

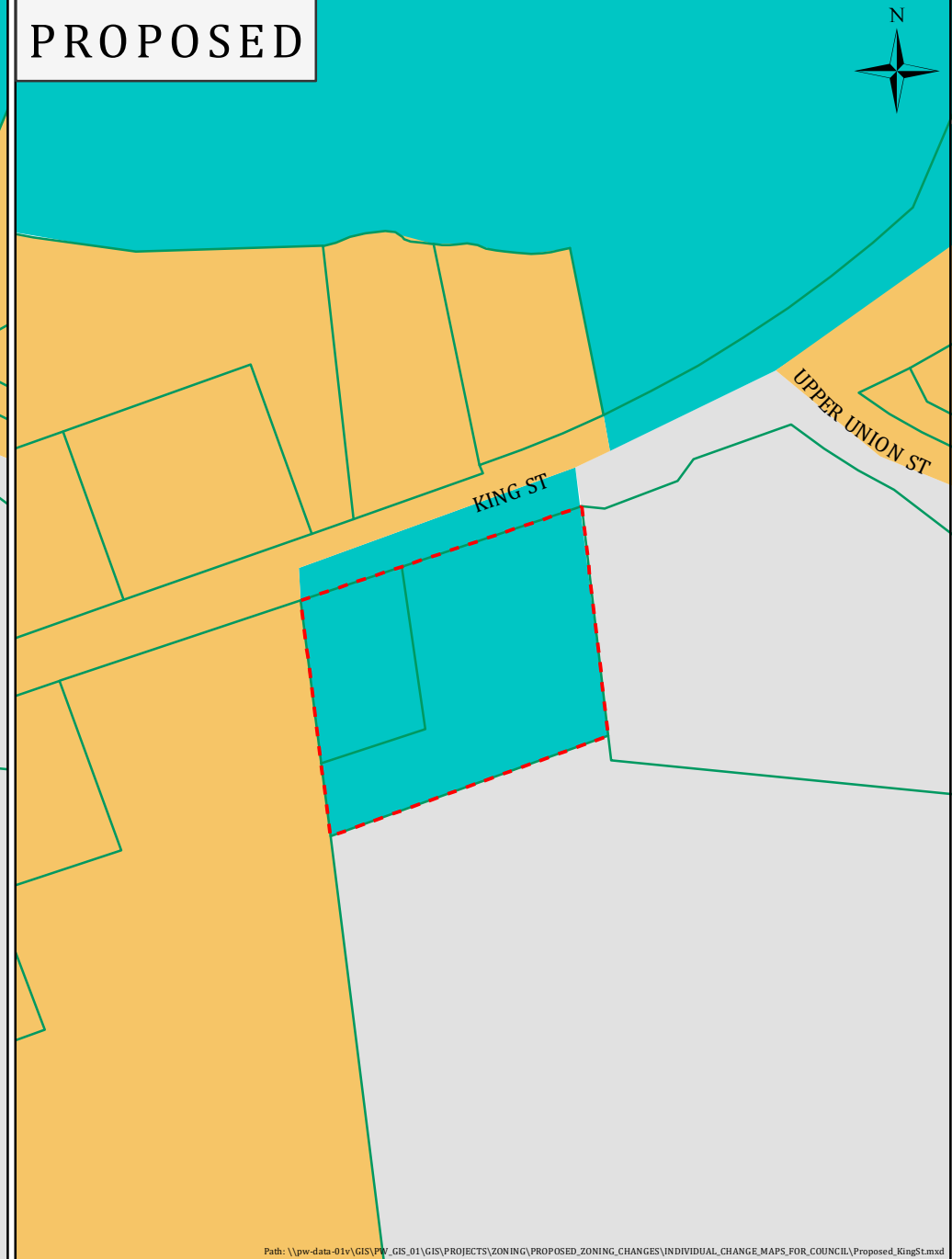
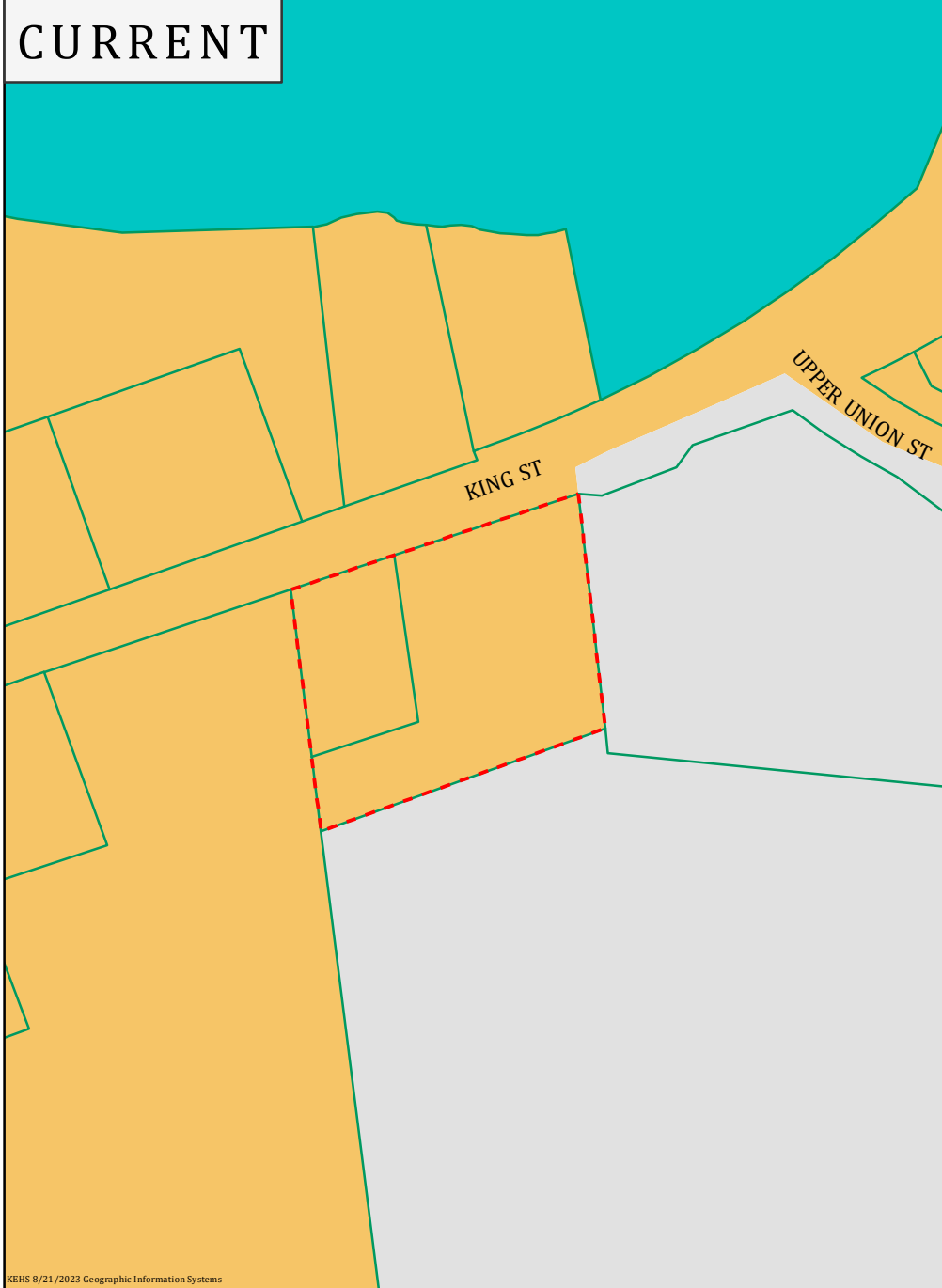
# Proposed Zoning Map Changes

An Area On Or Near King Street  
From Single Family Residential III to Business

24-905

0 125 250 500 Feet

- Business
- Industrial
- Single-Family III
- Area of Proposed Change
- Parcel Line



# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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

## DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**TO: PLANNING BOARD**  
**FROM: DPCD**  
**RE: PROPOSED ZONING MAP AMENDMENT 24-905, AN AREA ON AND NEAR KING STREET**  
**DATE: MAY 1, 2024**

---

The Town has been asked to consider rezoning to Business two residentially zoned parcels of land adjacent to the Fire Station on King Street. The Town Council has referred the re-zoning **back** to the Planning Board. On Monday, November 20, 2023 the Planning Board voted (1-2) to **RECOMMEND**, to the Town Council.

If approved by Town Council, Zoning Map Amendment 24-905 would amend the Town's existing Zoning Map (Chapter 185, Section 5, of Franklin Town Code) by changing the following parcels from the Single Family Residential III zoning district to the Business zoning district.

Parcel	Location	Size (acres)	Owner
313-061-000	634 King Street	0.9798	Cumberland Farms, Inc.
313-062-000	648 King Street	<u>0.3401</u>	Thomas P. Nasuti
	Total Area	1.3198	

This zoning map change would allow development of the two parcels for a variety of commercial uses. Uses allowed by right include: nursery, greenhouse or garden center; restaurant; other retail sales and services; office uses including banks/credit unions, medical/dental, and other professional or administrative uses; business incubator or co-working space; artisanal and craft maker space; art gallery.

Uses that may be allowed by Planning Board special permit include: motor vehicle, boat, farm implement sales (without repair service); filling or service station; vehicular service establishment; function hall or catering; hotel or motel; brewery, distillery, or winery production with tasting room.

Uses that may be allowed by Zoning Board of Appeals special permit include: animal hospital, kennel, day care, training, or grooming.

Attached are the following:

- Bylaw Zoning Amendment 24-905; and
- A diagram with two maps: one showing the current zoning in the area, and one showing proposed Zoning Map changes.

Two letters are included that have been received from abutters.

The Planning Board will need to vote to recommend or not recommend the zoning amendment to Town Council.

April 22 ,2024  
Gregory Rondeau Chairman  
Franklin Planning Board  
355 E Central St  
Franklin, Ma 02038

Re: Rezoning of property at 634 and 648 King St Franklin Ma 02038  
Planning Board Meeting May 6,2024

Dear; Mr. Rondeau

I live at 627 King St across the street. I have lived at this address for 45 years .

I first would like to give you a brief history of the property at 634 King St which was owned by Charles Masi and his wife a single-family home.

Two attempts were made to rezone this residential property first I believe it was in July 1987 A petition was filed by Franklin Industrial Park to have this property sold to them and rezoned. to industrial this met a great deal of opposition and the purchase and sale agreement between the Masi's and F.I.P. was withdrawn.

Some time later the property was sold to Cumberland Farms and again it went to the planning board on December 7,1998 to have the property rezoned from. Residential 3 to Commercial 2 apparently it didn't go forward.

Later the home (634) was demolished no attempt was made to construct another home.

On November 20,2023 the Franklin Planning Board met on the rezoning of 634 and now 648 King St.

Several abutters attended the meeting and opposed the rezoning. I couldn't attend due to covid.

The board didn't consider the rezoning and was referring it back to the council.

On February 28,2024 the Town Council met and several abutters and myself spoke about are concerns and

opposed the rezoning and a gas station and other issues you can check the minutes of the Town Council Meeting

for other objections.

The Town Council had referred it back to the Planning Board for another vote by the full board.

Again I live directly across the street, and I am not for the rezoning.

Reasons:

1. This propose Business rezoning position less than 100 feet from my residence
2. My residence will be a less desirable place to live and much harder to sell.
3. The stormwater runoff from the site to the wetlands at 555 King St.
4. Impact on high water level.
5. Width of the road doesn't appear wide enough for making a left turn to the site.
6. Noise and lighting impact on residents.

7. In the early morning and late afternoon it's very difficult to make a left turn out of my and my neighbor's driveway.
8. With the development of a 255,400 sq ft warehouse with approximately 255 parking spaces, 16 trailer spaces at 585 King St this will only increase the traffic.
9. If this property is rezoned as business what impact will it have on the several businesses, like Dunkin Donuts,  
7/11 Gas Station and convenience store and other business on the other side of 495

Mr. Evans stated if a residual home was built at 634 King St who will buy it next to a fire station.

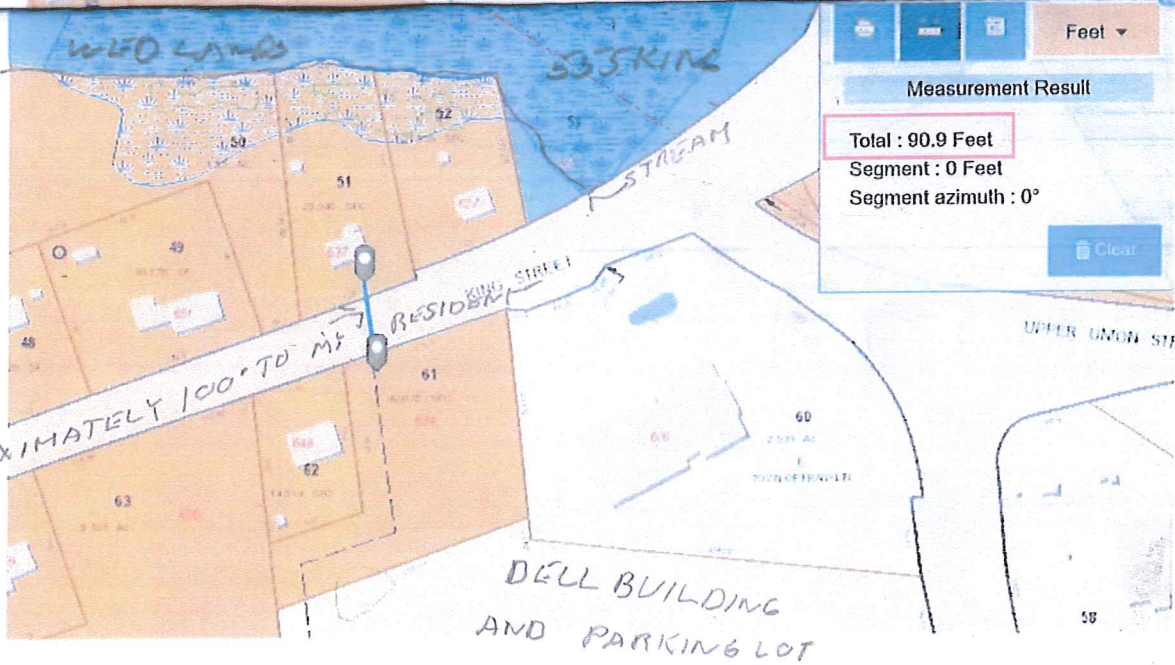
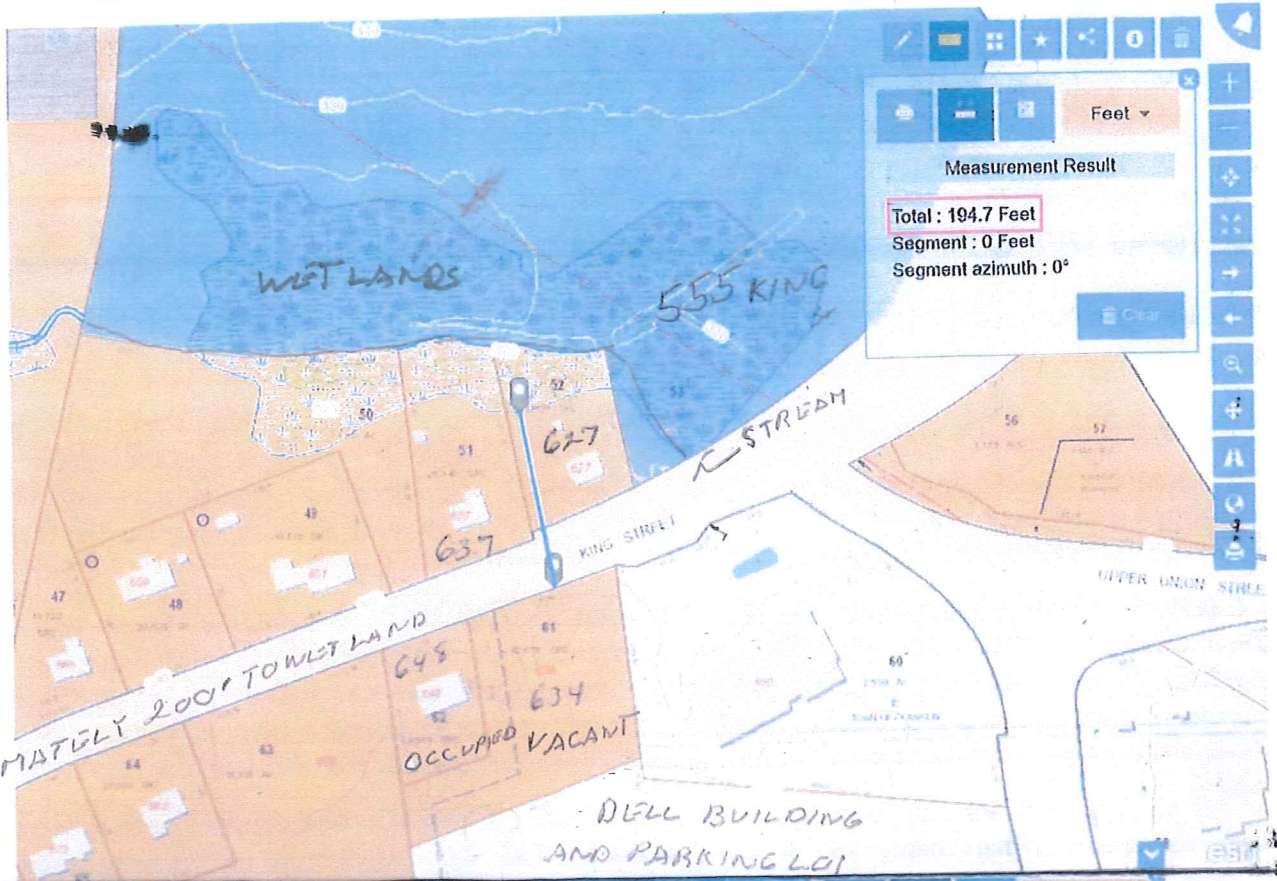
I didn't get to say this at the meeting after thinking about it a 6'x8' white vinyl privacy fence would

take care of the problem.

So again, I hope you vote not to support this rezoning.

Sincerely

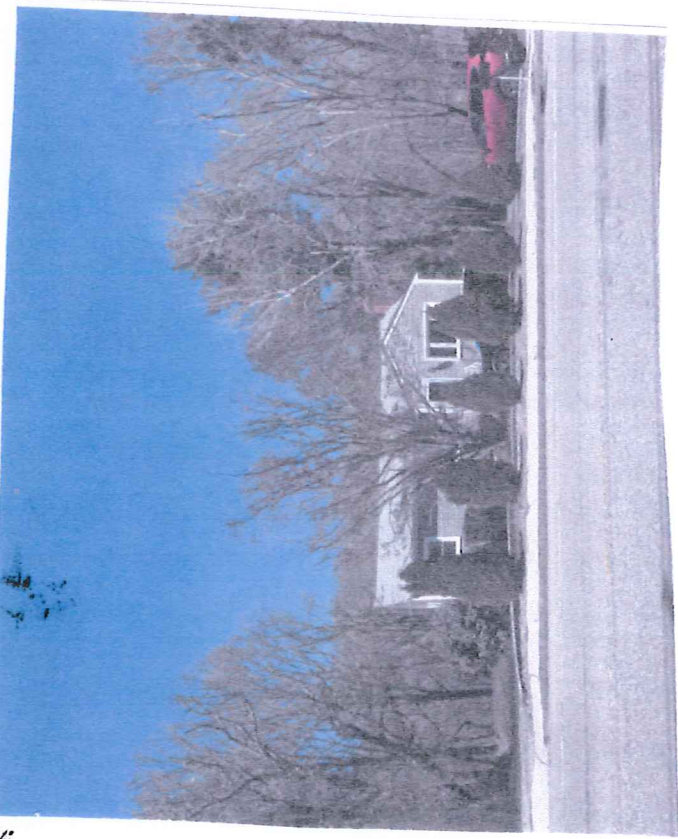
*Richard Chester Cove*  
Richard Chester Cove  
627 King St  
Franklin, Ma 02038  
Email: [crick44@yahoo.com](mailto:crick44@yahoo.com)  
Phone # 508 369-4897



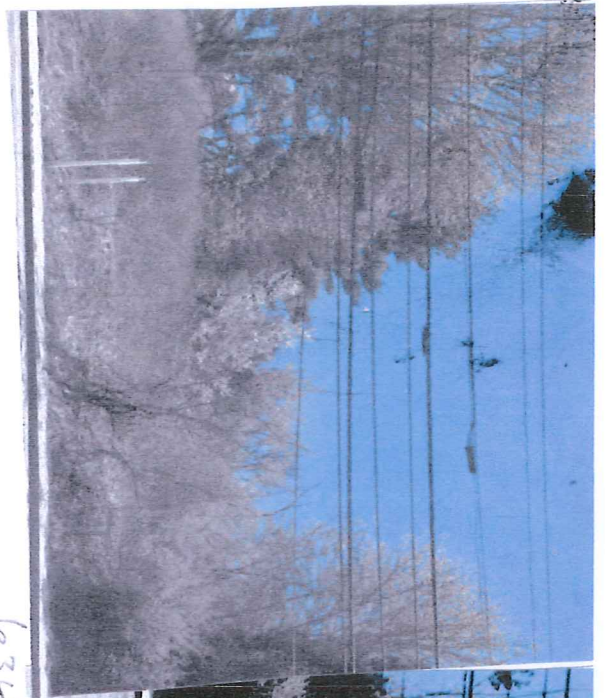
627 Kincaid St



637 Kincaid St



634 Kincaid St



648 Kincaid



AM TRAFFIC AT  
627, 637, 634 + 648 KINGST



## Planning Board Public Hearing for King Street Zoning Map Amendment 24-905

Hello,

My name is Christina Percuoco and I am the owner of 637 King St. This is not the first time I have spoken in front of you as members of the Planning Board, however nerves prevented me from properly introducing myself the previous time. In June 2022, I had the pleasure of purchasing this property as my first home, having been drawn to the wooded residential character of King Street. Despite the traffic on King Street, the natural surroundings have afforded me a valued sense of privacy. However, the acquisition of the parcel across from mine and the subsequent proposal to rezone from Single Family Residential III to Business zoning has significantly disrupted the tranquility of our neighborhood. The topic of Zoning Bylaw Amendment 24-905 is not new to this Planning Board or the residents in attendance tonight. I would kindly ask that you consider the following points while making your decision on whether to endorse this rezoning.

- Rezoning our Single Family Residential III neighborhood to Commercial is not in line with the character of the neighborhood. This rezoning was even acknowledged as spot zoning by several members of the town council. The proposed rezoning threatens to exacerbate the already significant traffic congestion near a critical fire station and calls into question the rationale behind demolishing a fully functional home when alternative development options could harmonize with the existing community fabric.
- The developer's proposition that a new convenience store could mitigate traffic strains logic, as it would draw more vehicles to an already congested area and create additional traffic hurdles, particularly for those needing to make a left turn to return home.
- Equal tax rates for residential and commercial properties in Franklin nullify the argument that commercial rezoning would financially benefit the town without a clear, designated plan for the property.
- At the heart of the town council meeting was the community's concern over the true intentions behind the rezoning push, with the developer's own public records revealing an interest in a fueling station complete with accessory convenience store. It is crucial for us, the residents and neighbors, to consider the most impactful use of the land—such as a gas station—should commercial rezoning come to pass.
- Living near gas stations carries documented health risks, a concern for those of us, myself included, living within 100 feet of the proposed site. Protecting our community's health is paramount.
- The real estate developer created a change.org petition in favor of this rezoning and received 62 signatures. Our counter-petition against rezoning, which was submitted to the Planning Board tonight, secured 234 signatures, 70% of which were from Franklin and its surrounding towns. (<https://www.change.org/RejectKingStRezoning>)



It's important to consider the broader impact of individual ambitions on the community. It seems unlikely that anyone, including the parcel owner himself, would prefer to reside in a home situated directly across from a gas station. Changing the current Single Family Residential III zoning to Business zoning would allow for the possibility of not only a gas station, but a variety of high-impact businesses that would create immediate and long-term detriments to the neighborhood. The proposed rezoning could substantially diminish the quality of life for all nearby residents and my ability to enjoy my property. Maintaining the current Single Family Residential III zoning allows for the potential of less intrusive businesses, as demonstrated by The Enclave at 656 King Street, which aligns more harmoniously with the neighborhood's character. Thank you for your time and consideration.

Franklin Residents and surrounding King Street Community, please consider signing.

My name is Christina Percuoco and I have been a Franklin resident for the past 3 years, residing at 637 King Street after purchasing my first home in 2022. Being a new homeowner, I was looking forward to joining an active residential community where neighbors regularly utilize the sidewalks for leisurely walks, accompanying their children to the local daycare, playground, and community gardens. Since June of last year, a real estate developer has set his sights on the two Residentially zoned parcels directly across the street from my home, 634 & 648 King Street. One of these Residential parcels has been the family home to its occupants for over 20 years. The proposed rezoning would necessitate the demolition of this family home, that is well maintained and in sound condition, and allow for a myriad of disruptive businesses to enter our residential neighborhood.

This real estate developer has tried to garner local endorsement by stating these 2 parcels are not Residential, which is plainly not true. All abutting properties on King Street, excluding the Franklin Fire Station, which is set back over 100 ft from the road, are zoned Single Family Residential III and should remain so.

The developers have stated on public record that they are exploring building a gas station with accessory convenience store. This possibility, arguably the most impactful in terms of potential health risks, property value decline, noise pollution, and environmental concerns related to the adjacent wetlands, is just one example of the types of disruptive enterprises that could be permitted if these parcels were to be rezoned from Residential to Business.

Approving this rezoning would destroy the character of the neighborhood we love and bring in additional congestion to an already heavily trafficked area by our Franklin Fire Station. An increase in traffic associated with a Business Zone in this area, directly abutting the Fire Station, could impede the prompt deployment of emergency vehicles and increase the risk of traffic collisions.

Together with my fellow residents on King Street, we have united to respectfully petition against this rezoning. We kindly request your support in preserving the existing character and quality of life that define our neighborhood. Thank you for any support you can provide.



Name	City	State	Postal Cod	Country	Signed On
Christina Percuoco	Franklin	MA		US	3/5/2024
Benjamin Remsbecker	Franklin	MA	2038	US	3/5/2024
Nick Percuoco	Dudley	MA	1571	US	3/5/2024
Hope Deeran	Waltham	MA	2453	US	3/5/2024
Ben Sawyer	Portland	ME	4102	US	3/5/2024
Michael Keane	North Attleboro	MA	2760	US	3/5/2024
Ariana Cosenza	Worcester	MA	1604	US	3/5/2024
Tob Nunes	Boston	MA	2215	US	3/5/2024
Maureen Percuoco	New York	NY	10118	US	3/5/2024
Allison Manning	Buzzards Bay	MA	2532	US	3/5/2024
Kelly DiGiovanni	Southbridge	MA	1550	US	3/5/2024
Anna Balzarini	Attleboro	MA	2703	US	3/5/2024
Kelly Cook	Boston	MA	2124	US	3/5/2024
Nicole Percuoco	Cornwall	NY	12518	US	3/5/2024
Katie Lacasse	Providence	RI	2908	US	3/5/2024
Ian Duff	Franklin	MA	2038	US	3/5/2024
Luis Ursua	Pawtucket	RI	2860	US	3/5/2024
Olivia Cosenza	Marlborough	MA	1752	US	3/5/2024
Kelsey Roberson	Norwood	MA	2062	US	3/5/2024
Thomas Cosenza	Worcester	MA	1609	US	3/5/2024
John Rogers	Franklin	MA	2038	US	3/5/2024
claudia cosenza	Worcester	MA	1604	US	3/5/2024
Amanda Iandoli	Norton	MA	2093	US	3/5/2024
Juliana Farrell	Bellingham	MA	2019	US	3/5/2024
thomas percucoco	Worcester	MA	1604	US	3/5/2024
jill angelichio	charlotte	NC	28204	US	3/5/2024
Rowena Murphy	Dover	NH	3820	US	3/5/2024
Val Percuoco	Worcester	MA	2118	US	3/5/2024
Zenaide Percuoco	Leominster	MA	1453	US	3/5/2024
Lynn Percuoco	Leominster	MA	1453	US	3/5/2024
Michaela Duff	Foxborough	MA	2035	US	3/5/2024
Patrick Davis	Franklin	MA	2038	US	3/5/2024
Kasey Bik	Blackstone	MA	1504	US	3/5/2024
Margaret Terrill	Los Angeles	CA	90028	US	3/5/2024
Ian Loftus	Scranton	PA	18505	US	3/5/2024
Sara Jo Lee	Pawtucket	RI	2861	US	3/5/2024
Reginald Holloman	Brooklyn	NY	11234	US	3/5/2024
Jackie Pipczynski	Boston	MA	2038	US	3/6/2024
Katherine Day	Walpole	MA	2081	US	3/6/2024
Cynthia Skevington	Plainville	MA	2762	US	3/6/2024
Meghan Walch	Franklin	MA	2038	US	3/6/2024
Elizabeth Casey	Brandon	FL	33511	US	3/6/2024
Elena Oliver	Franklin	MA	2038	US	3/6/2024
Stephanie Maione	Franklin	MA	2038	US	3/6/2024
Anna Cataldo	Franklin	MA	2038	US	3/6/2024
Subin Jacob-George	Franklin	MA	2038	US	3/6/2024

Tracey Bingham	Hopkinton	MA	1748 US	3/6/2024
Sara Coppa	Hingham	MA	2043 US	3/6/2024
Ivayla Nikolova	Wrentham	MA	2093 US	3/6/2024
Alyson Theeman	Franklin	MA	2038 US	3/6/2024
Ana Even	Marlborough	MA	1752 US	3/6/2024
Caroline Hurwitz	Wrentham	MA	2093 US	3/6/2024
Arliss Reilly	Duluth	GA	30097 US	3/6/2024
Alexandra Rojas	Hialeah	FL	33012 US	3/6/2024
Andrea Martinez Frey	Wrentham	MA	2003 US	3/6/2024
Tamra Coleck			US	3/6/2024
Matt Sweeney	Franklin	MA	2038 US	3/6/2024
Kristen Mace	Gloversville	NY	12089 US	3/7/2024
Jocelyn Butchko	Kingston	PA	18704 US	3/7/2024
Christine Koch	Minneapolis	MN	55478 US	3/7/2024
Christian Kwok	Boston	MA	2131 US	3/7/2024
Dan Moulton	Boston	MA	2124 US	3/7/2024
Yazeed Allan	Cambridge	MA	2139 US	3/7/2024
Deniz Bahar Aydin	Istanbul		Turkey	3/7/2024
Maria Mahmood	Milwaukee	WI	53204 US	3/7/2024
Gordon Poston	Kingstree	SC	29556 US	3/7/2024
Michele Boutin	Villa Park	IL	60181 US	3/7/2024
Miguel Cortes	Chelsea	MA	2150 US	3/8/2024
Carolyn leason	Wakefield	MA	1880 US	3/9/2024
Justine Remsbecker	Rehoboth	MA	2769 US	3/9/2024
STEPHEN REMSBECKER	Rehoboth	MA	2769 US	3/9/2024
Candace Pang	Cambridge	MA	2138 US	3/9/2024
Hannah Abdou	Franklin	MA	2038 US	3/9/2024
Jon Inwood	Brooklyn	NY	11226 US	3/9/2024
Katie Rossi	Taunton	MA	2780 US	3/9/2024
Brenda Rogers	Indianapolis	IN	46229 US	3/9/2024
Michelle Curry	Aurora	CO	80011 US	3/10/2024
boom stick			US	3/10/2024
Christian Gallagher-peacock	Harrisville	RI	2830 US	3/10/2024
Alma J	Houston	TX	77002 US	3/10/2024
Dan De Yo	Yorba Linda	CA	92886 US	3/10/2024
Sharon Perreault	Conroe	TX	77303 US	3/11/2024
Brie G.	Seattle	WA	98168 US	3/11/2024
Hailey John	Washington	DC	54326 US	3/11/2024
Joshua Alston	Franklin	MA	2038 US	3/11/2024
Diana Dupree	Kansas	OK	74347 US	3/11/2024
Phyllis Mccray	Raleigh	NC	27617 US	3/12/2024
brian campbell	Los Angeles	CA	90007 US	3/13/2024
Juanita nickelson	Roxie	MS	39661 US	3/13/2024
Francesco Mocerì	Utica	MI	48316 US	3/13/2024
susan tabell	fairview park	OH	44126 US	3/14/2024
Ralphie Garofalo	Brooklyn	NY	11213 US	3/14/2024
Erika Rikhiram	Clermont	FL	34711 US	3/14/2024

Anthony Walls	Conroe	TX	77304 US	3/14/2024
Marvin Davis	Chicago	IL	60622 US	3/14/2024
Amanda Campbell	Marblehead	MA	1945 US	3/14/2024
Charles Smith	Tucson	AZ	85755 US	3/15/2024
Carrie Davidson	Cheektowaga	NY	14225 US	3/15/2024
Lilli Steelsmith	Montezuma	IN	47862 US	3/15/2024
Marina Nad	Norwood	MA	2062 US	3/15/2024
Debbie E	Felton	DE	19943 US	3/15/2024
Kelly Smith	Bellmawr	NJ	8031 US	3/16/2024
Charles Sullivan	Flossmoor	IL	60422 US	3/16/2024
Bara Pinto	Thorndale	PA	19372 US	3/16/2024
Gerardo Sanchez	Yuma	AZ	85365 US	3/17/2024
Lydia Collins	Collins	MO	64738 US	3/17/2024
Kira Lukenbill	Indianapolis	IN	46227 US	3/17/2024
Amanda Spitalniak		MO	US	3/17/2024
XB1uesky YT			US	3/18/2024
maddee slatten	Tallmadge	OH	44278 US	3/18/2024
Tim Lynch	Ashville	NY	14710 US	3/18/2024
Elen Duenas	Phoenix	AZ	85028 US	3/19/2024
Melodi Gulsen	Los Angeles	CA	90066 US	3/19/2024
Anonymous Person	Elkhart	IN	46514 US	3/19/2024
David Eaton	New Bedford	MA	2746 US	3/19/2024
Frank Curran	Philadelphia	PA	19130 US	3/19/2024
Melenie Tull Avent	Pasadena	CA	91109 US	3/19/2024
Michael Simone	Franklin	MA	2038 US	3/20/2024
Diana Simone	Franklin	MA	2038 US	3/20/2024
Pamela Alger	Franklin	MA	2038 US	3/20/2024
Karen Miller	Washington	DC	20001 US	3/20/2024
Ken Hiscoe	Franklin	MA	2038 US	3/20/2024
Maureen Sherlock	Norfolk	MA	2056 US	3/20/2024
Timothy O'Rourke	Franklin	MA	2038 US	3/20/2024
Susan Moir	Franklin	MA	2038 US	3/20/2024
Kimberly Mucciarone	Franklin	MA	2038 US	3/20/2024
Linda Boudreau	Franklin	MA	2038 US	3/20/2024
John Moir	Franklin	MA	2038 US	3/20/2024
Ann Hart	Boston	MA	2494 US	3/20/2024
Maria Laurence	Franklin	MA	2038 US	3/20/2024
Janet MacDonald	Norfolk	MA	2056 US	3/20/2024
Emily DiVittorio	Franklin	MA	2038 US	3/20/2024
Jamie Mucciarone	Franklin	MA	2038 US	3/20/2024
Shelley Green	Washington	DC	20002 US	3/20/2024
Gene Grella	Boston	MA	2124 US	3/20/2024
Christine Cannon	Franklin	MA	2038 US	3/20/2024
Steven Carrell	Kansas City	MO	64116 US	3/20/2024
Barry Kassler	Franklin	MA	2038 US	3/20/2024
Meg Dailey	Franklin	MA	2038 US	3/20/2024
Charles DiVittorio	Franklin	MA	2038 US	3/20/2024

Marc Kaplan	Franklin	MA	2038 US	3/20/2024
Krystal fuer	milford	MA	1757 US	3/20/2024
Elizabeth Tounghthirath	Franklin	MA	2038 US	3/20/2024
Stephen Huston	Franklin	MA	2038 US	3/20/2024
Jeanne Fegan	Marlborough	MA	1752 US	3/20/2024
Michael Fegan	Franklin	MA	2038 US	3/20/2024
lawrence allers	Franklin	MA	2038 US	3/20/2024
Jeannette Gianotti	Norfolk	MA	2056 US	3/20/2024
aajaj alhakkare	Almawasil	AZ	602 US	3/20/2024
James Logan	Franklin	MA	2038 US	3/20/2024
Diane Barry	Franklin	MA	2038 US	3/20/2024
Paige Duncan	Franklin	MA	2038 US	3/20/2024
Livia Block	Evergreen	CO	80439 US	3/21/2024
Jennifer Casey	Milford	MA	1757 US	3/21/2024
Debra Tuttle	Morrisville	VT	5661 US	3/21/2024
Linda Wise	Riverview	FL	33579 US	3/21/2024
stef savastio	Philadelphia	PA	19142 US	3/21/2024
A Student		TX	US	3/21/2024
Gretchen Presutti	Olathe	KS	66062 US	3/21/2024
Julie Evans	Franklin	MA	2038 US	3/21/2024
Kathryn Chelini	Hopkinton	MA	1748 US	3/21/2024
Marsha Crochiere	Franklin	MA	2038 US	3/21/2024
Martriana Muhammad	Missouri	MO	63376 US	3/21/2024
Heather Isaac	Vista		92084 US	3/21/2024
Yorvin Matamoros	Alexandria	VA	22304 US	3/21/2024
steve tenore	Bellingham	MA	2019 US	3/22/2024
Jennifer Schofield	Franklin	MA	2038 US	3/22/2024
LaKia Dawson	North Las Vegas	NV	89031 US	3/22/2024
Kimberly Comstock	Ludington	MI	49431 US	3/22/2024
Linda Collins	Franklin	MA	2038 US	3/22/2024
Chelsea Campbell	Dorchester Center	MA	2124 US	3/22/2024
Sara Allegretti	Franklin	MA	2038 US	3/22/2024
Jeffrey Cavner	Canby	OR	97013 US	3/22/2024
Jeannette Green	Columbia	TN	38401 US	3/22/2024
kai :p	San Diego	CA	92104 US	3/22/2024
Ana Rodriguez	Naples	FL	34116 US	3/23/2024
Jan Murphey	Franklin	MA	2038 US	3/23/2024
Doreen Giacalone	Franklin	MA	2038 US	3/23/2024
Paul Markillie	Grand Blanc Township	MI	48439 US	3/23/2024
Crystal Jackson	Brentwood	NY	11717 US	3/24/2024
Nadinr Martinez	Norfolk	MA	2056 US	3/24/2024
Regina Hayes	Moreno Valley	CA	92555 US	3/24/2024
C Sullivan			US	3/24/2024
Kathy Goddard	Franklin	MA	2038 US	3/24/2024
Cynthia Bissanti	Franklin	MA	2038 US	3/24/2024
Johnny Glover	Abilene	TX	79603 US	3/24/2024
Cheryl Hesse	Cedarburg	WI	53012 US	3/25/2024

Hanan Metry	Nashville	TN	37211 US	3/25/2024
Damon Kearney	Rocky Mount	NC	27804 US	3/25/2024
JENNA MURRAY	Carlisle	PA	17015 US	3/25/2024
Shannon Grant	Knightdale	NC	27545 US	3/25/2024
Alana Preziosi	Swedesboro	NJ	8085 US	3/26/2024
Jj K	Franklin	MA	2038 US	3/26/2024
Bailey Chapman	Alpharetta	GA	30005 US	3/26/2024
Patrick Soileau	San Diego	CA	92114 US	3/27/2024
Paul Rennert	Holliston	MA	1746 US	3/27/2024
Smita Pande	Franklin	MA	2038 US	3/27/2024
Auggie Spring	Port Orchard	WA	98367 US	3/27/2024
Melissa Puskar	Denton	MD	21629 US	3/27/2024
Vladimir Louis	New Haven	CT	6525 US	3/27/2024
Cheryl Gallegos	OR	OR	97760 US	3/28/2024
Melissa Thompson	Newark	NJ	7103 US	3/28/2024
Erna Bracewell			US	3/29/2024
Phyllis Van Leuven	Las Vegas	NV	89131 US	3/29/2024
Autumn Woodward	Fairborn		45324 US	3/29/2024
Kathleen Mireault	Jamaica Plain	MA	2130 US	3/29/2024
Joshua Curphey	Peterborough		PE7 US	3/29/2024
Andrew Floyd			US	3/29/2024
jesus Segura	Chicago	IL	60651-394 US	3/30/2024
Susie Reed	Hermitage	TN	37076 US	3/30/2024
Patricia Ramirez	New York	NY	10036 US	3/30/2024
Leah Pehotsky	Olmsted Twp	OH	44138 US	3/30/2024
rowe davenport	new york	NY	10034 US	3/30/2024
Paula Ramos	La Puente	CA	91744 US	3/30/2024
Peterson Maitre	Orl	FL	32819 US	3/31/2024
Sarah Mack		TN	US	3/31/2024
Jonathan Miller	Fort Wayne	IN	46808 US	3/31/2024
Colin Cass	Franklin	MA	2038 US	4/1/2024
Davidson Roberts			US	4/1/2024
Doctor Goldberg	Beloit	WI	53511 US	4/1/2024
Christine Maguire	Franklin	MA	2038 US	4/4/2024
Pamela DErrico	Franklin	MA	2038 US	4/4/2024
Katrina Havens	Franklin	MA	2038 US	4/4/2024
Renea Pisani	Franklin	MA	2038 US	4/11/2024
Gina Mastromatteo	Boston	MA	2119 US	4/17/2024
Dawn Lenzi	Franklin	MA	2038 US	4/17/2024
Lisa Downie	Franklin	MA	2038 US	4/17/2024
Richard Chestercove	Bellingham	MA	2019 US	4/21/2024
efigenio Toro	Jacksonville	FL	32223 US	4/22/2024
Jillian Dwyer	Franklin	MA	2038 US	4/29/2024
Diane Treacy	Franklin	MA	2038 US	4/29/2024
Susan Lipizzi	Franklin	MA	2038 US	4/29/2024
Beth ORielly	Bellingham	MA	2019 US	4/29/2024
Sally Grant	Milford	MA	1757 US	5/1/2024





## Is Franklin Zoning Map Amendment 24-905 Spot Zoning?

Please consider these objections and, much more importantly, one solution for the proposed zoning change that will be a blight on our neighborhood. I've come to love Franklin in the decade my family has lived here, and we have nowhere else we'd rather be. Others impacted have lived here much longer, and it would be a shame to permit a gas station or a drive-thru restaurant across the street from their homes where our neighbor Tom's house stands now.

Respectfully,

*Ian Duff*

680 King St  
Franklin, MA 02038  
(508) 463-7053  
[idduff8@gmail.com](mailto:idduff8@gmail.com)

### Why might Amendment 24-905 be considered illegal spot zoning?

- The Business zone it expands was very recently created. If this occupied home and empty parcel should have been changed from SFR3 to Business based on their inherent qualities or location, it would have happened then.
- The change to the map adds only the two parcels owned or under agreement with Mr. Evans' LLC and no others. (313-061-000-000 and 313-062-000-000, see Exhibit A from the proposed amendment)
- The change ignores NE Power Company's parcel 313-056-000-000, which remains SF3 and lies under powerlines between the Industrial zone and interstate on-ramp. (see Exhibit B from Zoning Map)
  - If the amendment originated from a wholistic planning perspective, this land would have been re-zoned, because no reasonable person would build a residence there.
  - The SFR3 and Business zones in the future map it would create are then discontinuous.
- The permitted uses of a Business zone are not consistent with the character of the neighborhood. (see Exhibit C)
  - There are no operating businesses on King St. south of the interstate for nearly a mile until one encounters Guardian Storage at the very southern tip of the Washington/Grove Industrial zone (excluding The Enclave assisted living).
  - Please walk the area to understand, then contrast it to the other Business zones in town surrounding exit 43 and at the old mill.
- The town has rejected two similar actions from Cumberland Farms (former parcel owner until 9/28/23) in the last twenty or so years, and nothing has substantially changed about the surroundings or nearby use in that time. The abutters were and remain residences; Fire Station #2 and The Enclave are both occupied by Franklin residents 24 hours a day.

- No public welfare argument has been articulated by the staff or electeds after multiple discussions. In MA Land Court, projected revenue is excluded from the definition of public welfare in Zoning matters.

**Apart from the above possibility, why else should Amendment 24-905 be rejected?**

- The site at 555 King St. has not yet been developed into an operating business. Before expanding the zone, the town should evaluate the impact of that traffic-heavy facility in operation.
- It would remove an occupied home when our town is focused on housing supply.
- Uses permitted by right in a Business zone such as a bar, a dormitory, outdoor commercial amusement, or a contractor's yard would be a blight to the abutters, including Franklin's firefighters.
- Uses permitted by special permit such as a noisy motor vehicle service center, a gas station with hazardous materials discharge, a drive-through restaurant adding new congestion, a function hall with surges of occupancy, or brewery active outside of business hours would be unbearable to the neighbors.
- The Enclave is a perfect example of a variance granted for a commercial enterprise that fits well into the surrounding neighborhood. The zoning does not need to change in order for the one wooded parcel in question to generate revenue for our town.
- The proximity to occupied homes and narrow road make this a poor site for business use, as noted in the prior Planning Board Discussion.

**What can we do to allow development, create revenue, and protect quality of life on King Street?**

Today the area in question fully fits this definition without exception:

*§ 185-4 C. (2) The Single-Family Residential Districts (SFRIII, SFRIV) are intended primarily for single-family residential uses in a semirural and suburban environment. Two-family residential uses may be permitted in some areas. Generally commercial and industrial uses are not permitted; however, limited commercial uses may be permitted in some areas.*

It does not in any way fit the proposed definition:

*§ 185-4 C. (8) The Business District (B) is intended primarily for nonresidential uses such as office, retail, service, trade, restaurant, and other commercial uses with some limited industrial uses in a suburban commercial environment.*

**Therefore, please reject Zoning Map Amendment 24-905 as it stands.** However, it stands to reason that no one will build a single family home next to the fire station and that the owner's ability to develop a business is in the town's interest. Please consider introducing another zone that would transition into the residential

neighborhood and protect the residents from onerous land use. There is one enumerated in 2003 but not in use that already perfectly describes The Enclave.

*§ 185-4 C. (12) The Neighborhood Commercial District (NC) is intended primarily for low-intensity commercial uses located in or within close proximity to primarily residential neighborhoods providing retail and personal services which serve the surrounding neighborhood. Industrial uses are not allowed. The district is further classified by its neighbor- and pedestrian-friendly design concepts including low-luminescent lighting fixtures, visibly obscured parking areas, densely planted property borders, nonintrusive architecture and pedestrian-scaled signage with external illumination.*

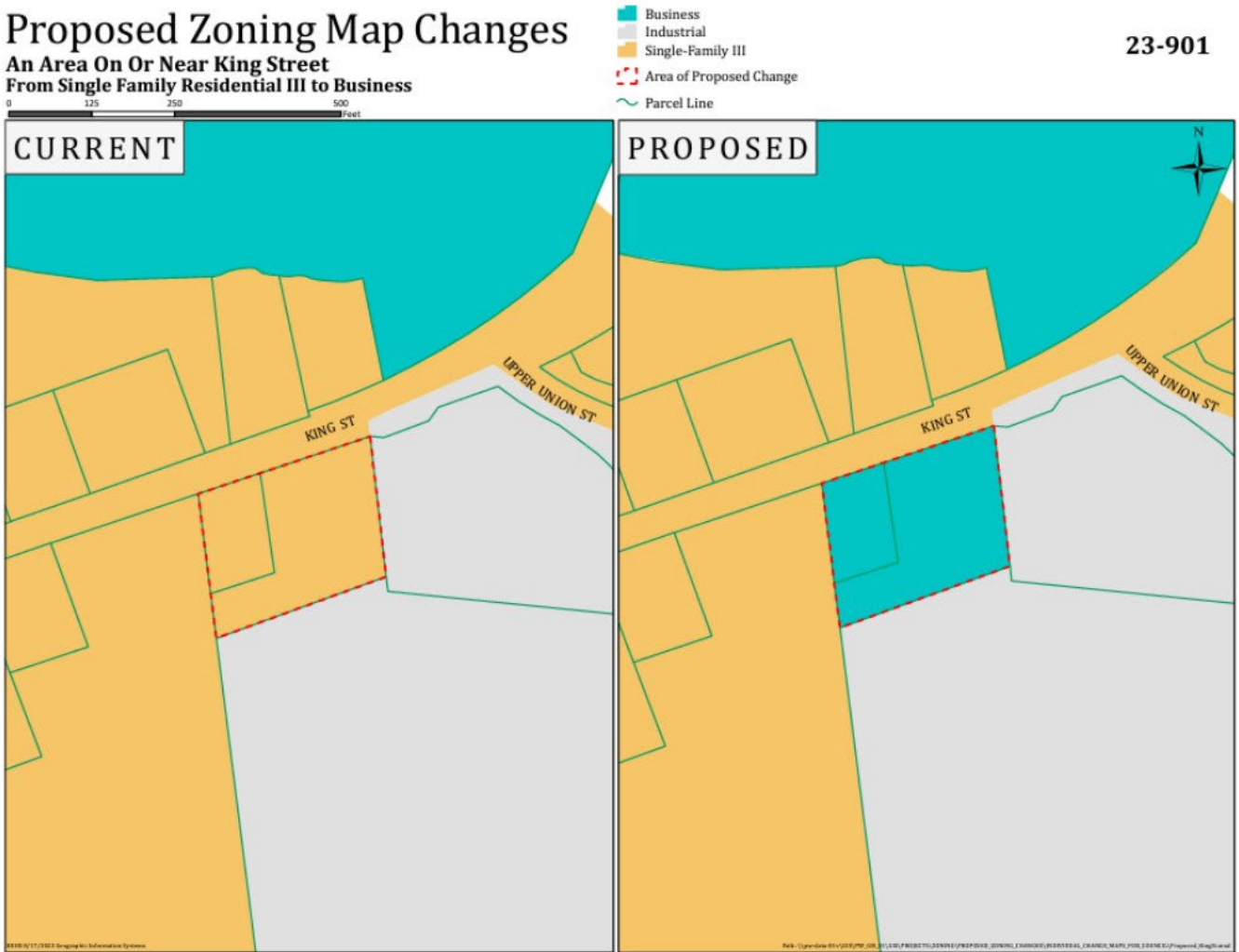
A new amendment to map a Neighborhood Commercial District would allow for lucrative use without the potential for light, noise, or chemical pollution. It would be a compromise between the needs of Mr. Evans' LLC and the abutters, but would more importantly allow for zoning change to continue into the neighborhood at the discretion of petitioning landowners without property value and health damage to their neighbors. (see Exhibit D for a humble proposal from this layperson)

**If the permeability requirements of NC are prohibitive, then perhaps it is time for a Business II zone with transitional characteristics that excludes the onerous special permit uses entirely. These potential solutions aside, please reject the current Amendment 24-905 for all the valid concerns laid out here.**

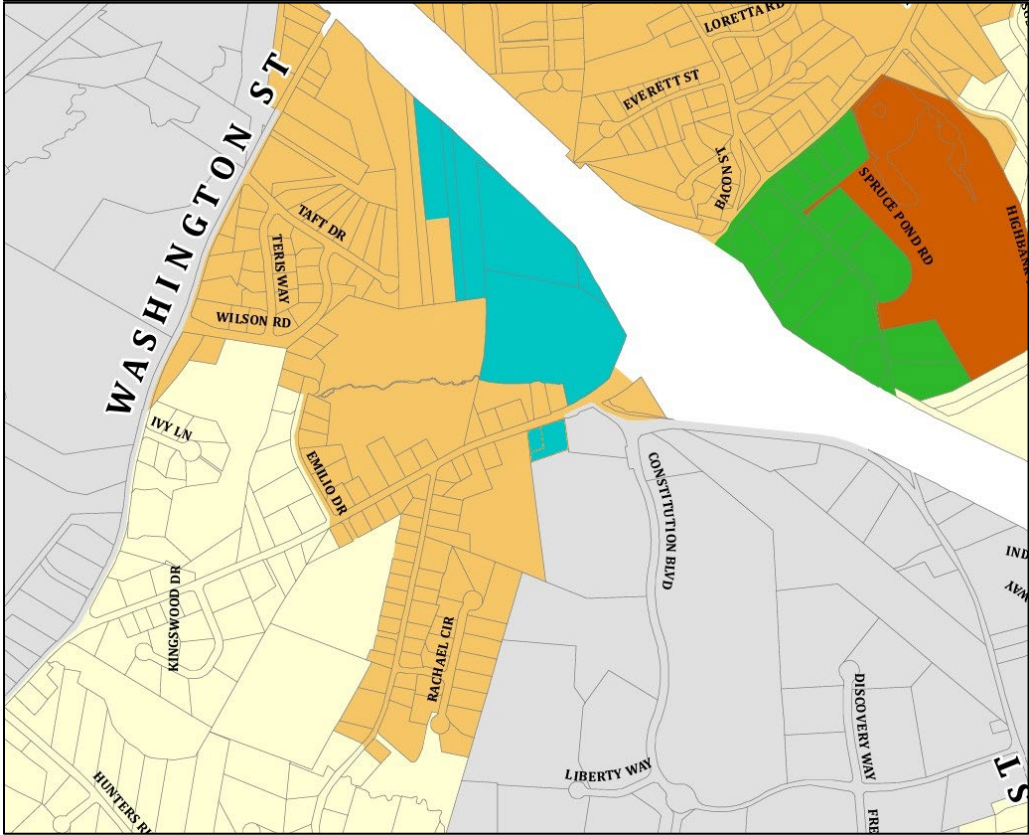
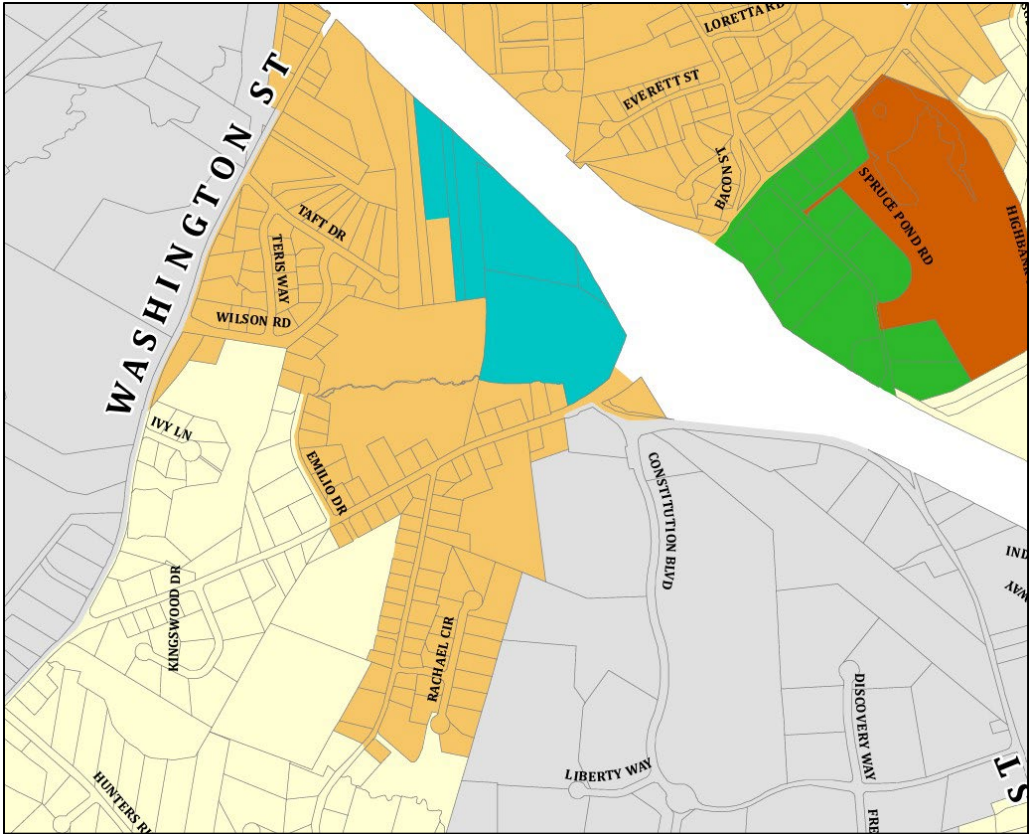
# Exhibit A

## Proposed Zoning Map Changes An Area On Or Near King Street From Single Family Residential III to Business

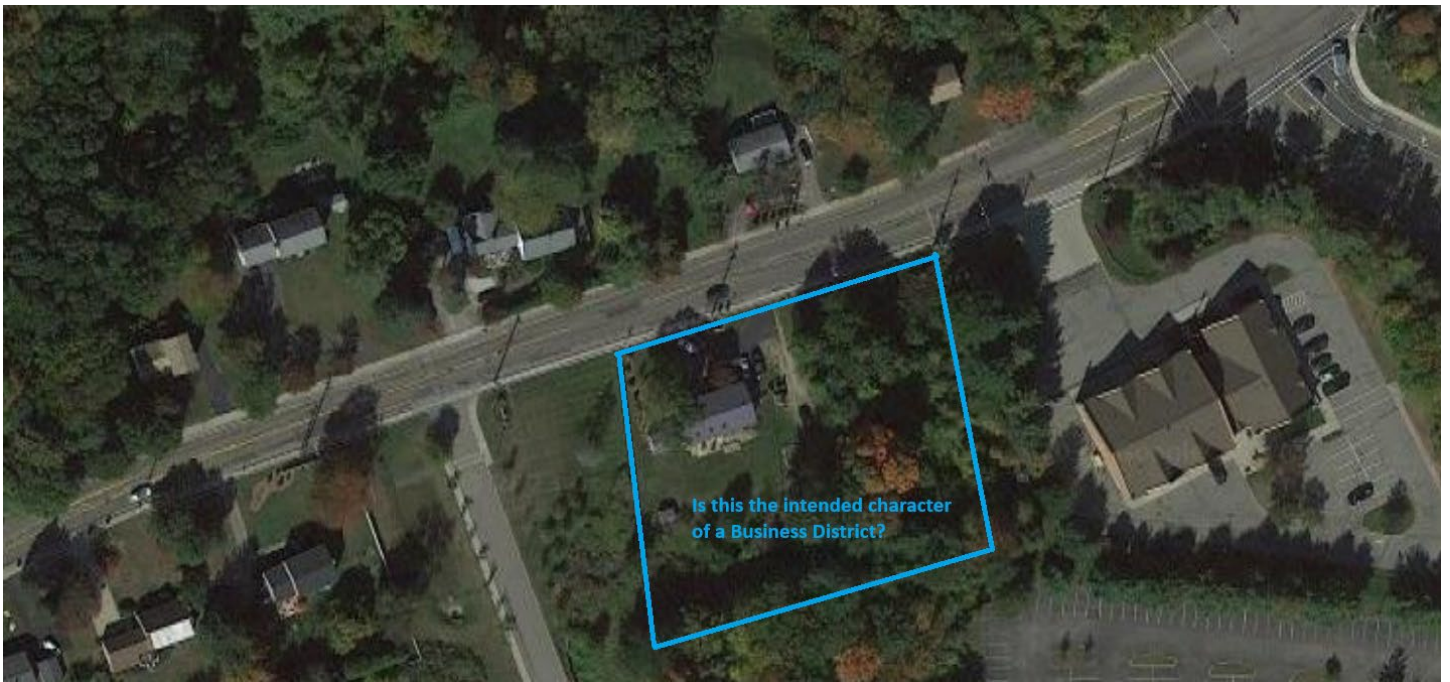
23-901



# Exhibit B



**Exhibit C**



## Exhibit D

