s birthday party celebration. He stated that there is a new drug on the street; Narcan does not work on it. ► Councilor Hamblen noted that DelCarte Day was moved to this Sunday from 9 AM to 1 PM. ► Councilor Pellegrini congratulated Ms. Carloni. She noted letters from students at 500 Lincoln Street. She stated that she does not think that it was appropriate to be sent out as it should not be sent from the School Department. She stated that it should not be a form letter that these kids were signing. She stated that if you asked them, they probably did not even realize everything as it was such a long letter. She stated that she is in favor of more counselors, but she does not even know if something like this is legal using the paper, time, and everything to get to us through the School Department. She hopes that she will not see anything like this again. She stated that if they have something to say, please come before us at the Town Council. ► Councilor Frongillo stated that the Arts & Culture survey is still open. He stated that today was Walk to School Day; he is going to do a survey of the students to reflect on their experiences. He stated that on Saturday, he will be walking with Franklin Matters around downtown Franklin and talking about housing and design and development and whatever else comes to our minds; come join us at 10:30 AM at the Town Common on the High Street side. He stated that he is looking forward to that. He stated that at the Town Common after that, the Franklin Moms have rescheduled their Environmental Extravaganza. He stated that May 20th is downtown beautification day. ► Councilor Chandler stated that this is budget month; send us your emails and watch the meetings. ► Councilor Sheridan congratulated Ms. Carloni. He thanked the people who painted the electrical boxes around town. He noted that he lost his dog downtown on Monday; he thanked the Franklin police for helping. ► Councilor Cormier-Leger thanked everyone who presented tonight. He congratulated Ms. Carloni. He thanked all those who attended the Arts & Culture meeting. He congratulated the former chair of the Franklin Cultural Council Kaye Kelly who is receiving an

award at the recommendation of Senator Becca Rausch. ► Chair Mercer thanked all tonight's presenters and congratulated Ms. Carloni.

EXECUTIVE SESSION: None.

ADJOURN: ► MOTION to Adjourn by Dellorco. SECOND by Jones. No Discussion. ► VOTE: Yes-9, No-0, Absent-0.

Meeting adjourned at 9:40 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
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OFFICE OF THE TOWN ADMINISTRATOR

June 2, 2023

To: Town Council

From: Jamie Hellen, Town Administrator

Re: Annual Reappointments of Boards and Committees

The Council will consider annual reappointments of board & committee members whose terms are due to expire at the end of June. Of the 47 members with expiring terms, 36 are renewing and 8 are not. Staff are still awaiting confirmation from a few others. More appointments and reappointments will be on June 21st.

In addition to reappointments there is one new member being appointed as well:

- Finance Committee - William Batchelor (volunteer form is included in the agenda packet).

Below is a list of all committee seats that are currently vacant and those we anticipate to be vacant as of July 1st.

- Council on Aging - 1 vacancy
- Cultural District Committee - 2 vacancies
- Design Review Commission - 3 vacancies
- Franklin Cultural Council - 4 vacancies
- Historical Commission - 1 vacancy
- Municipal Affordable Housing Trust Fund Committee - 2 vacancies

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
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OFFICE OF THE TOWN ADMINISTRATOR

COMMITTEE APPOINTMENTS

June 2023

The Town Administrator has appointed the following individuals to serve to boards and committees:

Agricultural Commission 3-year terms (5 members)

Roger Trahan	1 Green St.	June 30, 2026
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Agricultural Commission Associate Members 1-Year Term

Nick Capoccia (Associate)	398 Prospect St.	June 30, 2024
Daniel Morse (Associate)	15 Spring St.	June 30, 2024

Charles River Pollution Control District 3-year term (3 members)

Mark Cataldo	63 Cleveland Ave.	June 30, 2026
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Conservation Commission 3-year term (7 members)

Patrick Gallagher	237 Conlyn Ave.	June 30, 2026
Jeffrey Milne	5 Colt Rd.	June 30, 2026

Council on Aging 3-year term (9 members)

Kimberly Mu-Chow	4 Briarwood Rd.	June 30, 2026
Carolyn O'Brien	31 Daniels St.	June 30, 2026

Cultural District Committee 3-year term (7 members)

Amy Adams	56 Jefferson Rd.	June 30, 2026
Roberta Trahan	1 Green St.	June 30, 2024

Design Review Commission 3-year term (5 members)

Samuel Williams	8 McCarthy St.	June 30, 2026
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Finance Committee 3-year term (9 members)

William Batchelor	24 Shayne Rd.	June 30, 2026 (NEW)
Natalie Riley	23 Conlyn Ave.	June 30, 2026

Franklin Cultural Council (Initial term 2-Year) 3-year term (9 members)

Pushpa Latha Jangareddi	34 Lost Horse Trail	June 30, 2026
Swati Rao	1090 Pond St.	June 30, 2026

Franklin Disability Commission 3-year terms (7 members)

Deborah Bean	78 Hillside Rd.	June 30, 2026
Randall Jay	294 Country Way	June 30, 2026

Historical Commission 3-Year Terms (7 Members)

Phyllis Malcolm	37 Uncas Ave.	June 30, 2026
Mary Olsson	149 West Central St.	June 30, 2026

Historical Commission Associate Members 1-Year Term

William Lee	18 Martin Ave.	June 30, 2024
Kai Olsson	149 West Central St.	June 30, 2024

Housing Authority Tenant At-Large Member 5-year term

Christopher Lennon	72 Central Park Terrace	June 30, 2028
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Library Board of Directors 3-year terms (5 members)

Kathleen Gerwatowski	12 Greensfield Rd.	June 30, 2026
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Metropolitan Area Planning Council 3-year terms (1 member)

Amy Love	355 East Central St.	June 30, 2026
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Municipal Affordable Housing Trust Fund Committee 1-year terms

Christopher Feeley	5 Taft Drive	June 30, 2024
Maxine Kinhart	Municipal Building	June 30, 2024
Christopher Vericker	63 Dean Avenue	June 30, 2024
Susan Younis	47 Stone Ridge Road	June 30, 2024

Norfolk County Advisory Board 1-year term

Peter Padula	14 Fort Apache Drive	June 30, 2024
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Recreation Advisory Board 3-year term (5 members)

Robert Dellorco	7 Wilson Rd.	June 30, 2026
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Tri County Regional Vocational School Committee 3-year term

Peter Wiernicki	10 Park Rd.	June 30, 2026
-----------------	-------------	---------------

Zoning Board of Appeals 3-year term (5 members)

Robert Acevedo	64 Maple St.	June 30, 2026
----------------	--------------	---------------

Motion to Ratify the Annual appointments to the following boards and commissions.

DATED: _____

VOTED:
UNANIMOUS: _____

YES: _____ **NO:** _____

A True Record Attest:

ABSTAIN: _____

ABSENT: _____

**Nancy Danello, CMC
Franklin Town Clerk**

RECUSED: _____

**Glenn Jones, Clerk
Franklin Town Council**



Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

Volunteer Form

Good Government Starts with You!

Date Submitted: May 3, 2023

Name: William W. Batchelor

Home Address: 24 Shayne Road
FRANKLIN, MA 02038

Mailing Address: 24 Shayne Road
FRANKLIN, MA 02038

Phone Number(s): [REDACTED]

Email Address: [REDACTED]

Current Occupation/Employer: Director of Clinical Research Asaman Pharmaceuticals

Narrative: Responsible for clinical trial data records, supplies, etc. Also, Training, client management.

Board(s) / Committee(s): ___ Finance Committee

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

June 2, 2023

To: Town Council
From: Jamie Hellen, Town Administrator

Re: Davis-Thayer Building Reuse Advisory Committee Appointments

On January 4, 2023 the Town Council voted to approve Resolution 23-08, to establish a Davis-Thayer Building Reuse Advisory Committee. The committee charge is also attached for your reference. Please note the committee sunsets December 2023 unless reauthorized. The Committee is charged with evaluating options and providing some recommendations to the full Town Council.

The resolution specifies that the Committee must be comprised of 3 members of the Town Council, 1 member of the Planning Board and 5 citizen members At-Large. The Planning Board voted and provided their recommendation, Greg Rondeau, to the Town Administrator for approval and that recommendation is being forwarded on.

For the At-Large seats, residents were invited to submit applications through the Town website, with a deadline of March 3rd. Staff received a total of twenty-nine applications for the five At-Large seats, and careful consideration was given to all of them. I am asking the Town Council to ratify the appointments of the nine individuals listed below to the Davis-Thayer Building Reuse Advisory Committee:

- 1) Deborah Pellegrini, Chair (Town Council)
- 2) Patrick Sheridan, Vice-Chair (Town Council)
- 3) Ted Cormier-Leger, Clerk (Town Council)
- 4) Greg Rondeau (Planning Board)
- 5) Christopher Stickney (At Large)
- 6) Roberta Trahan (At Large)
- 7) Gwentyth Morss (At Large)
- 8) Megan McCarthy (At Large)
- 9) Sam Williams (At Large)

I'd like to thank these 9 individuals for stepping up to serve on this Committee, as well as everyone who submitted an application. I fully hope and expect that all interested applicants will remain engaged throughout the reuse advisory process. Davis-Thayer is an enormous asset for the community and I hope everyone in the community will tune in!



TOWN OF FRANKLIN RESOLUTION 23-08

DAVIS-THAYER BUILDING REUSE ADVISORY COMMITTEE

WHEREAS: The Town Council desires to establish a Davis-Thayer Building Reuse Advisory Committee to evaluate potential strategies and future uses for the building and parcel of land the building is located on;

NOW THEREFORE, the Franklin Town Council hereby establishes the Davis-Thayer Building Reuse Advisory Committee as follows:

1. The Town Council has determined to appoint no more than nine (9) members to the Davis-Thayer Building Reuse Advisory Committee, including the following representation and nomination selection criteria:
 - a. Three (3) members of the Franklin Town Council;
 - b. One (1) member of the Franklin Planning Board; and
 - c. Five (5) members At-Large.
2. The Town Administrator shall nominate all nine members of the committee membership to be ratified by the Town Council. The Chair of the Town Council shall select the Chair, Vice-Chair and Clerk. Terms of the committee shall end on December 31, 2023.
3. Duties of the committee are as follows:
 - a. Conduct an assessment of current conditions and possible uses;
 - b. Conduct a market appraisal of the property;
 - c. Engage community stakeholders and citizen input through a public listening series; and
 - d. Evaluate potential future uses and make a final report to the Town Council by December 23, 2023.

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



APPOINTMENTS

Davis-Thayer Building Reuse Advisory Committee

Franklin Town Council

Ted Cormier-Leger - 3 Ashbury Drive
Deborah Pellegrini - 181 Pleasant Street
Patrick Sheridan - 48 West Street

Franklin Planning Board

Greg Rondeau - 3 Ashley Circle

Citizens At-Large

Megan McCarthy - 148 Dean Avenue
Gwenyth Morss - 4 Maple Street
Christopher Stickney - 18 High Street
Roberta Trahan - 1 Green Street
Sam Williams - 8 McCarthy Street

MOTION to ratify the appointments of the names listed above by the Town Administrator to serve as members of the Davis-Thayer Building Reuse Advisory Committee with terms to expire on December 31, 2023.

DATED: _____, 2023

VOTED:

UNANIMOUS: _____

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

A True Record Attest:

Nancy Danello
Town Clerk

Glenn Jones, Clerk
Franklin Town Council



Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

Volunteer Form

Good Government Starts with You!

Date Submitted: February 22, 2023

Name: Megan M McCarthy

Home Address: 148 Dean Ave
Franklin

Mailing Address: 148 Dean Ave
Franklin

Phone Number(s): [REDACTED]

Email Address: [REDACTED]

Current Occupation/Employer: Strategy Officer, Bill & Melinda Gates Foundation

Narrative: Good Evening,

I am interested in joining the Davis-Thayer Building Reuse Advisory Committee. As a Franklin resident for the last two years, I have been looking for the right opportunity to become more engaged at the town level. I would enjoy the opportunity to contribute to your committee's efforts to evaluate and make recommendations for future use of this space.

My relevant skill set is mainly around project management, stakeholder engagement, participatory decision making, and writing / communications. In my current role, I have facilitated a number of stakeholder engagement initiatives and advisory committees in order to make our strategy more equity-focused and grounded in the needs of those we wish to serve. In these roles, I have enjoyed developing and overseeing transparent, equitable processes that lead to effective recommendations that take all insights into consideration. On a personal level, I'm a resident that is deeply interested in Franklin's future as we settle in to raise our young children here.

I would be able to dedicate approximately 2-3 hours per week to this committee, and the majority of my availability would be evenings. If you are interested in my candidacy but concerned with my availability - please reach out. I'm happy to have a conversation about time expectations for this type of engagement.

Thanks for your consideration,

Megan

Board(s) / Committee(s): ___ DAVIS-THAYER BUILDING REUSE ADVISORY COMMITTEE



Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

Volunteer Form

Good Government Starts with You!

Date Submitted: February 1, 2023

Name: Gwyneth Morss

Home Address: 4 Maple street
02038

Mailing Address: 4 Maple street
02038

Phone Number(s): [REDACTED]

Email Address: [REDACTED]

Current Occupation/Employer:

Narrative: I'm a young professional who lives in Franklin with my husband and kids. I work at Fidelity Investments in Corporate Accounting. I have a background in public accounting where I worked on a variety of industries. I am an avid lover of art and music. I hope to be able to volunteer where needed!

Board(s) / Committee(s): ___ CULTURAL DISTRICT COMMITTEE
___ DAVIS-THAYER BUILDING REUSE ADVISORY COMMITTEE



Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

Volunteer Form

Good Government Starts with You!

Date Submitted: February 6, 2023

Name: Christopher Stickney

Home Address: 18 High Street
FRANKLIN, MA 02038

Mailing Address: 18 High Street
FRANKLIN, MA 02038

Phone Number(s): ([REDACTED])

Email Address: [REDACTED]

Current Occupation/Employer:

Narrative: I have 1 to 2 hours per week available. I am currently a member of the Franklin Zoning Board, and am a Certified General Real Estate Appraiser. In my profession, I have observed and researched development trends as well as, those potential impacts to individual projects, communities, and businesses. I believe this direct experience would be very helpful to the planning process for either of these committees. I appreciate being considered and look forward to serving the Town.

Board(s) / Committee(s): ___ DAVIS-THAYER BUILDING REUSE ADVISORY COMMITTEE
___ MASTER PLAN UPDATE COMMITTEE



Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

Volunteer Form

Good Government Starts with You!

Date Submitted: February 19, 2023

Name: Roberta D Trahan

Home Address: 1 Green Street
Franklin

Mailing Address: 1 Green Street
Franklin

Phone Number(s): [REDACTED]

Email Address: [REDACTED]

Current Occupation/Employer: Retired

Narrative: I am willing to serve in any capacity you may need on any of the 4 new short term Committees. I have been a member of various Boards and Committees; I am a retired Critical Care RN.

Board(s) / Committee(s): ___ DAVIS-THAYER BUILDING REUSE ADVISORY COMMITTEE
___ POLICE STATION BUILDING COMMITTEE



Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

Volunteer Form

Good Government Starts with You!

Date Submitted: February 1, 2023

Name: Sam Williams

Home Address: 28 Queen St
Franklin, MA 02038

Mailing Address: 28 Queen St
Franklin, MA 02038

Phone Number(s): [REDACTED]

Email Address: [REDACTED]

Current Occupation/Employer: Architect/Craft Architecture LLC

Narrative: I work for myself so I have flexible availability during weekdays and some flexibility on evenings. I am currently a member of the Design Review Commission. I am an architect that has worked on planning and buildings of all types and scales. I am open to working on any of the committees selected based on the town's needs and would be willing to step away from my position on the DRC that I've held for 6.5 years.

Board(s) / Committee(s): ___ DAVIS-THAYER BUILDING REUSE ADVISORY COMMITTEE
___ MASTER PLAN UPDATE COMMITTEE
___ POLICE STATION BUILDING COMMITTEE
___ Zoning Board of Appeal

**NOTICE OF PUBLIC HEARING
FRANKLIN, MA
Modification of a Section 15 All Alcoholic Beverages Retail Package Store License
Change of Officers/Directors/LLC Managers & Change of Stock Interest
Dharma Bhakti Corporation d/b/a Liquor World**

The Franklin Town Council will hold a Public Hearing on an application by Dharma Bhakti Corporation d/b/a Liquor World, located at 365 West Central Street, Franklin, MA for multiple modifications of their Section 15 All Alcoholic Beverages Retail Package Store License to include a Change of Officers/Directors/LLC Managers and Change of Stock Interest. This hearing will be held on June 7, 2023 at 7:00 PM and will provide an open forum for discussion. Location: Municipal Building, 2nd floor Council Chambers, 355 E. Central St., Franklin and will also be available via the "ZOOM" platform. Residents can visit the Town website (Franklinma.gov) calendar on and after June 2, 2023 for updated meeting information. For questions, please call the Town Administrator's Office at (508) 520-4949.

Submitted by,
Julie McCann



Commonwealth of Massachusetts
Department of Revenue
Geoffrey E. Snyder, Commissioner

mass.gov/dor

Letter ID: L0929831968
Notice Date: December 1, 2022
Case ID: 0-001-794-359



CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE



DHARMA BHAKTI CORPORATION
365 W CENTRAL ST
FRANKLIN MA 02038-1833

Why did I receive this notice?

The Commissioner of Revenue certifies that, as of the date of this certificate, DHARMA BHAKTI CORPORATION is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.

What if I have questions?

If you have questions, call us at (617) 887-6400 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 9:00 a.m. to 4:00 p.m..

Visit us online!

Visit mass.gov/dor to learn more about Massachusetts tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights, and MassTaxConnect for easy access to your account:

- Review or update your account
- Contact us using e-message
- Sign up for e-billing to save paper
- Make payments or set up autopay

Edward W. Coyle, Jr., Chief
Collections Bureau



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

Charles D. Baker
GOVERNOR
Karyn E. Polito
LT. GOVERNOR



409425666

Rosalin Acosta
SECRETARY
Connie C. Carter
INTERIM DIRECTOR

Dharma Bhakti Corporation
365 WEST CENTRAL STREET
FRANKLIN, MA 02038



December 15, 2022

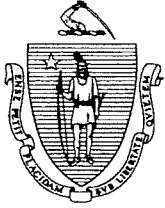
Certificate Id:65354

The Department of Unemployment Assistance certifies that as of 12/15/2022 ,Dharma Bhakti Corporation is current in all its obligations relating to contributions, payments in lieu of contributions, and the employer medical assistance contribution established in G.L.c.149,§189.

This certificate expires in 30 days from the date of issuance.

Connie C. Carter, Interim Director

Department of Unemployment Assistance



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

APPLICATION FOR MULTIPLE AMENDMENTS

Please select all of the amendments you are applying for(continued):

CHANGE OF OFFICERS/DIRECTORS/LLC MANAGERS

\$200 fee via [ABCC website](#) and Payment Receipt

Monetary Transmittal Form

DOR Certificate of Good Standing

DUA Certificate of Compliance

Change of Officers/Directors Application

Vote of the Entity Board

CORI Authorization Complete one for the proposed manager of record. This form **must** be *notarized with a stamp or raised seal*.

Business Structure Documents

If Sole Proprietor, **Business Certificate**

If partnership, **Partnership Agreement**

If corporation or LLC, **Articles of Organization** from the Secretary of the Commonwealth

CHANGE OF OWNERSHIP INTEREST (e.g. LLC Members, LLP Partners, Trustees etc.)

\$200 fee via [ABCC website](#) and Payment Receipt

Monetary Transmittal Form

DOR Certificate of Good Standing

DUA Certificate of Compliance

Change of Officers/Directors Application

Financial Statement

Vote of the Entity Board

CORI Authorization Complete one for the proposed manager of record. This form **must** be *notarized with a stamp or raised seal*.

Business Structure Documents

If Sole Proprietor, **Business Certificate**

If partnership, **Partnership Agreement**

If corporation or LLC, **Articles of Organization** from the Secretary of the Commonwealth

Purchase and Sale Agreement

Supporting Financial Records

Advertisement*

CHANGE OF STOCK INTEREST (e.g. New Stockholders or Transfer or Issuance of Stock)

\$200 fee via [ABCC website](#) and Payment Receipt

Monetary Transmittal Form

DOR Certificate of Good Standing

DUA Certificate of Compliance

Change of Officers/Directors Application

Financial Statement

Vote of the Entity Board

CORI Authorization Complete one for the proposed manager of record. This form **must** be *notarized with a stamp or raised seal*.

Business Structure Documents

If Sole Proprietor, **Business Certificate**

If partnership, **Partnership Agreement**

If corporation or LLC, **Articles of Organization** from the Secretary of the Commonwealth

Purchase and Sale Agreement

Supporting Financial Records

Advertisement*

*If abutter notification and advertisement are required for transaction, please see the local licensing authority.



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

APPLICATION FOR MULTIPLE AMENDMENTS

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
Dharma Bhakti Corporation	Franklin	89068-PK-0430

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

This is an application for Change of Officers/Directors and Change of Stock Interest for Dharma Bhakti Corporation, which owns and operates Liquor World located at 365 West Central Street in Franklin. Two of the shareholders, Jayshilkumar Patel and Jignesh Pachani, will be selling shares to two incoming shareholders, Hitesh Patel and Shivam Patel.

APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Matthew S. Porter	Attorney	[REDACTED]	[REDACTED]

2. AMENDMENT-Change of License Classification

<input type="checkbox"/> Change of License Category	Last-Approved License Category	[REDACTED]
All Alcohol, Wine and Malt, Wine Malt and Cordials	Requested New License Category	[REDACTED]
<input type="checkbox"/> Change of License Class	Last-Approved License Class	[REDACTED]
Seasonal or Annual	Requested New License Class	[REDACTED]
<input type="checkbox"/> Change of License Type*	Last-Approved License Type	[REDACTED]
i.e. Restaurant to Club *Certain License Types CANNOT change once issued*	Requested New License Type	[REDACTED]

3. AMENDMENT-Change of Business Entity Information

<input type="checkbox"/> Change of Corporate Name	Last-Approved Corporate Name:	[REDACTED]
	Requested New Corporate Name:	[REDACTED]
<input type="checkbox"/> Change of DBA	Last-Approved DBA:	[REDACTED]
	Requested New DBA:	[REDACTED]
<input type="checkbox"/> Change of Corporate Structure	Last-Approved Corporate Structure	[REDACTED]
LLC, Corporation, Sole Proprietor, etc	Requested New Corporate Structure	[REDACTED]

4. AMENDMENT-Pledge Information

<input type="checkbox"/> Pledge of License	To whom is the pledge being made:	[REDACTED]
<input type="checkbox"/> Pledge of Inventory		
<input type="checkbox"/> Pledge of Stock		

6. AMENDMENT-Change of Officers, Stock or Ownership Interest

Change of Officers/Directors
 Change of Ownership Interest (LLC Managers/LLP Partners, Trustees)
 Change of Stock (E.g. New Stockholder/ Transfer or Issuance of Stock)

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:
On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers - At least 50% must be US citizens;
Off Premises (Liquor Store) Directors or LLC Managers - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal	Residential Address	SSN	DOB
Jayshilkumar Patel	[REDACTED]	[REDACTED]	[REDACTED]

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
President, Treasurer, Director	20%	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Hitesh Patel	[REDACTED]	[REDACTED]	[REDACTED]

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
Shareholder	20%	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Shivam Patel	[REDACTED]	[REDACTED]	[REDACTED]

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
Shareholder	30%	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Nitant Raval	[REDACTED]	[REDACTED]	[REDACTED]

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
Secretary, Director	15%	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Kaushal B. Vyas	[REDACTED]	[REDACTED]	[REDACTED]

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
Director	15%	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Additional pages attached? Yes No

CRIMINAL HISTORY

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.

Yes No

MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement? Please provide a copy of the management agreement.

Yes No

6. AMENDMENT-Change of Officers, Stock or Ownership Interest

6B. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST

List the individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.

Name of Principal	Title/Position	Percentage of Ownership
Jayshilkumar Patel	President, Treasurer, Director	40%
Name of Principal	Title/Position	Percentage of Ownership
Jignesh Pachani	Director	30%
Name of Principal	Title/Position	Percentage of Ownership
Nitant Raval	Secretary, Director	15%
Name of Principal	Title/Position	Percentage of Ownership
Kaushal B. Vyas	Director	15%
Name of Principal	Title/Position	Percentage of Ownership
Name of Principal	Title/Position	Percentage of Ownership

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality
See attached			

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled? Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

9. FINANCIAL DISCLOSURE

Required for the following transactions:

- Change of Officers, Stock or Ownership Interest (E.g. New Stockholder/Transfer or Issuance of Stock)
- Change of Premises Information
- Pledge of License, Inventory or Stock

Purchase Price(s):

Jayshilkumar Patel to Hitesh Patel	[REDACTED]
Jignesh Pachani to Shivam Patel	[REDACTED]

SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
Total:	

SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
Jayshilkumar Patel	[REDACTED]		<input type="radio"/> Yes <input checked="" type="radio"/> No
Jignesh Pachani	[REDACTED]		<input type="radio"/> Yes <input checked="" type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

FINANCIAL INFORMATION

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

The shareholders selling their shares will be providing 100% financing to each respective buyer. Copies of promissory notes are attached.

ADDITIONAL INFORMATION

Please utilize this space to provide any additional information that will support your application or to clarify any answers provided above.

Jayshilkumar Patel:

Section 15 Off Premises - Fall River - Shivai Corp
Section 15 Off Premises - New Bedford - Yogibapamanhant Krupa Corp
Section 15 Off Premises - Medway - Dharma Bhakti Corporation
Section 15 Off Premises - Uxbridge - Jay Harikrupa Inc.
Section 15 Off Premises - Blackstone - Bapa Ne Sang Corporation
Section 15 Off Premises - Fall River - Swamibapagunatit Corp.

Shivam Patel:

Section 15 Off Premises - Shivam Baba Corp - Roslindale
Section 15 Off Premises - Shivam Baba Corp - Medford
Section 15 Off Premises - Jay Shiv Kris Corp - Quincy
Section 15 Off Premises - Mahant Ne Sang Corp - Lakeville
Section 15 Off Premises - Guru Seva Corp - Pittsfield

Nitant Raval:

Section 15 Off Premises - Sharon – Bapa Mahant Ne Sang
Section 15 Off Premises - Mendon – Shriji Ne Sang Corporation
Section 15 Off Premises - Worcester – Gunatit Ne Sang Corporation
Section 15 Off Premises - Medway - Dharma Bhakti Corporation
Section 15 Off Premises - Norfolk - Sarthi Con Inc.

Kaushal:

Section 15 Off Premises - Blackstone - Bapa Ne Sang Corporation
Section 15 Off Premises - Medway - Dharma Bhakti Corporation

APPLICANT'S STATEMENT

I, Jayshilkumar Patel the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory
of Dharma Bhakti Corporation
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:



Date:

10/25/2022

Title:

President

ENTITY VOTE

The Board of Directors or LLC Managers of

Dharma Bhakti Corporation

Entity Name

duly voted to apply to the Licensing Authority of

Medway

City/Town

and the

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

8/31/2022

Date of Meeting

For the following transactions (Check all that apply):

- New License
- Change of Location
- Change of Class (i.e. Annual / Seasonal)
- Change Corporate Structure (i.e. Corp / LLC)
- Transfer of License
- Alteration of Licensed Premises
- Change of License Type (i.e. dub / restaurant)
- Pledge of Collateral (i.e. License/Stock)
- Change of Manager
- Change Corporate Name
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Management/Operating Agreement
- Change of Officers/Directors/LLC Managers
- Change of Ownership Interest (LLC Members/ LLP Partners, Trustees)
- Issuance/Transfer of Stock/New Stockholder
- Change of Hours
- Other
- Change of DBA

“VOTED: To authorize

Jayshilkumar Patel

Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted.”

“VOTED: To appoint

Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts.”

A true copy attest,

Corporate Officer /LLC Manager Signature

JAYSHILKUMAR PATEL
(Print Name)

For Corporations ONLY

A true copy attest,

Corporate Clerk's Signature

Nitant Raval
(Print Name)



Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3
 Chelsea, MA 02150

JEAN M. LORIZIO, ESQ.
 CHAIRMAN

CORI REQUEST FORM

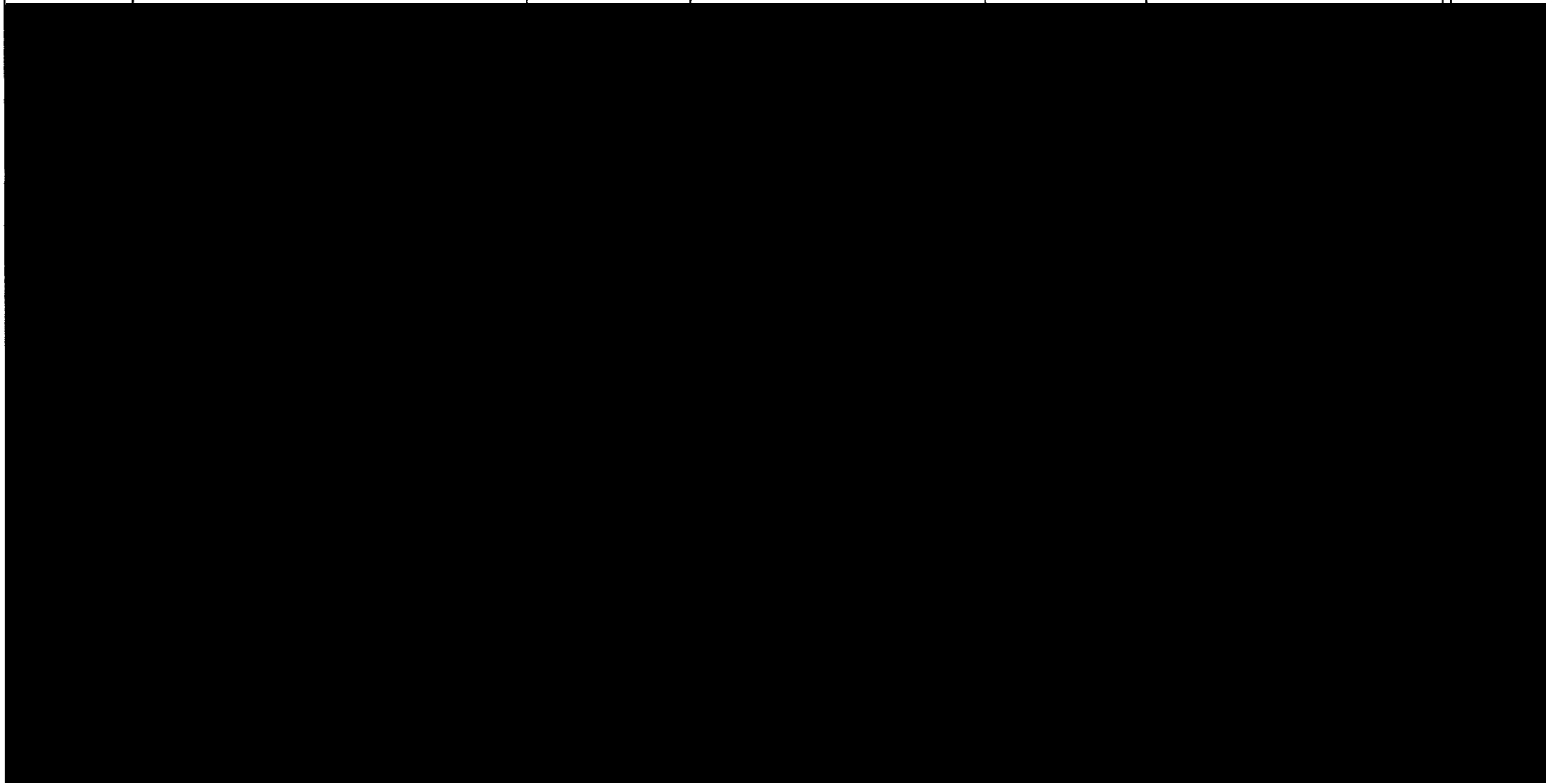
The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

ABCC LICENSE INFORMATION

ABCC NUMBER: <small>(IF EXISTING LICENSEE)</small>	890590684	LICENSEE NAME:	Dharma Bhakti Corporation	CITY/TOWN:	Medway
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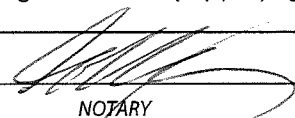
APPLICANT INFORMATION


LAST NAME:	Vyas	FIRST NAME:	Kaushal	MIDDLE NAME:	B.
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NOTARY INFORMATION

On this October 25, 2022 before me, the undersigned notary public, personally appeared Kaushal Vyas
 (name of document signer), proved to me through satisfactory evidence of identification, which were MA DL
 to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.


 NOTARY

 **IAN C. HEDGES**
 Notary Public, Commonwealth of Massachusetts
 My Commission Expires February 20, 2026

DIVISION USE ONLY

REQUESTED BY: _____
SIGNATURE OF CORI-AUTHORIZED EMPLOYEE

The DCJ Identify Theft Index PIN Number is to be completed by those applicants that have been issued an Identity Theft PIN Number by the DCJ. Certified agencies are required to provide all applicants the opportunity to include this information to ensure the accuracy of the CORI request process. ALL CORI request forms that include this field are required to be submitted to the DCJ via mail or by fax to (617) 660-4614.



Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street, First Floor
 Boston, MA 02114

CORI REQUEST FORM

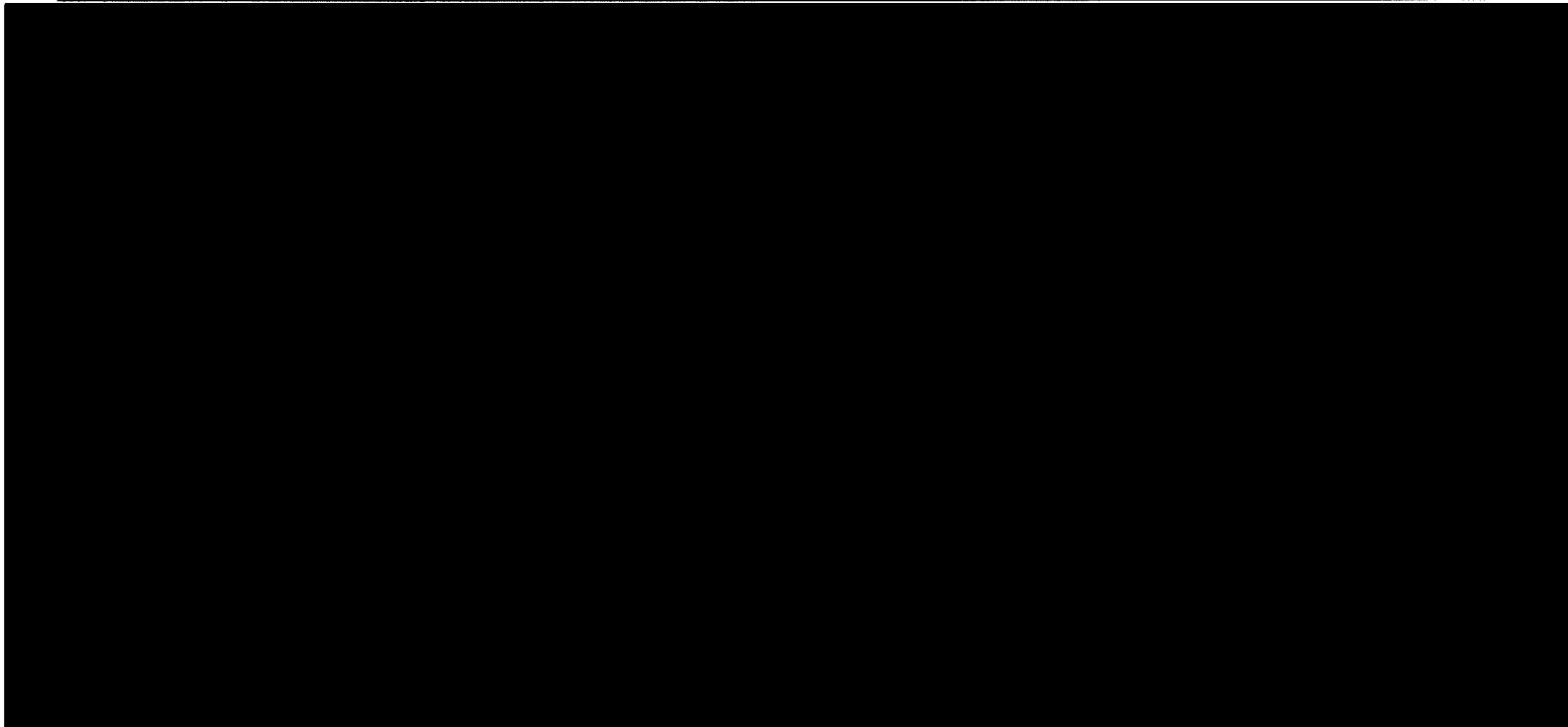
DEBORAH B. GOLDBERG
 TREASURER AND RECEIVER GENERAL

JEAN M. LORIZIO, ESQ.
 CHAIRMAN

The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

ABCC LICENSE INFORMATION

ABCC NUMBER: <small>(IF EXISTING LICENSEE)</small>	890590684	LICENSEE NAME:	Dharma Bhakti Corporation	CITY/TOWN:	Medway
--	-----------	-----------------------	---------------------------	-------------------	--------



PRINT AND SIGN

PRINTED NAME:	Nitant N. Raval	APPLICANT/EMPLOYEE SIGNATURE:	
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NOTARY INFORMATION

On this October 25, 2022 before me, the undersigned notary public, personally appeared Nitant N. Raval
 (name of document signer), proved to me through satisfactory evidence of identification, which were MA DL
 to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

NOTARY

DIVISION USE ONLY

REQUESTED BY:
SIGNATURE OF CORI-AUTHORIZED EMPLOYEE

The DCII Identify Theft Index PIN Number is to be completed by those applicants that have been issued an Identity Theft PIN Number by the DCII. Certified agencies are required to provide all applicants the opportunity to include this information to ensure the accuracy of the CORI request process. ALL CORI request forms that include this field are required to be submitted to the DCII via mail or by fax to (617) 660-4614.

	IAN C. HEDGES Notary Public, Commonwealth of Massachusetts My Commission Expires February 20, 2026
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Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150

JEAN M. LORIZIO, ESQ.
CHAIRMAN

CORI REQUEST FORM

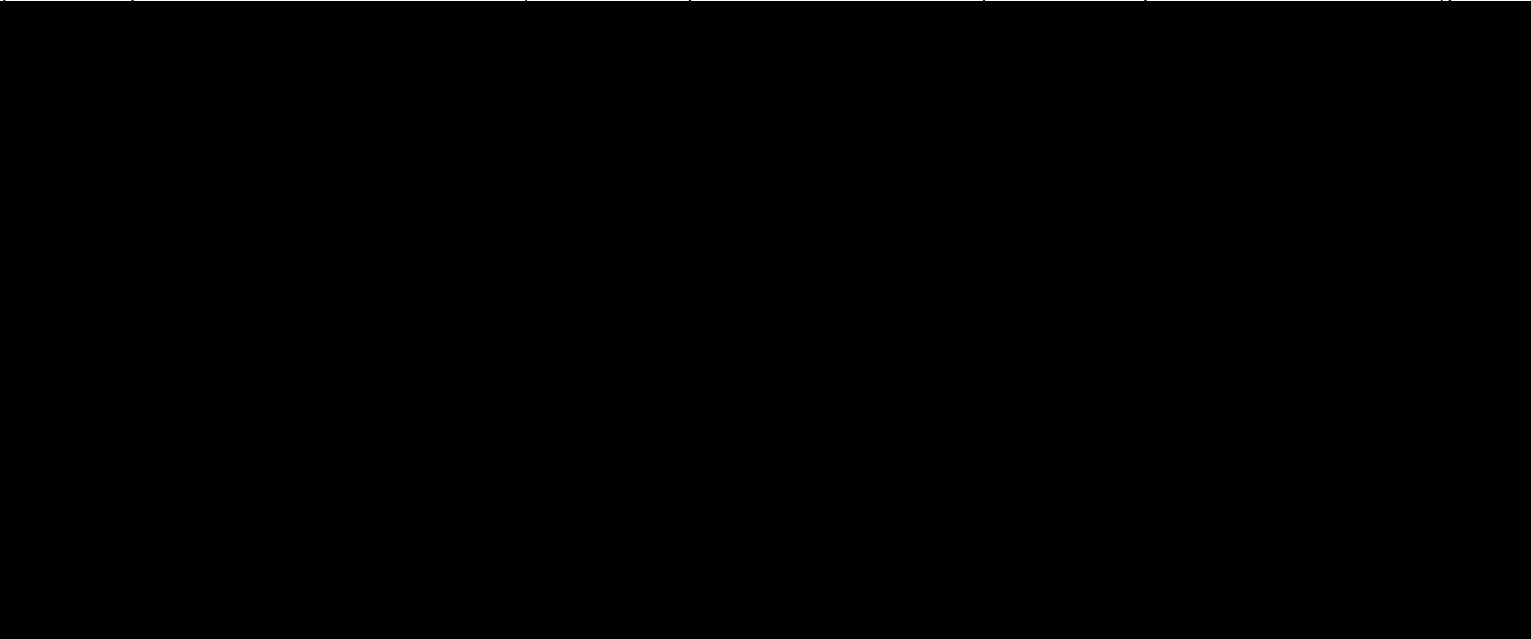
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ABCC LICENSE INFORMATION

ABCC NUMBER: <small>(IF EXISTING LICENSEE)</small>	890590684	LICENSEE NAME:	Dharma Bhakti Corporation	CITY/TOWN:	Medway
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APPLICANT INFORMATION

LAST NAME:	Patel	FIRST NAME:	Hitesh	MIDDLE NAME:	D.
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PRINT AND SIGN


PRINTED NAME:	Hitesh Patel	APPLICANT/EMPLOYEE SIGNATURE:	<i>H. Patel</i>
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NOTARY INFORMATION

On this October 25, 2022 before me, the undersigned notary public, personally appeared Hitesh Patel
(name of document signer), proved to me through satisfactory evidence of identification, which were ^{MAD} [Signature]
to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

[Signature Line]

NOTARY

 **IAN C. HEDGES**
Notary Public, Commonwealth of Massachusetts
My Commission Expires February 20, 2026

DIVISION USE ONLY

REQUESTED BY:	[Signature Line]
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SIGNATURE OF CORI-AUTHORIZED EMPLOYEE

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Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3
 Chelsea, MA 02150

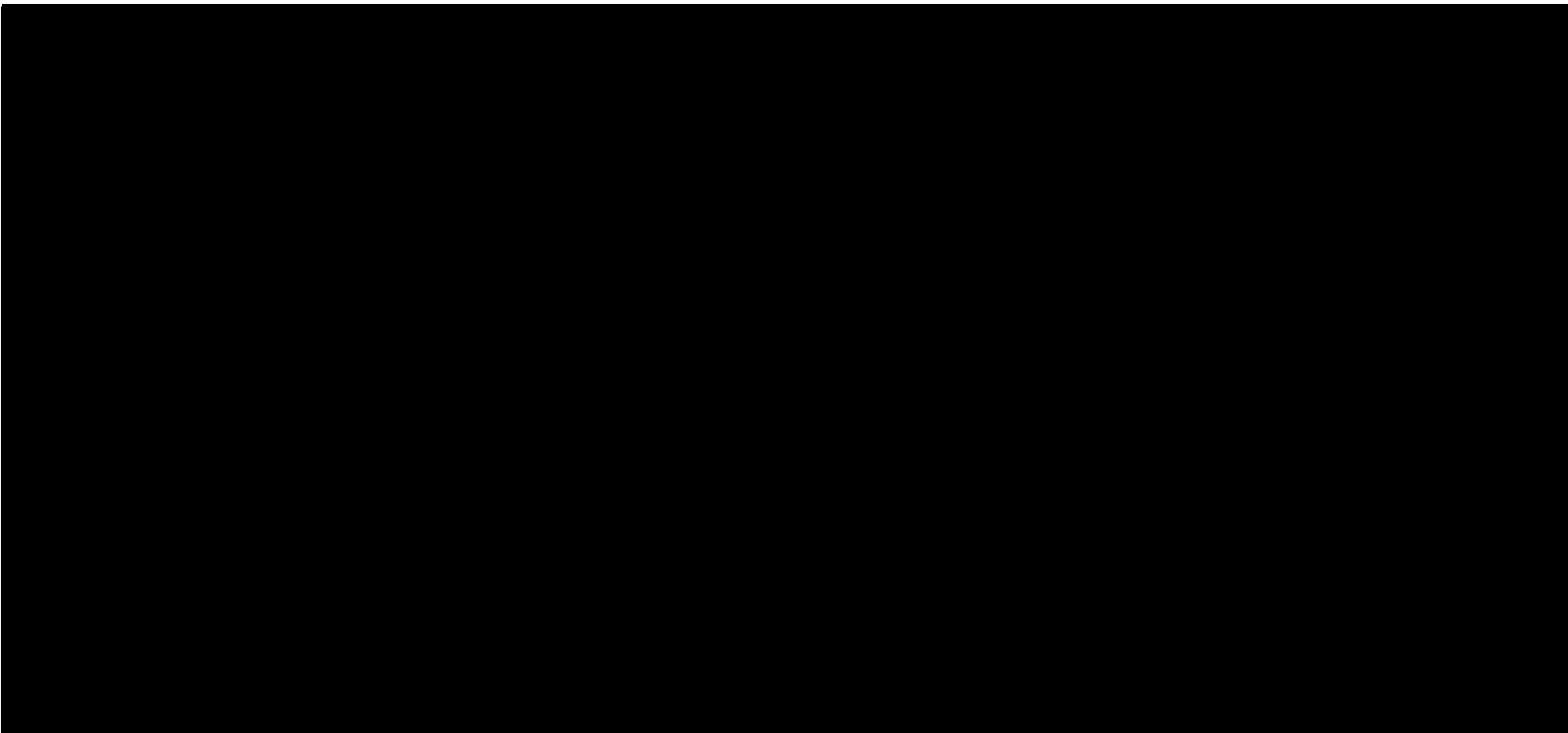
JEAN M. LORIZIO, ESQ.
 CHAIRMAN

CORI REQUEST FORM

The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

ABCC LICENSE INFORMATION

ABCC NUMBER: <small>(IF EXISTING LICENSEE)</small>	890590684	LICENSEE NAME:	Dharma Bhakti Corporation	CITY/TOWN:	Medway
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PRINT AND SIGN

PRINTED NAME:	Shivam Jay Patel	APPLICANT/EMPLOYEE SIGNATURE:	
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NOTARY INFORMATION

On this October 25, 2022 before me, the undersigned notary public, personally appeared Shivam Jay Patel
 (name of document signer), proved to me through satisfactory evidence of identification, which were MA DL
 to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

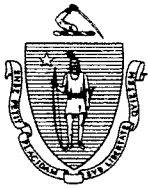
NOTARY

DIVISION USE ONLY

REQUESTED BY:
SIGNATURE OF CORI-AUTHORIZED EMPLOYEE

The DCII Identity Theft Index PIN Number is to be completed by those applicants that have been issued an Identity Theft PIN Number by the DCII. Certified agencies are required to provide all applicants the opportunity to include this information to ensure the accuracy of the CORI request process. ALL CORI request forms that include this field are required to be submitted to the DCII via mail or by fax to (617) 660-4614.

IAN C. HEDGES
 Notary Public, Commonwealth of Massachusetts
 My Commission Expires February 20, 2026



Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street, First Floor
 Boston, MA 02114

CORI REQUEST FORM

DEBORAH B. GOLDBERG
 TREASURER AND RECEIVER GENERAL

JEAN M. LORIZIO, ESQ.
 CHAIRMAN

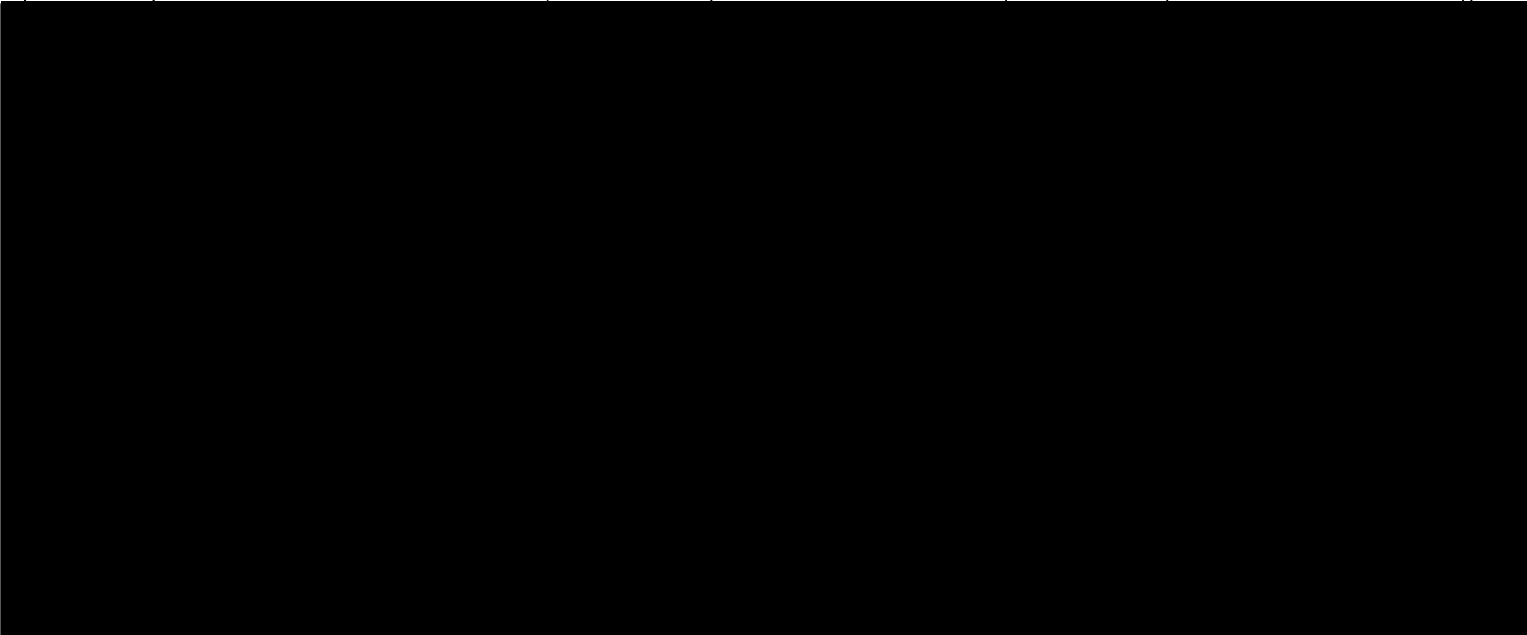
The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

ABCC LICENSE INFORMATION

ABCC NUMBER: <small>(IF EXISTING LICENSEE)</small>	890590684	LICENSEE NAME:	Dharma Bhakti Corporation	CITY/TOWN:	Medway
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APPLICANT INFORMATION

LAST NAME:	Patel	FIRST NAME:	Jayshilkumar	MIDDLE NAME:	H.
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PRINT AND SIGN

PRINTED NAME:	Jayshilkumar Patel	APPLICANT/EMPLOYEE SIGNATURE:	
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NOTARY INFORMATION

On this October 25, 2022 before me, the undersigned notary public, personally appeared Jayshilkumar Patel
 (name of document signer), proved to me through satisfactory evidence of identification, which were MA Driver's License
 to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

NOTARY

DIVISION USE ONLY

REQUESTED BY:	
	<small>SIGNATURE OF CORI-AUTHORIZED EMPLOYEE</small>

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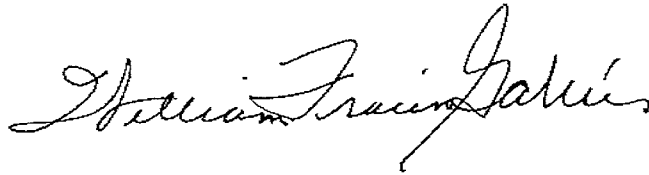
IAN C. HEDGES
 Notary Public, Commonwealth of Massachusetts
 My Commission Expires February 20, 2026

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are

deemed to have been filed with me on:

April 18, 2019 10:19 AM

A handwritten signature in cursive script that reads "William Francis Galvin". The signature is written in black ink and is centered on the page.

WILLIAM FRANCIS GALVIN

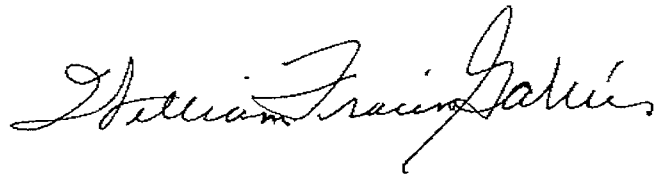
Secretary of the Commonwealth

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are

deemed to have been filed with me on:

December 08, 2022 08:55 AM

A handwritten signature in black ink, reading "William Francis Galvin". The signature is written in a cursive style with a large, prominent initial "W".

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth



Town of Franklin, MA
Nancy Danello, CMC
Town Clerk
355 East Central Street, Franklin, MA 02038

Date Issued: April 5,
2023
Record #: 94320
Certificate #: 19-211

BUSINESS VERIFICATION CERTIFICATE

In conformity with the provisions of Chapter 110, Section 5 of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of:

Liquor World

is conducted at:

365 WEST CENTRAL ST

by the following person:

FULL NAME

Jayshilkumar Patel

RESIDENCE

493 South Main St, Bellingham, MA 02019

A certificate issued in accordance with this section shall be in force and effect for four years from the date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed.

Expiration Date: October 2, 2023

Business Owner Signature #1

Business Owner Signature #2

A True Attest Copy

Nancy Danello, CMC

Town Clerk

To learn more, scan this barcode or visit franklinma.viewpointcloud.com/#!/records/155736



Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

June 2, 2023

To: Town Council
From: Jamie Hellen, Town Administrator

Re: Zoning Bylaw Amendments 23-894, 23-895R & 23-896

This is a public hearing and first reading of three zoning bylaw amendments listed below.

- 23-894: To Amend Chapter 185, Section 3 of the Code of the Town of Franklin to add Accessory Dwelling Unit (ADU) Definition
- 23-895R (formerly 23-895): To Amend Chapter 185, Attachment 8, Use Regulations Schedule Part VII: Accessory Uses of the Franklin Town Code to Add Accessory Dwelling Residential Units
- 23-896: To Amend Chapter 185, Section 19 of the Code of the Town of Franklin to Add on Accessory Dwelling Unit Setbacks

At their April 12th meeting the Town Council voted to refer these three bylaws to the Planning Board. 23-894 and 23-896 were referred to the Planning Board unanimously (8-0); 23-895 (now 23-895R) was referred to the Planning Board *as amended* with a vote of 6-2. As the Council may recall, the Council altered the EDC's recommendation to allow ADU's by right in the rural zoning districts.

The Planning Board voted unanimously (5-0) at their May 8th meeting to recommend adoption of all three, as originally presented by the EDC + Steering Committee, to the Town Council. In other words, the Planning Board is recommending to reject the amended version of 23-895.

For more information please see the 4/13/23 dated memo from Bryan Taberner, Director of Planning & Community Development, and the Certificates of Vote from the Planning Board which are included in the packet. The legal ad for the June 7th public hearing is also included.

Please let me know if you have any questions.

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4907
www.franklinma.gov

PLANNING BOARD

The following notice will be published in the Milford Daily Newspaper once on Monday, April 24, 2023 and again on May 1, 2023

FRANKLIN PLANNING BOARD PUBLIC HEARING NOTICE

In accordance with the provisions of M.G.L. Chapter 40A, Section 5, notice is hereby given that the Planning Board will hold a Public Hearing on Monday, May 8, 2023 at 7:00 PM and the Town Council will hold a Public Hearing on June 7, 2023 at 7:00 PM to consider several amendments to Chapter 185 of the Code of the Town of Franklin as follows:

ZONING BY-LAW AMENDMENT 23-894: A Zoning By-law to amend Chapter 185 Section 3 of the Code of the Town of Franklin to add Accessory Dwelling Unit (ADU) Definition

ZONING BY-LAW AMENDMENT 23-895R: A Zoning By-law to amend Chapter 185, Attachment 8, Use Regulations Schedule Part VII: Accessory Uses of the Franklin Town Code to add Accessory Dwelling Residential Units.

ZONING BY-LAW AMENDMENT 23-896: A Zoning By-law to amend Chapter 185 Section 19 of the Code of the Town of Franklin to add text on Accessory Dwelling Unit Setbacks

The exact text of these proposed zoning bylaw amendments are posted on the website along with the hearing notice.

Please contact the Department of Planning & Community Development at (508) 520-4907 if you require further information or if you need to make arrangements to provide translation services for the hearing impaired, or for persons with language barriers.

Copies of the plan and supporting documentation may be reviewed in the Department of Planning & Community Development during regular office hours.

Greg Rondeau, Chairman

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

355 EAST CENTRAL STREET, ROOM 120

FRANKLIN, MA 02038-1352

TELEPHONE: 508-520-4907

FAX: 508-520-4906

MEMORANDUM

TO: JAMIE HELLEN, TOWN ADMINISTRATOR

FROM: BRYAN W. TABERNER, AICP, DIRECTOR

RE: ZONING BYLAW AMENDMENTS 23-894, 23-895R, AND 23-896, ACCESSORY DWELLING UNITS

CC: FRANKLIN PLANNING BOARD; MARK G. CEREL, TOWN ATTORNEY; AMY LOVE, TOWN PLANNER; GUS BROWN, ZONING ENFORCEMENT OFFICER

DATE: APRIL 13, 2023

As you know, at their April 12, 2023 meeting Franklin Town Council voted to refer three accessory dwelling unit (ADU) related zoning bylaw amendments to the Planning Board for a public hearing. Before voting to refer to the Planning Board, the Council voted to make one revision to Zoning Bylaw Amendment 23-895, which has been renamed 23-895R. Below is a summary of ADU zoning, and the proposed zoning bylaw amendments.

What is an Accessory Dwelling Unit?

An accessory dwelling unit (ADU), also commonly referred to as an “in-law apartment”, is a secondary dwelling unit on the same lot as a larger primary dwelling unit. The ADU may be attached to the existing home, or detached in a small separate building. There are a variety of types of ADUs, including converted portions of existing homes, additions to new or existing homes, new stand-alone accessory structures, or converted portions of existing stand-alone accessory structures. The diagram below provides a summary of different type ADUs.



Source: *The ABCs of ADUs*, AARP 2019

ADUs provide a way to incrementally increase housing density in a way that is appropriate for existing neighborhoods. They are also a particularly good housing typology to meet the needs of seniors and people with disabilities who seek independence but still need support from family or other caregivers, but also for young adults without the income needed for a market rate housing unit. And ADUs can help

homeowners to stay in their homes because they are able to generate additional income by renting out an ADU.

Recent Planning Related to Housing

One of the recommendations from the Town's "Franklin For All" project is to "Create a new definition for 'accessory dwelling units' (ADUs) and allow them by-right" in certain zoning districts. In addition, the Town's 2022 Housing Production Plan contains strategies related to increasing the number of small housing units, including the following:

Support development of smaller style rental and owner-occupied housing units to accommodate the needs of the Town's changing population.

Encourage the development of smaller housing units to better meet the needs of a younger generation of households.

Increasing the number of ADUs would allow for subtle increases in density without impacting the character of single-family neighborhoods.

Current Permitting of ADUs in Franklin

Franklin currently allows ADUs by-right in the General Residential V (GRV) and Commercial II Zoning Districts, and by Zoning Board of Appeals (ZBA) special permit in several of the single-family residential districts, and the Downtown Commercial (DC) and Commercial I (CI) Zoning Districts. However, there is no specific definition for an ADU, and they are currently referred to as a "two-family by conversion" in the Zoning Bylaw's use regulations (185 Attachment 7, Use Regulation Schedule Part VI). Franklin's ZBA and the Zoning Enforcement Agent have managed the creation of ADUs in this manner for more than two decades.

Special Permits

Any resident seeking a ZBA special permit for an ADU will be required to meet standard special permit requirements outlined in Chapter 185, Section 45E(3). A list of the special permit requirements are listed on the next page for reference.

Proposed Zoning Changes

In addition to creating a definition, a minimum amount of related regulation should be added to the Town's Zoning Bylaw to ensure ADUs are only built on properties where they can be appropriately accommodated. The Department of Planning and Community Development has created three draft Zoning Bylaw amendments for consideration:

Zoning Bylaw Amendment 23-894 adds an Accessory Dwelling Unit definition to §185-3 Definitions.

Zoning Bylaw Amendment 23-895R adds Accessory Dwelling Units to §185, Attachment 8, Use Regulation Schedule Part VII, Accessory Uses.

Zoning Bylaw Amendment 23-896 adds a subsection related to accessory dwelling units within detached buildings to §185-19 Accessory buildings and structures.

The three proposed Zoning Bylaw amendments are attached. Please let me know if you have questions or need additional information. We look forward to discussing the proposed Zoning Bylaw Amendments with the Planning Board and again with Town Council.

Criteria to Meet for a Special Permit

Uses requiring special permits must meet certain criteria, which are outlined in Chapter 185, Section 45E(3). See below.

185-45 Administration and enforcement

E. Special permits.

(3) Findings. Special permits shall be granted by the special permit granting authority only upon its written determination that the proposed use will not have adverse effects which overbalance its beneficial effects on either the neighborhood or the Town, in view of the particular characteristics of the site and of the proposal in relation to that site. This determination shall be in addition to the following specific findings:

- (a)** Proposed project addresses or is consistent with neighborhood or Town need.
- (b)** Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.
- (c)** Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.
- (d)** Neighborhood character and social structure will not be negatively impacted.
- (e)** Project will not destroy or cause substantial damage to any environmentally significant natural resource, habitat, or feature or, if it will, proposed mitigation, remediation, replication, or compensatory measures are adequate.
- (f)** Number, height, bulk, location and siting of building(s) and structure(s) will not result in abutting properties being deprived of light or fresh air circulation or being exposed to flooding or subjected to excessive noise, odor, light, vibrations, or airborne particulates.
- (g)** Water consumption and sewer use, taking into consideration current and projected future local water supply and demand and wastewater treatment capacity, will not be excessive.

(4) Conditions. Special permits may be granted with such reasonable conditions, safeguards or limitations on time or use as the special permit granting authority may deem necessary to serve the purposes of this chapter.

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4907
www.franklinma.gov

PLANNING BOARD

TOWN OF FRANKLIN
TOWN CLERK

2023 MAY 17 P 4: 42

RECEIVED

May 17, 2023

Nancy Danello, Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038

CERTIFICATE OF VOTE

Zoning By-law Amendment #23-894

Accessory Dwelling Unit (ADU) Definition

Petitioner: Town of Franklin, Department of Planning and Community Development

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, May 8, 2023 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to *RECOMMEND, as presented*, to the Town Council for the adoption of Zoning By-law Amendment #23-894, a Zoning By-Law to add Accessory Dwelling Unit Definition to Section 185-3 of the Franklin Town Code.

If you have any questions concerning this decision, please contact the planning staff or me.

Sincerely,

Gregory Rondeau
Chairman

cc: Town Council
Town Administrator

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4907
www.franklinma.gov

PLANNING BOARD

TOWN OF FRANKLIN
TOWN CLERK

2023 MAY 17 P 4:42

RECEIVED

May 17, 2023

Nancy Danello, Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038

CERTIFICATE OF VOTE

Zoning By-law Amendment #23-895R

Accessory Dwelling Unit Use Regulation Schedule

Petitioner: Town of Franklin, Department of Planning and Community Development

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, May 8, 2023 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to *RECOMMEND, with changes*, to the Town Council the adoption of Zoning By-law Amendments #23-895R, a Zoning By-Law to add Accessory Dwelling Residential Unit to Section 185 Attachment 8 of the Franklin Town Code.

The Planning Board voted on May 8, 2023 to amend Zoning By-Law 23-895R to add a Special Permit requirement for RRI, RRII, RVI, & RVII and not be as of right that was recommended by the Town Council. The Planning Board is recommending this change based on the following information:

- The EDC plus Steering Committee held lengthy meetings and discussions recommending that the Special Permit be required in these zones.
- With the Special Permit criteria, it allows for the abutters to be notified.
- Recommended by the Building Commissioner, Director of Planning and Community Development and Chairman of the Zoning Board of appeals to be Special Permit

If you have any questions concerning this decision, please contact the planning staff or me.

Sincerely,

Gregory Rondeau
Chairman

cc: Town Council
Town Administrator

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4907
www.franklinma.gov

PLANNING BOARD

TOWN OF FRANKLIN
TOWN CLERK

2023 MAY 17 P 4:42

RECEIVED

May 17, 2023

Nancy Danello, Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038

CERTIFICATE OF VOTE

Zoning By-law Amendment #23-896

Accessory Dwelling Unit Schedule

Petitioner: Town of Franklin, Department of Planning and Community Development

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, May 8, 2023 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to *RECOMMEND, as presented*, to the Town Council for the adoption of Zoning By-law Amendment #23-896, a Zoning By-Law to amend Accessory Dwelling Unit Schedule to Section 185-19 (B) of the Franklin Town Code.

If you have any questions concerning this decision, please contact the planning staff or me.

Sincerely,

Gregory Rondeau
Chairman

cc: Town Council
Town Administrator

LICENSE TRANSACTION



**Change of Officers/Directors/LLC Managers
Change of Stock Interest**

Dharma Bhakti Corporation

d/b/a Liquor World
365 West Central St.
Franklin, MA 02038

Dharma Bhakti Corporation, d/b/a Liquor World, located at 365 West Central St., Franklin, MA 02038, is seeking approval for multiple modifications of their Section 12 All Alcoholic Beverages license to include a Change of Officers/Directors/LLC Managers and Change of Stock Interest.

All Departments have signed off on this application.

MOTION to approve the request by Dharma Bhakti Corporation, d/b/a Liquor World, for a Change of Officers/Directors/LLC Managers and a Change of Stock Interest.

DATED: _____, 2023

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

RECUSED: _____

**Nancy Danello, CMC
Town Clerk**

**Glenn Jones, Clerk
Franklin Town Council**



SPONSOR: *Town Administration*

TOWN OF FRANKLIN

**ZONING BY-LAW AMENDMENT 23-894:
CHANGES TO §185-3. DEFINITIONS**

ACCESSORY DWELLING UNIT DEFINITION

**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 at section §185-3 Definitions by **adding** the following text:

§185-3. Definitions

Accessory Dwelling Unit (ADU): A self-contained Dwelling Unit, inclusive of sleeping, cooking, and sanitary facilities, incorporated within a lawful principal single-family or two-family dwelling or within a detached building accessory to and on the same lot and in the same ownership as a lawful principal single-family or two-family dwelling use. The owner of record shall live on the property. The ADU shall maintain two means of egress, either directly from the outside, or through an entry hall or corridor shared with the principal dwelling, sufficient to meet the requirements of the state building code. The ADU shall be no smaller than what is allowed by State Building Code Regulations, no larger than 900 sq/ft or 50% of the principal unit, whichever is less, and shall contain no more than two (2) bedrooms. All public utilities shall be shared with the primary residence.

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: _____, 2023

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

RECUSED: _____

Nancy Danello, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council



SPONSOR: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 23-895R**

**A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, ATTACHMENT 8, USE REGULATIONS SCHEDULE PART VII:
ACCESSORY USES**

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, Attachment 8, Use Regulation Schedule Part VII, Accessory Uses:

185 Attachment 8
USE REGULATION SCHEDULE
PART VII

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.

Accessory Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
A1 Boarding	N	Y	Y	Y	Y	Y	N	Y	Y	N	N	N	N	N	N
A2 Contractor's yard	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	N
a. Landscape materials storage and distribution	N	N	N	N	N	Y ³	Y ³	N	N	N	Y	Y	N	N	N
A3 Home occupation (See § 185-39B.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N
A4 Manufacture, assembly, packing of goods sold on premises	N	N	N	N	N	Y ¹	N	Y ¹	Y ¹	Y ¹	Y	Y	N	Y ¹	Y
A5 Off-street parking (See § 185-39C.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
A6 Professional office, studio (See § 185-39A.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
A7 Restaurant, bar	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y
A8 Retail sale of nonagricultural products manufactured, warehoused or manufactured, warehoused or distributed on or from premises	N	N	N	N	N	Y	N	Y	Y	Y	Y	Y ²	N	Y ²	Y
A9 Scientific use in compliance with § 185-37	BA	BA	BA	BA	BA	BA	N	BA	BA	BA	Y	Y	Y	Y	Y
A10 Signs (See § 185-20.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
A11 Single-family dwelling for personnel required for safe operation	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N
A12 Other customary accessory uses	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
A13 Other retail sales, services	N	N	N	N	N	Y	N ⁴	Y	Y	Y	Y	Y	Y	Y	Y
A13.1 Animal grooming	BA	BA	BA	BA	BA	BA	N	Y	BA	Y	BA	BA	BA	BA	BA
A14 Operation of not more than 5 automatic amusement devices	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N	Y
A15 Warehouse/distribution facility	N	N	N	N	N	N	N	N	Y	N	Y	Y	N	Y	Y
A16 Wholesale office, salesroom															
a. With storage	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	Y	Y
b. Without storage	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y ²	Y	Y
A17 Catering	N	N	PB	PB	PB	PB	N	Y	Y	Y	Y	Y	Y	Y	Y
A18 Function hall	N	N	PB	PB	PB	PB	N	Y	Y	Y	Y	Y	Y	Y	Y
A19 Ground-mounted Solar Energy System ⁵															
a. Small-scale	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
b. Medium-scale ⁶	PB	PB	PB	PB	PB	N	PB	N	PB	N	PB	Y	N	PB	<u>PB</u>
A20 Agricultural with Poultry, parcel under 5 acres ⁷	<u>Y⁵</u>	<u>Y⁵</u>	<u>Y⁵</u>	<u>Y⁵</u>	<u>Y⁵</u>	<u>Y⁵</u>	<u>Y⁵</u>	N	N	N	N	N	N	N	<u>N</u>
A21 Accessory Dwelling Residential Unit⁵	<u>Y</u>	<u>BA</u>	<u>BA</u>	<u>BA</u>	<u>BA</u>	<u>BA</u>	<u>BA</u>	<u>BA</u>	<u>BA</u>	<u>BA</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>

NOTES:

1. But N if occupying more than 50% of the floor area occupied by the principal use and not more than five persons employed on the premises in the DC District and CI District and not more than 10 persons in the CII District and O District.
2. Provided that no more than 25% of the total floor space is used for display or retailing.
3. Such uses shall be restricted to seasonal operations only.
4. Accessory retail sales within a Country Store, as defined in §185-3, shall not exceed 50% of the establishment's floor area open to the public.
5. See §185-19, "Accessory buildings and structures".
6. Planning Board Site Plan Review is required of all Medium-scale Ground-mounted Solar Energy Systems.
7. Any related structure shall be to the rear of the property's primary building, and at least 25 feet from side and rear property lines.

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: _____, 2023

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ **NO:** _____

ABSTAIN: ____ **ABSENT:** ____

RECUSED: _____

Nancy Danello, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council



TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 23-896:
CHANGES TO §185-19. ACCESSORY BUILDINGS AND STRUCTURES
ACCESSORY DWELLING UNIT SETBACKS

A ZONING BY-LAW TO AMEND CHAPTER 185 SECTION 19
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 at section §185-19 Accessory buildings and structures by **adding** the following text:

§185-19. Accessory buildings and structures

- A. Purpose. The purpose of this Bylaw is to provide for the reasonable regulation and control of accessory buildings and structures within the Town of Franklin in order to protect the health, safety, and welfare of its residents, without unduly restricting the conduct of lawful enterprise.
- B. Setback requirements and height restrictions. The following setbacks shall apply to all accessory buildings and structures, unless otherwise regulated in other sections of Chapter 185:
- (1) No accessory building or structure shall be located within a required front yard setback. Lots having frontage on any street will maintain the front yard setback from all street frontage.
 - (2) No accessory building or structure shall be located in any side yard area nearer to the side lot line than 10 feet in any zoning district.
 - (3) No accessory building or structure shall be located in a rear yard nearer to the rear lot line than 10 feet.
 - (4) No accessory building or structures shall be less than a distance equal to the common building height to common grade to any rear or side lot line.
 - (5) No accessory buildings or structures of any size shall be closer than 10 feet to any principal building, or other accessory building or structure.
 - (6) Accessory Dwelling Units within a detached building shall be located no closer to rear or side lot lines than stated in §185-19.B (1)-(5) above, or as stated in §185 Attachment 9 Schedule of Lot, Area, Frontage, Yard and Height Requirements, whichever is greater.**

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: _____, 2023

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

RECUSED: _____

Nancy Danello, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

June 2, 2023

To: Town Council
From: Jamie Hellen, Town Administrator

Re: Resolution 23-39: FY2024 Budget Adjustment
Resolution 23-40: MECC Stabilization Account Transfer to MECC Appropriation FY24

Before the Town Council this evening is a FY24 budget amendment to increase the Franklin Public Schools bottom line budget by \$736,652. This figure includes approximately \$177,000 in additional state aid which reflects the higher local aid amounts approved in the state senate budget before Memorial Day. It is critical to note the final state budget will not be approved until sometime in July at the earliest. The transfers include all of the recommendations as presented to the Finance Committee and the Town Council at their budget hearings. The staff and I also dug through the budget to identify a few more areas to transfer to increase the school budget line item in lieu of the fact that my estimated local aid from the state might have been a little higher as well as the fact that the state budget is not legally adopted.

The community should understand that a conference committee of members of the house and senate will meet through the summer until the legislature approves a final budget that they will send to the governor. The governor then has ten days to sign the budget as presented by the legislature or she can return the budget to the legislature with line item vetoes. If the governor chooses to veto any part of the final budget presented by the legislature, the legislature may override the governor with approvals of a $\frac{2}{3}$ majority of each branch of the legislature.

The resolution before the council this evening itemizes out the transferred amounts of money. If approved, this transfer will bring the school budget to a hair below \$72,000,000 for FY24 and a 2.5% increase.

In my eight years and eight budget cycles in Franklin, the Town has never seen this much citizen engagement on the Town Budget. Moving forward, it is critical that the community continues to build on this engagement as the budget process for FY25 will begin again this fall. It may not seem like that is right around the corner, but rest assured, the FY25 budget process is just around the corner. I am hopeful to schedule a Joint Budget Subcommittee Meeting this summer to present an updated 5 year fiscal forecast.

Please let me know if you have any questions.



**TOWN OF FRANKLIN
RESOLUTION 23-39**

FY2024 BUDGET ADJUSTMENT

APPROPRIATION: General Funds Appropriation and Transfers FY24

PURPOSE: To raise and appropriate or transfer from existing appropriations in FY24 as follows:

		<u>Transfer From:</u>	
<u>Dept #</u>	<u>Type</u>	<u>Description</u>	<u>Amount</u>
NA	NA	Raise and Appropriate	177,052
111	Expenses	Town Council	2,000
123	Expenses	Town Administrator	6,000
192	Expenses	Facilities	125,000
210	Expenses	Police	41,600
220	Expenses	Fire	75,000
225	Expenses	Regional Dispatch	250,000
422	Expenses	DPW Snow & Ice	50,000
422	Expenses	DPW Street Lighting	10,000
			736,652
		<u>Transfer To:</u>	
<u>Dept #</u>	<u>Type</u>	<u>Description</u>	<u>Amount</u>
300	Expenses	Franklin Public Schools	736,652

MOTION: Be It Moved and Voted by the Town Council to Raise and Appropriate and Transfer Seven Hundred Thirty-Six Thousand Six Hundred Fifty-Two Dollars (\$736,652) from the Sources and to the Uses as described above in FY24.

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

DATED: _____, 2023

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

RECUSED: _____

Nancy Danello, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council



TOWN OF FRANKLIN

RESOLUTION NO.: 23-40

APPROPRIATION: MECC STABILIZATION ACCOUNT TRANSFER TO MECC APPROPRIATION FY24

TOTAL REQUESTED: \$ 250,000

PURPOSE: To Transfer from the MECC Stabilization Fund to the General Fund in FY24

TRANSFER TO:	REASON	SOURCE	AMOUNT
MECC General Fund Appropriation	To Fully Fund the FY24 Appropriation	MECC Stabilization Account	\$250,000

MOTION

Be It Moved and Voted by the Town Council that the sum of Two Hundred Fifty Thousand Dollars (\$250,000) be transferred from the MECC Stabilization Fund to the MECC General Fund Appropriation in FY24.

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

DATED: _____, 2023

VOTED:
UNANIMOUS _____

YES _____ **NO** _____

A True Record Attest:

ABSTAIN _____

ABSENT _____

Nancy Danello, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council