

FRANKLIN TOWN COUNCIL

Agenda & Meeting Packet

April 12, 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.

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 April 12, 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/86914863436>
- Call-In Phone Number: Call 1-929-205-6099 and enter **Meeting ID # 869 1486 3436** --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 - None Scheduled.

4. PROCLAMATIONS / RECOGNITIONS - None Scheduled.

5. APPOINTMENTS

- [Police Station Building Committee](#)

6. PUBLIC 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 St., Franklin, MA 02038](#)
 - See 7: License Transactions (a) below
- [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
- [Zoning Bylaw Amendment 23-890: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Section 51](#)
 - Legislation for Action Item #9b

7. LICENSE TRANSACTIONS

- a. [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](#)

8. PRESENTATIONS / DISCUSSION

- a. [Presentation: Metacomet Public Health Alliance](#) - Cathleen Liberty, Health Director

9. LEGISLATION FOR ACTION

- 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**)
- 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**)
- 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 St. and Lincolnwood Drive - Second Reading](#) (**Motion to Approve Zoning Bylaw Amendment 23-887 (Formerly 22-887) - $\frac{2}{3}$ Majority Roll Call Vote**)
- 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 St. - Second Reading](#) (**Motion to Approve Zoning Bylaw Amendment 23-891 - $\frac{2}{3}$ Majority Roll Call Vote**)
- 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**)
- 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**)
- 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**)

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

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

April 7, 2023

To: Town Council
From: Jamie Hellen, Town Administrator

Re: Police Station Building Committee Appointments

On January 4, 2023 the Town Council voted to approve Resolution 23-05, to establish a Police Station Building Committee. The resolution specifies that the Committee must be comprised of 3 members of the Town Council, the Chief of Police or their designee, The Town Administrator or their designee, the Director of Public Facilities or their designee, the Executive Director of Metacomet Emergency Communications Center (MECC) regional dispatch center or their designee, 1 female member of the Franklin Police Department, 1 male member of the Franklin Police Department, and 2 citizen members At-Large, with 1 having a background in engineering and 1 having a background in construction management. Resolution 23-05 is included in the packet.

For the At-Large seats, residents were invited to submit applications through the Town website, with a deadline of March 3rd. We received a total of 13 applications for the 2 At-Large seats, and after careful review have decided to appoint the individuals listed below. Their applications are included in the packet.

I am asking the Town Council to ratify the appointments of the 11 individuals listed below to the Police Station Building Committee.

- 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 Pellegri (At Large)

We'd like to thank these 11 individuals for serving on the Police Station Building Committee, as well as everyone who submitted an application.



TOWN OF FRANKLIN RESOLUTION 23-05

POLICE STATION BUILDING COMMITTEE

WHEREAS: The Town Council would like to renovate or replace the existing station located at 911 Panther Way;

NOW THEREFORE, the Franklin Town Council hereby establishes The Police Station Building Committee as follows:

1. The Town Council has determined to appoint no more than eleven (11) members to the Police Station Building Committee, including the following representation and nomination selection criteria:
 - a. Three (3) members of the Franklin Town Council;
 - b. Chief of Police, or their designee;
 - c. Town Administrator, or their designee;
 - d. Director of Public Facilities, or their designee;
 - e. Executive Director of Metacomet Emergency Communications Center (MECC) regional dispatch center, or their designee;
 - f. One member of the department staff who is male;
 - g. One member of the department staff who is female;
 - h. Two (2) members At-Large; with one member having a background in engineering, one member having a background in construction management.
2. The Town Administrator shall nominate all eleven 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 be through substantial completion of the project.
3. Duties of the committee are as follows:
 - a. Select a designer for the needs analysis and design;
 - b. Evaluate all potential expansion and renovation options for the current and future needs of the Franklin Police Department;
 - c. Present the proposals to the Town Council for approval; and
 - d. Once approved, oversee the project until substantial completion.

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

DATED: JAN 4th, 2023

VOTED: Passed

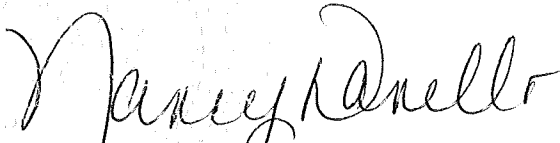
UNANIMOUS: ✓

YES: 9 NO: 0

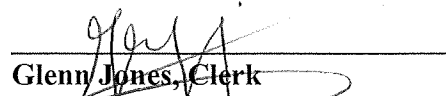
ABSTAIN: — ABSENT: —

RECUSED: —

A TRUE RECORD ATTEST:



Nancy Danello, CMC
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: Kelsey E Alexander

Home Address: 213 King Street
FRANKLIN, MA 02038

Mailing Address: 213 King Street
FRANKLIN, MA 02038

Phone Number(s): ([REDACTED])

Email Address: [REDACTED]

Current Occupation/Employer: Assistant Project Manager, Civil Engineer - E.T.& L. Corp.

Narrative: Time availability varies but accommodating a few hours a week is not a problem. I graduated from WPI with a BS in Civil Engineering. I have been working for 10+ years for a heavy construction general contractor as a civil engineer and assistant project manager. I review construction plans, specifications, schedules and cost estimates daily.

Board(s) / Committee(s): ___ 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: March 3, 2023

Name: David R. Pellegrini

Home Address: 4 MUSKET WAY
FRANKLIN

Mailing Address: 4 MUSKET WAY
FRANKLIN

Phone Number(s): [REDACTED]

Email Address: [REDACTED]

Current Occupation/Employer: Construction Project Manager-Retail Developer

Narrative: I'm typically available most nights. Days are harder but I can be pretty flexible. 20 years experience as civil engineer. Last 9 years experience as construction project manager for New England Development (local retail developer). Experience reviewing and evaluating contractor bids. My resume isn't updated but I can update and provide upon request.

Board(s) / Committee(s): ___ MASTER PLAN UPDATE COMMITTEE
___ POLICE STATION BUILDING COMMITTEE



APPOINTMENTS

Police Station Building Committee

Franklin Town Council

Thomas Mercer - 14 Mercer Lane
Brian Chandler - 58 Highwood Drive
Robert Dellorco - 7 Wilson Road

Chief of Police

Thomas Lynch - 911 Panther Way

Town Administrator

Jamie Hellen - 355 East Central Street

Director of Public Facilities

Michael D'Angelo - 355 East Central Street

Executive Director, Metacommet Emergency Communications Center Regional Dispatch

Gary Premo - 14 Sharon Avenue, Norfolk, MA

Members of Franklin Police Department (one female, one male)

Andressa Rosa - 911 Panther Way
James West - 911 Panther Way

Citizens At-Large

Kelsey Alexander - 213 King Street
David Pellegri - 4 Musket Way

MOTION to ratify the appointments of the names listed above by the Town Administrator to serve as members of the Police Station Building Committee with terms to expire upon substantial completion of the project.

DATED: _____, 2023

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

Nancy Danello
Town Clerk

Glenn Jones, Clerk
Franklin Town Council



*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

DOR Certificate of Good Standing

DUA Certificate of Compliance

Change of Officers/Directors Application

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

Vote of the Entity Board

Monetary Transmittal Form

\$200 fee via ABCC website and Payment Receipt

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

DOR Certificate of Good Standing

DUA Certificate of Compliance

Change of Officers/Directors Application

Financial Statement

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

Vote of the Entity Board

Purchase and Sale Agreement

Supporting Financial Records

Advertisement*

Monetary Transmittal Form

\$200 fee via ABCC website and Payment Receipt

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

DOR Certificate of Good Standing

DUA Certificate of Compliance

Change of Officers/Directors Application

Financial Statement

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

Vote of the Entity Board

Purchase and Sale Agreement

Supporting Financial Records

Advertisement*

Monetary Transmittal Form

\$200 fee via ABCC website and Payment Receipt

**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

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

CHANGE OF CORPORATE NAME OR DBA

DOR Certificate of Good Standing
DUA Certificate of Compliance
Change of Corporate Name/DBA Application
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
Vote of the Corporate Board
Monetary Transmittal Form
\$200 fee via ABCC website and Payment Receipt

CHANGE OF PLEDGE OF LICENSE, STOCK OR INVENTORY

DOR Certificate of Good Standing
DUA Certificate of Compliance
Change of Pledge of License, Stock or Inventory Application
Pledge documentation
Promissory note
Vote of the Corporate Board
Monetary Transmittal Form
\$200 fee via ABCC website and Payment Receipt

CHANGE OF MANAGER

Change of Manager Application
CORI Authorization Complete one for the proposed manager of record. This form **must** be *notarized with a stamp or raised seal*.
Vote of the Entity Board.
Proof of Citizenship. Passport, birth certificate, voter registration, or naturalization papers will be accepted.
Monetary Transmittal Form
\$200 fee via ABCC website and Payment Receipt



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 JAI HO GROUP, INC. | Municipality FRANKLIN | ABCC License Number 043000072 |
|-----------------------------------|--------------------------|----------------------------------|

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.

Applicant seeks approval for the following: 1)Transfer of Shareholder Interest; 2)Change in Officers/Directors; and 3)Change in Manager

APPLICATION CONTACT

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

| Name | Title | Email | Phone |
|--------------------------|----------|------------|------------|
| Richard R. Cornetta, Jr. | Attorney | [REDACTED] | [REDACTED] |

2. AMENDMENT-Change of License Classification

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

3. AMENDMENT-Change of Business Entity Information

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

4. AMENDMENT-Pledge Information

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

5. AMENDMENT-Change of Manager

Change of License Manager

A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name Date of Birth SSN

Residential Address

Email Phone

Please indicate how many hours per week you intend to be on the licensed premises Last-Approved License Manager

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen? Yes No *Manager must be a U.S. Citizen
 If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime? Yes No
 If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

| Date | Municipality | Charge | Disposition |
|------|--------------|--------|-------------|
| | | | |
| | | | |
| | | | |

C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

| Start Date | End Date | Position | Employer | Supervisor Name |
|------------|----------|-------------------|--------------------|-----------------|
| 01/01/2015 | present | Assistant Manager | Jai Ho Group, Inc. | Krishna KC |
| | | | | |
| | | | | |

D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? Yes No if yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

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

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature Date

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 |
| Manas R. Sahu | [REDACTED] | [REDACTED] | [REDACTED] |

| | | | | |
|---------------------------|-------------------------|---------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------|
| Title and or Position | Percentage of Ownership | Director/ LLC Manager | US Citizen | MA Resident |
| Pres/Tres/Sec/Shareholder | 100% | <input type="radio"/> Yes <input checked="" type="radio"/> No | <input type="radio"/> Yes <input checked="" type="radio"/> No | <input type="radio"/> Yes <input checked="" type="radio"/> No |

| | | | |
|-------------------|---------------------|------------|------------|
| Name of Principal | Residential Address | SSN | DOB |
| Nilu V. Patel | [REDACTED] | [REDACTED] | [REDACTED] |

| | | | | |
|-----------------------|-------------------------|---------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------|
| Title and or Position | Percentage of Ownership | Director/ LLC Manager | US Citizen | MA Resident |
| Director | n/a | <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 |

| | | | |
|-------------------|---------------------|-----|-----|
| 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 |

| | | | |
|-------------------|---------------------|-----|-----|
| 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 |

| | | | |
|-------------------|---------------------|-----|-----|
| 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 |
| Krishna KC | Pres/Tres/Sec/Director | 100 |
| Name of Principal | Title/Position | Percentage of Ownership |
| | | |
| Name of Principal | Title/Position | Percentage of Ownership |
| | | |
| Name of Principal | Title/Position | Percentage of Ownership |
| | | |
| 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 |
|------|--------------|--------------|--------------|
| | | | |
| | | | |
| | | | |

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 |
|----------------|-----------------|------|---------------------------------------------------|
| | | | |
| | | | |
| | | | |

APPLICANT'S STATEMENT

I, Manas R. Sahu the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory

of JAI HO GROUP, INC.
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: 
Manas Sahu (Jan 13, 2023 12:22 EST)

Date: Jan 13, 2023

Title: Authorized Signatory

CORPORATE VOTE

The Board of Directors or LLC Managers of JAI HO GROUP, INC.
Entity Name

duly voted to apply to the Licensing Authority of FRANKLIN and the
City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on 1/13/2023
Date of Meeting

For the following transactions (Check all that apply):

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

"VOTED: To authorize Manas R. Sahu
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 Nilu V. Patel
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

Nilu V. Patel
(Print Name)

For Corporations ONLY

A true copy attest,


Manas Sahu (Jan 13, 2023 12:22 EST)

Corporation Clerk's Signature

Manas R. Sahu
(Print Name)



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

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM**

APPLICATION FOR MULTIPLE AMENDMENTS

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: ABCC PAYMENT WEBSITE

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

043000072

ENTITY/ LICENSEE NAME

JAI HO GROUP, INC.

ADDRESS

418 West Central Street

CITY/TOWN

Franklin

STATE

MA

ZIP CODE

02038

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. club / 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

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL FORM ALONG WITH COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:

**Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3
 Chelsea, MA 02150-2358**

NILU V. PATEL

PROFESSIONAL RESTAURANT EXPERIENCE

January 1, 2015 ~ Present

Assistant Manager, JAI HO GROUP INC – The Curry House

- Controlled the labor, food, beer, wine and liquor cost
- Cost out drinks and food
- Headed weekly meetings with management and kitchen staff
- Created weekly special menus and seasonal drink menus
- Greeted customers, expo food, run food, bus tables, made drinks, took food and drink orders
- Manager the staff shifts and sections
- Prepare end of night reports, paperwork and deposit
- TIPS Alcohol Training & Certification
- Servesafe Certification



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

Date Issued: December 2, 2022
Record #: 120419
Certificate #: 22-228

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:

The Curry House/ Jai Ho Group inc. is conducted at: 418 WEST CENTRAL ST

by the following person:

FULL NAME

Manas Sahu

RESIDENCE

7 Bayberry Cir, Nashua, NH 03062

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: December 2, 2026

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/149404






CERTIFICATE OF COMPLIANCE WITH STATE LAWS

Pursuant to M.G.L Chapter 62C, Sec 49A, and M.G.L. Ch. 151A, Section 19A, the undersigned acting on behalf on the License Holder, certifies under the penalty of perjury that, to the best of the undersign's knowledge and belief, the License Holder is in compliance with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support*.

** Signature of Individual or Corporate License Holder (Mandatory)

*** License Holder's Social Security Number/or Federal Identification Number

By: 
Manas Sahu (Jan 13, 2023 12:20 EST)
Corporate Officer Manas R. Sahu, President
(Mandatory, if applicable)

Date: Jan 13, 2023

*The provision in the Attestation of relating to child support applies only when the License Holder is an individual.

**Approval of or a renewal of a license will not be granted unless this certification clause is signed by the applicant. For all corporations, a certified copy of the vote of the Board of Directors must be provided.

*** Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Providers who fail to correct their non-filing or delinquency will not have a license or other agreement issued, renewed or extended. This request is made under the authority of Massachusetts General Laws, Chapter 62C, section 49A.



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 Office of Investigations
 600 Washington Street
 Boston, MA 02111
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: JAI HO GROUP, INC.

Address: 418 West Central Street

City/State/Zip: Franklin, MA 02038

Phone #: 508-520-2900

Are you an employer? Check the appropriate box:

- 1. I am an employer with _____ employees (full and/ or part-time).*
- 2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
- 3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
- 4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

- 5. Retail
- 6. Restaurant/Bar/Eating Establishment
- 7. Office and/or Sales (incl. real estate, auto, etc.)
- 8. Non-profit
- 9. Entertainment
- 10. Manufacturing
- 11. Health Care
- 12. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: AmTrust North America, Inc.

Insurer's Address: c/o Keefe Insurance Agency, LLC, 51 West Central Street

City/State/Zip: Franklin, MA 02038

Policy # or Self-ins. Lic. # _____ Expiration Date: 1/26/2023

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature:
Manas Sahu (Jan 13, 2023 12:18 EST)

Date: Jan 13, 2023

Phone #: _____

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

- 1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office
- 6. Other _____

Contact Person: _____ Phone #: _____

**NOTICE OF PUBLIC HEARING
FRANKLIN, MA**

**Modification of a Section 12 All Alcoholic Beverages License
Change of Officers/Directors/LLC Managers, Change of Stock Interest, Change of Manager
Jai Ho Group, Inc. d/b/a The Curry House**

The Franklin Town Council will hold a Public Hearing on an application by Jai Ho Group, Inc. d/b/a The Curry House, located at 418 West Central Street, Franklin, MA for multiple modifications of their Section 12 All Alcoholic Beverages License to include a Change of Officers/Directors/LLC Managers, Change of Stock Interest and Change of Manager. This hearing will be held on April 12, 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 April 7, 2023 for updated meeting information. For questions, please call the Town Administrator's Office at (508) 520-4949.

Submitted by,
Julie McCann



JEAN M. LORIZIO, ESQ.
CHAIRMAN

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

CORI REQUEST FORM

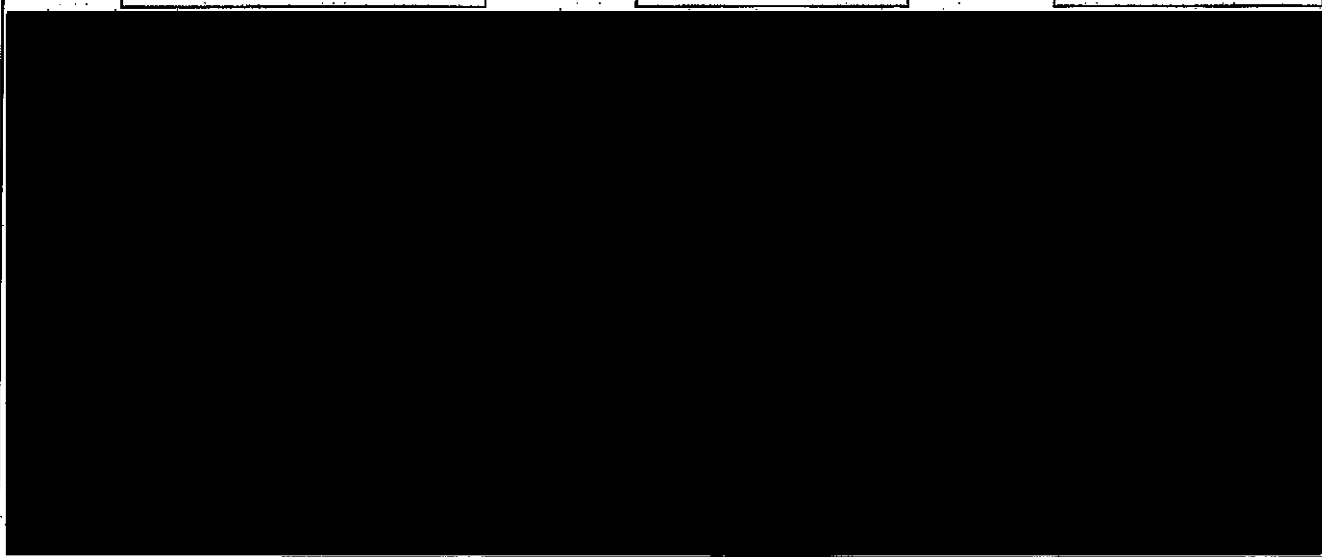
The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, 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> | 043000072 | LICENSEE NAME: | JAI HO GROUP, INC. | CITY/TOWN: | FRANKLIN |
|-------------------------------------------------------|-----------|----------------|--------------------|------------|----------|

APPLICANT INFORMATION

| | | | | | |
|------------|------|-------------|-------|--------------|--|
| LAST NAME: | SAHU | FIRST NAME: | MANAS | MIDDLE NAME: | |
|------------|------|-------------|-------|--------------|--|

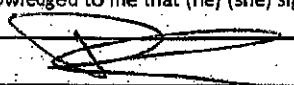


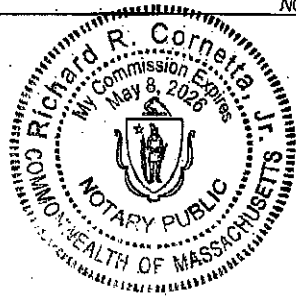
PRINT AND SIGN

| | | | |
|---------------|---------------|-------------------------------|----------------------|
| PRINTED NAME: | MANAS R. SAHU | APPLICANT/EMPLOYEE SIGNATURE: | <i>Manas R. Sahu</i> |
|---------------|---------------|-------------------------------|----------------------|

NOTARY INFORMATION

On this January 13, 2023 before me, the undersigned notary public, personally appeared Manas R. Sahu
(name of document signer), proved to me through satisfactory evidence of identification, which were US Passport Resident Card
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> |
|---------------|----------------------------------------------------------|

The DCJL Identify Theft Index PIN Number is to be completed by those applicants that have been issued an Identify Theft PIN Number by the DCJL. 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 DCJL via mail or by fax to (517) 850-4624.



JEAN M. LORIZIO, ESQ.
CHAIRMAN

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

CORI REQUEST FORM

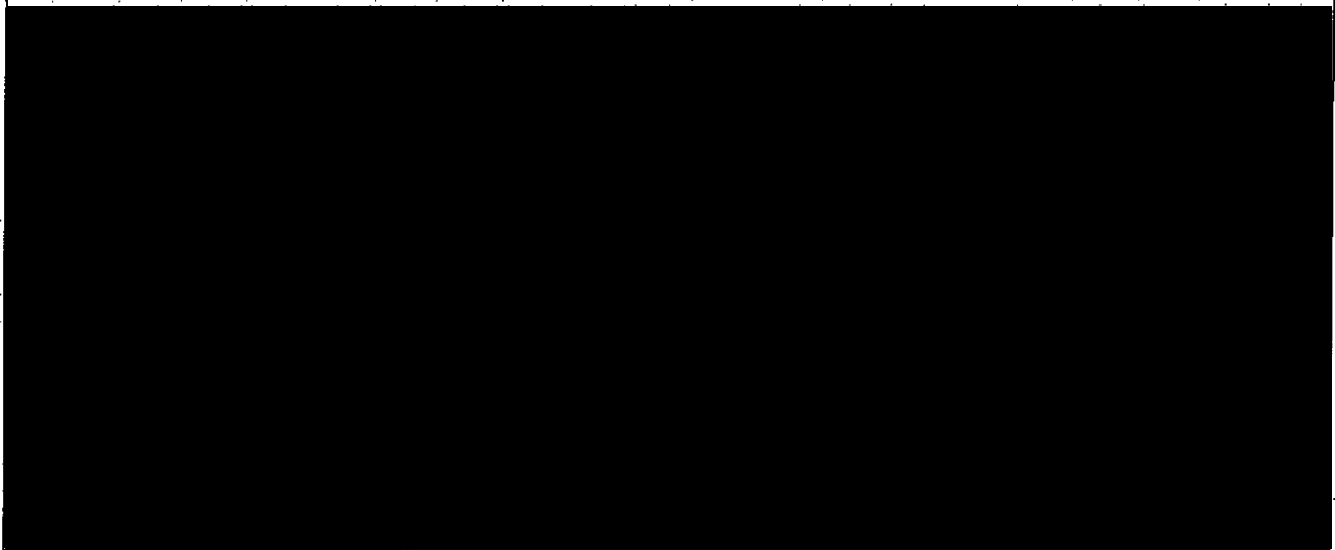
The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, 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>(OF EXISTING LICENSE)</small> | 43000072 | LICENSEE NAME: | JAI HO GROUP, INC | CITY/TOWN: | FRANKLIN |
|------------------------------------------------------|----------|----------------|-------------------|------------|----------|

APPLICANT INFORMATION

| | | | | | |
|------------|-------|-------------|------|--------------|---|
| LAST NAME: | Patel | FIRST NAME: | Nilu | MIDDLE NAME: | V |
|------------|-------|-------------|------|--------------|---|

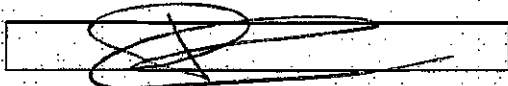


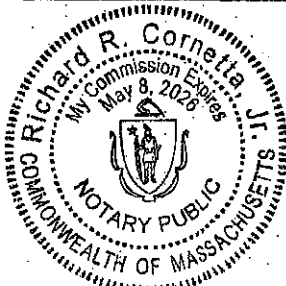
PRINT AND SIGN

| | | | |
|---------------|---------------|-------------------------------|-------------------|
| PRINTED NAME: | Nilu V. Patel | APPLICANT/EMPLOYEE SIGNATURE: | <i>Nilu Patel</i> |
|---------------|---------------|-------------------------------|-------------------|

NOTARY INFORMATION

On this January 13, 2023 before me, the undersigned notary public, personally appeared Nilu V. Patel
(name of document signer), proved to me through satisfactory evidence of identification, which were MA Drivers 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> |
|---------------|----------------------------------------------------------|

The DCI Identify Theft Index PIN Number is to be completed by those applicants that have been issued an Identify Theft PIN Number by the DCI. 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 DCA via mail or by fax to (617) 650-4614.

SECRETARY'S CERTIFICATE

The undersigned, as the SECRETARY of JAI HO GROUP, INC., a corporation duly organized under the laws of the Commonwealth of Massachusetts (the "Company"), hereby certify and state to the Town Council of the Town of Franklin, Massachusetts, and the Massachusetts Alcoholic Beverages Control Commission, in connection with an application for a Multiple Amendments to the Seven Day All Alcoholic Beverage License, (the "License"), the following.

1. Attached hereto as Exhibit A is a true, correct and complete copy of the Certificate of Organization of the Company, as filed on September 26, 2014 with the Secretary of the Commonwealth of Massachusetts, and the same has not been amended, modified or terminated and remains in full force and effect as of the date hereof.
2. Attached hereto as Exhibit B is a true, correct and complete copy of the Vote of the Board of Directors of the Company, authorizing the application of Multiple Amendments, (including Change of Officers and Directors, Change of Stock Interest, and Change of Manager) to the License on behalf of the Company from the Town of Franklin, and further authorizing the execution, delivery and performance by the Company of the License application and all the related documents; such Consent has not been modified, amended or revoked and is in full force and effect on the date hereof; and no other action on the part of the Company is necessary to authorize the Company's execution, delivery and performance by the Company of the License application and related documents.
3. On our oath and under the penalties of perjury, we swear that I am the duly elected authorized on behalf of JAI HO GROUP, INC., a Massachusetts corporation, and I certify that I have not been removed as SECRETARY and have the authority to act, for, and bind the company in the transaction of business for which this affidavit is given as affirmation of my authority.

IN WITNESS WHEREOF, the undersigned have executed this Certificate this day, January 12, 2023.



Manas Sahu (Jan 13, 2023 12:21 EST)

Manas R. Sahu, Secretary

JAI HO GROUP INC.
STOCK POWER

FOR VALUE RECEIVED, I, Krishna KC, the undersigned, hereby sell, assign and transfer to Manas Sahu and Nilu Patel, to have and to hold, all of my right, title and interest in 200 shares of Common Stock and legal ownership interest that I have in Jai Ho Group Inc., a Massachusetts corporation, standing in my name on the books of said Jai Ho Group Inc., represented by Stock Certificate number 1, constituting all of the stock of Jai Ho Group Inc. owned by me, and do hereby irrevocably constitute and appoint Manas Sahu, President of Jai Ho Group Inc., attorney to transfer the said shares on the books of Jai Ho Group, Inc. with full power of substitution in the premises.

Dated: _____

Krishna KC



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

mass.gov/dor

Letter ID: L0300230176
Notice Date: February 1, 2023
Case ID: 0-001-852-892



CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE



JAI HO GROUP INC
418 W CENTRAL ST
FRANKLIN MA 02038-1855

000032

Why did I receive this notice?

The Commissioner of Revenue certifies that, as of the date of this certificate, JAI HO GROUP INC 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?

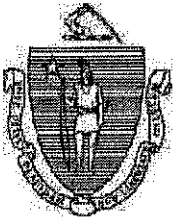
If you have questions, call us at (617) 887-6400 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 9:00 a.m. to 4:00 p.m..

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

Maura Healey
GOVERNOR
Kim Driscoll
LT. GOVERNOR



415836289

Lauren E. Jones
SECRETARY
Katie Dishnica
ACTING DIRECTOR

JAI HO GROUP INC
418 WEST CENTRAL STREET
FRANKLIN, MA 02038

EAN: 22027744
February 23, 2023

Certificate Id:67625

The Department of Unemployment Assistance certifies that as of 2/23/2023, JAI HO GROUP INC 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.

Katie Dishnica, Acting Director

Department of Unemployment Assistance

LOCALIQ NEW ENGLAND

PO Box 631210 Cincinnati, OH 45263-1210

PROOF OF PUBLICATION

Richard Cornetta
Richard Cornetta
4 West ST
Franklin MA 02038-2135

STATE OF MASSACHUSETTS, COUNTY OF MIDDLESEX

The MetroWest/Milford Daily News, a newspaper printed and published in the city of Framingham, and of general circulation in the County of Middlesex, Norfolk and Worcester, State of Massachusetts, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

03/28/2023

and that the fees charged are legal.

Sworn to and subscribed before on 03/28/2023

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$223.00

Order No: 8615740

Customer No: 920453

PO #:

of Copies:

1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

VICKY FELTY
Notary Public
State of Wisconsin

418 WEST CENTRAL ST
LEGAL NOTICE
NOTICE OF PUBLIC
HEARING
FRANKLIN, MA
Modification of a Section 12
All Alcoholic Beverages
License
Change of Officers/
Directors/LLC Managers,
Change of Stock Interest,
Change of Manager
Jai Ho Group, Inc. d/b/a The
Curry House

The Franklin Town Council will hold a Public Hearing on an application by Jai Ho Group, Inc. d/b/a The Curry House, located at 418 West Central Street, Franklin, MA for multiple modifications of their Section 12 All Alcoholic Beverages License to include a Change of Officers/Directors/LLC Managers, Change of Stock Interest and Change of Manager. This hearing will be held on April 12, 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 April 7, 2023 for updated meeting information. For questions, please call the Town Administrator's Office at (508) 520-4949.

Submitted by,
Julie McCann

AD# 8615740

DN: 3/28/2023

Payment Confirmation

YOUR PAYMENT HAS PROCESSED AND THIS IS YOUR RECEIPT

Your account has been billed for the following transaction. You will receive a receipt via email and via text message.



Transaction Processed Successfully.

INVOICE #: cd1905fc-d66e-4350-b523-c22f03f9f414

| Description | Applicant, License or Registration Number | Amount |
|--------------------|-------------------------------------------|-----------------|
| FILING FEES-RETAIL | JAI HO GROUP INC | \$200.00 |
| | | \$200.00 |

Total Convenience Fee: \$4.70

Date Paid: 2/23/2023 5:09:25 PM EDT

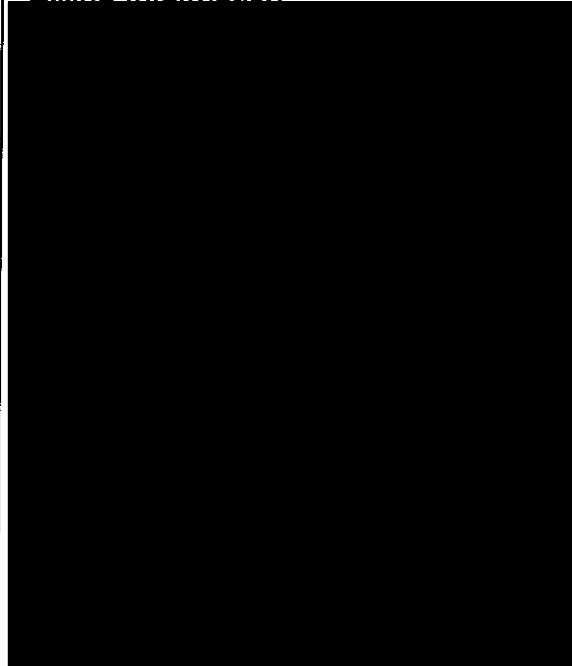
Total Amount Paid: \$204.70

Payment On Behalf Of

License Number or Business Name:
JAI HO GROUP INC

Fee Type:
FILING FEES-RETAIL

Billing Information



Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

April 7, 2023

To: Town Council
From: Jamie Hellen, Town Administrator

Re: 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
Bylaw Amendment 23-890: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Section 51

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!

Before the Council tonight is the public hearings on both legislation, as well as first reading of the bylaw proposal.

Please see the attached materials from Bryan Taberner on the substance of the bylaws.

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

MEMORANDUM

TO: JAMIE HELLEN, TOWN ADMINISTRATOR
FROM: BRYAN W. TABERNER, AICP, DIRECTOR
RE: PROPOSED ZONING CHANGES
ZONING BYLAW AMENDMENT 23-889, RESIDENTIAL USES (FORMERLY 22-889)
ZONING BYLAW AMENDMENT 23-890, INCLUSIONARY ZONING (FORMERLY 22-890)
DATE: FEBRUARY 9, 2023

The Department of Planning & Community Development (DPCD) has worked during the last several months to develop Zoning Bylaw amendments recommended in the “*Franklin For All*” zoning project, and the Town’s 2022 Housing Production Plan (HPP). Recent work, including the two subject Zoning Bylaw Amendments, address the following 1.) Housing density allowed within Commercial I (CI), and General Residential V (GRV) zoning districts; 2.) By-right multifamily housing; 3.) MBTA Communities requirements outlined in Section 3A of the Zoning Act, and 4.) Inclusionary Zoning.

The proposed changes below will create a baseline which to address additional zoning changes, including the possibility of adopting a 40R Smart Growth Overlay District, and addressing accessory dwelling units.

By-Right Multifamily Housing and related Housing Density. Currently multifamily housing developments are only allowed by-right in the Downtown Commercial zoning district (up to one dwelling unit per 2,000 square feet of lot area). In the Commercial I (CI) and General Residential V (GRV) zoning districts up to one dwelling unit per 1,000 square feet of lot area (44 housing units per acre) may be permitted by Planning Board special permit. Special Permits for dense multifamily housing are not automatically granted, and it can be difficult to obtain a permit to develop as many as 44 housing units on an acre of land. The permitting process can be very expensive for the property owner and developer, and there is no guarantee the permit will be granted.

MBTA Communities Requirements. Massachusetts passed new laws through the Acts of 2020 adding a new Section 3A to chapter 40A of MGL. Under Section 3A communities with commuter rail stations (or other MBTA service) are required to have at least one zoning district “*of reasonable size in which multi-family housing is permitted as of right*” that will “*have a minimum gross density of 15 units per acre*”.

Regulation implementing the new laws is contained in “Compliance Guidelines for Multi-family Zoning Districts” (<https://www.mass.gov/info-details/multi-family-zoning-requirement-for-mbta-communities>). The size and location of the zoning district required by Section 3A is dependent upon several factors.

Below is a table outlining the Town of Franklin’s Section 3A requirements taken from the Compliance Guidelines. To summarize the Town of Franklin’s MBTA Communities multifamily zoning requirements, the Town is required to amend its Zoning Bylaw to assure it has one or more zoning districts that in total would allow a minimum multi-family unit capacity of 1,883 housing units by-right, seventy-five percent of which must be located not more than 0.5 miles of the MBTA station.

Section 3A MBTA Communities Requirements

Community: Franklin Community Category: Commuter Rail

| Minimum multi-family unit capacity ¹ | Minimum land area of District | Percent of district to be located in station area ² |
|-------------------------------------------------|-------------------------------|----------------------------------------------------------------|
| 1,883 Units | 50 acres | At least 75 percent |

- 1.) Minimum multi-family unit capacity equals 15 percent of the number of housing units in Franklin at time of the 2020 U.S. Census.
2. The Station area is a half-mile circle around the MBTA commuter rail station.

The majority of CI and GRV zoning districts are within a half mile of the Downtown MBTA station. DPCD recommends amending the Zoning Bylaw’s use regulations to change the housing density allowed in the CI and GRV zoning districts, and to allow a certain number of housing units by-right. By allowing multifamily housing by right in the CI and GRV zoning districts, a developer knows it is possible to get a permit for a certain size development. If the developer wants a denser development they should be allowed to seek a Planning Board special permit.

During a series of Economic Development Committee+ meetings in the fall and early winter, the participants debated the level of housing density that should be allowed within the CI and GRV zoning districts. The Committee voted to set the density to one dwelling unit per 2,250 square feet of lot area.

The proposed density of one dwelling unit per 2,250 square feet of lot area will help the Town meet the MBTA Communities requirements stated in Section 3A; 1 unit per 2,250 sf of lot area comes to 19.36 units per acre. With the Town’s Downtown Commercial zoning district already allowing up to 1 housing unit per 2,000 sf of lot (21.78 housing units per acre) by-right, having CI and GRV allow 19.36 units per acre by-right should sufficiently address the Section 3A requirements.

Please note, DPCD staff are currently working with the Town’s GIS Department and planners from the Metropolitan Area Planning Council (MAPC) to assess whether or not the proposed changes above would actually meet the Section 3A requirements.

One small Zoning Bylaw amendment that would make a few minor changes to Part VI of the Use Regulations tables (Attachment 7 of the Zoning Bylaw) will make the proposed changes above possible. However, the above proposed changes do not deal with affordable housing issues.

Inclusionary Zoning. DPCD has worked on developing an Inclusionary Zoning (IZ) Bylaw for several years; during that time much has happened, including the HPP, the “Franklin For All” study, and by-right multifamily requirements for MBTA Communities. Over the last couple months the State has amended the requirements of MBTA Communities regarding affordable housing; one change is as follows: DHCD “will consider an affordability requirement to be consistent with as of right zoning as long as the zoning requires not more than 10 percent of the units in a project to be affordable units”.

For that reason, requiring more than ten percent affordable housing units in the Downtown Commercial, Commercial I, and General Residential V zoning districts is not allowed (unless the units are more than half mile from the MBTA Station). The newest DHCD guidance also states to be consistent with as of right zoning “the cap on the income of families or individuals who are eligible to occupy the affordable units is not less than 80 percent of the area median income”. These changes required DPCD to update the Inclusionary Zoning (IZ) Bylaw. The updated version is simplified in that it only requires 10% affordable units for all multifamily housing developments of ten (10) or more units.

Proposed Zoning Bylaw Amendments. Attached are two proposed zoning bylaw amendments related to the issues discussed above.

Zoning Bylaw Amendment 23-889, Multifamily Housing Density. The proposed bylaw makes several small changes to Part VI of the Use Regulations tables. Most importantly it allows multifamily housing in the CI and GRV zoning districts by-right, up to 1 unit per 2,250 SF of lot area. And it allows the developer to apply for additional density by special permit. The following wording is included in the Use Regulations table related to multifamily housing of 4 or more units in CI and GRV:

No more than one dwelling unit per 2,250 square feet of lot area may be permitted; additional dwelling units may be allowed by Special Permit from the Planning Board.

Another important change was replacing one row in the Residential Use Regulations table with two rows, which define two types of multifamily housing:

- 6.1 Multifamily or Apartment
 - a. With Four or More Housing Units
 - b. With Three Housing Units.

Splitting the use into two allows a 3 unit development to be allowed in certain districts where other larger multifamily developments are not.

Zoning Bylaw Amendment 23-890, Inclusionary Zoning. The Zoning Bylaw amendment adds a new section to the Town's Zoning Bylaw: §185-51 Inclusionary Zoning. Multifamily developments with 10 or more housing units will be required to have at least ten percent of the housing units available for rent (or purchase) by eligible individuals or households making less than 80% of the area wide median household income.

I request the Town Council vote to refer the Zoning Amendments to the Planning Board for a Public Hearing. Please let me know if you have questions or require additional information on any of the above issues.

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

PLANNING BOARD

March 14, 2023

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

CERTIFICATE OF VOTE

Zoning By-law Amendment #23-889 & #23-890

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

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, March 13, 2023 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to *RECOMMEND, as presented*, to the Town Council the adoption of Zoning By-law Amendments #23-889 & #23-890, a Zoning By-Law to amend §185, Attachment 7, Part VI, Use Regulation Schedule: Residential Uses, Multifamily and add 185 Section 51.

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

The following notice will be published in the Milford Daily Newspaper once on Monday, February 27, 2023 and again on March 6, 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, March 13, 2023 at 7:00 PM and the Town Council will hold a Public Hearing on Wednesday, April 12 at 7:00 PM to consider amending Chapter 185, Attachment 7, Part VI of the Code of the Town of Franklin.

ZONING BY-LAW AMENDMENT 23-889

That Chapter 185 of the Code of the Town of Franklin is hereby amended by additions and deletions to §185, Attachment 7, Part VI, Use Regulation Schedule: Residential Uses, Multifamily or Apartment.

The exact text of the proposed zoning bylaw amendment is 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

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

PLANNING BOARD

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FRANKLIN PLANNING BOARD PUBLIC HEARING NOTICE

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ZONING BY-LAW AMENDMENT 23-890

That Chapter 185 of the Code of the Town of Franklin is hereby amended by adding a new Section §185-51. Inclusionary Zoning.

The exact text of the proposed zoning bylaw addition is 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

LICENSE TRANSACTION



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

Jai Ho Group, Inc.
d/b/a The Curry House
418 West Central St.
Franklin, MA 02038

Jai Ho Group, Inc., d/b/a The Curry House, located at 418 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, Change of Stock Interest and Change of Manager. The new manager will be Nilu V. Patel.

All Departments have signed off on this application.

MOTION to approve the request by Jai Ho Group, Inc., d/b/a The Curry House, for a Change of Officers/Directors/LLC Managers, a Change of Stock Interest, and a Change of Manager to Nilu V. Patel.

DATED: _____, 2023

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

RECUSED: _____

Nancy Danello, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council



Public Health
Prevent. Promote. Protect.



Metacomet Public Health Alliance

Franklin Health Department



Metacomet Public Health Alliance

MPHA

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. Thanks to a shared services grant, the initiative is expanding public health services in all three towns.

<https://www.metacometpha.org/>



New Members of the Metacomet Public Health Alliance

Alisha Sullivan - Public Health Nurse

John Robertson - Regional Health Agent

Cassia Monteiro - Regional Epidemiologist

Public Health Nursing Services & Mission

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 and creating partnership to prevent disease, reducing the effects of chronic diseases, lowering premature death rates and improving quality of life for many. In addition, the Public Health Nurse's monitor the MAVEN (Massachusetts Virtual Epidemiologic Network) reporting that municipalities are required to conduct.

Our mission is to protect, promote and advance the health and safety of the residents of Franklin, Norfolk, & Wrentham through rapid and effective response to public health needs.

Nursing Services

Blood Pressure Monitoring

Medication Management

Glucose Monitoring

Free Equipment Loan Program

Health Education & Promotion

Referral Resource

Home & Office Visits

Wound Care

Nutritional Supplements

Communicable Disease Investigation and Reporting

Flu Clinics & Vaccination

Mantoux Skin Test Reading (*bring paperwork)

Inspectional Services

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.

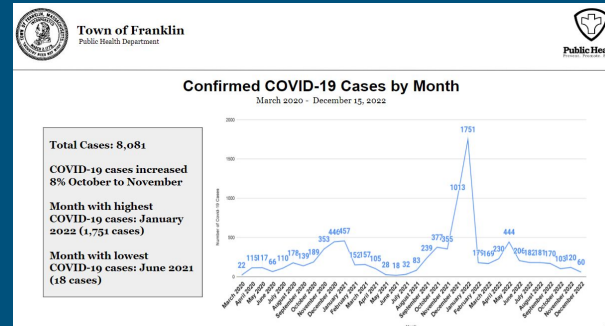
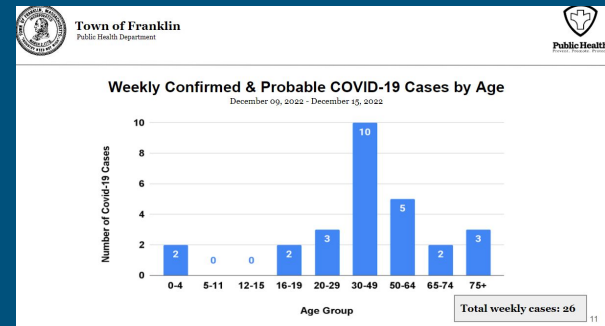
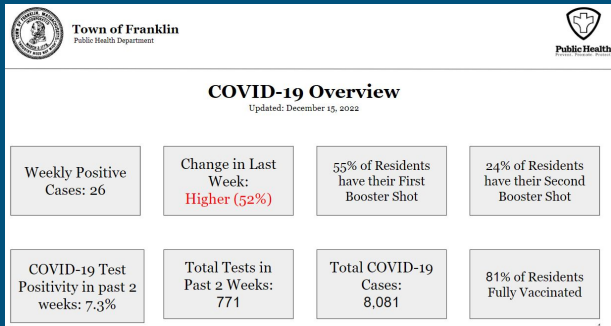
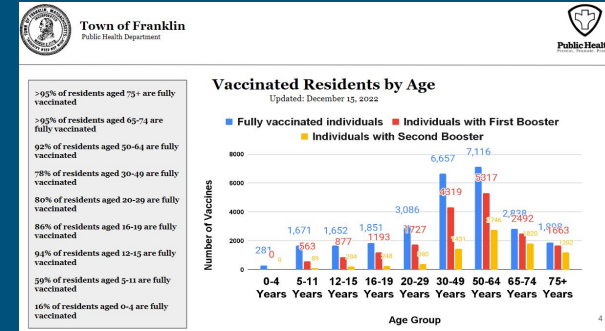
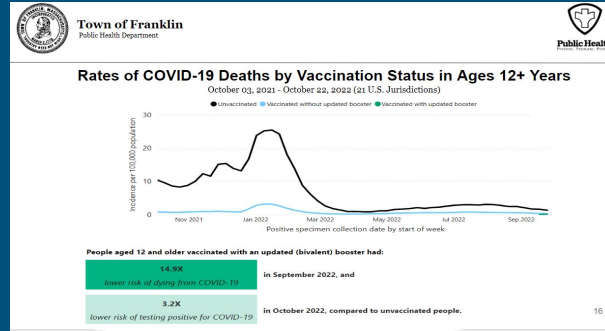
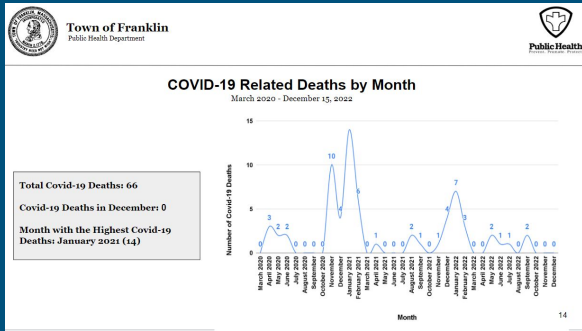
Research and Data Collection

Created 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.

COVID-19 Dashboard

The Franklin, Norfolk, and Wrentham COVID-19 Dashboard is updated every Friday. It includes total COVID-19 cases, weekly cases, and vaccination status. For total cases, weekly cases, and vaccination status it includes demographics such as age, gender, and race. There are also slides that have deaths/cases based on vaccination status. The data is from MDPH and MAVEN.

https://docs.google.com/presentation/d/1_OUKhLrYV6K8IPBzLkKAqLSGvWzMe90GcjZEYtGrKal/edit?usp=sharing

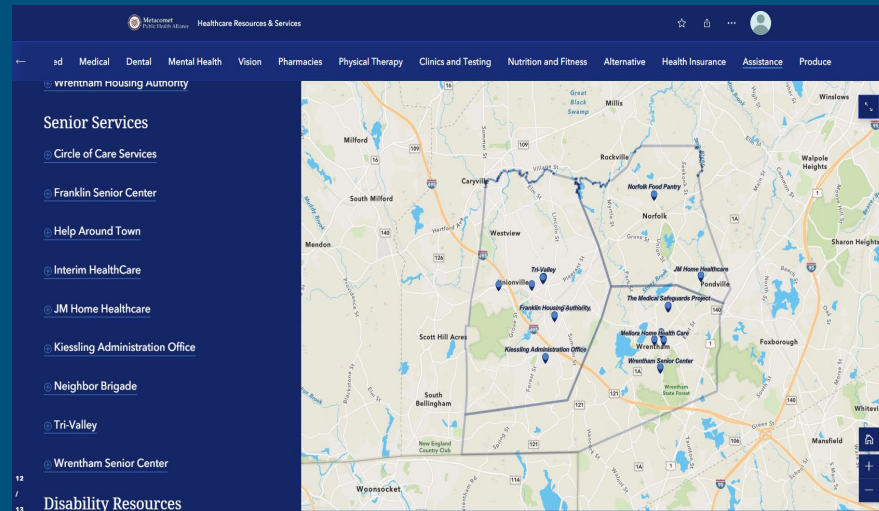
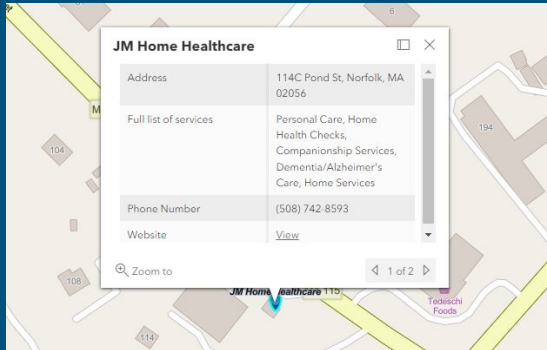


Healthcare Resources & Services Website

Worked with the Geographical Information Specialist (GIS) in creating a website for the community to find healthcare resources and services in the towns of Franklin, Norfolk, and Wrentham.

The website includes tabs that have different health topics. Within those tabs there are different services/resources someone can click on to find more information, including: location, address, full list of services, phone number, and website.

There is also an interactive map on the side for people to search for resources/services based on location.



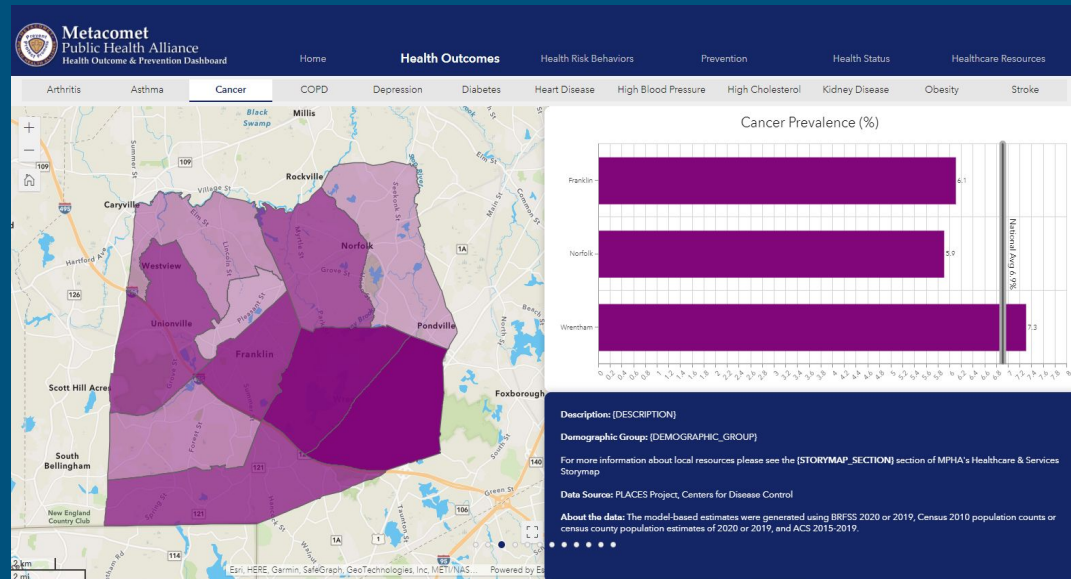
Health Outcomes Dashboard

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. It will help residents and town leaders understand and improve the health and well-being of our communities.

To the left, is an interactive map that shows data by neighborhood

On the right, there is a graph that compares the prevalence of the health outcomes of each town and national data

On the bottom right, it includes the description about the data and a link to the resources map



Franklin Health Fair

On October 19th, 2022 over 480 people in the community came out to the Franklin Health Department's Health Fair at the Franklin Public Library. There were over 30 vendors, health resources & services, activities for kids and adults, demonstrations, free local produce, and a food truck (see next slide for pictures).



All in the Spirit of Public Health





SPONSOR: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 23-889 (FORMERLY 22-889)**

**A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, ATTACHMENT 7. PART VI, USE REGULATION SCHEDULE:
RESIDENTIAL 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 (xyz) and as deletions (~~xyz~~) to §185, Attachment 7, Part VI, Use Regulation Schedule: Residential Uses, Multifamily or Apartment:

185 Attachment 7
USE REGULATION SCHEDULE
PART VI

Symbols in the Use Regulations Schedule shall mean the following:

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

| Principal Uses | District | | | | | | | | | | | | | | | | |
|-------------------------------------------------|----------------|----|------|------|------------------|-------------------|------------------|-------------------|----|------------------|-----|------------------|---|---|----|-------------------|-----|
| | RR | RV | RRII | RVII | SFRIII | SFRIV | GRV | NC | RB | CI | CII | DC | B | I | LI | O | MBI |
| 6. Residential | | | | | | | | | | | | | | | | | |
| 6.1 Multifamily or Apartment | N ⁴ | N | N | N | PB ² | PB ⁴ | PB ³ | PB ^{2,8} | N | PB ³ | N | Y ^{5,6} | N | N | N | PB ^{7,8} | N |
| a. With Four or More Housing Units ⁴ | N ¹ | N | N | N | Y ^{2,3} | PB ^{2,8} | Y ^{2,3} | Y ^{2,3} | N | Y ^{2,3} | N | Y ^{5,6} | N | N | N | PB ^{7,8} | N |
| b. With Three Housing Units | N | N | N | N | Y ² | Y ² | Y ² | Y ² | N | Y ² | Y | Y | N | N | N | N | N |
| 6.2 Single-family | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N | N | N | N | N | N |
| 6.3 Two-family | | | | | | | | | | | | | | | | | |
| a. New | N | N | N | N | Y ² | Y ² | Y ² | Y ² | N | Y | Y | N | N | N | N | N | N |
| b. By conversion | BA | BA | BA | BA | BA | BA | BA | BA | N | BA | Y | BA | N | N | N | N | N |

NOTES:

1. Except PB in RVI District (see § 185-38), per § 185-38, and RVII District per § 185-50.
2. Lot area must be at least 25% greater than that required for a single-family dwelling.
3. No more than one dwelling unit per 1,000 2,250 square feet of lot area may be permitted; additional dwelling units may be allowed by Special Permit from the Planning Board.
4. ~~No more than one dwelling unit per 3,000 square feet of lot area may be permitted.~~ All multifamily developments with 10 or more housing units are required to address the Affordable Housing requirements in § 185-51.
5. All dwelling units shall be located on floors above the street level floor.
6. No more than one dwelling unit per 2,000 square feet of lot area will be permitted; additional dwelling units may be allowed by Special Permit from the Planning Board.
7. All multi-family residential developments require a minimum of 5-acres.
8. No more than one dwelling unit per 3,000 square feet of lot area will be permitted.

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 23-890 (FORMERLY 22-890)**

INCLUSIONARY ZONING

**A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE
AT CHAPTER 185, SECTION 51**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT: Chapter 185 of the Code of the Town of Franklin is hereby amended by adding a new Section at §185-51. Inclusionary Zoning, to read as follows:

§185-51. Inclusionary Zoning

A. Purpose and Intent.

The purpose of this bylaw is to encourage the development of new multifamily housing that is affordable for rent or purchase to both low and moderate-income households. It is intended that the affordable housing units required by this bylaw consist of at least 10 percent Inclusionary Units as defined below in Section B.

B. Definitions.

Inclusionary Units: Housing units which the Planning Board finds are affordable for rent or purchase by eligible individuals or households making less than 80% of the areawide median household income as calculated by the United States Department of Housing and Urban Development (HUD) with adjustments for family size, provided there are deed restrictions. Such units will be Local Initiative Program, Local Action Units, in compliance with the requirements for the same as specified by the Commonwealth's Department of Housing and Community Development (DHCD).

Eligible Household: An individual or household whose annual income is less than 80% of the area wide median income as determined by HUD, adjusted for household size, with income computed using HUD's rules for attribution of income to assets.

C. Applicability.

In all zoning districts, the inclusionary zoning provisions of this section shall apply to the following uses:

- (1) Any project that results in a net increase of ten (10) or more multi-family dwelling units, whether by new construction or by the alteration, expansion, reconstruction, or change of existing residential or non-residential space.
- (2) Any life care facility or any elderly persons and/or handicapped persons housing development with ten (10) or more dwelling units.

D. Permit Process.

The development of any multifamily housing project set forth in Section C above shall be permitted either by right, or through a special permit process. Please refer to Section 185 Attachment 7, Use Regulation Schedule Part VI, Residential uses.

E. Special Permit Process.

The development of any project that requires a special permit set forth in Section C above requires the grant of a Special Permit from the Planning Board as the designated Special Permit Granting Authority (SPGA).

- (1) A Special Permit shall be granted if the proposal meets the requirements of this bylaw as well as Section 185-45.

F. Provision of Inclusionary Units.

As a condition of approval for a Permit for multifamily housing, the applicant shall contribute to the local stock of affordable units in accordance with the following requirements:

- (1) Ten (10) percent of units shall be offered as Inclusionary Units.
- (2) Units in a multiple unit development subject to this bylaw shall be established as Inclusionary Units in any one or combination of methods provided for below:
 - (a) Constructed or rehabilitated on the locus subject to a multifamily housing Permit (see Section G);
 - (b) Constructed or rehabilitated on a locus different than the one subject to the multifamily housing Permit (see Section H);
 - (c) An applicant may offer, and the Town may accept, donations of land in fee simple, on or off-site, that the Town determines are suitable for the construction of affordable housing units. The value of donated land shall be equal to or greater than the value of the construction of the Inclusionary Units. The Town may require, prior to accepting land as satisfaction of the requirements of this bylaw, that the applicant submit appraisals of the land in question, as well as other data relevant to the determination of equivalent value.
- (3) The applicant may offer, and the Town may accept, any combination of the Section F.(2)(a)-(c) requirements provided that in no event shall the total number of units or land area provided be less than the equivalent number or value of Inclusionary units required by this bylaw.
- (4) Fractions of whole numbers shall be resolved following these rules:
 - (a) Remainder of number less than 0.50 will be rounded down to the whole number.
 - (b) Remainder of number equal to or greater than 0.50 will be rounded up to the next whole number.
- (5) All Inclusionary Units shall be subject to an affordable housing restriction and a regulatory agreement in a form acceptable to the Town's Attorney and the Municipal Affordable Housing Trust. The regulatory agreement shall be consistent with any applicable guidelines issued by the Department of Housing and Community Development and shall ensure that affordable units can be counted toward the Town

of Franklin’s Subsidized Housing Inventory. The regulatory agreement shall also address all applicable restrictions listed in Sections G and H below. The multifamily housing Permit shall not take effect until the restriction, the regulatory agreement, and the special permit if applicable, are recorded at the Registry of Deeds and a copy provided to the Planning Board, the Inspector of Buildings, and the Municipal Affordable Housing Trust.

G. Provisions Applicable to Inclusionary Units On-site.

- (1) Siting of Inclusionary Units. All Inclusionary units constructed or rehabilitated under this bylaw shall be situated within the development so as not to be in less desirable locations than market-rate units in the development, and shall on average, be no less accessible to public amenities, such as open space, as the market-rate units.
- (2) Minimum design and construction standards for Inclusionary Units. Inclusionary housing units shall be integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of materials with other units. Interior features and mechanical systems of affordable units shall conform to the same specifications as apply to market-rate units.
- (3) Timing of construction or provision of Inclusionary Units. Where feasible, Inclusionary Units shall be provided coincident to the development of market-rate units, but in no event shall the development of Inclusionary Units be delayed beyond the schedule noted below:

| Market-rate Units (% Complete) | Inclusionary Units (Percent Required) |
|-----------------------------------------|---------------------------------------|
| <30% | - |
| 30% Plus 1 Unit | 10% |
| Up to 50% | 30% |
| Up to 75% | 50% |
| 75% Plus 1 Unit | 70% |
| Up to 90% | 100% |
| Fractions of Units shall not be Counted | |

- (4) Marketing Plan for Inclusionary Units. Applicants under this bylaw shall submit a marketing plan or other method approved by the Town through its local comprehensive plan, to the Planning Board for its approval, which describes how the Inclusionary Units will be marketed to potential home buyers or tenants. This plan shall include a description of the lottery or other process to be used for selecting buyers or tenants.

H. Provision of Inclusionary Housing Units Off-Site.

- (1) As an alternative to the requirements of Section G above, an applicant subject to the bylaw may develop, construct or otherwise provide Inclusionary Units equivalent to those required by Section F off-site. All requirements of this bylaw that apply to on-site provision of Inclusionary Units, shall apply to provision of off-site Inclusionary Units. In addition, the location of the off-site units to be provided shall be approved

by the Planning Board as an integral element of the multifamily housing Permit review and approval process.

I. Maximum Incomes and Selling Prices: Initial Sale.

- (1) To ensure that only eligible households purchase Inclusionary Units, the purchaser of an Inclusionary Unit shall be required to submit copies of the last three years' federal and state income tax returns and certify, in writing and prior to transfer of title, to the developer of the housing units or his/her agent, and within thirty (30) days following transfer of title, to the Municipal Affordable Housing Trust, that his/her or their family's annual income level does not exceed the maximum level as established according to the data available from the HUD and DHCD, and as may be revised from time to time.
- (2) The maximum housing cost for Inclusionary Units created under this bylaw is as established by the Commonwealth's Department of Housing and Community Development Local Initiative Program, or as revised by the Town.

J. Preservation of Inclusionary Units; Restrictions on Resale.

- (1) Each Inclusionary Unit created in accordance with this bylaw shall have limitations governing its resale through the use of a regulatory agreement set forth in Section F(5). The purpose of these limitations is to preserve the long-term affordability of the Inclusionary Units and to ensure its continued availability for low income households. The resale controls shall be established through a Restriction on the property and shall be in force in perpetuity.
 - (a) Resale price. Sales beyond the initial sale to a qualified affordable income purchaser shall be determined by maximum resale price as defined by DHCD or the Town. The resale price multiplier shall be recorded as part of the Restriction on the property noted in Section J(1) above.
 - (b) Right of first refusal to purchase. The purchaser of an Inclusionary Unit developed as a result of this bylaw shall agree to execute a deed rider prepared by the Town, consistent with model riders prepared by DHCD, granting, among other things, the municipality's right of first refusal to purchase the property in the event that a subsequent qualified purchaser cannot be located.
 - (c) As a condition for a multifamily housing Permit under this bylaw, the applicant will comply with the mandatory set-asides and accompanying restrictions on affordability, including the execution of the deed rider noted in Section J(1)(b) above. The Building Commissioner/Zoning Enforcement Officer shall not issue an occupancy permit for any Inclusionary Unit until the deed restriction is recorded.

K. Conflict with Other Bylaws.

The provisions of this bylaw shall be considered supplemental of existing zoning bylaws. To the extent that a conflict exists between this bylaw and others, the more restrictive bylaw, or provisions therein, shall apply.

L. Severability.

If any provision of this bylaw is held invalid by a court of competent jurisdiction, the remainder of the bylaw shall not be affected thereby. The invalidity of any section or sections or parts of any section or sections of this bylaw shall not affect the validity of the remainder of the Town of Franklin's Zoning Bylaw.

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

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: PROPOSED ZONING MAP AMENDMENT 23-887 (FORMERLY 22-887)
ON AND NEAR LINCOLN STREET AND LINCOLNWOOD DRIVE
CC: MARK CEREL, TOWN ATTORNEY; AMY LOVE, TOWN PLANNER
DATE: FEBRUARY 21, 2023

The Department of Planning and Community Development (DPCD) is working to amend the Town's existing Zoning Map (Chapter 185, Section 5, of Franklin Town Code) in an area on and near Lincoln Street and Lincolnwood Drive. This proposed Zoning Map change is a small part of a Town Wide project being implemented by DPCD and other Town staff.

The project will better define the Town's zoning districts by following parcel lines. Where parcels are within two or more zoning districts the subject Zoning Map Amendment will move the Zoning District line so each parcel is only in one zoning district.

Attached are the following:

- A list of parcels proposed for rezoning;
- Bylaw Zoning Amendment 23-887; and
- A diagram with two maps: one showing the current zoning in the area, and one showing proposed Zoning Map changes.

Please let me know if you have questions or require additional information.

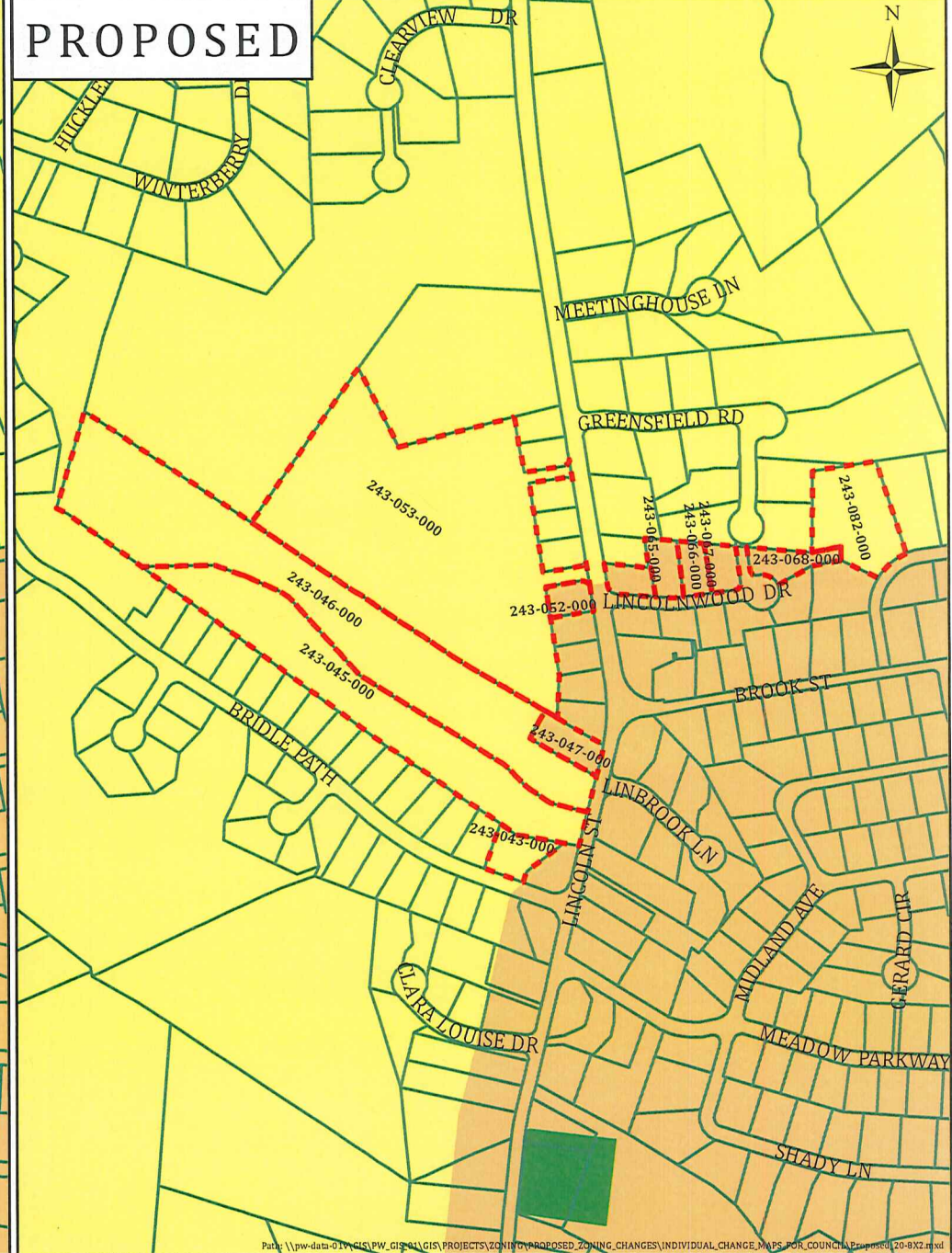
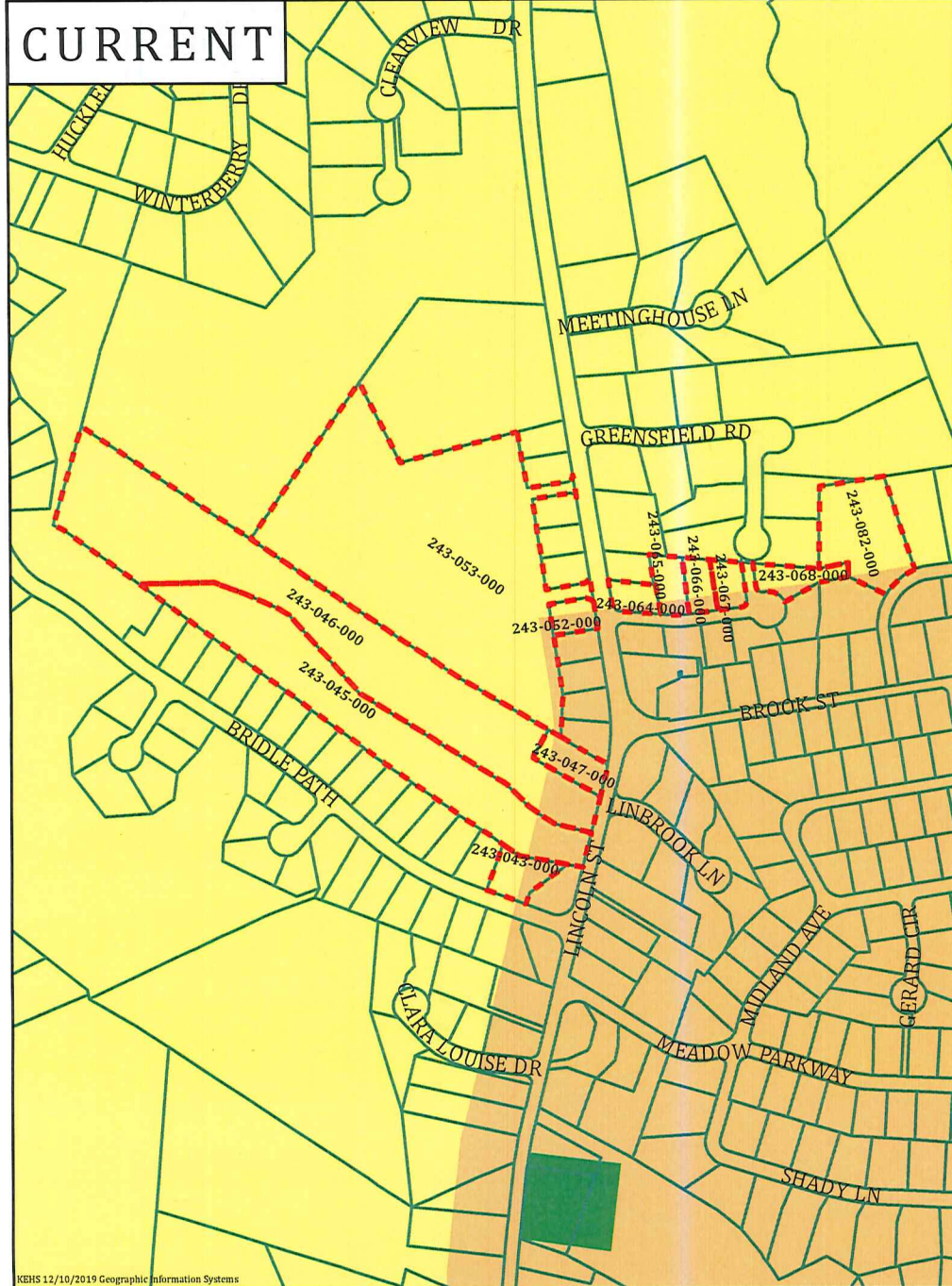
Proposed Zoning Map Changes

An Area On Or Near Lincoln Street, and Lincolnwood Drive
From Rural Residential II & Single Family Residential III, To Rural
Residential II or Single Family Residential III

- Commercial II
- Rural Residential II
- Single-Family III
- Area of Proposed Change
- Parcel Line

23-887

0 375 750 1,500 Feet



Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



PLANNING BOARD

Phone: (508) 520-4907
TOWN OF FRANKLIN
TOWN CLERK www.franklinma.gov

2023 JAN 17 P 2:36

RECEIVED

January 17, 2023

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

CERTIFICATE OF VOTE

Zoning By-law Amendment #22-887

Chapter 185, Section 5, Zoning Map of the Code of the Town of Franklin

Petitioner: Town Administration

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, January 9, 2023 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to recommend, *as presented*, the Zoning By-law Amendment #22-887, to the Town Council.

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

Sincerely,

Gregory Rondeau
Chairman

Cc: Town Administrator
Town Council

**LEGAL NOTICE - PUBLIC HEARING
FRANKLIN, MA**

In accordance with the provisions of M.G.L. Chapter 40A, Section 5, notice is hereby given that the Franklin Town Council will hold a Public Hearing on March 1, 2023 at 7:00 PM to consider amending Chapter 185, Section 5, Zoning Map of the Code of the Town of Franklin. Please refer to the Town website, franklinma.gov for location information.

ZONING BY-LAW AMENDMENT 22-887

That the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Rural Residential II an area containing **35.26± acres** following parcels of land on or near Lincoln Street and Lincolnwood Drive, as shown on the Town of Franklin's Assessor's Maps, and that the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Single Family Residential III an area containing **3.02± acres** as shown on the Town of Franklin's Assessor's Maps.

Please contact the Department of Planning & Community Development at 508-520-4907 if you require further information. If you need to make arrangements to provide translation services for the hearing impaired or for persons with language barriers please contact the Town Administration Office at 508-520-4885.

Submitted by,
Julie McCann



SPONSOR: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW 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**

**A ZONING BY-LAW AMENDMENT TO THE CODE OF THE TOWN OF
FRANKLIN AT CHAPTER 185 SECTION 5, ZONING MAP**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT: The Code of the Town of Franklin is hereby amended by making the following amendments to §185-5, Zoning Map:

That the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Rural Residential II an area containing **35.26± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

| | | |
|--------------------|--------------------|--------------------|
| 243-043-000 | 243-046-000 | 243-082-000 |
| 243-045-000 | 243-053-000 | |

And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Single Family Residential III an area containing **3.02± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

| | | |
|--------------------|--------------------|--------------------|
| 243-047-000 | 243-065-000 | 243-067-000 |
| 243-052-000 | 243-066-000 | 243-068-000 |
| 243-064-000 | | |

The area to be rezoned is shown on the attached map ("Proposed Zoning Map Changes, An Area On Or Near Lincoln Street and Lincolnwood Drive").

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

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: PROPOSED ZONING MAP AMENDMENT 23-891, AN AREA
ON AND NEAR LINCOLN STREET**
CC: MARK CEREL, TOWN ATTORNEY; AMY LOVE, TOWN PLANNER
DATE: FEBRUARY 22, 2023

As you know the Department of Planning & Community Development (DPCD) is working to amend the Town's existing Zoning Map (Chapter 185, Section 5, of Franklin Town Code) in an area on and near Lincoln Street. This proposed Zoning Map change is a small part of a Town Wide project being implemented by DPCD and other Town staff.

The project will better define the Town's zoning districts by following parcel lines. Where parcels are within two or more zoning districts the subject Zoning Map Amendment will move the Zoning District line so each parcel is only in one zoning district.

Attached are the following:

- A list of parcels proposed for rezoning;
- Bylaw Zoning Amendment 23-891; and
- A diagram with two maps: one showing the current zoning in the area, and one showing proposed Zoning Map changes.

The subject Zoning Map amendment is in an area along Lincoln Street that is immediately to the south of the previous Zoning Bylaw Amendment 23-887.

Note that the subject Zoning Map amendment is the last that deals with many parcels in a certain neighborhood. The remaining parcels (approximately 40) that are within two or more zoning districts are scattered around Town.

Please let me know if you have questions or require additional information.

Proposed Zoning Map Amendment 23-891

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

**From Rural Residential II & Single Family Residential III,
To Rural Residential II or Single Family Residential III,
An Area On Or Near Lincoln Street**

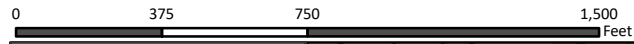
| Parcel | Location | Size (acres) | Owners | From | To |
|-------------|----------------------|--------------|--------------------------------------------------|---------------|--------|
| 243-006-000 | 5 Clara Louise Drive | 0.3509 | Patricia A Walsh Tr | RRII & SFRIII | RRII |
| 243-008-000 | 404 Lincoln Street | 0.8007 | Mark B Gove, Patricia L Hickey | RRII & SFRIII | RRII |
| 243-009-000 | 406 Lincoln Street | 0.6268 | Ian M Nordby | RRII & SFRIII | SFRIII |
| 243-011-000 | 4 Bridle Path | 0.7239 | Lawrence Maggio, Julie Maggio | RRII & SFRIII | RRII |
| 250-001-000 | 234 Lincoln Street | 0.5276 | Jeanne C Blanchard, Susan Blanchard | RRII & SFRIII | SFRIII |
| 250-003-000 | Lincoln Street | 9.5760 | Dean College | RRII & SFRIII | RRII |
| 250-004-000 | 258 Lincoln Street | 0.9186 | Brian Kourtz, Amanda Rabbitt | RRII & SFRIII | SFRIII |
| 250-006-000 | 264 Lincoln Street | 2.5275 | Michael Lavender | RRII & SFRIII | SFRIII |
| 250-007-000 | 272 Lincoln Street | 2.6475 | Mary Ellen Kearney | RRII & SFRIII | SFRIII |
| 250-008-000 | Mary Nora Drive | 0.5882 | A B B Inc | RRII & SFRIII | SFRIII |
| 250-011-000 | 282 Lincoln Street | 1.2447 | Lauren McSweeney Anzivino, Scott Anzivino | RRII & SFRIII | RRII |
| 250-012-000 | 286 Lincoln Street | 0.7748 | Dave Van Den Bergh, Jennifer A Van Den Bergh | RRII & SFRIII | SFRIII |
| 250-015-000 | 312 Lincoln Street | 4.2836 | Yoji Ichikawa, Hiroko Ichikawa | RRII & SFRIII | RRII |
| 250-018-000 | 330 Lincoln Street | 9.0244 | David J Gatchell, Kathleen M Gatchell | RRII & SFRIII | RRII |
| 250-019-000 | 350 Lincoln Street | 1.0143 | Darlene M Denommee | RRII & SFRIII | SFRIII |
| 250-020-000 | 352 Lincoln Street | 0.6895 | John K Giddings, Elizabeth Robito Giddings | RRII & SFRIII | SFRIII |
| 250-021-000 | 366 Lincoln Street | 1.7408 | David A Bernstein, Helen Camille Napier | RRII & SFRIII | SFRIII |
| 250-022-000 | 372 Lincoln Street | 0.8541 | William J Gallagher, Christine Gallagher | RRII & SFRIII | SFRIII |
| 250-023-000 | 378 Lincoln Street | 0.8335 | Christopher Kelly, Ashley E Kelly | RRII & SFRIII | SFRIII |
| 250-024-000 | Clara Louise Drive | 0.1342 | Robert B. Brown | RRII & SFRIII | SFRIII |
| 261-019-000 | 174 Lincoln Street | 1.2646 | Kathryn M DeMeritt | RRII & SFRIII | SFRIII |
| 261-020-000 | 184 Lincoln Street | 2.0513 | Susan M Ferzoco, Mark D Ferzoco, Yolanda Ferzoco | RRII & SFRIII | SFRIII |
| 261-021-000 | 204 Lincoln Street | 0.7037 | Roger A Rondeau, Barbara A Rondeau | RRII & SFRIII | SFRIII |
| 261-022-000 | 210 Lincoln Street | 1.0871 | James P Byrne, Marybeth F Byrne | RRII & SFRIII | SFRIII |
| 261-023-000 | 216 Lincoln Street | 0.7018 | Daniel J Pennini, Maranda Landry | RRII & SFRIII | SFRIII |
| 261-024-000 | 228 Lincoln Street | 0.3709 | Gary A Lucier | RRII & SFRIII | SFRIII |
| | Total Area | 46.0609 | | | |

RRII = Rural Residential II

SFRIII = Single Family Residential III

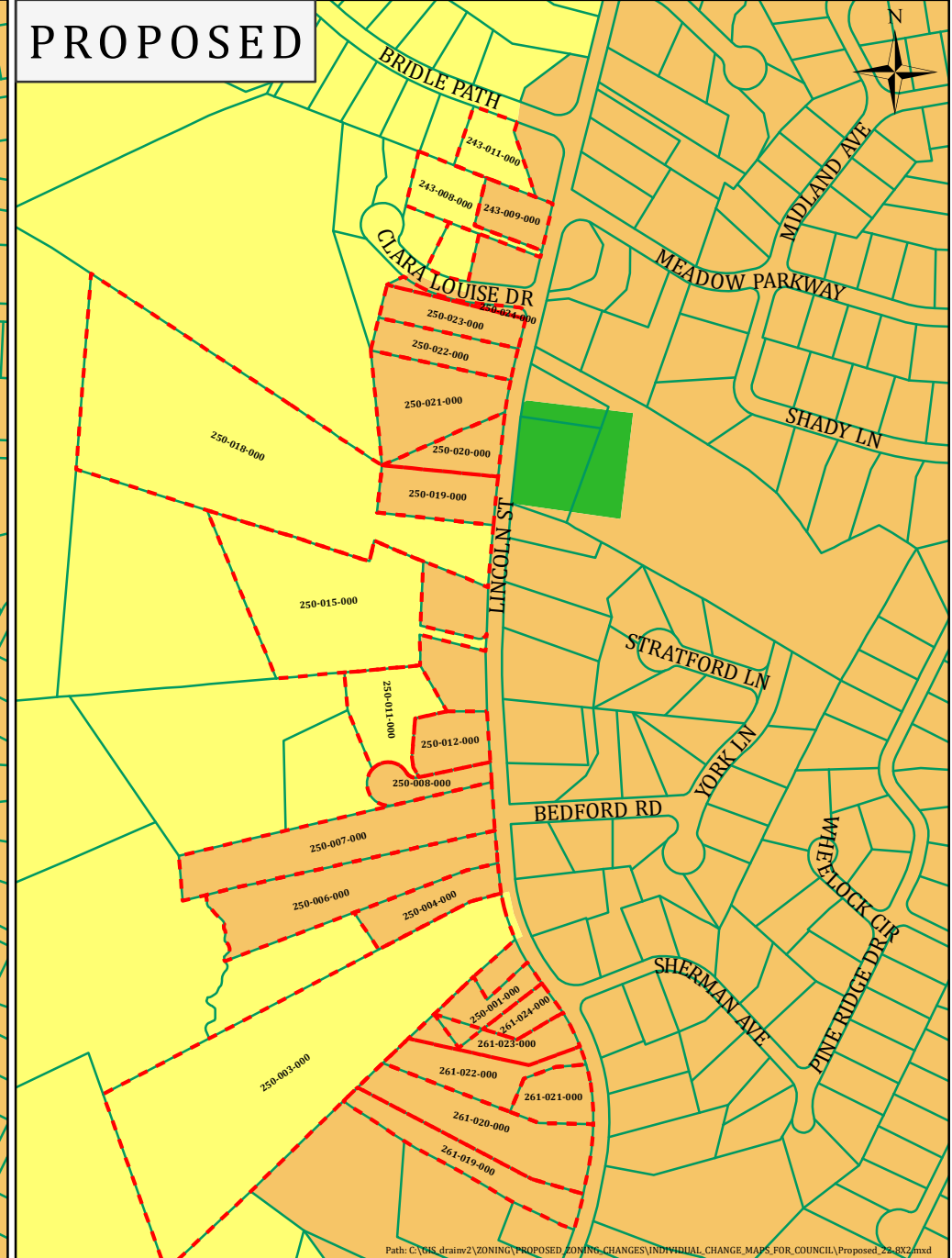
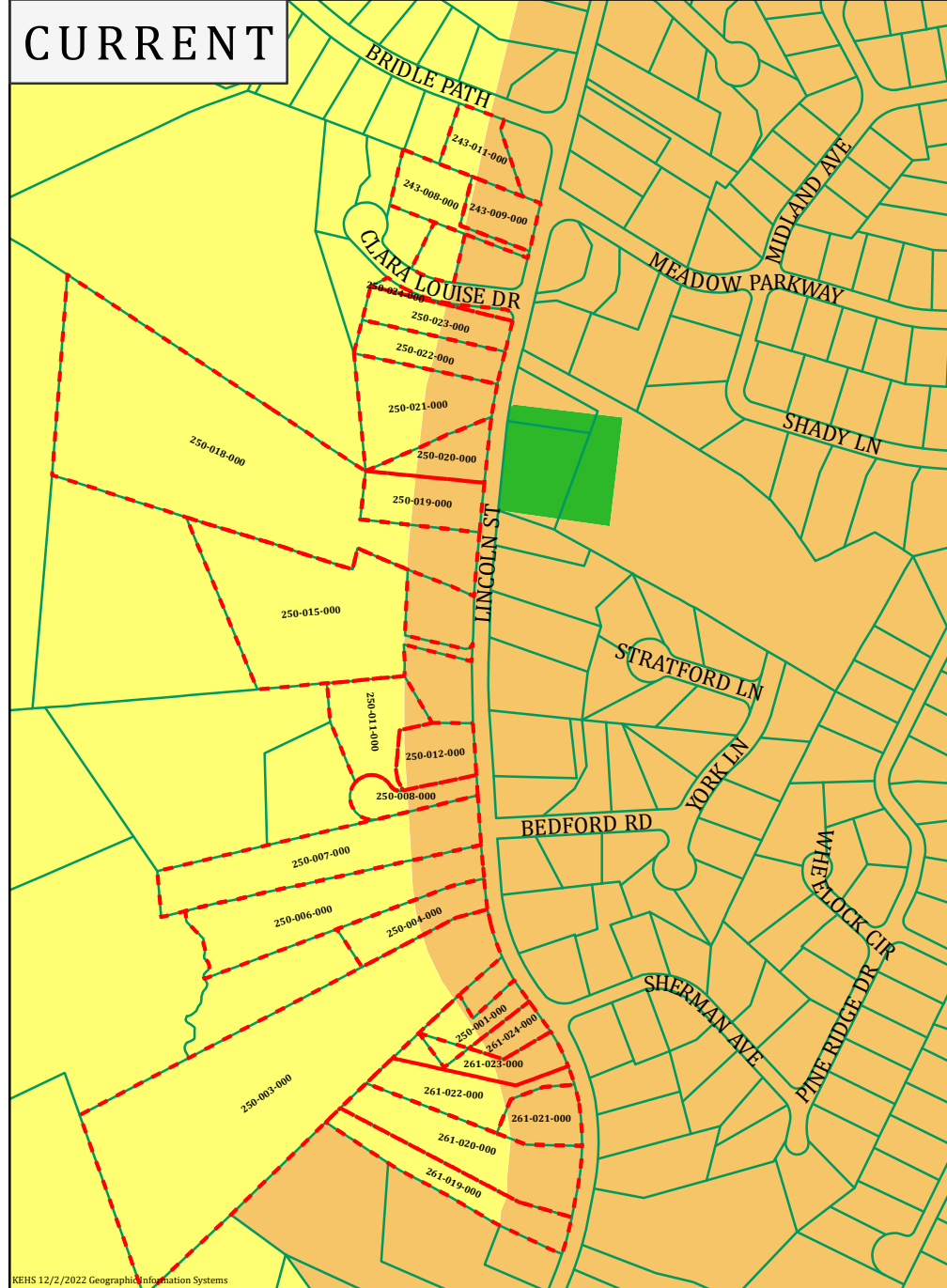
Proposed Zoning Map Changes

An Area On Or Near Lincoln Street
 From Rural Residential II & Single Family Residential III, To Rural Residential II or
 Single Family Residential III



- Commercial II
- Rural Residential II
- Single-Family III
- Area of Proposed Change
- Parcel Line

23-891



Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

PLANNING BOARD

February 28, 2023

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

CERTIFICATE OF VOTE

Zoning By-law Amendment #23-891

Chapter 185, Section 5, Zoning Map of the Code of the Town of Franklin
Lincoln Street Map Amendment

Petitioner: Town Administration

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, February 27, 2023 the Planning Board, upon motion duly made and seconded, voted (4-0-1) to recommend, *as presented*, the Zoning By-law Amendment #23-891, to the Town Council.

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

Sincerely,

Gregory Rondeau
Chairman

Cc: Town Administrator
Town Council

RECEIVED
2023 MAR -2 A 9:05
TOWN OF FRANKLIN
TOWN CLERK

January 27, 2023

The following notice will be published in The Milford Daily Newspaper on Monday, February 13, 2023 and again on Monday, February 20, 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, February 27, 2023 at 7:10 PM and the Town Council will hold a Public Hearing on Wednesday, March 1 at 7:10 PM to consider amending Chapter 185, Section 5, Zoning Map of the Code of the Town of Franklin. Please refer to the Town website, franklinma.gov for location information.

ZONING BY-LAW AMENDMENT 23-891

That the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Rural Residential II an area containing **26.004± acres** following parcels of land on or near Lincoln Street, as shown on the Town of Franklin's Assessor's Maps, and that the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Single Family Residential III an area containing **20.057± acres** as shown on the Town of Franklin's Assessor's Maps.

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.

Gregory Rondeau, Chairman
Franklin Planning Board

Tom Mercer, Chairman
Franklin Town Council



SPONSOR: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW 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**

**A ZONING BY-LAW AMENDMENT TO THE CODE OF THE TOWN OF
FRANKLIN AT CHAPTER 185 SECTION 5, ZONING MAP**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT: The Code of the Town of Franklin is hereby amended by making the following amendments to §185-5, Zoning Map:

That the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Rural Residential II an area containing **26.004± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

| | | |
|--------------------|--------------------|--------------------|
| 243-006-000 | 250-003-000 | 250-015-000 |
| 243-008-000 | 250-011-000 | 250-018-000 |
| 243-011-000 | | |

And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Single Family Residential III an area containing **20.057± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

| | | |
|--------------------|--------------------|--------------------|
| 243-009-000 | 250-019-000 | 261-019-000 |
| 250-001-000 | 250-020-000 | 261-020-000 |
| 250-004-000 | 250-021-000 | 261-021-000 |
| 250-006-000 | 250-022-000 | 261-022-000 |
| 250-007-000 | 250-023-000 | 261-023-000 |
| 250-008-000 | 250-024-000 | 261-024-000 |
| 250-012-000 | | |

The area to be rezoned is shown on the attached map (“Proposed Zoning Map Changes, An Area On Or Near Lincoln Street”).

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

April 7, 2023

To: Town Council
From: Jamie Hellen, Town Administrator

Re: Bylaw Amendments 23-894, 23-895, 23-896: Accessory Dwelling Units

Before the Council this evening are three zoning bylaw amendments relating to accessory dwelling units. These bylaws were recently approved by the EDC+ Steering Committee on a vote of 6-1. The lone dissent was 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).

This evening the decision for the Council is to refer these bylaw amendments to the Planning Board for them to have the first public hearing. Planning Board members Greg Rondeau and Beth Weirling supported these bylaws.

The three bylaw amendments do the following:

1. Establishes a much needed definition of an Accessory Dwelling Unit in town code;
2. Establishes an accessory use in all zoning districts for ADU's in the Accessory Use Zoning Use Table; and
3. Establishes setback criteria for ADU's.

It is important to note all accessory dwelling units will be required to get a special permit from the Zoning Board of Appeals. There has been widespread support for the concept of ADU's. However, there is the potential of unforeseen consequences relative to ADU's and this modest step will allow the town to be able to monitor and make sure all concerns are addressed when permitting an ADU before allowing them by right in any or all districts. This is important to make sure we can make better decisions on setbacks and other permit criteria. I will reemphasize this is NOT a barrier. The ZBA has approved all but one application on ADU's over the past 25 years.

Like the downtown parking reform done earlier this year, the Town will need to monitor data and applications for a year or two to see how the new policy unfolds and experiences at the ground level. This is a smart and incremental approach. If ADU's become successful, I anticipate tweaking the bylaw, based on the Building Commissioner's experience, in future years to allow certain areas of town to allow them by right.

ADU's have become a very effective way to work on developing additional housing units. They have always been allowed by ZBA approval for decades. The main audience are older relatives who want to be

closer to their families, as well as many younger residents who can't find an affordable unit. Mostly, these are transitional units. The bylaw proposal explicitly prohibits the splitting of utilities, which ensures that these units will be for family and friends, rather than ways to rent or sublease (which can oftentimes result in neighborly disputes).

The meeting proved there was no opposition to ADU's. But the Town should be careful to not to go too-fast too soon.

Finally, if these are approved and established in town code, I will ask our staff to develop an online application and educational material on ADU's to make sure the public is aware they can now be done on a more frequent basis.

It is very important to read the full memo and materials from town staff on this issue. But for now, staff recommend the simple procedure to refer to the Planning Board so they can have a public hearing.

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: ACCESSORY DWELLING UNITS, ZONING BYLAW AMENDMENTS 23-894, 23-895, AND 23-896
CC: MARK G. CEREL, TOWN ATTORNEY; AMY LOVE, TOWN PLANNER;
GUS BROWN, ZONING ENFORCEMENT OFFICER
DATE: MARCH 29, 2023

As you know, at their March 22, 2023 meeting, the Economic Development Subcommittee voted to move three accessory dwelling unit (ADU) related zoning bylaw amendments to the full Town Council for consideration. 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.



▲ Accessory dwelling units (or ADUs) come in many shapes and styles.

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 23-895 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 Town Council. If the Council supports the three Zoning Bylaw Amendments we request they vote to send them to the Planning Board for a public hearing.

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.



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 23-895**

**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>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>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