

FRANKLIN TOWN COUNCIL

Agenda & Meeting Packet

December 19, 2018

Municipal Building
Council Chambers
355 East Central Street
2nd Floor
7:00 PM

1. ANNOUNCEMENTS

- a. *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.*

2. CITIZEN COMMENTS

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

3. APPROVAL OF MINUTES- *None*

4. PROCLAMATIONS/RECOGNITIONS- *None*

5. APPOINTMENTS- *None*

6. HEARINGS- *None*

7. LICENSE TRANSACTIONS

- a. 2019 Annual Alcoholic Beverages License Renewals

8. PRESENTATIONS/DISCUSSIONS

- a. Technology Department

9. SUBCOMMITTEE REPORTS

- a. Capital Budget Subcommittee
- b. Budget Subcommittee
- c. Economic Development Subcommittee

10. LEGISLATION FOR ACTION

- a. Resolution 18-73: Designate Milford Daily News (**Motion to Approve Resolution 18-73 - Majority Vote (5)**)
- b. Resolution 18-75: Acceptance of Private Road Covenant with Owner-Developer of O'Brien Estates, A Two-Lot Subdivision (**Motion to Approve Resolution 18-75 - Majority Vote (5)**)
- c. Zoning Bylaw Amendment 18-821: Zoning Map Changes On Or Near Plain Street, Pond Street, and Palomino Drive - **2nd Reading (Motion to adopt Zoning Bylaw Amendment 18-821 - Two-Thirds Majority Roll Call Vote (6))**
- d. Bylaw Amendment 18-825: Chapter 47, Alcoholic Beverages- **2nd Reading (Motion to adopt Bylaw Amendment 18-825 - Majority Roll Call Vote (5))**

- e. Bylaw Amendment 18-828: Fees Bylaw Changes- **2nd Reading (Motion to adopt Bylaw Amendment 18-828 -Majority Roll Call Vote (5))**
- f. Zoning Bylaw Amendment 19-829: District Enumerated-Creation of Mixed Business Innovation Zoning District-**Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 19-829 to the Planning Board- Majority Vote (5))**
- g. Zoning Bylaw Amendment 19-830: Use Regulations- Mixed Business Innovation Zoning District-**Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 19-830 to the Planning Board- Majority Vote (5))**
- h. Zoning Bylaw Amendment 19-831: Mixed Business Innovation Zone Dimensional Regulations-**Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 19-831 to the Planning Board- Majority Vote (5))**
- i. Zoning Bylaw Amendment 19-832: Changes to §185-20. Signs, Mixed Business Innovation Zoning District- **Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 19-832 to the Planning Board- Majority Vote (5))**
- j. Zoning Bylaw Amendment 19-833: Zoning Map Changes from Industrial to Mixed Business Innovation on Area on or near Fisher and Hayward Streets -**Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 19-833 to the Planning Board- Majority Vote (5))**
- k. Zoning Bylaw Amendment 19-834: Changes to Sign District Overlay Map, Mixed Business Innovation Zoning District -**Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 19-834 to the Planning Board- Majority Vote (5))**

11. TOWN ADMINISTRATOR'S REPORT

12. FUTURE AGENDA ITEMS

13. COUNCIL COMMENTS

14. EXECUTIVE SESSION - *None Scheduled*

15. ADJOURN



Sponsor: Administration

2019 Annual Alcoholic Beverages Licenses Renewal

All establishments have passed inspections by the Building Department, Board of Health and Fire Department. We have noted those establishments that have fees or taxes due to the town.

MOTION to approve the renewal of the alcoholic beverages licenses listed on the attached Renewal List for the year 2019 with the licenses that have fees or taxes outstanding to be held in the Town Administrator's Office until all items are paid.

DATED: _____, 2018

VOTED:

UNANIMOUS _____

YES _____ **NO** _____

ABSTAIN _____

ABSENT _____

A TRUE RECORD ATTEST:

Teresa M. Burr
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

**2018
TOWN OF FRANKLIN
ALCOHOL LICENSES RENEWALS**

License #	DBA	LOCATION	Outstanding Water/Sewer/Trash, Personal Prop, Real Estate
88909-PK-0430	7 Eleven	664 Union Street	License Fee
00063-RS-0430	99 Restaurant	947A West Central St	
00012-RS-0430	Acapulco's	13-25 Main Street	Personal Property
00068-RS-0430	The Alumni Club	391 East Central Street	
00065-RS-0430	Bamboo House	2 Main Street	
89070-PK-0430	BJ's Wholesale	100 Corporate Drive	
00071-RS-0430	British Beer Company	280 Franklin Village Drive	
00024-RS-0430	Cole's Tavern	553 Washington Street	Water Sewer Trash
00044-PK-0430	Dacey's Market	345 Lincoln Street	
00059-PK-0430	Devita's Market	198 East Central Street	
04019-RS-0430	Dharani Grill	12 East Central Street	Personal Property & License Fee
00038-PK-0430	Ferrara's Market	20 W. Central Street	
00057-RS-0430	Franklin Country Club	672 East Central Street	
00032-PK-0430	Franklin Liquors	333 East Central Street	License Fee
00016-CL-0430	Franklin Elks BPOE 2136	1077 Pond Street	
00049-RS-0430	Hang Tai Restaurant	26-30 East Central St	
00073-RS-0430	Ichigo Ichie	837 West Central Street	
00062-RS-0430	Incontro	860 West Central St	
00020-RS-0430	Jimmy D's LLC	338 Union Street	Water Sewer Trash
00052-RS-0430	Joe's American Bar & Grill	466 King Street	
00066-RS-0430	King Street Café & Deli	390 King Street	

**2018
TOWN OF FRANKLIN
ALCOHOL LICENSES RENEWALS**

License #	DBA	LOCATION	Outstanding Water/Sewer/Trash, Personal Prop, Real Estate
03580-PP-0430	La Cantina Winery	355-357 Union Street	
89068-PK-0430	J.B.'s Liquor World	365 W. Central Street	
00056-RS-0430	Longhorn Steakhouse	250 Franklin Village Drive	
00070-RS-0430	Maguro House	2 East Central Street	
00046-RS-0430	MapleGate Country Club	160 Maple Gate, Bellingham	License Fee
00035-PK-0430	Ouzo Corporation	660 W. Central Street	
00054-RS-0430	Pepper Terrace Restaurant	400 Franklin Village Drive	
00060-PK-0430	Pour Richards Wine & Spirits	470 King Street	Personal Property
00075-HT-0430	Residents Inn	4 Forge Parkway	
00005-RS-0430	Rome Restaurant	4 East Central Street	
04360-RS-0430	Santa Fe Burrito Grill	28 West Central Street	Personal Property
00033-PK-0430	Shaws Supermarket	255 East Central Street	
00069-RS-0430	Spruce Pond Creamery	370 King Street	License Fee
00079-PK-0430	Table & Vine, Inc.	348 East Central Street	
02702-RS-0430	Teddy Gallagher's Pub	30 Main Street	Personal Property
00072-RS-0430	The Curry House	418 West Central Street	
00027-9K-0430	Three	461 W. Central Street	Water Sewer Trash
00021-RS-0430	Union Street Grill	371 Union Street	
00034-PK-0430	Union Street Wines & Liquors, Inc.	317 Union Street	
00028-RS-0430	Uptowne Pub	5-7 W. Central Street	
00030-PK-0430	Village Mall Liquors	60 Franklin Village Drive	

Town of Franklin

Town Administrator
Tel: (508) 520-4949

Fax: (508) 520-4903



355 East Central Street
Franklin, Massachusetts 02038-1352

Date: December 19, 2018

To: Town Council

From: Jamie Hellen

Re: Public Notices

This resolution would as required by § 4-15 of the Town Code, designate a local newspaper of general circulation in the town which shall be utilized by all boards, departments, agencies, and agents of the town to give notice to the public pending hearings for the next calendar year.

Please feel free to call with any questions.



TOWN OF FRANKLIN

RESOLUTION 18-73

PUBLIC NOTICES

BE IT RESOLVED THAT THE TOWN OF FRANKLIN, acting by and through the Town Council and pursuant to § 4-15 of the Town Code, hereby designates the Milford Daily News to be utilized by all boards, departments, agencies and agents of the town to give notice to the public of pending public hearings for the next calendar year.

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

DATED: _____, 2018

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: ____ **NO:** ____

ABSTAIN: ____ **ABSENT:** ____

Teresa M. Burr
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

Town of Franklin

Town Administrator
Tel: (508) 520-4949



Fax: (508) 520-4903

355 East Central Street
Franklin, Massachusetts 02038-1352

Date: December 12, 2018

To: Town Council

From: Jamie Hellen

A handwritten signature in blue ink, appearing to read "Jamie Hellen", is written over the "From:" line.

Re: Acceptance of Private Road Covenant on Homes Ave

This resolution is proposing the Town accepts a Private Road Covenant on Homes Ave with the Owner-Developer of O'Brien Estates, which is a two-lot, two-house subdivision plan that was approved and filed with the Town Clerk in 2002. Acceptance of this covenant will allow the Planning Board to proceed with its permitting process.

Please feel free to call with any questions.



TOWN OF FRANKLIN

RESOLUTION 18-75

ACCEPTANCE OF PRIVATE ROAD COVENANT WITH OWNER-DEVELOPER OF O'BRIEN ESTATES, A TWO-LOT SUBDIVISION

WHEREAS, the Franklin Planning Board on August 19, 2002 voted to approve with conditions a definite subdivision plan for a two-lot subdivision know as O'Brien Estates, which vote was filed with the Town Clerk on August 20,2002; and

WHEREAS, said vote included conditions that Homes Ave, the access roadway shown on the above described subdivision plan, together with related drainage and utilities, be and remain private and that the private property owner(s) have the exclusive obligation to maintain and repair the same, as well as to remove snow therefrom; and

WHEREAS, James M. O'Brien is the owner of the subject property and has executed a covenant incorporating the foregoing conditions, a true copy of which is attached as "Exhibit 1",

NOW, THEREFOR, BE IT ORDERED that the Town of Franklin, acting by and through its Town Council, hereby authorizes the Town Administrator to execute the covenant, a copy of which is attached hereto as Exhibit 1, on behalf of the Town of Franklin

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

DATED: _____ , 2018

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: ____ **NO:** ____

ABSTAIN: ____ **ABSENT:** ____

Teresa M. Burr
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

Exhibit 1

COVENANT WITH THE TOWN OF FRANKLIN (O'Brien Estates, A PRIVATE WAY)

I, James M. O'Brien, of 31 Daniels St. Franklin, Norfolk County, Massachusetts 02038, am the owner of land shown as Lots 2 and 3 situated on Homes Ave in said Franklin, Norfolk County and Commonwealth, shown on plan entitled, "O'Brien Estates, A Private Definitive Subdivision, Franklin, Massachusetts", herein the "Plan" dated December 24, 2015, revised through April 22, 2016, prepared by GLM Engineering, 19 Exchange St., Holliston, Massachusetts recorded at the Norfolk County Registry of Deeds in Plan Book 511, Page 451.

Lots 2 and 3 are shown on said plan as O'Brien Estates and contain a private way named Homes Ave. The plan was approved with conditions by the Planning Board of the Town of Franklin by Certificate of Vote dated March 21, 2016, filed with the Town Clerk of the Town of Franklin on March 23, 2016, a certified copy of which having been recorded at Norfolk County Registry of Deeds Book 34001, Page 271.

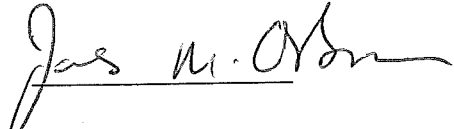
In accordance with said Plan and Certificate of Vote, I, for valuable consideration paid, the receipt of which is hereby acknowledged, for myself and my heirs, successors, transferees and assigns, covenant and agree with the Town of Franklin, by and through its Town Administrator, whose signature is affixed hereto, together with a resolution of the Town Council of said Town of Franklin, as follows:

- 1.) Homes Ave shall be constructed as a private road in accordance with the above-described Plan and any and all waivers granted by the Franklin Planning Board.
- 2.) The property owner served by said Homes Ave shall have the exclusive and continuing obligation for maintenance, repair and snow removal of said way and the maintenance and repair of the drainage structure, if any.
- 3.) Homes Ave shall remain a private road and is not intended to be now or at any time in the future a public way and the drainage structures, if any, shall remain private structures for the benefit of the property owner.
- 4.) No petition shall ever be made to the Town of Franklin seeking to change the status of Homes Ave and or the drainage structures, if any, from that of private way/private drainage structures or to transfer the obligation for maintenance, repair and/or snow removal from the private property owners to the Town of Franklin.
- 5.) Homes Ave and drainage structure, if any, shall be constructed in accordance with the standard set forth in Section 300, Subdivision of Land Rules and Regulations of the Town of Franklin, except those waived by the Planning Board. Maintenance and repair of the private way, water supply systems, sewer pipes, electric distribution system and storm water system shall be the responsibility of the owners and shall never be the responsibility of the Town of Franklin and the Town of Franklin shall never be required to perform any service, repair or maintenance with respect to said way, areas or any of the aforementioned systems within the subject property. The Town of Franklin will never be required to provide snow plowing with respect to the subject property;
- 6.) The Town of Franklin, its agents and servants shall have the right but not the obligation at all times to enter Homes Ave and the drainage structures, if any, for the purpose of inspecting, maintaining and/or making emergency repairs including, but not limited to, drainage. In such event, the private property owners shall be liable, jointly and severally, for the payment of all

expenses incurred by the Town of Franklin in connection therewith, and unpaid expenses shall constitute a lien on their property.

This Covenant shall be binding upon the record owner of Lot 2 and 3 and his heirs, successors, transferees and assigns and shall run with the land.

Executed as sealed instrument this 10th day of December, 2018.

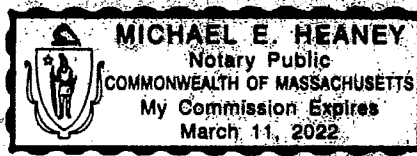

James M. O'Brien

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this 10th day of December 2018, before me, the undersigned notary public, personally appeared James M. O'Brien, proved to me through satisfactory evidence of identification, which were a Massachusetts Driver's License, to be the person whose name are signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.


Notary Public
My Commission Expires



Town of Franklin

By: _____
Jeffrey D. Nutting, Town Administrator
Hereunto duly authorized

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

On this __ day of December 2018, before me, the undersigned notary public, personally appeared Jeffrey D. Nutting, Town Administrator, proved to me through satisfactory evidence of identification, which were _____, to be the person whose name are signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

MEMORANDUM

TO: JEFFREY D. NUTTING, TOWN ADMINISTRATOR
FROM: BRYAN W. TABERNER, AICP, DIRECTOR
RE: ZONING BYLAW AMENDMENT 18-821. ZONING MAP CHANGES ON OR NEAR
PLAIN STREET, POND STREET AND PALOMINO DRIVE
CC: JAMIE HELLEN, DEPUTY TOWN ADMINISTRATOR;
AMY LOVE, PLANNER; MAXINE KINHART
DATE: OCTOBER 16, 2018

The Department of Planning and Community Development (DPCD) and other Town staff are undergoing a project to 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, in most cases based on the current land use. To clean up the map further two parcels currently within the RRI are proposed to be rezoned to RRII.

If Town Council supports the proposed zoning map amendment, DPCD recommends they refer Zoning By-law Amendment 18-821 to the Planning Board for a Public Hearing.

Attached are the following:

- A list of parcels proposed for rezoning;
- Zoning By-law Amendment 18-821: Zoning Map Changes From Rural Residential I, or Rural Residential I & Rural Residential II, or Rural Residential I & Single Family Residential III, To Rural Residential II or Single Family Residential III, An Area On Or Near Plain Street, Pond Street and Palomino Drive;
- 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 Amendment

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

**From Rural Residential I, or Rural Residential II, or Rural Residential III, or Single Family Residential I & Single Family Residential II, or Rural Residential I & Single Family Residential III, To Rural Residential II or Single Family Residential III, An Area On Or Near Plain Street, Pond Street and Palomino Drive
18-821**

Parcel	Location	Size (acres)	Owners	From	To
211-021-000-000	72 Palomino Drive	0.31800	A.L. Maichodi & K.R. Farrahar	RRI & RRII	RRII
211-022-000-000	74 Palomino Drive	0.17700	N. and A. Balakrishan	RRI & RRII	RRII
211-037-000-000	213 Plain Street	1.28200	J.V. Follen & K.E. Monroe	RRI & RRII	RRII
211-048-000-000	25 Plain Street	2.40900	Bagdasarian Property Holdings	RRI & RRII	RRII
211-049-000-000	27 Plain Street	0.68900	S. and K. Falcone	RRI & RRII	RRII
211-050-000-000	35 Plain Street	2.95400	V. and J.M. Wasnewsky	RRI & RRII	RRII
211-051-000-000	Plain Street	13.42000	E.A. and B.A. Wasnewsky, and V. Wasnewsky	RRI & RRII	RRII
211-053-000-000	127 Plain Street	1.91500	C.R. Josie	RRI & RRII	RRII
211-056-000-000	10 Palomino Drive	1.51000	J.H. and D.B. Neas	RRI & RRII	RRII
211-148-000-000	Plain Street	0.41410	M. Rumski c/o V.P. Wasnewsky	RRI	RRII
212-017-000-000	1100 Pond Street	3.76000	B.P. and M.R. Batchelder	RRI	RRII
212-024-002-000	21 Plain Street	1.29800	Franklin Housing Authority	RRI & RRII	RRII
212-028-000-000	1109 Pond Street	7.15000	W.J. and K.A. Pruyn	RRI & SFRIII	SFRIII

RRI = Rural Residential I 37.29610

RRII = Rural Residential II

SFRIII = Single Family Residential III

SPONSOR: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 18-821**

**ZONING MAP CHANGES FROM RURAL RESIDENTIAL I, OR
RURAL RESIDENTIAL I & RURAL RESIDENTIAL II,
OR RURAL RESIDENTIAL I & SINGLE FAMILY RESIDENTIAL III,
TO RURAL RESIDENTIAL II OR SINGLE FAMILY RESIDENTIAL III, AN AREA
ON OR NEAR PLAIN STREET, POND STREET AND PALOMINO 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 I and Rural Residential II to Rural Residential II an area containing **25.972± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessors' Maps:

Parcel Number

211-021-000	211-022-000	211-037-000
211-048-000	211-049-000	211-050-000
211-051-000	211-053-000	211-056-000
212-024-002		

And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential I to Rural Residential II an area containing **4.174± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessors' Maps:

Parcel Numbers

211-148-000	212-017-000
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And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential I and Single Family Residential III to Single Family Residential III an area containing **7.150± acres** comprising the following parcel of land as shown on the Town of Franklin's Assessors' Maps:

Parcel Number

212-028-000

The area to be rezoned is shown on the attached map ("Proposed Zoning Map Changes, An Area On Or Near Plain Street, Pond Street and Palomino 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: _____, 2018

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Glenn Jones, Clerk

Town of Franklin



Planning Board

TOWN OF FRANKLIN
TOWN CLERK
2018 OCT 30 A 11:07
RECEIVED

The following notice will be published in the Milford Daily Newspaper on Monday, November 5, 2018 and again on Monday, November 12, 2018

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 November 19, 2018 at 7:10 PM and the Town Council will hold a Public Hearing on November 28, 2018 at 7:10 PM in the Town Council Chambers of the Municipal Building, 355 East Central Street, to consider amending Chapter 185, Section 5, Zoning Map of the Code of the Town of Franklin as follows:

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:

ZONING BYLAW AMENDMENT 18-821

ZONING MAP CHANGES FROM RURAL RESIDENTIAL I, OR RURAL RESIDENTIAL I & RURAL RESIDENTIAL II, OR RURAL RESIDENTIAL I & SINGLE FAMILY RESIDENTIAL III, TO RURAL RESIDENTIAL II OR SINGLE FAMILY RESIDENTIAL III, AN AREA ON OR NEAR PLAIN STREET, POND STREET AND PALOMINO DRIVE

That the Zoning Map of the Town of Franklin be amended by changing from Rural Residential I and Rural Residential II to Rural Residential II an area containing **25.972± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessors' Maps:

<u>Parcel Number</u>		
211-021-000	211-022-000	211-037-000
211-048-000	211-049-000	211-050-000
211-051-000	211-053-000	211-056-000
212-024-002		

And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential I to Rural Residential II an area containing **4.174± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessors' Maps:

<u>Parcel Numbers</u>	
211-148-000	212-017-000

And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential I and Single Family Residential III to Single Family Residential III an area containing **7.150± acres** comprising the following parcel of land as shown on the Town of Franklin's Assessors' Maps:

Parcel Number
212-028-000

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.

The exact map of said amendment may be reviewed in the Department of Planning and Community Development during normal business hours (Monday, Tuesday and Thursday - 8:00 AM to 4:00 PM, Wednesday - 8:00 AM to 6:00 PM, and Friday - 8:00 AM to 1:00 P.M).

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.

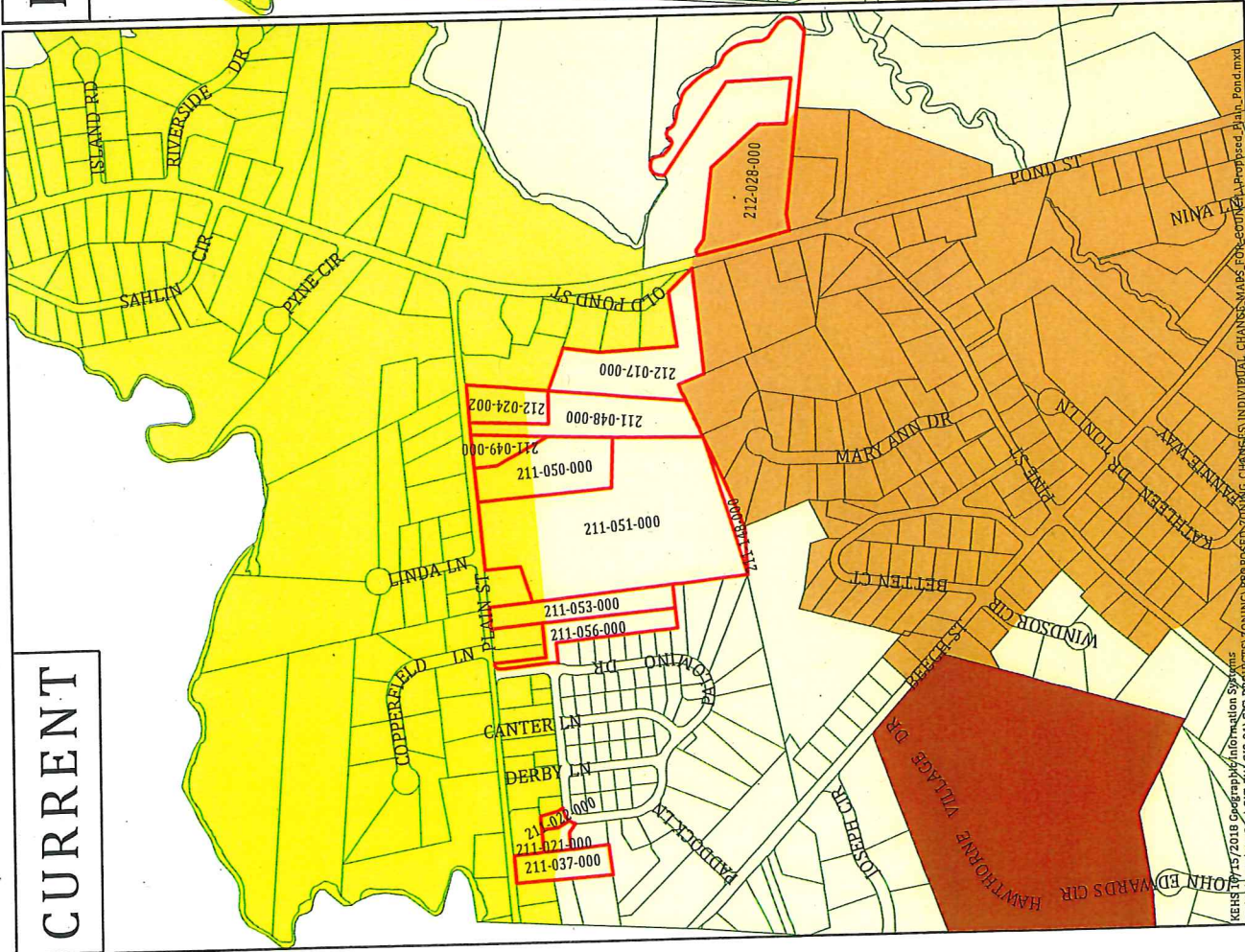
Anthony Padula, Chairman
Franklin Planning Board

Matt Kelly, Chairman
Franklin Town Council

Proposed Zoning Map Changes

Rural Residential I or Rural Residential I & II, or Rural Residential I & Single Family Residential III, to Rural Residential II or Single Family Residential III, An Area On Or Near Plain Street, Pond Street and Palomino Drive

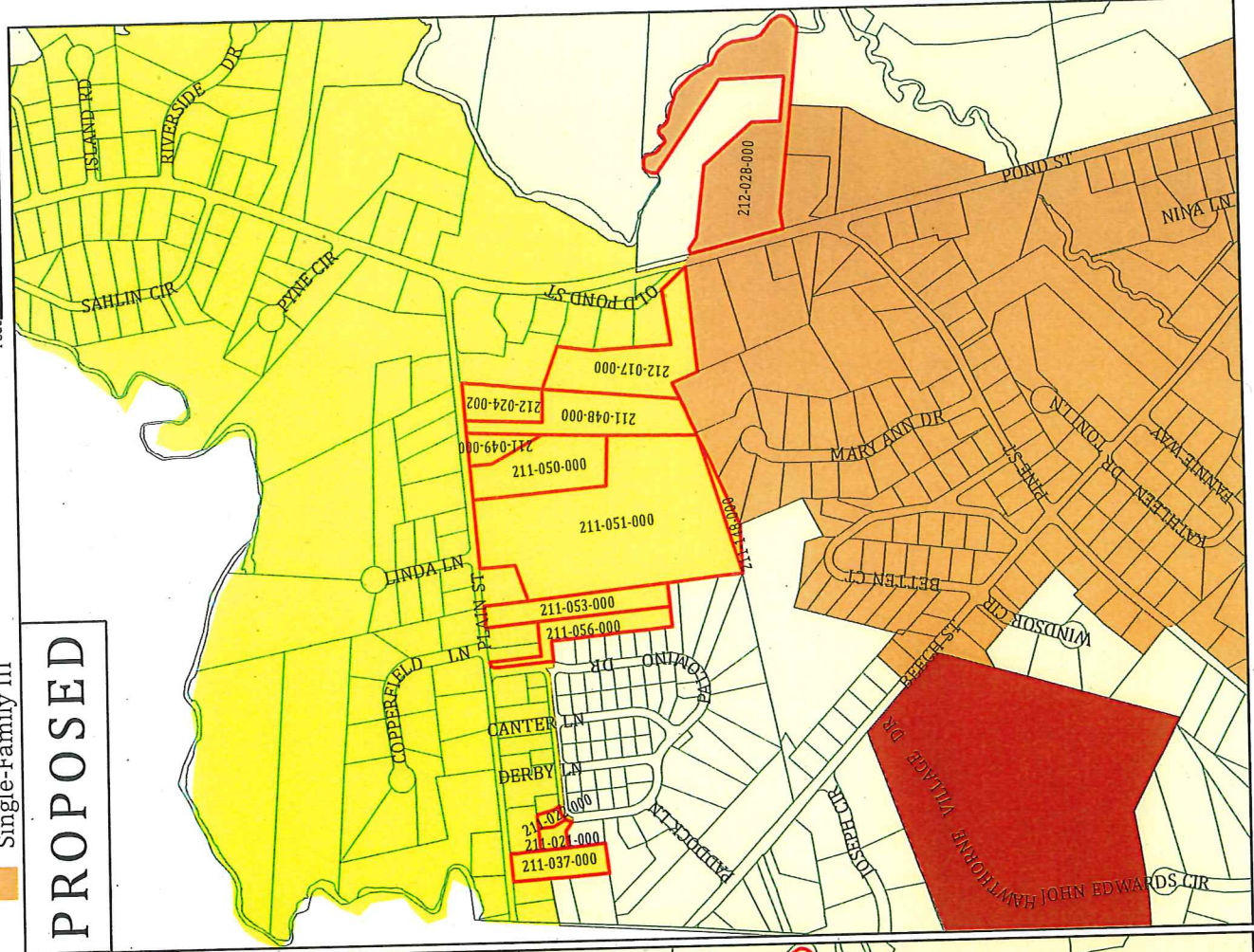
CURRENT



PROPOSED

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

18-821



Tel: (508) 520-4907

Fax: (508) 520 4906

Town of Franklin



Planning Board

TOWN OF FRANKLIN
TOWN CLERK

2018 NOV 20 A 9:33

RECEIVED

November 20, 2018

Teresa M. Burr, Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038

CERTIFICATE OF VOTE

Zoning By-law Amendment #18-821

ZONING MAP Changes From Rural Residential I, or Rural Residential I & Rural Residential II, or Rural Residential I & Single Family Residential III, To Rural Residential II or Single Family Residential III, An Area On Or Near Plain Street, Pond Street and Palomino Drive

Petitioner: Town Administration

Dear Mrs. Burr:

Please be advised that at its meeting on Monday, November 19, 2018 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to **RECOMMEND**, as presented, to the Town Council the amendment of Zoning By-law #18-821, Changes to the Zoning Map, as listed above.

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

Sincerely,


Anthony Padula
Chairman

cc: Town Council
Town Administrator
Deputy Town Administrator

OFFICE OF THE TOWN ADMINISTRATOR



MEMORANDUM

DATE: November 1, 2018
TO: Town Council
FROM: Jeffrey D. Nutting, Town Administrator 
RE: Proposed change to the Liquor License Bylaw

Please find attached a request to change the current liquor license by law to allow theatres to apply for an annual liquor license for arts or cultural facilities. Currently the Black Box get between 40 and 50 One day liquor license per year. They have been in business for several years without an alcohol related incident.

The proposed by law change would exempt them and other similar facilities from the requirement to serve food. I have discussed the matter with the Police Chief and he is in full support of the proposal. Given our long standing efforts at economic development in the Downtown I believe this makes a great deal of sense.

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



Sponsor: Administration

**TOWN OF FRANKLIN
BYLAW AMENDMENT 18-825
CHAPTER 47, ALCOHOLIC BEVERAGES**

A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 47.

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL that Chapter 47 of the Code of the Town of Franklin is amended by adding to Section 47-17 as follows:

47-17. Food requirement for restaurant liquor licenses.

Licenses issued under MGL c.138, § 12, for restaurant or innholder licenses, shall be issued only to duly licensed common victualer and innholders who have adequate and sanitary kitchen and dining room equipment and capacity for preparing, cooking, and serving suitable food for strangers, travelers and other patrons, as required by MGL c. 140. It shall be the obligation of all licensees and managers thereof to ensure continuous compliance with this requirement. All such licensees are obligated to provide food for the entire time period during which alcohol of alcoholic beverages may be purchased. The availability of snack food, such as popcorn, beef sticks, pretzels, candy and the like, shall not satisfy this requirement. The requirements contained in this section shall not apply to a theatre, performing arts center or other venue, the primary use of which is an arts or cultural facility.

This bylaw amendment shall become effective according to the provisions of the Franklin Home Rule Charter.

◆—————◆
DATED: December _____, 2018

A True Record Attest:

**Teresa M. Burr
Town Clerk**

VOTED:

UNANIMOUS _____

YES _____ NO _____

ABSTAIN _____

ABSENT _____

**Glenn Jones, Clerk
Franklin Town Council**



October 31, 2018

Jeffrey D. Nutting
Town Administrator
355 East Central Street (Third Floor) Route 140
Franklin, MA, 02038

Dear Mr. Nutting,

I am writing to request a special liquor license for the Franklin Performing Arts Company at THE BLACK BOX. Now in our fifth season of programming, THE BLACK BOX hosts events every weekend that require us to obtain one-day liquor licenses. These events are theatrical productions and concerts produced by the Franklin Performing Arts Company and the Franklin School for the Performing Arts, as well as community events held at our facility. The need to pull 60 permits annually is an administrative challenge and a financial hardship for our non-profit organization. I believe that our theater venue presents a typical scenario for a liquor license; we are not a cocktail lounge. Understanding that food is one of the licensing considerations, a few of our events do serve food and snacks are always available. During performances our patrons visit the bar before a show begins or during intermission resulting in a bar setting that is not high-volume.

Given the impact THE BLACK BOX is having on the vitality of the downtown, I would appreciate the consideration of the Town of Franklin for a special annual liquor license, specifically for a theater venue, to be granted to the Franklin Performing Arts Company.

Sincerely,

Raye Lynn Mercer
Executive Director

One Day Special Alcohol Permits

	<u>2018</u>	<u>2017</u>	<u>2016</u>
Franklin Performing Arts Co	23	0	1
Franklin School for the Performing Arts	18	21	3
The Black Box	4	23	16
Dean College	19	23	10
Franklin VFW	19	30	30

Town of Franklin

Town Administrator
Tel: (508) 520-4949



Fax: (508) 520-4903

355 East Central Street
Franklin, Massachusetts 02038-1352

MEMORANDUM

To: Town Council

From: Jeff Nutting

Re: Fees Bylaw Changes

By way of background, the Council adopted a significantly revised Fees Bylaw (Chapter 82) back in 2016 after our office did a full review of all fees based on the feedback from town departments and their customer interactions. As some may recall, we eliminated dozens of old fees, increased some and consolidated some. It was the first time in almost 20 years, the entire bylaw was holistically rewritten and fee amounts were re-calculated. The goal was to make sure the fee reflected the costs associated with service, update state law and local bylaw language, as well as make sure each department did a review of the fee schedule.

Since that time, we have collected a short list of revisions that are needed and wanted to do as one proposal, as the advertising fee for this 15-page bylaw is expensive to post in the newspaper. The following is a summary of changes, with rationale, and a red-lined copy of the proposed changes is included.

- Add a "Farmer Series Brewery, Wine or Distillery" fee of \$250.00 Annually. This is to process the full application the state requires.
- Lower the Transient Vendor License fee from \$480.00 to \$100.00 so nonprofit groups can obtain a "Temporary Special Event Food Truck License".
- Add a waiver for the Beaver Street Recycling Facility annual sticker fee for the Community Assistance Program where folks of qualifying incomes can apply to get a free sticker for the year. The bylaw already gives discounts for water, sewer, trash bills and the Recreation Department offers the same discounted rates for Recreation programs.
- Downtown commuter and business parking rates:
 - We are proposing to increase parking rates \$1 per day and make the rate commensurate for commuter and business parking.
 - The Economic Development Committee voted unanimously to endorse this increase to help pay for downtown parking improvements and to provide revenue for potential land acquisitions or partnerships to expand downtown parking in the future.
 - The fee is still half of what the MBTA charges, which is \$6 per day.

- Rearrange the Residential Electrical, Gas, Plumbing and Sheet Metal Inspections fees based off customer and employee feedback.
 - We are proposing to cap the electrical fee at \$250.00, which will help applicants save money who have more than 25 fixtures.
 - We are proposing to strip out all underground inspections into one category on a per mixture basis, separate from other fixtures, which was mainly to address swimming pools. Those are more extensive inspections, relative to a typical fixture. This language brings better clarity in the bylaw
 - We are proposing to increase the prorated fee for five fixtures to \$100.00 from \$75.00 and decrease the rate for each fixture thereafter from \$15.00 to \$10.00.

Jamie and I are available for any questions. These fees would go into effect on January 1, 2019.



Sponsor: Administration

TOWN OF FRANKLIN

BYLAW AMENDMENT 18-828

CHAPTER 82, MUNICIPAL SERVICE FEES

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

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

Chapter 82

MUNICIPAL SERVICE FEES

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

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

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

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

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

dependents or other information to verify eligibility. The program is available to residential households for the following town services:

A. **Water, sewer and trash discount credits.** Residential water, sewer and trash customers are eligible to receive a twenty-percent credit, per quarter, on their water, sewer and trash bills. Where a bill has been issued prior to an eligibility determination, no abatement will be made unless the amount to be abated amounts to \$10 or more. Discounts are not eligible on penalties for late payment.

B. **Beaver Street Recycling Center Annual Sticker waiver.** Residents may receive a waiver of the annual sticker for the Beaver Street Recycling Center. Waivers are not granted for individual items being recycled within the Recycling Center.

B.C. **Recreation Department program discount.** Residents of Franklin are eligible for up to a 100% discount on registration or program fees for qualifying residents who meet certain income eligibility guidelines.

§ 82-5. **Service fee definitions.**

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

i. Sewer inflow/infiltration removal fee:

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

ii. Sewer main tap fee:

Fee charged to extend the sewer main from the Town sewer distribution system. The fee is designed to recover the Town's cost of labor to inspect sewer line installations, engineering review and the application process. The fee shall not cover materials or labor to tap the sewer main, which shall be the cost and responsibility of the owner to arrange with a private contractor; the Town will not provide such services. This fee is in

addition to the required sewer service connection fee for individual services. Such a fee shall be payable prior to the time of issuance of a building permit or application for services, if a building permit is not required.

iii. Sewer system entry fee:

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

iv. Sewer service renewal fee:

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

v. Sprinkler/hydrant fee:

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

vi. Water main tap fee:

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

vii. Water reconnection fee:

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

viii. Water service renewal fee:

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

ix. Water system entry fee:

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

§ 82-6. **Schedule of service fees.**

A. Administration

Service Fee	Rate
Club/Wine Malt	\$750.00
Liqueurs and cordials	\$900.00
Package – Wine & Malt	\$1,500.00
Common victualler – wine and malt	\$1,500.00
Club/All alcohol	\$1,750.00
Package – all alcohol	\$2,500.00
Common victualler – all alcohol	\$2,500.00
Innholder – all alcohol	\$3,500.00
One-Day (all alcohol or wine and malt)	\$75.00
Alcohol innholder/rooms only	\$1,300.00
Common victualler	\$125.00
Innholders	\$125.00
Farmer Brewery, or Wine <u>or Distillery</u>	\$250 50.00
Alcohol license modification	\$500.00
Automatic amusement	\$125.00
Weekday amusement	\$125.00
Entertainment	\$125.00

Billiard/Bowling	\$125.00
Class I	\$125.00
Class II	\$125.00
Class III	\$125.00
Boardinghouse	\$125.00
Auctioneer	\$85.00
One-Day Auctioneer	\$85.00
Junk dealer	\$85.00
Taxi/limousine	\$85.00
Transient vendor <u>or Temporary Special Event Food Truck License</u>	\$100.00 \$480.00
Fortune Teller	\$85.00
Public Way Access Permit	\$150.00

B. Animal Control

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

C. Assessors

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

D. Conservation

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

Subdivisions, Resource Area Disturbance	\$.50/square foot
Multiple Dwellings, Base Fee	\$100.00/per unit within jurisdiction
Multiple Dwellings, Resource Area Disturbance	\$.50/per square foot
Commercial/Industrial, Base Fee:	\$600.00
Commercial/Industrial, Roads	\$2 per foot
Commercial/Industrial, Drainage	\$10/per structure
Commercial/Industrial, Resource Area Disturbance	\$.50/square foot
All Improvements (landscaping/maintenance)	\$100.00
Permit, time extensions:	
Single Family Home or accessory project	\$50.00
Other projects	\$50.00
Permit, certificate of compliance:	
Residential	\$50.00
Commercial/industrial	\$50.00
Re-inspection	\$50.00
Permit, control of nuisance vegetation	\$100.00
Permit, Permit status letter for financial institutions	\$100.00
Permit, project amendment	\$100.00

E. Council on Aging

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

F. Fire

Service Fee	Rate
Ambulance Fees:	
ALS Base Rate 1	\$1,376.00
ALS Base Rate 2	\$1,990.00
BLS Rate	\$1,159.00
Response treatment, no support	\$935.00
Cardiac monitoring	\$175.00

Extra Attendant – ALS/BLS	\$265.00
IV therapy/drug administration	\$150.00
Mileage	\$22.01
Oxygen	\$80.00
BLS disposable supplies	\$75.00
ALS disposable supplies	\$150.00
Building Plan Review:	
Commercial/Industrial	\$150.00
Residential – Multifamily	\$100.00
Residential – one and two single family	\$65.00
Residential – single family	\$35.00
Storage uses	\$50.00
Utility, miscellaneous	\$50.00
False alarm fee	\$300.00
Fire alarm connection/programming	\$130.00
Fire alarm inspections:	
Less than 3,000 square feet	\$45.00
3,001 to 10,000 square feet	\$60.00
10,001 to 20,000 square feet	\$95.00
20,001 to 30,000 square feet	\$175.00
30,001 or more square feet	\$175.00
Fire permits:	
Blasting permits	\$45.00
Bonfires and burning Christmas trees	\$10.00
Bowling pin and lane refurbishing	\$10.00
Cannon and mortar firing.	\$45.00
Cellulose nitrate film	\$110.00
Combustible fibers	\$110.00
Compressed natural gas (CNG)	\$110.00
Covered mall buildings	\$45.00
Crop ripening or color processing	\$110.00
Cutting and welding	\$45.00
Dust explosion prevention	\$110.00
Explosives	\$45.00
Fire protection equipment – modification	\$60.00
Fire protection systems – new installation	See fire alarm inspections
Fireworks displays	\$110.00
Fireworks manufacture, storage and handling	\$210.00
Flammable and combustible liquids:	
11 to 20 gallons	No charge
21 to 100 gallons	\$75.00

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

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

G. Health

Service Fee	Rate
Biotech application	\$600.00
Biotech annual renewal	\$100.00
Body art, establishment	\$150
Body art, operator	\$60.00
Bottling	\$75.00
Camps, day	\$100.00
Camps, residential	\$100.00
Chapter 21E site assessment	\$100.00
Cleaners/laundromat	\$30.00
Disposal of garbage, offal	\$65.00
Food service establishment:	
1-49 seats	\$200.00
50 plus seats	\$250.00
Frozen desserts	\$60.00
Funeral director	\$25.00
Grocery store, greater than 10,000 square feet	\$300.00
Infectious waste disposal	\$50.00
Keeping of animals permit	\$35.00
Manicure establishment	\$150.00
Mobile food vehicle	\$100.00
Outdoor wood burnings boiler	\$100.00
Perc testing/soil testing	\$250.00
Septic plan review/inspections:	
Repair	\$275.00
New	\$375.00
Pump system, additional	\$100.00

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

H. Inspections

Service Fee	Rate
Residential Building Permits	\$9 per \$1,000 of value
Commercial Building Permits	\$10 per \$1,000 of value
Minimum fee for all permit inspections	\$75.00
Minimum fee for all permit re-inspections	\$75.00
Electrical Permits and Underground (New, Remodeling, Pools)	\$ 100 75.00 up to five fixtures; \$10 per fixture thereafter; <u>\$250 cap on all Residential Electrical, per residential unit, per application-</u>
Gas Permits and Underground (New, Remodeling, Pools)	\$ 100 75.00 up to five fixtures; \$ 10 5 per fixture thereafter.
Plumbing Permits and Underground (New, Remodeling, Pools)	\$ 100 75.00 up to five fixtures; \$ 10 5 per fixture thereafter.
Sheet Metal Permit (New, Remodeling)	\$ 100 75.00 up to five fixtures; \$ 10 5 per fixture

	thereafter.
<u>Underground Electrical, Gas, Plumbing Only</u> <u>(New, Remodeling, Pools)</u>	<u>\$75.00 per fixture</u>
Replacement of Existing Gas Hot Water Heater Combo (Plumbing & Gas)	\$100.00
Traffic and Street Lighting Poles	\$75.00, per pole
Temporary Service	\$75.00, per pole
Security, burglar alarms and low voltage wiring (New or Remodeling)	\$75.00 up to 5 devices, \$10 each additional device
Yearly maintenance service for electrical	\$200.00
Carnivals	\$200.00
After hours inspection for Electrical or Plumbing	\$200.00
Photovoltaic solar panel systems:	
1 to 100	\$2.00 per panel
101 to 5,000	\$1.50 per panel
5,001 +	\$1.00 per panel
Scales:	
Weights (all types)	\$1.10
Under 10 pounds	\$16.50
10 to 100 pounds	\$22.00
1,000 to 5,000 pounds	\$33.00
5,000 to 10,000 pounds	\$66.00
Over 10,000 pounds	\$110.00
Measuring devices:	
Linear measures	\$11.00
Cordage measures	\$22.00
Fabric measures	\$22.00
Taxi meters	\$27.50
Bulk storage	\$82.50
Vehicle tank	\$55.00
Gasoline meters (per meter)	\$22.00
Other devices:	
Reverse vending	\$11.00
Automatic retail checkout systems (2 years)	
Less than 4 units	\$82.50
4 units to 11 units	\$165.00

I. Library

Service Fee	Rate

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

J. Planning

Service Fee	Rate
Approval not required (81 P)	\$150.00
Approval not required (81 P) with new buildable lots proposed	\$350.00
Preliminary plan:	
1 to 5 lots	\$700.00
Each lot after 5 lots	\$100.00 per lot
Definitive plan	\$2.00 per linear foot of roadway; \$800 minimum
Planning Board special permit	\$750.00
Bond release (estimate)	\$500.00
Bond release (reduction)	\$500.00
Site plan:	
Up to 9,999 square feet of impervious coverage	\$1,500.00
10,000 to 24,999 square feet of impervious coverage	\$2,500.00
25,000 to 50,000 square feet of impervious coverage	\$4,000
Over 50,000 square feet	\$4,000, plus \$100 per each 10,000 square feet of impervious coverage over 50,000 square feet
Limited site plan	\$500.00
Subdivision modification application	\$750.00
Independent consultant review fees (subdivision and site plan)	Determined by inspection consultant; due before issuance of decision by Planning Board
Construction and administration inspection fee (subdivision and site plan)	Determined by inspection consultant; due before issuance of decision by Planning Board

K. Police

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

L. Public Works

Service Fee	Rate
Beaver Street Recycling Center (Annual Sticker Fee)	\$25.00
Beaver Street Recycling Center (Beaver Street recycling sticker required)	
ABC (asphalt, brick, concrete) per load	\$15.00
Auto batteries	No charge
Carpeting – 4 foot rolls, 24-inch diameter	\$10.00
Freon containing items	\$15 per item
Grills	No Charge
Hazardous Waste	\$5 per gallon, \$5 per 10 pounds
Mattresses and Box Springs	\$10.00
Propane tanks	\$5.00 each
Sinks	\$10.00
Televisions (less than 25 inches)	\$15.00
Televisions (25 inches and greater)	\$25.00
Tires (all sizes)	\$5.00 each
Toilets	\$15.00
Tubs/Showers	\$50.00
Yard Waste (per registered vehicle or trailer):	
Car, pickup truck, van or trailer under 4 x 8 without sides	No Charge

Pickup truck with extended sides	\$25.00 per load
Trailer (over 4 x8) or enclosed cargo trailer	\$25.00 per load
Curbside Collection (home pickup by vendor, no recycling sticker required):	
Freon containing items	\$33 per item
Mattresses and Box Springs	\$18.00
Televisions (less than 25 inches)	\$28.00
Televisions (25 inches and greater)	\$38.00
Curbside Trash (annual)	
Fee using 65-gallon trash and recycling carts	\$204.00
Fee using 35-gallon trash and recycling carts	\$180.00
Extra trash cart annual fee	\$150.00
Extra recycling cart annual fee	\$75.00
Extra recycling cart business annual fee	\$100.00
Overflow bag	\$3.00
Drain Layer's license (new – 2 years)	\$125.00
Drain layer's license (renewal – 2 years)	\$65.00
Map Sales	\$15.00
Public way access permit	\$100.00
Street excavations	\$310.00
Trench	\$25.00
Water and Sewer Fees:	
Water main tap	\$475.00
Water service renewal	\$225.00
Water/sewer extension permit	\$20.00
Water connection	\$300.00
Water reconnection	\$50.00
Final meter reading	\$75.00
Sewer connection	\$400.00
Water turnoff – operating hours	\$60.00
Water turnoff – after hours	\$300.00
Water map amendment	\$325.00
Fire service (sprinkler) connection	\$275.00
Hydrant flow test	\$125.00
Backflow inspection	Subject to public procurement, with a ten percent overhead added to the final amount
Sewer map amendment	\$325.00
Sewer service renewal	\$250.00
Sewer main tap	\$275.00
Sewer inflow/infiltration (to be removed, less a credit up to the amount of the sewer	\$6.00 per gallon

entry fee, if any, paid at the time of application)	
Sprinkler/hydrant	\$500.00
Water system entry	\$2,440
Sewer system entry	\$2,440

M. Recreation

Service Fee	Rate
All recreation programs	\$5 to \$200.00 per participant
Chilson Beach Passes:	
Day Fee	\$10 per day/per car
Season Pass	\$75.00, half price for senior citizens.
Swimming lessons	\$100 to \$200.00
Field rental fee (for profits)	Town Administrator sets the rate for all field rentals
Facilities Permit fee (nonprofits)	\$50.00 per hour; electrical fees apply to groups using the lights.

N. Town Clerk

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

Hazardous materials	\$100.00
Research/genealogical	\$20.00/per hour

O. Treasurer-Collector

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

This bylaw amendment shall become effective on and after January 1, 2019.

DATED: _____, 2018

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr

Town Clerk

ABSENT _____

Glenn Jones, Clerk

Franklin Town Council

Town of Franklin

Town Administrator
Tel: (508) 520-4949



Fax: (508) 520-4903

355 East Central Street
Franklin, Massachusetts 02038-1352

Date: December 13, 2018

To: Town Council

From: Jamie Hellen

Re: Clark, Cutler, McDermott property and neighborhood Rezone

The following zoning bylaw amendment is to rezone the Clark, Culter, McDermott property and some adjacent properties from Industrial to a new zone called "Mixed Business Innovation District". The action requested of the Council tonight is to refer the zoning amendments to the Planning Board for a public hearing. The EDC voted 3-1 to refer this proposal to the full Council.

The Mixed Business Innovation District definition would expand the amount of uses substantially. The Mixed Business Innovation District (MBI) is intended primarily for a mix of light Industrial and Commercial uses in an older industrial neighborhood. A strong emphasis is placed on encouraging reuse and redevelopment of older manufacturing and warehouse buildings, providing for a wide range of light industrial, commercial, cultural, institutional, or entertainment uses, including business incubator, co-working space, studio space, artisanal or craft maker space, art galleries, public art, performance venues, restaurants, cafes and retail that create and support a diverse economically and culturally rich environment. Residential uses and heavy manufacturing uses are not allowed.

The district would constrict the current Industrial uses by taking out heavy manufacturing and hazmat and chemical related uses to reduce heavy traffic, noise and dangerous chemicals from any potential reuse on that site.

Given the great residential neighborhoods around downtown, and the new units on Dean Ave and throughout the Alpine neighborhood, we see a need for additional commercial activity for amenities in downtown. The Planning Department has spoken to all of the property owners affected (except one) and they support this concept. Also, the Downtown Partnership supports this zoning concept.

The Clark, Cutler, McDermott property is currently in bankruptcy court. As of this date, there are potential buyers who have made offers and are working through the court proceedings and with General Motors on the final price. The Trustees of the property are aware of this zoning proposal and are very much in favor of the concept, and "it's the right thing to do".

See attached planning department memo for specifics. Please feel free to call with any questions.

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

MEMORANDUM

TO: JEFFREY D. NUTTING, TOWN ADMINISTRATOR
FROM: BRYAN W. TABERNER, AICP, DIRECTOR
**RE: PROPOSED MIXED BUSINESS INNOVATION ZONING DISTRICT
FISHER AND HAYWARD STREETS**
**CC: JAMIE HELLEN, DEPUTY TOWN ADMINISTRATOR;
MARK CEREL, TOWN ATTORNEY; GUS BROWN, BUILDING COMMISSIONER;
AMY LOVE, PLANNER; MAXINE KINHART**
DATE: NOVEMBER 27, 2018

As you know the Department of Planning and Community Development (DPCD) has been working on rezoning concepts for the former Clark Cutler McDermott (CCM) property on West Central, Fisher and Hayward Streets. CCM went bankrupt after decades at that location, and the property is being managed and marketed by a court-appointed Trustee.

The industrial and warehouse/distribution property is currently underutilized, and the Trustee has struggled to obtain a buyer. In addition to the CCM properties, there are several adjacent industrially-zoned parcels that are either in need of redevelopment or currently being utilized for non-Industrial uses. DPCD recommends rezoning seven industrial parcels on or near Fisher and Hayward Streets. Attached is a diagram showing the in the area, and a list of parcels proposed for rezoning.

This cluster of industrially-zoned properties is surrounded by residential neighborhoods that could be negatively impacted if any of the seven industrial parcels were utilized for heavy manufacturing, which is allowed by right in the Town's Industrial Zoning District. For this reason DPCD proposes to rezone the seven parcels from the Industrial Zoning District to a zoning district that would eliminate heavy industrial uses and permit uses that would have less impact on adjacent residential neighborhoods.

DPCD has struggled with rezoning to a current Zoning District; for that reason a new Zoning District has been drafted. DPCD proposes creation of a new Mixed Business Innovation (MBI) Zoning District that allows the current level of manufacturing and warehouse/distribution uses at the CCM properties, allows for a greater range of uses by-right or by special permit, and increases the likelihood of the property being redeveloped.

Given the area's proximity to the Downtown and the Franklin Cultural District, DPCD has included a wide variety of uses that could support reinvestment and reuse of the properties for light industrial, commercial, arts and cultural, institutional, or entertainment uses. Some of the uses DPCD recommends allowing by-right or by Planning Board special permit include art

galleries, performance venues, studio space, artisanal or craft maker space, research and development, business incubator and co-working space, restaurants, cafes, services and retail.

Attached are the following for consideration:

- Diagram of the area showing the current and proposed zoning;
- List of parcels proposed for rezoning from Industrial (I) to the new Mixed Business Innovation (MBI) Zoning District;
- A summary of the Zoning By-law Amendments required to create the new Mixed Business Innovation Zoning District, including mention of the more important Zoning Bylaw changes being proposed; and
- The following Zoning Bylaw Amendments:
 - Zoning Bylaw Amendment 19-829: Districts Enumerated. Creation of Mixed Business Innovation Zoning District
 - Zoning Bylaw Amendment 19-830: Mixed Business Innovation Zone Use Regulations
 - Zoning Bylaw Amendment 19-831: Mixed Business Innovation Zone Dimensional Regulations
 - Zoning Bylaw Amendment 19-832: Changes to §185-20. Signs, Mixed Business Innovation Zoning District
 - Zoning Map Amendment 19-833: Zoning Map Changes from Industrial to Mixed Business Innovation an Area on or near Fisher and Hayward Streets
 - Zoning Bylaw Amendment 19-834: Changes to Sign District Overlay Map, Mixed Business Innovation Zoning District.

If the Economic Development Committee supports the rezoning concept DPCD recommends they refer Zoning By-law Amendments 18-829 through 19-834 to the Town Council for a presentation, and eventually referral to the Planning Board for a public hearing. Please let me know if you have questions or require additional information for clarification.

Proposed Zoning Map Amendment

From Industrial To Mixed Business Innovation

An Area On Or Near Fisher, Hayward and McCarthy Streets

Parcel	Address	Property Owner	Size (Acres)	Current Zoning	Proposed Zoning
278-016-000-000	5 Fisher Street	CCMcD Property LLC	14.75000	I	MBI
278-024-000-000	31 Hayward Street	Moseley Realty LLC	7.55000	I	MBI
278-024-001-000	Hayward Street	Moseley Realty LLC	1.69000	I	MBI
278-025-000-000	90 Hayward Street	CFS Realty Corporation	3.39400	I	MBI
287-115-000-000	145 Fisher Street	A.J. Lambaiase. J A G Realty	3.78600	I	MBI
287-116-000-000	131 Fisher Street	A.J. Lambaiase. P. Lambaiase	0.79171	I	MBI
287-126-000-000	42 Hayward Street	CCMcD Property LLC	3.56700	I	MBI
Total Area			35.52871		

I = Industrial Zoning District

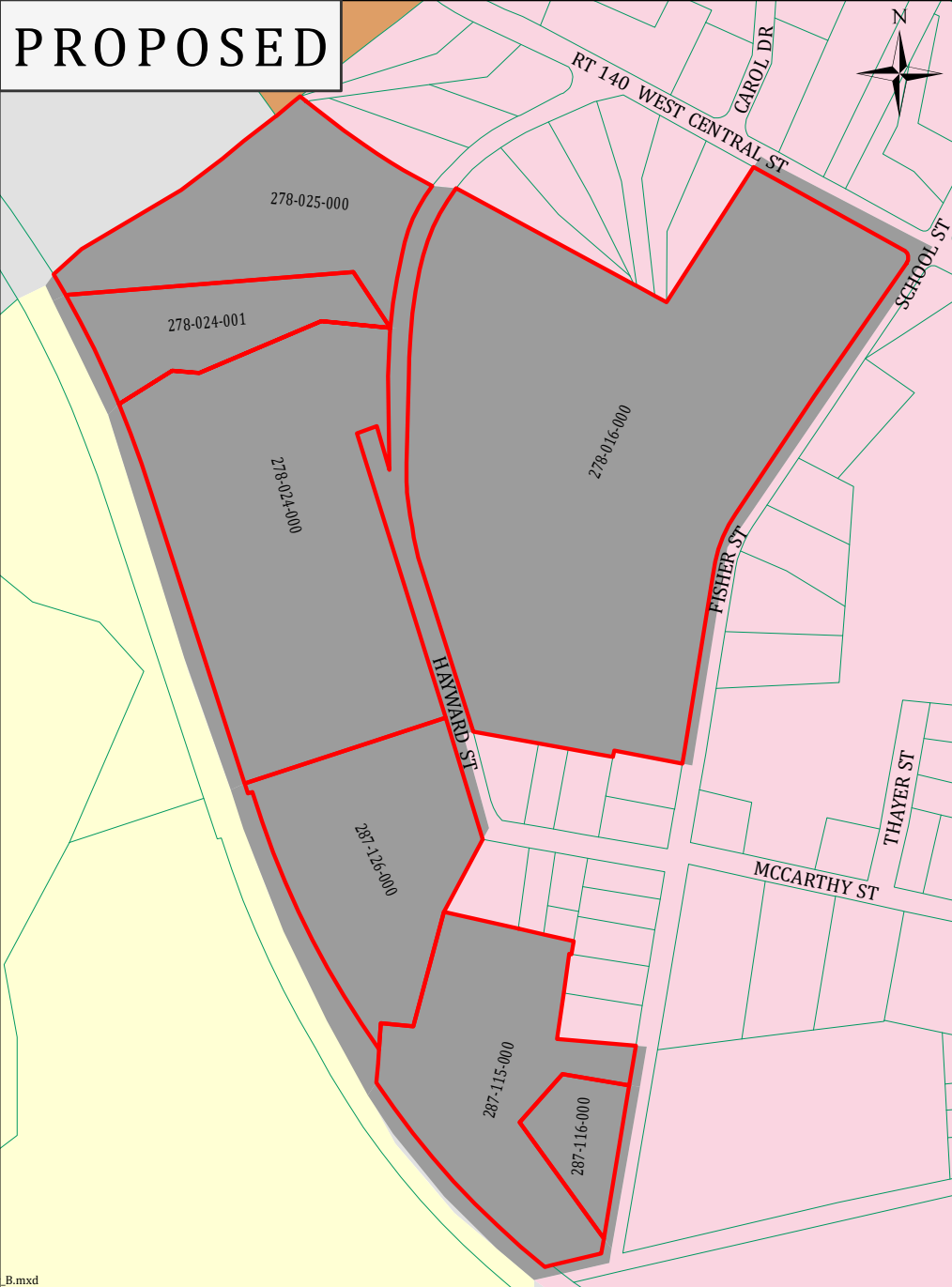
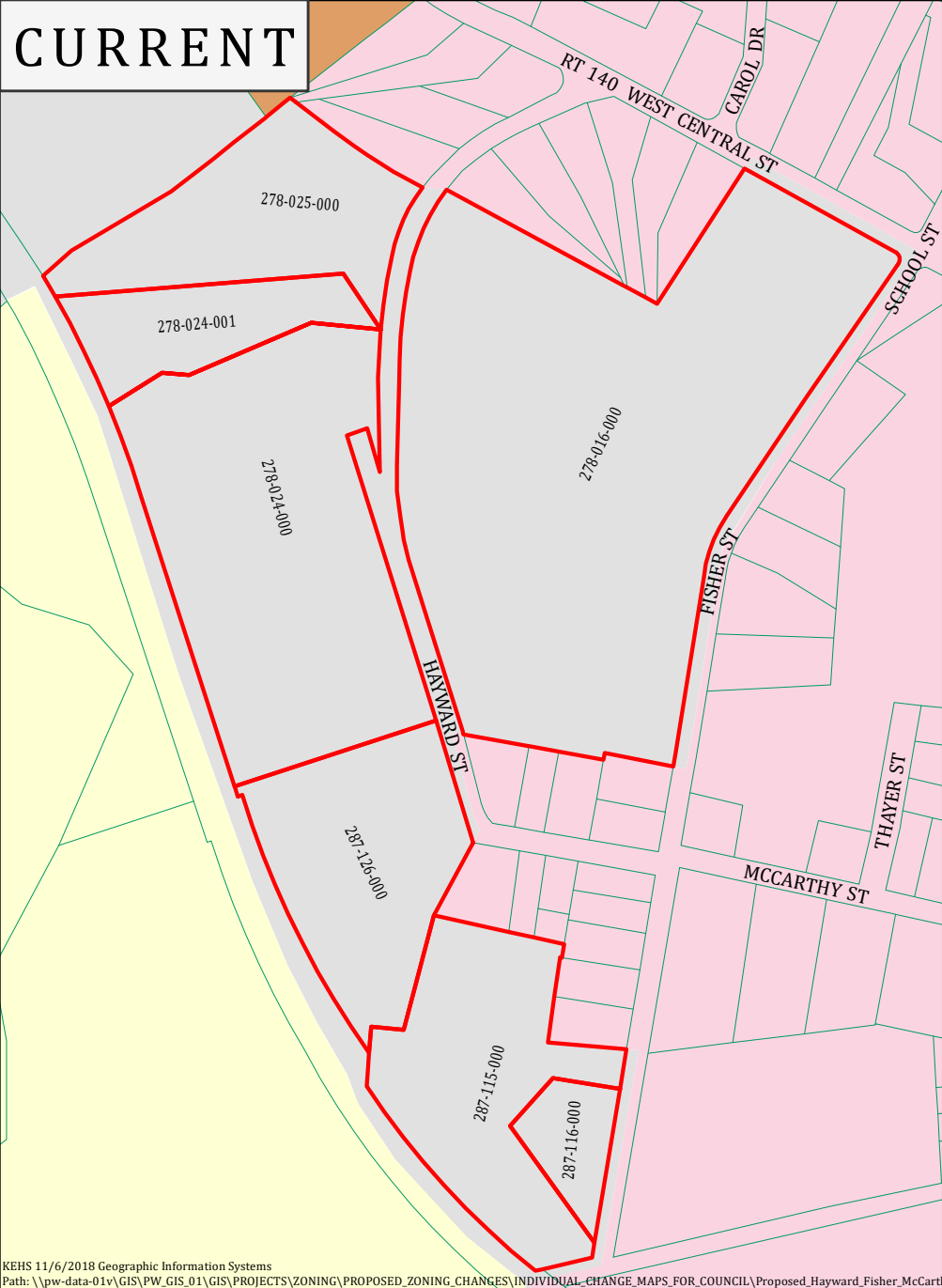
MBI = Mixed Business Innovation Zoning District

Proposed Mixed Business Innovation Zoning District

- General Residential V
- Rural Residential I
- Industrial
- Single-Family IV
- Mixed Business Innovation
- Area of Proposed Change
- Parcel Line

November 27, 2018

0 75 150 300 450 600 Feet



PROPOSED MIXED BUSINESS INNOVATION ZONE SUMMARY OF ZONING AMENDMENTS

The Department of Planning and Community Development (DPCD) has developed the following summary to outline Zoning Bylaw Amendments required to create a new Mixed Business Innovation Zoning District. Rezoning the former Clark Cutler McDermott (CCM) properties and several adjacent parcels on Fisher and Hayward Streets from Industrial (I) to the proposed Mixed Business Innovation (MBI) Zoning District will increase the likelihood that the properties will be redeveloped.

The new Mixed Business Innovation (MBI) Zoning District would allow the continued medium and light manufacturing and warehouse/distribution uses, while allowing a much greater number of additional commercial uses.

Zoning Bylaw Amendment 19-829: Districts Enumerated. Creation of Mixed Business Innovation Zoning District

Zoning Bylaw Amendment 19-829 creates the Mixed Business Innovation (MBI) Zoning District by adding its name and a description of intent to §185-4 of the Zoning Bylaw. As mentioned above the intent of the new Zoning District is to allow existing manufacturing and warehouse/distribution uses, and also allow a much greater range of allowed commercial uses.

The specific intent wording is as follows:

The Mixed Business Innovation District (MBI) is intended primarily for a mix of light industrial and commercial uses in an older industrial neighborhood. A strong emphasis is placed on encouraging reuse and redevelopment of older manufacturing and warehouse buildings, providing for a wide range of light industrial, commercial, cultural, institutional, or entertainment uses, including business incubator, co-working space, studio space, artisanal or craft maker space, art galleries, public art, performance venues, restaurants, cafes and retail that create and support a diverse economically and culturally rich environment. Residential uses and heavy manufacturing uses are not allowed.

Zoning Bylaw Amendment 19-830: Mixed Business Innovation Zone Use Regulations

Zoning Bylaw Amendment 19-830 adds the MBI Zoning District to the Use Regulations Schedule (Part I through Part VII) in Attachments 2 through 8 of the Town's Zoning Bylaw. Given the substantial residential neighborhoods adjacent to the proposed MBI district, the new zoning district would eliminate heavy industrial uses and permit less undesirable uses.

In addition to adding a column for the MBI district to the Use Regulations Schedule, Zoning Bylaw Amendment 19-830 adds three uses to the Use Regulations Schedule: 1.) Business Incubator and Co-working Space; 2.) Artisanal and Craft Maker Space; and 3.) Art Gallery.

Two notes have been added to the Use Regulations Schedule:

- A note is added to Attachment 3 related to restaurants and retail establishments:
Allowed as part of a commercial mixed-use development. Stand alone restaurants and retail establishments are not allowed.

- A note is added to Attachment 4 related to use of hazardous materials:

All forms, solid, liquid and gas, of the following classes of hazardous materials shall be prohibited from the zone: Corrosives; Organic Peroxides; Oxidizers Pyrophoric; Toxic and Highly toxic; Unstable; and Water Reactive.

This regulatory wording was found necessary to limit the use of hazardous materials of concern, given the proposed MBI Zoning District is directly adjacent to many residential properties.

Zoning Bylaw Amendment 19-831: Mixed Business Innovation Zone Dimensional Regulations

Zoning Bylaw Amendment 19-831 adds the MBI Zoning District to the Zoning Bylaw's Schedule of Lot, Area, Frontage, Yard and Height Requirements in Attachment 9. Dimensional regulations for the proposed Mixed Business Innovation Zoning District are the same as the current Industrial Zoning District with one exception. Currently in the Industrial Zoning District the maximum building height could be as much as 60 feet by Planning Board special permit. The proposed MBI Zoning District would have a maximum building height of 50 feet by Planning Board special permit. The 50 feet maximum is the same as currently allowed in the Business, Commercial I, and Commercial II Zoning Districts.

Zoning Bylaw Amendment 19-832: Changes to §185-20. Signs, Mixed Business Innovation Zoning District

Zoning Bylaw Amendment 19-832 adds the new Mixed Business Innovation Zoning District to the Commercial and Business Corridor (CBC) Sign District. Other zoning districts within the CBC Sign District are Business, Commercial I, Commercial II and Limited Industrial.

Zoning Map Amendment 19-833: Zoning Map Changes from Industrial to Mixed Business Innovation an Area on or near Fisher and Hayward Streets

Zoning Map Amendment 19-833 is a simple Zoning Map Amendment changing the seven parcels discussed above from Industrial Zoning District to the new Mixed Business Innovation Zoning District. Owners of the seven parcels are being contacted and informed of the proposed zoning change.

Zoning Bylaw Amendment 19-834: Changes to Sign District Overlay Map, Mixed Business Innovation Zoning District

Zoning Bylaw Amendment 19-834: Updates the Sign District Overlay Map to reflect the Zoning Map changes in Zoning Map Amendment 19-833 above.

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 19-829
CREATION OF MIXED BUSINESS INNOVATION ZONING DISTRICT
A ZONING BY-LAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT
CHAPTER 185, SECTION 4, DISTRICTS ENUMERATED**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by **adding** text at §185-4. Districts Enumerated as follows:

Add to the end of §185-4.A a line stating:

Mixed Business Innovation (MBI)

Add to the end of §185-4.C a paragraph stating:

(15) The Mixed Business Innovation District (MBI) is intended primarily for a mix of light industrial and commercial uses in an older industrial neighborhood. A strong emphasis is placed on encouraging reuse and redevelopment of older manufacturing and warehouse buildings, providing for a wide range of light industrial, commercial, cultural, institutional, or entertainment uses, including business incubator, co-working space, studio space, artisanal or craft maker space, art galleries, public art, performance venues, restaurants, cafes and retail that create and support a diverse economically and culturally rich environment. Residential uses and heavy manufacturing uses are not allowed.

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: _____, 2019

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

**Teresa M. Burr
Town Clerk**

ABSTAIN _____

ABSENT _____

Glenn Jones, Clerk

TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 19-830
MIXED BUSINESS INNOVATION ZONE USE REGULATIONS
A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, USE REGULATION SCHEDULE PART I THROUGH PART VII

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** to §185, Attachment 2 through Attachment 8 Use Regulations Schedule Part I through Part VII:

185 Attachment 2
USE REGULATION SCHEDULE
PART I

Symbols in the Use Regulations Schedule shall mean the following:

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

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	<u>MBI</u>
1. Agriculture, horticulture and floriculture															
1.1 Nursery, greenhouse	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	<u>N</u>
1.2 Produce stand ¹	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	<u>N</u>
1.3 Other, parcel of 5 or more acres	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
1.4 Other, parcel under 5 acres:															
a. With swine or fur-bearing animals for commercial use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
b. With other livestock or poultry	Y ²	Y ²	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
c. With no livestock	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	<u>N</u>
1.5 Garden Center, Retail or Wholesale	PB	PB	PB	PB	PB	PB	PB	PB	Y	N	Y	PB	PB	PB	<u>PB</u>

NOTES:

- 1 For sale of produce raised or grown on the premises by the owner or lessee thereof.
 2 Provided that any building or structure is at least 100 feet from the nearest street or property line.

185 Attachment 3
USE REGULATION SCHEDULE
PART II

Symbols in the Use Regulations Schedule shall mean the following:

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

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
2. Commercial															
2.1 Adult entertainment establishment	N	N	N	N	N	N	N	N	N	N	N	N ²	N	N	<u>N</u>
2.2 Animal kennel, hospital	BA	BA	BA	BA	BA	BA	N	BA	BA	N	BA	BA	BA	BA	<u>N</u>
2.21 Animal day care, training	BA	BA	BA	BA	BA	BA	N	BA	BA	N	BA	BA	BA	BA	<u>N</u>
2.22 Animal grooming	BA	BA	BA	BA	BA	BA	N	Y	BA	Y	BA	BA	BA	BA	<u>N</u>
2.3 Office, excluding office parks:															
a. Bank or credit union	N	N	PB	PB	PB	N	Y	Y	Y	Y	Y	Y	Y	Y	<u>N</u>
b. Medical or dental	PB	PB	PB	PB	PB	N	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	<u>P/SP</u>
c. Professional	PB	PB	PB	PB	PB	N	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	<u>P/SP</u>
d. Clerical, or administrative	N	N	N	PB	PB	N	Y ⁶	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
2.4 Funeral home, undertaking	N	N	N	N	N	P/SP	N	P/SP	P/SP	P/SP	P/SP	N	N	N	<u>N</u>
2.5 Hotel, motel	N	N	N	N	N	N	N	PB	PB	Y	PB	PB	PB	PB	<u>N</u>
2.6 Motor vehicle, boat, farm implement sales; rental and leasing:															
a. With repair service	N	N	N	N	N	N	N	N	PB	N	N	N	N	N	<u>N</u>
b. Without repair service	N	N	N	N	N	N	N	N	PB	N	PB	N	N	N	<u>N</u>
c. Other	N	N	N	N	N	N	N	N	PB	N	N	N	N	N	<u>N</u>
2.7 Motor vehicle service, repair:															
a. Auto body, painting, soldering, welding	N	N	N	N	N	N	N	N	PB	N	N	PB	N	N	<u>N</u>
b. Filling or service station	N	N	N	N	N	N	N	N	PB	PB	N	PB	PB	N	<u>N</u>
c. Other	N	N	N	N	N	N	N	N	PB	PB	N	PB	PB	N	<u>N</u>
2.8 Parking															
a. Parking facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
b. Off-street parking	N	N	N	N	N	N	N	N	N	PB	N	N	N	N	<u>N</u>
2.9 Restaurant, bar	N	N	N	N	N	<u>N</u>	N	P/SP ³	P/SP	P/SP ³	P/SP	PB	N ⁴	PB	<u>Y⁸</u>

185 Attachment 3
 USE REGULATION SCHEDULE
 PART II (Continued)

Principal Uses	District													
	RRI RRII RVI RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
2.10 Shopping center	N	N	N	N	N	N	PB	PB	N	PB	N	N	N	N
2.11 Storage facility	N	N	N	N	N	N	N	N	N	N	PB	N	N	N
2.12 Tattoo parlor/body-piercing studio	N	N	N	N	N	N	N	N	N	N	PB	N	N	N
2.13 Tourist home	PB	PB	P/SP	P/SP	P/SP	N	P/SP	P/SP	N	P/SP	N	N	N	N
2.14 Office park	N	N	N	N	PB	N	PB	PB	N	PB	PB	N	Y	PB
2.15 Other retail sales, services														
a. General	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	N ⁴	N ⁴	N ⁴	Y ⁸
b. Personal	N	N	N	N	P/SP ⁵	N ⁴	P/SP	P/SP	P/SP	P/SP	N ⁴	N ⁴	N ⁴	Y ⁸
c. Other	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	N ⁴	N ⁴	N ⁴	Y ⁸
2.16 Vehicular service establishment	N	N	N	N	N	N	PB	PB	PB	PB	N	N	N	N
2.17 Trade center	N	N	N	N	N	N	N	N	N	N	N	P/SP	PB	N
2.18 Catering	PB	PB	PB	PB	PB	N	PB	PB	PB	PB	Y	Y	N	N ⁴
2.19 Function Hall	PB	N	PB	PB	PB	N	PB	PB	PB	PB	Y	Y	N	N ⁴
2.20 Psychic services/fortune-telling	N	N	N	N	PB	N	N	N	N	N	PB	N	N	N
2.21 Bed-and-breakfast	PB	PB	P/SP	P/SP	P/SP	N	P/SP	P/SP	P/SP	P/SP	N	N	N	N
2.22 Country Store	N	N	N	N	Y	PB	Y	Y	N	Y	N	N	N	N
2.23 Non-Medical Marijuana Facility	N	N	N	N	N	N	N	N	N	N	PB ⁷	N	N	N
2.24 Business Incubator and Co-working Space	<u>N</u>	<u>N</u>	<u>N</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
2.25 Artisanal and Craft Maker Space	<u>N</u>	<u>N</u>	<u>N</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
2.26 Art Gallery	<u>N</u>	<u>N</u>	<u>N</u>	<u>PB</u>	<u>PB</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>

NOTES:

1. If any part of a principal use is considered a VSE (see § 185-3, Definitions), the requirements for VSE must be met.
2. Except as permitted by a special permit within the Adult Use Overlay District as described in § 185-47.
3. Except BA if involving live or mechanical entertainment.
4. Only allowed as an accessory use to an otherwise permitted use as detailed in Use Regulations Schedule, Part VII, Accessory Uses.
5. Establishments are limited to a maximum gross building footprint of 2,800 square feet.
6. Not allowed on sidewalk level in multilevel development.
7. Non-Medical Marijuana Facilities may be permitted by Planning Board special permit in portions of the Industrial Zone which are in the Marijuana Use Overlay District, see §185-49.
- 8. Allowed as part of a commercial mixed-use development. Stand alone restaurants and retail establishments are not allowed.**

185 Attachment 4
USE REGULATION SCHEDULE
PART III

Symbols in the Use Regulations Schedule shall mean the following:

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

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
3. Industrial, utility															
3.1 Bus, railroad station	N	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	P/SP	<u>N</u>
3.2 Contractor's yard															
a. Landscape materials storage and distribution	N	N	N	N	N	N	N ⁷	N	N	N	N ⁷	P/SP	N	N	<u>N</u>
b. Other	N	N	N	N	N	N	N	N	N	N	N ⁷	P/SP	N	N	<u>N</u>
3.3 Earth removal															
a. Earth removal, commercial ^{3,5,6}	N	N	N	N	N	N	N	BA	BA	N	BA	BA	N	BA	<u>N</u>
b. Earth removal, other ^{3,4}	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	N	BA	<u>N</u>
c. Rock quarrying	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
d. Washing, sorting and/or crushing or processing of materials	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
e. Production of concrete	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
f. Production of bituminous concrete	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
3.4 Lumberyard	N	N	N	N	N	N	N	N	N	N	N	PB	N	N	<u>N</u>
3.5 Manufacturing and Processing:															
a. Biotechnology ¹	N	N	N	N	N	N	N	N	N	N	N	Y	N	Y	<u>N</u>
b. Light	N	N	N	N	N	N	N	PB	PB	PB	PB	P/SP	N	PB	<u>Y⁸</u>
c. Medium	N	N	N	N	N	N	N	N	N	N	N	P/SP	N	N	<u>Y⁸</u>
d. Heavy	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
3.6 Printing, publishing:															
a. Under 5,000 square feet	N	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	P/SP	<u>N</u>
b. Over 5,000 square feet	N	N	N	N	N	N	N	N	N	N	P/SP	P/SP	N	PB	<u>N</u>

185 Attachment 4
USE REGULATION SCHEDULE
PART III (Continued)

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
3.7 Public utility	P/SP	P/SP	P/SP	P/SP	P/SP	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	P/SP	<u>N</u>
a. Electric power plant	N	N	N	N	N	N	N	N	N	N	N	BA	N	N	<u>N</u>
3.8 Research and development:															
a. Biotechnology ¹	N	N	N	N	N	N	N	N	N	N	N	PB ²	N	PB ²	<u>N</u>
b. Others	N	N	N	N	N	N	N	N	N	N	P/SP	P/SP	N	P/SP	<u>P/SP</u>
3.9 Solid waste facility	N	N	N	N	N	N	N	N	N	N	N	BA	N	N	<u>N</u>
3.10 Warehouse, distribution facility	N	N	N	N	N	N	N	N	N	N	PB	Y	N	N ⁷	<u>Y</u>
3.11 Wholesale office, salesroom:															
a. With storage	N	N	N	N	N	N	N	N	P/SP	N	P/SP	P/SP	N	N ⁷	<u>Y</u>
b. Without storage	N	N	N	N	N	N	N	<u>P/SP Y</u>	<u>P/SP Y</u>	<u>P/SP Y</u>	<u>P/SP Y</u>	Y	N ⁷	N ⁷	<u>Y</u>
3.12 Conference center	N	N	N	N	N	N	N	N	PB	N	PB	PB	P/SP	PB	<u>P/SP</u>
3.13 Brewery, distillery, or winery production with tasting room	N	N	N	N	N	N	N	PB	PB	PB	PB	PB	PB	N	<u>PB</u>

NOTES:

1. Subject to § 185-42.
2. Biotechnology uses are permitted in the portions of the Industrial District and Office District which are in the Biotechnology Uses Overlay District.
3. See § 185-23, specifically, § 185-23A, Exemptions.
4. See § 185-44, "Administration and enforcement," for general special permit filing information, and § 185-23, Earth removal regulations, for specific filing information.
5. Any commercial earth removal is not permitted within a Water Resource District.
6. See § 185-3 for "commercial earth removal" definition.
7. Only allowed as an accessory use to an otherwise permitted use as detailed in Use Regulations Schedule, Part VII, Accessory Uses.

8. All forms, solid, liquid and gas, of the following classes of hazardous materials shall be prohibited from the zone: Corrosives; Organic Peroxides; Oxidizers Pyrophoric; Toxic and Highly toxic; Unstable; and Water Reactive.

185 Attachment 5
USE REGULATION SCHEDULE
PART IV

Symbols in the Use Regulations Schedule shall mean the following:

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

Principal Uses	District													
	RRI RRII RVI RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
4. Institutional														
4.1 Cemetery	Y	Y	Y	N	N	N	N	N	N	N	N	N	N	<u>N</u>
4.2 Hospital	N	N	N	N	N	N	N	PB	N	PB	PB	N	N	<u>N</u>
a. Medical Marijuana Treatment Facility	N	N	N	N	N	N	N	N	N	N	PB⁴ PB³	N	N	<u>N</u>
b. Medical Marijuana Testing Facility	N	N	N	N	N	N	N	N	N	N	PB⁴ PB³	N	N	<u>N</u>
4.3 Charitable institution	N	N	N	PB	PB	N	Y	Y	PB	N	N	N	N	<u>Y</u>
4.4 Correctional facility	N	N	N	N	N	N	N	N	N	N	BA	N	N	<u>N</u>
4.5 Library, museum, art gallery	N	Y	Y	Y	N	N	Y	Y	Y	Y	N	N	N	<u>Y</u>
4.6 Lodge, social nonprofit ¹	N	N	N	N	N	N	Y	Y	Y	Y	N	N	N	<u>Y</u>
4.7 Public use	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N³ Y	N Y	N³ Y	<u>Y</u>
a. Municipal public safety	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
4.8 Religious or educational use:														
a. Exempt from zoning prohibition ²	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
b. Dormitories	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	<u>N</u>

NOTES:

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

~~3. Except for municipal public safety-~~

~~4. 3. Medical Marijuana Treatment Facilities and Testing Facilities may be permitted by Planning Board special permit in portions of the Industrial Zone which are in the Marijuana Use Overlay District, see §185-49.~~

185 Attachment 6
USE REGULATION SCHEDULE
PART V

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													MBI	
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI		O
5. Recreational															
5.1 Indoor commercial amusement, recreation, assembly ¹															
a. General	N	PB	PB	PB	PB	PB	N	Y	Y	PB	Y	N	N	N	<u>PB</u>
b. Concentrated ¹	N	N	N	N	N	N	N	PB	Y	PB	Y	N	N	N	<u>N</u>
5.2 Golf course and/or club, public or private	PB	PB	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
5.3 Movie theater	N	N	N	N	N	N	N	Y	PB	Y	PB	N	N	N	<u>PB</u>
5.4 Outdoor commercial amusement, recreation															
a. Light	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	N	N	<u>N</u>
b. General	PB	PB	PB	PB	PB	N	N	Y	Y	N	Y	Y	N	N	<u>N</u>
c. Concentrated	N	N	N	N	N	N	N	N	PB	N	PB	N	N	N	<u>N</u>
5.5 Equestrian center	BA	BA	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
5.6 Public recreation	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	N	N	N	<u>N</u>
5.7 Automatic amusement device arcades	N	N	N	N	N	N	N	N	Y	N	N	N	N	N	<u>N</u>
5.8 Health club	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N ²	Y	<u>Y</u>

NOTES:

1. Provided that the building is so insulated and maintained as to confine noise to the premises and the structure is located not less than 100 feet from a residential district boundary.
2. Only allowed as an accessory use to an otherwise permitted use as detailed in Use Regulations Schedule Part VII, Accessory Uses.

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														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
6. Residential															
6.1 Multifamily or apartment	N ¹		N	N	PB ³	PB ⁴	N	PB ³	N	Y ^{5,6}	N	N	N	PB ^{7,8}	<u>N</u>
6.2 Single-family	Y		Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	<u>N</u>
6.3 Two-family															
a. New	N		N	Y ²	Y ²	Y ²	N	Y	Y	N	N	N	N	N	<u>N</u>
b. By conversion	BA		BA	BA	Y	Y	N	BA	Y	BA	N	N	N	N	<u>N</u>

NOTES:

1. Except PB in RVI District. (See § 185-38.)
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 square feet of lot area may be permitted.
4. No more than one dwelling unit per 3,000 square feet of lot area may be permitted.
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.

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	<u>N</u>
A2 Contractor's yard	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	<u>N</u>
a. Landscape materials storage and distribution	N	N	N	N	N	Y ³	Y ³	N	N	N	Y	Y	N	N	<u>N</u>
A3 Home occupation (See § 185-39B.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	<u>N</u>
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	<u>Y</u>
A5 Off-street parking (See § 185-39C.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
A6 Professional office, studio (See § 185-39A.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	<u>Y</u>
A7 Restaurant, bar	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
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	<u>Y</u>
A9 Scientific use in compliance with § 185-37	BA	BA	BA	BA	BA	BA	N	BA	BA	BA	Y	Y	Y	Y	<u>Y</u>
A10 Signs (See § 185-20.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
A11 Single-family dwelling for personnel required for safe operation	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	<u>N</u>
A12 Other customary accessory uses	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
A13 Other retail sales, services	N	N	N	N	N	Y	N ⁴	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
A13.1 Animal grooming	BA	BA	BA	BA	BA	BA	N	Y	BA	Y	BA	BA	BA	BA	<u>BA</u>
A14 Operation of not more than 5 automatic amusement devices	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N	<u>Y</u>
A15 Warehouse/distribution facility	N	N	N	N	N	N	N	N	Y	N	Y	Y	N	Y	<u>Y</u>
A16 Wholesale office, salesroom															
a. With storage	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	Y	<u>Y</u>
b. Without storage	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y ²	Y	<u>Y</u>
A17 Catering	N	N	PB	PB	PB	PB	N	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
A18 Function hall	N	N	PB	PB	PB	PB	N	Y	Y	Y	Y	Y	Y	Y	<u>Y</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.

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: _____, 2019

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Glenn Jones, Clerk

Sponsor: *Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 19-831
MIXED BUSINESS INNOVATION ZONE DIMENSIONAL REGULATIONS
A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, SCHEDULE OF LOT, AREA, FRONTAGE, YARD
AND HEIGHT REQUIREMENTS**

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** to §185, Attachment 9 Schedule of Lot, Area, Frontage, Yard and Height Requirements:

Schedule of Lot, Area, Frontage, Yard and Height Requirements

District	Minimum Lot Dimensions				Minimum Yard Dimensions			Maximum Height of Building		Maximum Impervious Coverage of Existing Upland	
	Area (square feet)	Continuous Frontage (feet)	Depth (feet)	Lot Width (minimum circle diameter)	Front (feet)	Side (feet)	Rear (feet)	Stories	Feet	Structures	Structures Plus Paving ³
Rural Residential I	40,000	200	200	180 ⁴	40	40	40	3	35	20	25
Residential VI	40,000	200	200	180 ⁴	40	40	40	3	35	20	25
Residential VII ¹¹	40,000	200	200	180 ⁴	40	40	40	3	35	20 ¹²	25 ¹²
Rural Residential II	30,000	150	200	135 ⁴	40	35	35	3	35	20	25
Single Family Residential III	20,000	125	160	112.5	40	25	30	3	35	25	35
Single Family Residential IV	15,000	100	100	90	30	20	20	3	35	30	35
General Residential V	10,000	100	100	90	20	15	20	3	40	30	35
Neighborhood Commercial	18,000	100	100	90	20	30	40	3	35	30	35
Rural Business ¹³	40,000	200	200	180	40	30	40	1.5	30	10	30
Downtown Commercial	5,000	50	50	45	5 ¹⁰	0 ²	15	3 ⁹	40 ⁹	80	90
Commercial I ⁷	5,000	50	50	45	20 ¹	10 ¹⁴	15	3 ¹⁵	40 ¹⁵	80	90
Commercial II	40,000	175	200	157.5	40	30	30	3 ¹⁵	40 ¹⁵	70	80
Business	20,000	125	160	112.5	40	20	30	3 ¹⁵	40 ¹⁵	70	80
Mixed Business Innovation	40,000	175	200	157.5	40	30⁵	30⁵	3¹⁵	40¹⁵	70	80
Industrial	40,000	175	200	157.5	40	30 ⁵	30 ⁵	3 ⁶	-	70	80
Limited Industrial	40,000	175	200	157.5	40	30 ⁸	30 ⁸	3 ⁶	40 ⁶	70	80
Office	40,000	100	100	90	20	30 ⁵	30 ⁵	3 ⁶	40 ⁶	70	80

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

NOTES:

¹ But no new structure shall be required to provide a deeper yard than that existing on that parcel upon adoption of this amendment.

² Increase to 20 feet when abutting a residential district.

³ See definition of Upland §185-3, §185-36. Impervious Surfaces and §185-40. Water Resource District.

⁴ Within open space developments (see § 185-43), the lot width must be met for individual lots shall be no less than 1/2 those required within the underlying district.

⁵ Increase by the common building height of the structure, when abutting a residential use.

⁶ Buildings up to 60 feet in height may be permitted by a special permit from the Planning Board.

⁷ Permitted residential uses must observe requirements of General Residential V District for residential use building only. Mixed use buildings are exempt from this requirement.

⁸ Increase by 1.5 the common building height of a structure, when abutting a residential district or use.

⁹ Buildings up to 50 feet in height may be permitted by a special permit from the Planning Board provided the structure is set back at least 15 feet from frontage.

¹⁰ Minimum 5' setback required on first floor, street level; upper floors can overhang required first floor set back.

¹¹ See §185-50.

¹² Total impervious surface in the upland shall be no more than 50% if a special permit for multiple, single-family dwelling units is granted in RVII.

¹³ Maximum gross building footprint of non-residential primary use structures is 3,500 square feet.

¹⁴ The 10 foot side setback is only required on one side of lot; if lot abuts a residential district, a twenty feet setback is required on the abutting side.

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: _____, 2019

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Glenn Jones, Clerk

**TOWN OF FRANKLIN
ZONING BYLAW AMENDMENT 19-832
CHANGES TO §185-20. SIGNS,
MIXED BUSINESS INNOVATION ZONING DISTRICT
A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE
AT CHAPTER 185, SECTION 20. SIGNS**

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** to §185-20 Signs:

§ 185-20 Signs.

B. Applicability

- (3) This bylaw establishes four separate sign districts with different regulations within each district (See Attachment 10, Schedule of Permitted Signs per Sign District). These districts are delineated on the map entitled Town of Franklin Sign Districts and created under 185-4, Districts enumerated.
 - (a) The Downtown Commercial District (hereafter DCD) consists of parcels within the Downtown Commercial and Rural Business Zoning Districts.
 - (b) The Commercial and Business Corridor District (hereafter CBCD) consists of parcels within the Commercial I, Commercial II, Business, **Mixed Business Innovation**, and Limited Industrial Zoning Districts.
 - (c) The Industrial and Office Park District (hereafter IOPD) consists of parcels within the Industrial and Office Zoning Districts.
 - (d) The Residential District (hereafter RD) consists of parcels within all residential zoning districts.

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: _____, 2019

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Glenn Jones, Clerk

SPONSOR: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 19-833**

**ZONING MAP CHANGES FROM INDUSTRIAL TO
MIXED BUSINESS INNOVATION AN AREA
ON OR NEAR FISHER AND HAYWARD STREETS**

**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 Industrial to Mixed Use Innovation an area containing **35.529± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

278-016-000	278-025-000	287-116-000
278-024-000	287-115-000	287-126-000
278-024-001		

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

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: _____, 2018

VOTED:
UNANIMOUS _____
YES _____ **NO** _____
ABSTAIN _____
ABSENT _____

A True Record Attest:

Teresa M. Burr
Town Clerk

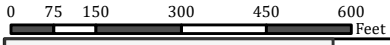
Glenn Jones, Clerk

Proposed Zoning Map Changes

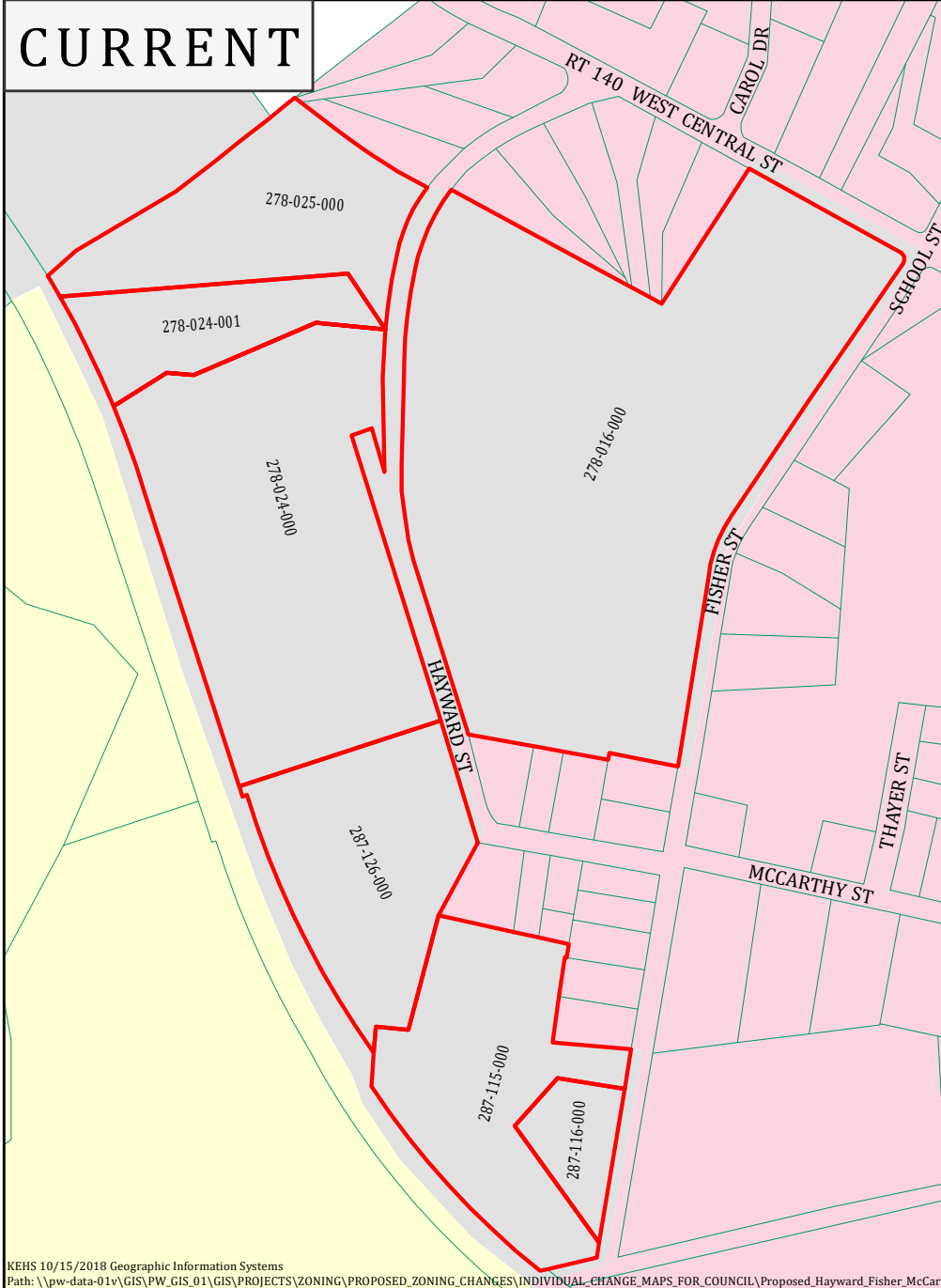
Industrial to Mixed Business Innovation, An Area On Or Near Fisher and Hayward Streets

- General Residential V
- Rural Residential I
- Industrial
- Single-Family IV
- Mixed Business Innovation
- Area of Proposed Change
- Parcel Line

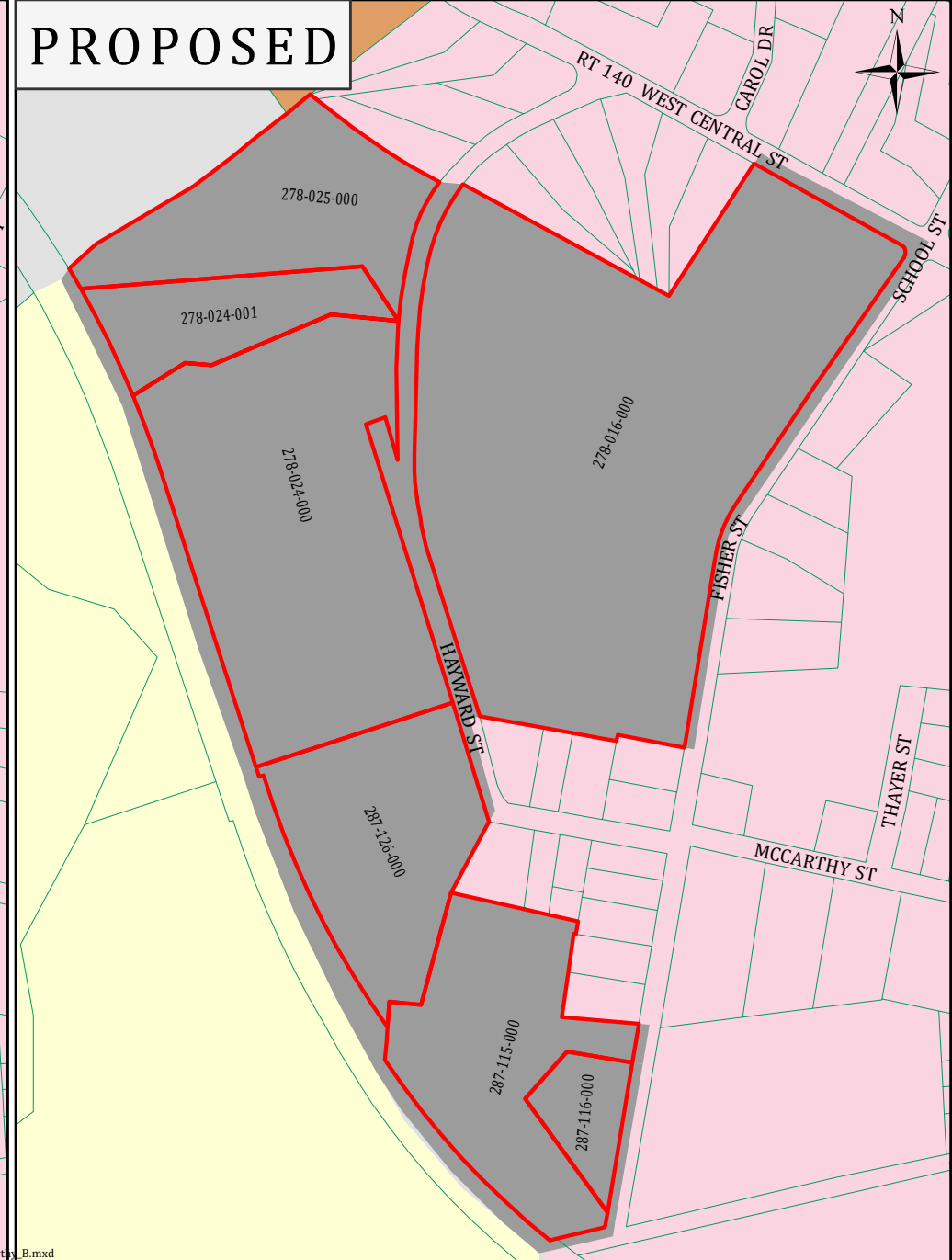
19-833



CURRENT



PROPOSED



TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 19-834
CHANGES TO SIGN DISTRICT OVERLAY MAP,
MIXED BUSINESS INNOVATION ZONING DISTRICT
A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, SECTION 4 DISTRICTS ENUMERATED

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by deleting the current Sign District Map created by adoption of Zoning Bylaw Amendment 12-671, and replacing with the following:

SIGN Districts

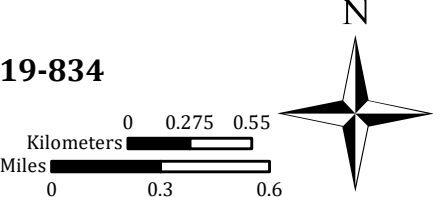
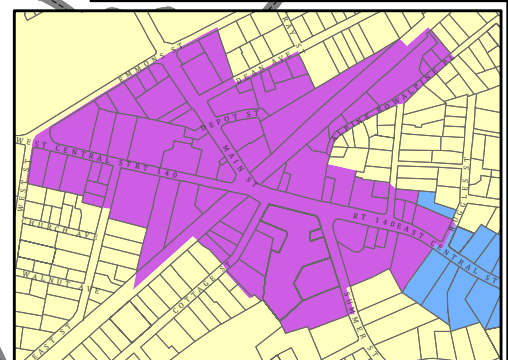
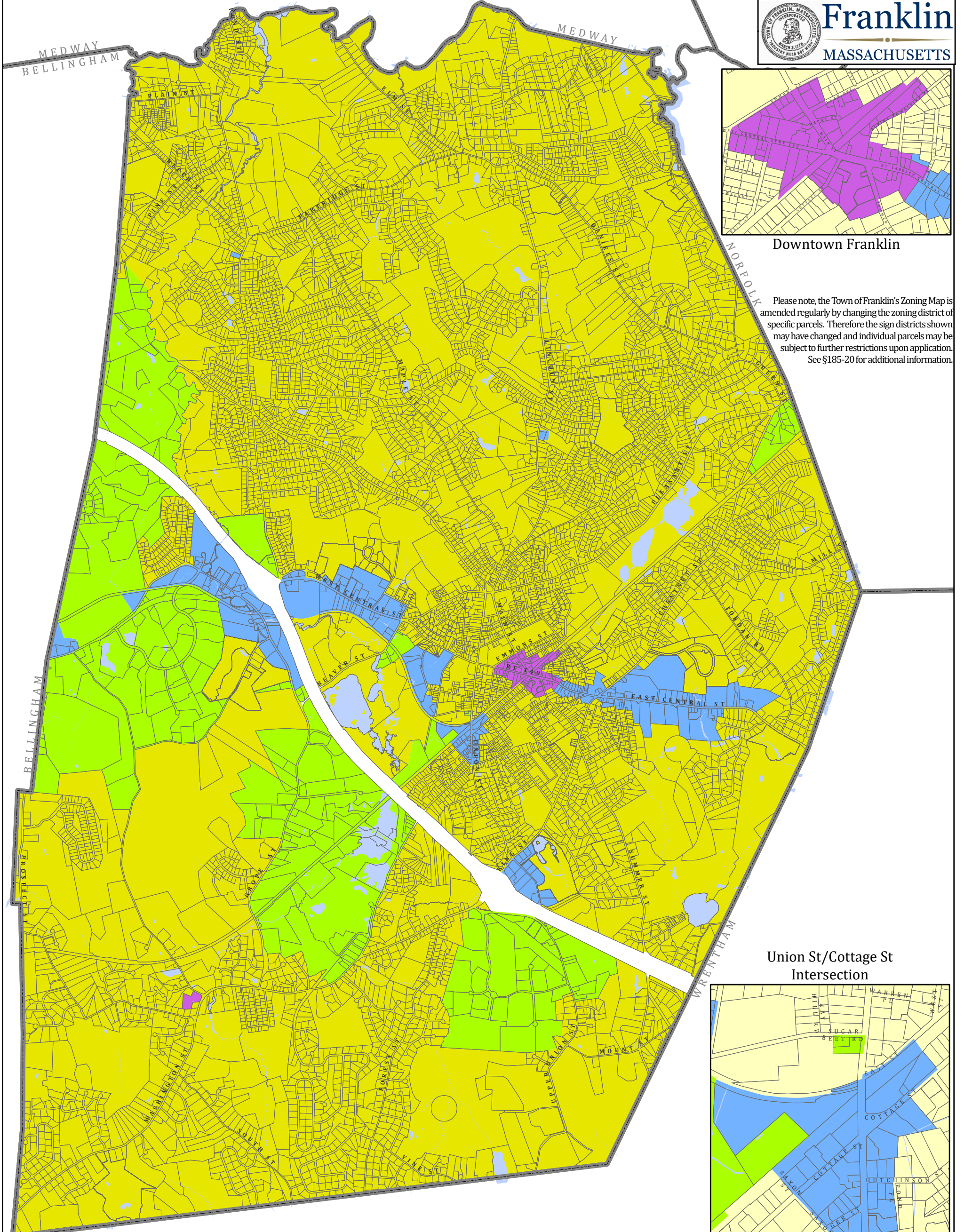
- + Commercial and Business Corridor District
- + Downtown Commercial District
- + Industrial & Office Park District
- + Residential District
- Parcel Line
- + Water
- Municipal Boundary

19-834

0 0.275 0.55
Kilometers

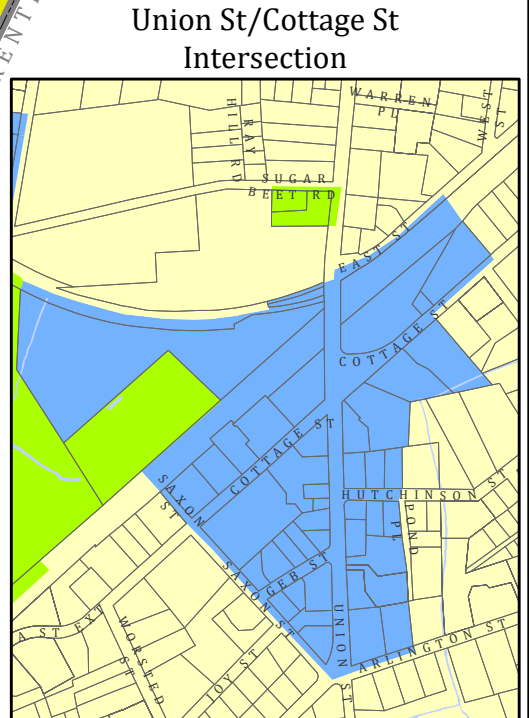
0 0.3 0.6
Miles

N

Downtown Franklin

Please note, the Town of Franklin's Zoning Map is amended regularly by changing the zoning district of specific parcels. Therefore the sign districts shown may have changed and individual parcels may be subject to further restrictions upon application. See §185-20 for additional information.



Union St/Cottage St Intersection

Sign District Overlay Map Adopted March 21, 2012 by Zoning Bylaw Amendment 12-671

Amended through January ____, 2019 by Zoning Bylaw Amendment 19-8X6

- Amendment 18-824: 12-xx-2018
- Amendment 19-834: 1-xx-2019

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

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: _____, 2019

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Glenn Jones, Clerk