

**Sponsor:** *Administration*

**TOWN OF FRANKLIN  
ZONING BY-LAW AMENDMENT 17-792  
USE REGULATIONS FOR BREWERY, DISTILLERY, OR  
WINERY WITH A TASTING ROOM  
A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT  
CHAPTER 185, USE REGULATION SCHEDULE PART III**

**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 4 Use Regulations Schedule Part III:

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
3. Industrial, utility															
3.1	Bus, railroad station	N	N	N	N	N	N	P/SP	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 <sup>7</sup>	N	N	N	N <sup>7</sup>	P/SP	N	N	
	b. Other	N	N	N	N	N	N	N	N	N	N <sup>7</sup>	P/SP	N	N	
3.3	Earth removal														
	a. Earth removal, commercial <sup>3,5,6</sup>	N	N	N	N	N	N	BA	BA	N	BA	BA	BA	BA	BA
	b. Earth removal, other <sup>3,4</sup>	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	PB	N	N	N
3.5	Manufacturing and Processing:														
	a. Biotechnology <sup>1</sup>	N	N	N	N	N	N	N	N	N	N	Y	N	Y	
	b. Light	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	P/SP/	N	N	
	d. Heavy	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	P/SP	P/SP	P/SP	P/SP	P/SP	N <sup>4</sup>	P/SP	
	b. Over 5,000 square feet	N	N	N	N	N	N	N	N	N	P/SP	P/SP	N	PB	
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	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 <sup>1</sup>	N	N	N	N	N	N	N	N	N	N	PB <sup>2</sup>	N	PB <sup>2</sup>	
	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 <sup>7</sup>	
3.11	Wholesale office, salesroom:														
	a. With storage	N	N	N	N	N	N	N	P/SP	N	P/SP	P/SP	N	N <sup>7</sup>	
	b. Without storage	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	Y	N <sup>7</sup>	N <sup>7</sup>	
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	PB	PB	PB	PB	PB	PB	PB	N

NOTES:

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

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.

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**DATED:** \_\_\_\_\_, 2017

**VOTED:**

**UNANIMOUS** \_\_\_\_\_

**A True Record Attest:**

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

**ABSTAIN** \_\_\_\_\_

**Teresa M. Burr**  
**Town Clerk**

**ABSENT** \_\_\_\_\_

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**Judith Pond Pfeffer, Clerk**  
Franklin Town Council