

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

April 5, 2024

To: Town Council
From: Jamie Hellen, Town Administrator
Amy Frigulietti, Deputy Town Administrator

RE: Appointment - 444 East Central Street Local Initiative Program (LIP): Friendly 40B

The Council will consider its second Local Initiative Program (LIP) application in the past year. The first was 121 Grove Street and now 444 East Central Street, otherwise known as "Stobbarts" to reflect the project location at the Nursery.

The project proponent has included a powerpoint presentation that they will give at the meeting. They have also presented the most current plans that are proposed.

The Planning Board and Conservation Commission have both held hearings on the project. As a reminder, their reviews are non binding and not legally part of the "Friendly 40B" process, but as part of Franklin's process, we have asked them for their review as they have greater expertise that may help the community make more informed decisions. Both boards unanimously support the project. The project proponent has received feedback from both boards and staff and incorporated much of that feedback into the project. Board, Committee and staff letters are included in the packet.

Quick project overview:

- 265 total rental units; 67 permanently deeded affordable.
- All units count toward the Towns SHI Index to ensure we maintain our 10% affordable housing stock to prevent "unfriendly 40B's" from occurring.
- Elimination of all invasive species, introduction of native species, walking trails and preservation of the area in the rear of the parcel for our wellhead protection district.
- Location is within walking distance to all day-to-day retail needs like shopping centers, pharmacies, coffee shops, retail, restaurants and other amenities. It is also less than one mile from Downtown and the train station with excellent sidewalks on both sides of the road for pedestrian travel.
- While mitigation will be firmly permitted by the ZBA, the proponent has signaled a willingness to work with the town on potential investments toward studies to fix the King Street/140 Intersection AND possibly work with us on funding a GATRA "Route 140" bus route. Staff are far from finalizing these specifics, but based on the results of tonight's hearing, our staff will continue to work with them on these initiatives. They have been very receptive to these ideas.

I have also included two recent articles from the past couple of weeks relating to home sales and the troubling trends the state is seeing from a lack of housing. The trends are becoming even more challenging with extremely high housing costs, a lack of housing inventory, a microscopic statewide housing vacancy rate of almost 1.5%, a lack of affordable housing and now a study showing ¼ of all those young professionals are moving away from Massachusetts due to the high cost of living.

Staff are keenly aware that new development, in general, in town is not popular. We have all heard the complaints and concerns. However, at some point, housing needs to be created in order for our state, and community, to stay competitive. The project proponent and staff are committed to work with the developer to mitigate the concerns of the neighboring residents. In fact, the proponent is aware of the concerns and has worked to address them to the best of their ability and you can see those concessions and comments in the letters and presentation. We hope the feedback given can be constructive to mitigate those concerns, as opposed to obstructionism to prevent the project from moving forward.

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

Town of Franklin Affordable Housing Friendly Chapter 40B Projects - Local Initiative Program (LIP)

According to the Massachusetts Department of Housing & Community Development (DHCD), the Town of Franklin currently has 11.97% of the Town's year-round housing units on the Subsidized Housing Inventory (SHI). Because Franklin is above the 10% affordable housing threshold, it can permit so-called "Friendly 40B" projects to build mixed-income housing.

Unlike traditional 40B projects, this allows municipalities to remain in control of most aspects of project design and construction. A "Friendly 40B" project is a project that has local support because of the contribution it can make to the community's need for more diverse housing options, and the contributions the developer agrees to make to local needs (infrastructure, public safety, land protection, etc.).

All 40B developments are required to create housing where at least 25% of housing units are affordable according to DHCD regulations, but not all projects are equal in other ways including: type and size housing units; location; proximity to transit; traffic impacts; public space; recreation or open space resources; aesthetics; building design; community character; wetland protection; safety; walkability; sustainability; low impact development.

The Town is not under pressure to increase its SHI by immediately approving additional 40B developments. Given that the Town has been made aware of several possible Friendly Chapter 40B projects, the Town's Development Staff has put together a preliminary process to determine if the project meets the needs of the Town and follows the LIP process.

On pages 3 and 4 of this document is the new Friendly 40B Project Preliminary Review Checklist. Developers hoping to permit a Friendly 40B in Franklin should take the time to complete and return it, and any related documents (e.g., preliminary site plans; ANRAD; project summary), to the Town's Point of Contact for Chapter 40B Development Issues.

Once the Town's Point of Contact receives the completed form the Town will begin a 30 day review of the proposed development. The 30 day review includes a review of the proposal by Town Staff, a presentation by the applicant to the Technical Staff Review Committee, and non-binding reviews by the Planning Board and Conservation Commission.

Franklin's Town Administrator has appointed the Town Planner as a single point of contact to serve as the primary municipal liaison for all issues relating to Chapter 40B affordable housing development matters. The Municipal Point of Contact will assist developers/applicants to sort out the 40B process and related requirements. Casual early pre-permit discussions with the Municipal Point of Contact are highly recommended.

Municipal Point of Contact for Chapter 40B Development Issues:

Amy Love, Town Planner
Planning and Community Development
Town of Franklin
355 East Central Street
Franklin, MA 02038-1352
Phone: 508-520-4907
Email: alove@franklinma.gov

Friendly 40B Project Preliminary Review Checklist

Below outlines the Town of Franklin recommended Checklist to proceed with a LIP application:

1. Project Information

- a. Project Name: _____
- b. Applicant Point of Contact Name: _____
Phone number _____ Email _____
- c. Project Team - Names, Titles, Contact information.
- d. Project Location: _____
- e. Number of Units: _____
- f. Bedroom Count: 1 Bedroom ___ 2 Bedrooms ___ 3 Bedrooms ___
- g. Rental or Ownership
- h. List of all waivers, if any, that the applicant will request from the ZBA
- i. Preliminary Plans.

2. Criteria for Review

- a. Percent of Affordable Units _____
- b. Number of Affordable Units _____
- c. Number of units to count on the SHI _____
- d. Public Benefits
 - i. Roadway Improvements
 - ii. Other Infrastructure Improvements
 - iii. Public Access/Trails/Open Space
 - iv. Other Public Amenities
 - v. Positive and or Negative Impacts on the Town
 - vi. Impacts on the abutting property owners
 - vii. Safety/Fire Impacts to Town.

3. 30-Day Preliminary Project Review Process

- a. Once the Applicant has submitted required information to the Municipal Point of Contact, the Applicant's information will be distributed to the Town's Administration and Technical staff, Franklin Planning Board, and Franklin Conservation Commission.
- b. Technical Staff Review and Comment
 - i. Town staff will be asked for written comments on the proposed housing project.
- c. Technical Staff Review Committee Meeting
 - i. The Applicant will be asked to attend a Technical Staff Review Committee meeting, held on Wednesdays at 3:00 p.m. The Municipal Point of Contact will coordinate with the Applicant.

- d. Planning Board - A non-binding review from the Planning Board
 - i. The Applicant will be asked to attend a Planning Board Meeting to present the proposed housing project. The Municipal Point of Contact will coordinate with the Applicant.
 - ii. Planning Board members will perform a non-binding project review. Review to include
 - 1. Compliance with Section 185-31 of Town Zoning By-Law
 - 2. Special Permit Criteria
 - 3. Stormwater Review
 - 4. Parking review
 - 5. Traffic Review.

- e. Conservation Commission (if required) - non-binding review from the Commission
 - i. If the proposed project is within the 100 feet buffer zone or will impact other jurisdictional resources, the Applicant will be asked to attend a Conservation Commission Meeting to present the proposed housing project. The Municipal Point of Contact will coordinate with the Applicant.
 - ii. Conservation Commission members will perform a non-binding project review under Chapter 181 (Wetlands Protection Bylaw) of the Franklin Code and the Town of Franklin Conservation Commission Regulations.. Review to include
 - 1. Wetland Resource Impacts
 - 2. Completed ANRAD
 - 3. Wetland Crossings
 - 4. Area Wetland maps and disturbance.

- 4. Department of Housing and Community Development (DHCD)**
 - a. The Applicant is required to obtain a letter from DHCD acknowledging the number of units that will be accepted on the Town's SHI List.

- 5. Town Council Presentation & LIP Determination**
 - a. Applicant should present an overview of the proposed project and outline the benefits for the Public
 - b. Gather feedback from Town Council members
 - c. Formal Vote from the Town Council.

- 6. Zoning Board of Appeals Approval**
 - a. Applicant shall submit a Comprehensive Permit to the ZBA for review and decision.

Please note, the Applicant is free to submit an application directly to the Zoning Board of Appeals. However, if the Applicant wants the support from the Town and file under the LIP, it is highly suggested they follow this checklist.

Note that any activities subject to Conservation Commission review under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, will need to be reviewed by the Conservation Commission independent from an LIP application.



TOWN OF FRANKLIN RESOLUTION 24-16

FRANKLIN TOWN COUNCIL SUPPORT FOR PROPOSED GL CHAPTER 40B AFFORDABLE HOUSING PROJECT AT 444 EAST CENTRAL STREET PURSUANT TO DHCD'S LOCAL INITIATIVE PROGRAM (LIP): FRIENDLY 40B

- WHEREAS,** GL Chapter 40B Sections 20-23 provide a legal framework for the creation of local affordable housing which is administered by the Massachusetts Department of Housing and Community Development (DHCD) and DHCD has enacted a regulation creating the Local Initiative Program (LIP) which allows a Chapter 40B developer to work collaboratively with a municipality to obtain its support for a proposed affordable housing project; and
- WHEREAS,** DHCD's LIP regulation provides that a municipality demonstrate its support through its Chief Executive Officer's signing a letter of support, and Franklin's Home Rule Charter provides that the municipality's Chief Executive Officer is the Town Administrator; and
- WHEREAS,** The Franklin Town Administrator has created a voluntary process and checklist for a developer who proposes a Chapter 40B LIP affordable housing project to follow, which includes informal reviews by Town staff, the Planning Board and Conservation Commission, and a presentation to the Franklin Town Council; and
- WHEREAS,** The Alevizos Group has proposed to develop a Chapter 40B affordable housing project on approximately fifteen acres of land located at 444 East Central Street consisting of up to two hundred, sixty-five (265) rental units; and
- WHEREAS,** The Alevizos Group has submitted an application to Town pursuant to the above-described voluntary LIP approval process and participated in above-referenced reviews and made a presentation to the Franklin Town Council at a duly posted public meeting thereof.

NOW THEREFORE the Franklin Town Council, acting on behalf of the Town of Franklin, hereby expresses its support for The Alevizos Group's proposed affordable rental housing project of up to two hundred, sixty-five units to be developed on approximately fifteen acres located at 444 East Central Street and directs the Town Administrator to prepare and sign a letter of support to DHCD for the proposed project and to sign any DHCD Applications and/or other forms and to take any other action which DHCD requires to demonstrate Town's support for the project.

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

DATED: _____, 2024

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

RECUSED: _____

Nancy Danello, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council