

Sponsor: *Administration*

TOWN OF FRANKLIN

**ZONING BY-LAW AMENDMENT 18-812: GROUND-MOUNTED
SOLAR ENERGY SYSTEM USE REGULATIONS,**

**CHANGES TO CHAPTER 185, USE REGULATIONS
SCHEDULE PART III AND 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 Use Regulations Schedule Part III and Part VII, Attachment 4 and Attachment 8:

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	RII RVII	SFR SFR	III IV	GRV	NC	RB	CI	CII	DC	B	I	LI	O
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	P/SP	P/SP
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
b. Other	N	N	N	N	N	N	N	N	N	N	N ⁷	P/SP	N	N
3.3 Earth removal														
a. Earth removal, commercial ^{3,5,6}	N	N	N	N	N	N	N	BA	BA	N	BA	BA	BA	BA
b. Earth removal, other ^{3,4}	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
c. Rock quarrying	N	N	N	N	N	N	N	N	N	N	N	N	N	N
d. Washing, sorting and/or crushing or processing of materials	N	N	N	N	N	N	N	N	N	N	N	N	N	N
e. Production of concrete	N	N	N	N	N	N	N	N	N	N	N	N	N	N
f. Production of bituminous concrete	N	N	N	N	N	N	N	N	N	N	N	N	N	N
3.4 Lumberyard	N	N	N	N	N	N	N	N	N	N	N	PB	N	N
3.5 Manufacturing and Processing:														
a. Biotechnology ¹	N	N	N	N	N	N	N	N	N	N	N	Y	N	Y
b. Light	N	N	N	N	N	N	N	PB	PB	PB	PB	P/SP	N	PB
c. Medium	N	N	N	N	N	N	N	N	N	N	N	P/SP	N	N
d. Heavy	N	N	N	N	N	N	N	N	N	N	N	N	N	N
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
b. Over 5,000 square feet	N	N	N	N	N	N	N	N	N	N	P/SP	P/SP	N	PB

185 Attachment 4
USE REGULATION SCHEDULE
PART III (Continued)

Principal Uses	District													
	RRI RRII RVI RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	
3.7 Public utility	P/SP	P/SP	P/SP	P/SP	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	
a. Electric power plant	N	N	N	N	N	N	N	N	N	N	BA	N	N	
3.8 Research and development:														
a. Biotechnology ¹	N	N	N	N	N	N	N	N	N	N	PB ²	N	PB ²	
b. Others	N	N	N	N	N	N	N	N	N	P/SP	P/SP	N	P/SP	
3.9 Solid waste facility	N	N	N	N	N	N	N	N	N	N	BA	N	N	
3.10 Warehouse, distribution facility	N	N	N	N	N	N	N	N	N	PB	Y	N	N ⁷	
3.11 Wholesale office, salesroom:														
a. With storage	N	N	N	N	N	N	N	P/SP	N	P/SP	P/SP	N	N ⁷	
b. Without storage	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	Y	N ⁷	N ⁷	
3.12 Conference center	N	N	N	N	N	N	N	PB	N	PB	PB	P/SP	PB	
3.13 Brewery, distillery, or winery production with tasting room	N	N	N	N	N	N	N	PB	PB	PB	PB	PB	N	
<u>3.14 Ground-mounted Solar Energy System</u>														
<u>a. Small-scale</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	
<u>b. Medium-scale⁽⁸⁾</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>N⁷</u>	<u>N</u>	<u>N⁷</u>	<u>N</u>	<u>PB</u>	<u>N</u>	<u>PB</u>	<u>Y</u>	<u>N</u>	<u>N⁷</u>	
<u>c. Large-scale⁽⁸⁾</u>	<u>PB</u>	<u>PB</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>PB</u>	<u>Y</u>	<u>N</u>	<u>N</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. Planning Board Site Plan Review is required of all Medium-scale and Large-scale Ground-mounted Solar Energy Systems.**

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 RVII	RRII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O
A1 Boarding	N	Y	Y	Y	Y	Y	N	Y	Y	N	N	N	N	N
A2 Contractor's yard	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N
a. Landscape materials storage and distribution	N	N	N	N	N	Y ³	Y ³	N	N	N	Y	Y	N	N
A3 Home occupation (See § 185-39B.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N
A4 Manufacture, assembly, packing of goods sold on premises	N	N	N	N	N	Y ¹	N	Y ¹	Y ¹	Y ¹	Y	Y	N	Y ¹
A5 Off-street parking (See § 185-39C.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
A6 Professional office, studio (See § 185-39A.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
A7 Restaurant, bar	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y
A8 Retail sale of nonagricultural products manufactured, warehoused or manufactured, warehoused or distributed on or from premises	N	N	N	N	N	Y	N	Y	Y	Y	Y	Y ²	N	Y ²
A9 Scientific use in compliance with § 185-37	BA	BA	BA	BA	BA	BA	N	BA	BA	BA	Y	Y	Y	Y
A10 Signs (See § 185-20.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
A11 Single-family dwelling for personnel required for safe operation	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y
A12 Other customary accessory uses	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y
A13 Other retail sales, services	N	N	N	N	N	Y	N ⁴	Y	Y	Y	Y	Y	Y	Y
A13.1 Animal grooming	BA	BA	BA	BA	BA	BA	N	Y	BA	Y	BA	BA	BA	BA
A14 Operation of not more than 5 automatic amusement devices	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N
A15 Warehouse/distribution facility	N	N	N	N	N	N	N	N	Y	N	Y	Y	N	Y
A16 Wholesale office, salesroom														
a. With storage	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	Y
b. Without storage	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y ³	Y
A17 Catering	N	N	PB	PB	PB	PB	N	Y	Y	Y	Y	Y	Y	Y
A18 Function hall	N	N	PB	PB	PB	PB	N	Y	Y	Y	Y	Y	Y	Y
A19 Ground-mounted Solar Energy System⁵														
a. Small-scale	<u>Y</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>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
b. Medium-scale⁶	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>N</u>	<u>PB</u>	<u>N</u>	<u>PB</u>	<u>N</u>	<u>PB</u>	<u>Y</u>	<u>N</u>	<u>PB</u>

NOTES:

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

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** _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Glenn Jones, Clerk