

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

April 2, 2021

To: Town Council
From: Jamie Hellen, Town Administrator

RE: Bylaw Amendment 21-868 - Stormwater

There is legislation for action this evening on non-financial changes to the Town's Stormwater Bylaw that are now required under the permit. The following bylaw change was unanimously approved and referred to the Planning Board for a public hearing. The bylaw changes Bylaw Amendment 21-868 was unanimously approved by the Planning Board at their February 22, 2021 meeting. See attached documentation. Tonight is the first reading before the Town Council.

The DPW Director and respective staff involved in implementing the stormwater bylaws will be present to answer questions. The changes to the Town's bylaw are required and are general house cleaning and updating items. As all of you know, the Town of Franklin's stormwater bylaw was one of the first in Massachusetts, which originally focused on groundwater recharge for drinking water. Ultimately, it ended up becoming a model in the state. The efforts of the Town bylaw actually get the Town significant credits on our MS4 permit now, which will help reduce the requirements the EPA is forcing on towns due to the visionary nature of the bylaw back 15+ years ago.

If you have any additional questions please feel free to ask and we look forward to the discussion next week.

Town of Franklin



Planning Board

February 23, 2021

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

CERTIFICATE OF VOTE

Zoning By-law Amendment #21-868
Chapter 185-31. Site Plan and Design Review

Petitioner: Town Administration

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, February 22, 2021 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to recommend, *as presented*, the Zoning By-law Amendment #21-868, changes to Chapter 185-31, Site Plan and Design Review.

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

Sincerely,

Anthony Padula
Chairman

cc: Town Council
Town Administrator

SPONSOR: *Town Administration*

Town of Franklin



Planning Board

The following notice will be published in the Milford Daily Newspaper on Monday, February 8, 2021 and again on Monday, February 15, 2021

In accordance with the provisions of M.G.L. Chapter 40A, Section 5, notice is hereby given that the Planning Board will hold a Remote Public Hearing on February 22, 2021 at 7:05 PM and the Town Council will hold a Public Hearing on March 3, 2021 at 7:10 PM to consider amending Chapter 185, Section 31 Site Plan of the Code of the Town of Franklin. Please refer to the Town website, franklinma.gov for location information.

ZONING BY-LAW AMENDMENT 20-868 CHAPTER 185, ZONING ARTICLE V. SPECIAL REGULATIONS

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL that Code of the Town of Franklin Chapter 185, Zoning, Article V Special Regulations, Section 185-31, Site Plan and Design Review, C. Site plan approval 4. Review Criteria be amended by adding a new subparagraph g as follows:

(g) In accordance with the most recent Town of Franklin MS4 Permit, the use of Low Impact Development and Green Infrastructure practices are encouraged and shall be incorporated into the site plan to the maximum extent feasible.

(hg) All other requirements of the Zoning Bylaw are satisfied.

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.

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

Tom Mercer, Chairman
Franklin Town Council



**TOWN OF FRANKLIN
BYLAW AMENDMENT 21-868
CHAPTER 185, ZONING ARTICLE V. SPECIAL REGULATIONS**

A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 185, ZONING.

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL that Code of the Town of Franklin Chapter 185, Zoning, Article V Special Regulations, Section 185-31, Site Plan and Design Review, C. Site plan approval 4. Review Criteria be amended by adding a new subparagraph g as follows:

§ 185-31 Site plan and design review.

1. Site plan review.
- C. Site plan approval.
 - (4) Review criteria. The Planning Board shall approve a site plan only upon its determination of the following:
 - (a) Internal circulation, queuing, entrance and egress are such that traffic safety is protected and access via secondary streets servicing residential neighborhoods is minimized.
 - (b) Reasonable use is made of building location, grading and vegetation to reduce visibility of structures, parking area, outside storage or other outdoor service areas (e.g., waste removal) from public views.
 - (c) Adequate access to each structure for fire and service equipment is provided.
 - (d) Utilities, drainage and fire-protection provisions serving the site provide functional service to each structure and paved area in the same manner as required for lots within a subdivision.
 - (e) No site feature or activity shall create glare or illumination which extends beyond a site's property lines and creates a hazard or nuisance to neighboring property owners or on adjacent roadways. Lighting shall be designed to provide the minimum illumination necessary for the safety and security of the proposed activity. Lighting shall be designed such that the light source is shielded and the light is directed downward.
 - (f) Proposed limit of work is reasonable and protects sensitive environmental and/or cultural resources. The site plan as designed will not cause substantial or irrevocable damage to the environment, which damage could be avoided or mitigated through an alternative development plan.
 - (g) In accordance with the most recent Town of Franklin MS4 Permit, the use of Low Impact Development and Green Infrastructure practices are encouraged and shall be incorporated into the site plan to the maximum extent feasible.
 - (hg) All other requirements of the Zoning Bylaw are satisfied.

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: _____, 2021

VOTED:

UNANIMOUS: _____

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

A True Record Attest:

Nancy Danello
Temporary Town Clerk

Glenn Jones, Clerk
Franklin Town Council