



## **FRANKLIN TOWN COUNCIL**

**April 24, 2013**

**7:00 PM**

**A. APPROVAL OF MINUTES** – *February 13, 2013, March 27, 2012*

**B. ANNOUNCEMENTS** – *This meeting is being recorded by Franklin TV and shown on Comcast channel 11 and Verizon channel 29. This meeting may be recorded by Franklin Matters.*

**C. PROCLAMATIONS/RECOGNITIONS**

**D. CITIZEN COMMENTS**

**E. APPOINTMENTS**

**F. HEARINGS - 7:10 PM**

1. *Zoning Bylaw Amendment 13-701: Changes to Chapter 185, Section 3. Definitions*
2. *Zoning Bylaw Amendment 13-702: Changes to Chapter 185, Section 36. Impervious Surfaces*
3. *Zoning Bylaw Amendment 13-703: Changes to Chapter 185, Section 40. Water Resource District*
4. *Zoning Bylaw Amendment 13-704: Changes to Chapter 185, Attachment 9. Schedule of Lot, Area, Frontage, Yard and Height Requirements*
5. *Zoning Bylaw Amendment 13-705: Changes to Chapter 185, Section 5. Zoning Map*

**G. LICENSE TRANSACTIONS**

**H. PRESENTATIONS/DISCUSSIONS**

▪ *Facilities Director – Michael D'Angelo*

▪ *DPW Director – Brutus Cantoreggi*

**I. SUBCOMMITTEE REPORTS**

**J. LEGISLATION FOR ACTION**

1. *Resolution 13-24: Authorization for Town Administrator to Execute Mass DOT Land Damage Agreement in Connection with Route 140 Improvements*
2. *Resolution 13-29: Authorization to Sign Amended Regulatory Agreement for Meadowbrook Heights*
3. *Bylaw Amendment 13-700: Amendment of Chapter 82. Appendix A, List of Service Fee Rates – 2<sup>nd</sup> Reading*
4. *Zoning Bylaw Amendment 13-701: Amendment to Chapter 185, Section 3. Definitions – 1<sup>st</sup> Reading*
5. *Zoning Bylaw Amendment 13-702: Amendment to Chapter 185, Section 36. Impervious Surfaces – 1<sup>st</sup> Reading*
6. *Zoning Bylaw Amendment 13-703: Amendment to Chapter 185, Section 40. Water Resource District – 1<sup>st</sup> Reading*
7. *Zoning Bylaw Amendment 13-704: Amendment to Chapter 185, Attachment 9. Schedule of Lot, Area, Frontage, Yard and Height Requirements – 1<sup>st</sup> Reading*
8. *Zoning Bylaw Amendment 13-705: Amendment to Chapter 185, Section 5. Zoning Map – 1<sup>st</sup> Reading*

**K. TOWN ADMINISTRATOR'S REPORT**

**L. OLD BUSINESS**

**M. NEW BUSINESS**

**N. COUNCIL COMMENTS**

**O. EXECUTIVE SESSION** – *Negotiations, Litigation, Real Property, as May Be Required*

**P. ADJOURN**

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
February 13, 2013**

A meeting of the Town Council was held on Wednesday, February 6, 2013 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present; Andrew Bissanti, Robert Dellorco, Glenn Jones, Thomas Mercer, Judith Pfeffer, Tina Powderly, Jeff Roy. Councilors Absent: Matt Kelly, Robert Vallee. Administrative personnel in attendance: Jeffrey Nutting; Town Administrator, Mark Cerel; Town Attorney and Maxine Kinhart; Assistant to the Town Administrator.

**CALL TO ORDER:** Vice Chairman Powderly called the meeting to order at 7:00PM with a moment of silence and the Pledge of Allegiance.

**APPROVAL OF MINUTES:** *December 5, 2012 Regular Session*, **MOTION** by Councilor Jones, Second by Councilor Mercer. **VOTE to Approve: Yes-7, No-0, Absent-2.**

**ANNOUNCEMENTS:** Vice Chairman Powderly announced the meeting was recorded by Franklin TV and available for viewing on Comcast Channel 11 and Verizon Channel 29. The meeting was also recorded by Franklin Matters.

**PROCLAMATIONS/RECOGNITIONS: NONE    CITIZEN COMMENTS: NONE**

**APPOINTMENTS: NONE**

**HEARINGS:**        *Acceptance of Lady Slipper Lane, Pasture Way and Symmes Road as Public Ways – Public Hearing – 7:10 PM* – Public hearing was opened on the acceptance of Lady Slipper Lane, Pasture Way, and Symmes Road. Jeff Nutting began by stating that Franklin has dozens and dozens of unaccepted roads. We are beginning a process of bringing these roads forward for acceptance by the town. Town filed for special legislation to simplify the process. Have to hold a public hearing. These are the first four. Resident Marty Ryan of Symmes Road was present and spoke in favor of this and expressed that he was not aware that the roads were not town roads. Question on condition of roads. Roads are aging but are in acceptable condition for 15 year old roads. These roads are part of backlog of roads to be accepted. As it is now residents own ½ of road and are responsible for maintenance. This process transfers that responsibility to the town. Every mile of road the town accepts equals more Chapter 90 money. **MOTION** to close the hearing by Councilor Pfeffer. **SECOND** by Councilor Jones. **VOTE to Approve: Yes-7, No-0, Absent-2.**

**LICENSE TRANSACTIONS: NONE**

**PRESENTATIONS/DISCUSSIONS:** Gus Brown, Building Commissioner, Building Department has a staff of 5 and 2 part-time mechanical inspectors. The Building Department works with the State Department Division of Standards, Sealer of Weights & Measures and the Fire Department. The Building Commissioner is the Town's Zoning Enforcement Agent. Gus introduced Tom Richards, Product Development Manager of GEO TMS, the Building Department's operating system. Tom gave a brief presentation on the Building Department's online permitting and reporting system. Reports can be generated for quarters or year to date, etc. For example, new construction/new single family homes for fiscal 2012 showed 23 permits generated. New construction/new single family homes for first half of fiscal 2013 showed 25 permits generated. A report for all permit types for fiscal year 2013 generated so far showed 2100 permit at a total cost of \$396,000. Last year a report for all permit types showed a total cost of \$328,330. These are just samples of the information that can be obtained from the report generator. Jeff stated that the technology in the Building Department is comprehensive. GEO TMS is a Franklin based company. Online applications will be available in July so customers can complete a building permit online. Customer service in building department is great, we never receive complaints.

**SUBCOMMITTEE REPORTS: NONE**

**LEGISLATION FOR ACTION:**

**Resolution 13-07: Order of Acceptance of Lady Slipper Lane, Pasture Way, and Symmes Road as Public Ways:** **MOTION** by Councilor Jones to waive the reading. **SECOND** by Councilor Mercer. **VOTE to Approve: Yes-7, No-0, Absent-2.** **MOTION** by Councilor Jones to move Resolution 13-07 **SECOND** by Councilor Mercer. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes.** **VOTE to Approve: Yes-7, No-0, Absent-2.**

**TOWN ADMINISTRATOR'S REPORT:** ► The Town Administrator stated that the DPW, Police and Fire did a great job during the difficult snow storm. The DPW workers were out for 24 hours then came back Saturday, then Sunday, then came back Monday at midnight. They're still cleaning up a couple of sidewalks and pushing back some corners and responding to a handful of complaints. Emergency management met a couple of times, but we lost no electricity and we did not have to open a shelter. All in all everyone did a fantastic job. ► DelCarte dam repairs continue. We will hold a public hearing soon on the recreation portion of the project and will come to the Council to seek a transfer of existing funds. ► Phase 2 of the Solar deal will be before the Council soon. **OLD BUSINESS:** Councilor Powderly wants an update of Medical Marijuana. Staff is working on draft legislation and will be before Council in a couple weeks. **NEW BUSINESS:** ► NONE **COUNCILOR COMMENTS:** ► Councilor Bissanti noted that the school delay was a good choice and expressed kudos to everyone. ► Councilor Jones acknowledged DPW and contractors. ► Councilor Pfeffer asked if there was food for the workers and contractors. Town Administrator said there is usually coffee and platters or at least some form of junk food if stores are not open. ► Councilor Mercer expressed kudos to the DPW. ► Councilor Dellorco stated "Great Job". He went to work at 5:00 am on Friday and came home at 12:30 Saturday and every other town was not even close to Franklin, so a shout out to Brutus. Also, a shout out to the girls basketball team who won the Hock league last night. ► Councilor Powderly asked what the long term plan for sidewalks was. Town Administrator stated that the town has a designated walking route for all the schools and that they don't do subdivision sidewalks. ► Councilor Bissanti asked if the committee meetings with National Grid had anything to do with our not losing power. Town Administrator said they had done a lot of tree trimming and they are still looking to upgrade Partridge Street line. They did have someone at the Fire Station. Ultimately, we did not have huge winds or high tides, but it doesn't hurt to keep the pressure on.

**ADJOURN: MOTION** by Councilor Mercer to adjourn **SECONDED** by Councilor Jones. **VOTE to Approve: Yes-7, No-0, Absent-2.** Meeting adjourned at 7:43PM.

Respectfully Submitted,

Maxine Kinhart

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
March 27, 2013**

A meeting of the Town Council was held on Wednesday, March 27, 2013 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present; Andrew Bissanti, Robert Dellorco, Glenn Jones, Matt Kelly, Thomas Mercer (Remote Participation), Judith Pfeffer, Tina Powderly, Jeff Roy, Robert Vallee. Administrative personnel in attendance: Jeffrey Nutting; Town Administrator, Mark Cerel; Town Attorney and Maxine Kinhart; Assistant to the Town Administrator. Other officials present: Gary McCarraher; Fire Chief, Stephan Semerjian; Chief of Police, Jim Dacey; Treasurer/Collector.

**CALL TO ORDER:** Chairman Vallee called the meeting to order at 7:00PM with a moment of silence and the Pledge of Allegiance. Chairman Vallee explained Councilor Mercer would be attending the evening's meeting by "remote participation", so all votes would therefore be cast by "roll call".

**APPROVAL OF MINUTES:** *December 19, 2012, January 9, 2013, January 23, 2013.* **MOTION** by Councilor Powderly to move the approval of all minutes **SECONDED** by Councilor Jones. **ROLL CALL:** Bissanti – Absent, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. **VOTE to Approve: 8 – 0 – 1.**

**ANNOUNCEMENTS:** Chairman Vallee announced the meeting would be recorded by Franklin TV and available for viewing on Comcast Channel 11 and Verizon Channel 29. Franklin Matters may also record the meeting.

**PROCLAMATIONS/RECOGNITIONS:** NONE.

**CITIZEN COMMENTS:** NONE.                    **APPOINTMENTS:** NONE.

**Late Item Submission:** **MOTION** by Councilor Pfeffer to amend Legislation for Action by including Resolution 13-20: Acceptance of Gift – Town Library **SECONDED** by Councilor Powderly. **ROLL CALL:** Bissanti – Absent, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. **VOTE to Approve: 8 – 0 – 1.**

**LICENSE TRANSACTIONS:** NONE.

**NOTE:** Legislation for Action resolutions were taken out of order to accommodate those representatives in attendance.

**ARRIVAL:** Councilor Bissanti arrived after the Approval of Minutes at 7:03PM.

**LEGISLATION FOR ACTION:**

**Resolution 13-16: Acceptance of Access Easement Over Property at 42 Hayward Street:** Councilor Pfeffer read the resolution to accept the Grant of Access Easement and to order the Grant of Access Easement together with a true copy of this resolution be recorded at Norfolk County Registry of Deeds.

**MOTION** by Councilor Jones to move Resolution 13-16 **SECONDED** by Councilor Powderly.

**DISCUSSION:** Mr. Nutting explained Resolution 13-16 and Resolution 13-17 are an agreement whereby Thomas Moseley, the owner of property currently used as an access way to the DPW will have the land returned to him so that Mr. Moseley can increase the size of his company's parking lot. A new easement will be granted from land owned by the Clark Cutler McDermott Company to allow for a new and improved access to the DPW. In addition, Resolution 13-18 will allow the \$20,000 donation from Thomas Moseley to be used for the reconstruction and relocation of the entrance to the DPW on Hayward Street. **ROLL**

**CALL:** Bissanti – Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes,

**Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0.**

**Resolution 13-17: Acceptance of Access Easement Over Property at 31 Hayward Street:** Councilor Pfeffer read the resolution to accept the Grant of Access Easement and ordered that the Grant of Access Easement together with a true copy of this resolution be recorded at Norfolk County Registry of Deeds. **MOTION** by Councilor Jones to move Resolution 13-17 **SECONDED** by Councilor Pfeffer. **ROLL CALL: Bissanti – Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0.**

**Resolution 13-18: Acceptance of Gift – Town of Franklin - \$20,000:** Councilor Pfeffer read the resolution to gratefully accept the \$20,000 donation from Moseley Realty LLC for the reconstruction and relocation of the entrance to the DPW from Hayward Street. **MOTION** by Councilor Powderly to move Resolution 13-18 **SECONDED** by Councilor Jones. **DISCUSSION:** Mr. Nutting introduced Thomas Moseley’s representative, Carl Reed to the Council. Mr. Reed thanked everyone, and said the agreement will dramatically improve parking at the business. **ROLL CALL: Bissanti – Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0.**

**Resolution 13-19: Acceptance of Gift – Franklin Fire Department - \$20,000:** Councilor Pfeffer read the resolution to gratefully accept the generous donation in memory of Alden D. Stewart and thanked the Stewart Family for their generosity and community service. **MOTION** by Councilor Powderly to move Resolution 13-19 **SECONDED** by Councilor Jones. **DISCUSSION:** Fire Chief Gary McCarraher spoke on behalf of the men and women of the Fire Department by stating how humbled and honored they are by Mr. Stewart’s family. Mr. Stewart was a valued member of the department. **ROLL CALL: Bissanti – Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0.**

**Resolution 13-20: Acceptance of Gift – Library - \$6,253.12:** Councilor Pfeffer read the resolution to gratefully accept the donation from the Friends of the Franklin Library and thanked them for their dedication, hard work, and continuing support. **MOTION** by Councilor Jones to move Resolution 13-20 **SECONDED** by Councilor Powderly. **DISCUSSION:** Friends of Franklin Library President Frank Nosek spoke about the group’s two goals - which are to advocate for the Library and to financially support the Library through fundraising. Chairman Vallee and Councilor Roy thanked the Friends of Franklin Library for their substantial donations. **ROLL CALL: Bissanti – Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0.**

**PRESENTATIONS/DISCUSSIONS: YMCA – Healthy Futures/Mass in Motion – Lauren Marciszyn:** Ms. Marciszyn presented information on the Healthy Futures Program which is designed to increase opportunities for Franklin residents to eat more nutritiously and be more active. Franklin is one of 53 Massachusetts communities participating in the Mass in Motion campaign, which is made possible by the Department of Public Health. Ms. Marciszyn reviewed ways the Town can increase activity for its residents by adding pedestrian friendly sidewalks, playgrounds and walking trails. The Councilors thanked Ms. Marciszyn for the presentation.

#### **LEGISLATION FOR ACTION:**

**Resolution 13-12: Grant of Utility Easement – 218, 224 Oak Street (New High School):** Councilor Pfeffer read the resolution to grant a utility easement to Massachusetts Electric Company through, under, over, across and upon land of the Town of Franklin located at 218 and 224 Oak Street for the sole purpose of providing electric service to the Town of Franklin’s new high school. **MOTION** by Councilor Pfeffer to move Resolution 13-12 **SECONDED** by Councilor Powderly. **DISCUSSION:** Mr. Nutting and Councilor Mercer both stated the resolution is standard procedure to allow utilities to run to a building under

construction. **ROLL CALL: Bissanti – Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0.**

**Resolution 13-13: Pedestrian Safety Signal – Parmenter - \$35,000:** Councilor Pfeffer read the resolution to transfer \$35,000 from Free Cash for the purpose of installing a Pedestrian Safety Signal at Parmenter School on King Street. **MOTION** by Councilor Pfeffer to move Resolution 13-13 **SECONDED** by Councilor Powderly. **DISCUSSION:** Mr. Nutting said he attended a meeting with area neighbors, parents of students attending Parmenter Elementary School, School Administration, and the Police Chief to discuss what action(s) the Town could take to rectify the high incidence of vehicles speeding in the area of the school. It was determined the best course of action at this point would be to install a Pedestrian Safety Signal near Parmenter School. **ROLL CALL: Bissanti – Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0.**

**Resolution 13-14: DelCarte Recreation Improvements - \$395,000:** Councilor Pfeffer read the resolution to transfer funds from DelCarte Dam Repairs Resolution 12-44, account #01128900 - \$351,470 and DelCarte Open Space Resolution 09-27 and 10-48R, account #01172900 - \$43,530 for the purpose of funding Recreation Improvements to the DelCarte property. **MOTION** by Councilor Pfeffer to move Resolution 13-14 **SECONDED** by Councilor Powderly. **DISCUSSION:** Mr. Nutting explained the actual cost of the dam repair work was significantly less than projected. Mr. Nutting said he would like to use the excess dam repair funds to complete the DelCarte recreation project, which includes a playground, trail system, boardwalk, canoe launch and parking area. Several Councilors spoke in support of the project. **ROLL CALL: Bissanti – Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0.**

**HEARINGS: Town Council Proposal of Charter Amendment to Voters: Town Treasurer-Collector to be Changed from Elected to Appointed Position – 7:47PM Treasurer/Collector Jim Dacey** spoke in support of making the Treasurer/Collector an appointed position. Mr. Dacey cited the amount of knowledge of municipal finance and taxation law necessary to be successful as a Treasurer/Collector. Much discussion ensued regarding who and how an appointment might occur. Mr. Nutting supported having the Town Administrator responsible for the appointment. The majority of the Councilors agreed the Treasurer/Collector should be appointed, but disagreed over the appointment process. The Councilors agreed more study and discussion would be needed on this issue. **MOTION** by Councilor Jones to close the Hearing **SECONDED** by Councilor Kelly. **ROLL CALL: Bissanti – Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0.**

#### **LEGISLATION FOR ACTION:**

**Resolution 13-15: Town Council Proposal of Charter Amendment to Voters: Treasurer-Collector to be Changed from Elected to Appointed Position:** Councilor Pfeffer read the resolution to amend Franklin's Home Rule Charter to change the Treasurer-Collector from an elected to an appointed position. **MOTION** by Councilor Powderly to TABLE Resolution 13-15 **SECONDED** by Councilor Pfeffer. **ROLL CALL: Bissanti – No, Dellorco-No, Jones-No, Kelly-No, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-No, Vallee-Yes. VOTE to Approve: 4 – 5 – 0. MOTION to TABLE Resolution 13-15 FAILED. MOTION** by Councilor Powderly to move Resolution 13-15 **SECONDED** by Councilor Bissanti. **ROLL CALL: Bissanti – Yes, Dellorco-No, Jones-No, Kelly-No, Mercer-No, Pfeffer-No, Powderly-No, Roy-No, Vallee-No. VOTE to Approve: 1 – 8 – 0. Resolution 13-15 FAILED.**

**Zoning Bylaw Amendment 13-701: Chapter 185, Section 3 – Definitions – Referral to Planning Board:** Councilor Pfeffer read the bylaw to add the definition for "upland" to the Code of the Town of Franklin. **MOTION** by Councilor Jones to move Zoning Bylaw Amendment 13-701 for Referral to Planning Board **SECONDED** by Councilor Kelly. **DISCUSSION:** Councilor Jones read a memo from the Economic Development Committee in support of this bylaw and the next three bylaws. Mr. Nutting explained this

bylaw and the next three bylaws are necessary to provide more economic opportunity as well as protect the Town's wetlands. **ROLL CALL: Bissanti – Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0.**

***Zoning Bylaw Amendment 13-702: Chapter 185, Section 36 - Impervious Surfaces – Referral to Planning Board:*** Councilor Pfeffer read the bylaw to delete and add text to the Impervious Surfaces clause. **MOTION** by Councilor Jones to move Zoning Bylaw Amendment 13-702 to Referral to Planning Board **SECONDED** by Councilor Kelly. **DISCUSSION:** Mr. Nutting explained this bylaw amendment streamlines the site plan process by removing the Zoning Board Approval (ZBA) step and does not compromise the protection of water resources. Councilor Bissanti spoke in favor of the amendment. **ROLL CALL: Bissanti – Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0.**

***Zoning Bylaw Amendment 13-703: Chapter 185, Section 40 – Water Resource District – Referral to Planning Board:*** **MOTION** by Councilor Powderly to waive the reading **SECONDED** by Councilor Jones. **ROLL CALL: Bissanti – Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0.** **MOTION** by Councilor Powderly to refer Zoning Bylaw Amendment 13-703 to Planning Board **SECONDED** by Councilor Jones. **ROLL CALL: Bissanti – Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0.**

***Zoning Bylaw Amendment 13-704: Chapter 185, Attachment 9 – Schedule of Lot, Area, Frontage, Yard and Height Requirements – Referral to Planning Board:*** Councilor Pfeffer read the bylaw which included additions and deletions to Chapter 185, Attachment 9. **MOTION** by Councilor Jones to move Zoning Bylaw Amendment 13-704 Referral to Planning Board **SECONDED** by Councilor Kelly. **ROLL CALL: Bissanti – Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0.**

***Zoning Bylaw Amendment 13-705: Chapter 185, Section 5 – Zoning Map – Change from Single Family III to Business – Referral to Planning Board:*** Councilor Pfeffer read the bylaw amending 2.21 acres located on Old West Central Street from Single Family III to Business. **MOTION** by Councilor Powderly to move Zoning Bylaw Amendment 13-705 for referral to Planning Board **SECONDED** by Councilor Jones. **DISCUSSION:** Mr. Nutting explained this proposed legislation would affect land located across the street from the Franklin Village Shopping Center. The lots are located next to a physical therapy office on the corner, and include Town land, a dilapidated house and two homes. There would be two Public Hearings for citizens to provide feedback on the proposed zoning change. Councilor Jones stated the Economic Development Committee voted unanimously to support the proposed zoning change. **ROLL CALL: Bissanti – Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0.**

**TOWN ADMINISTRATOR'S REPORT:** ► Mr. Nutting reminded everyone Earth Day is April 27<sup>th</sup> and encouraged folks to help make the Town a nicer place to live by participating in the event. May 18<sup>th</sup> is Beautification Day by The Downtown Partnership, and Mr. Nutting encouraged folks to participate planting flowers on the bridge, etc. The Finance Committee is expected to complete the budget by March 28<sup>th</sup>. The Town Clerk will be requesting \$12,000 to pay for the Special Election. Snow Removal costs are under the \$900,000 budgeted. Mr. Nutting said he would like to see the Capital Committee get together in May to decide what to do with "free cash". Mr. Nutting will be sending a memo for the Councilors review from the Town of Brookline regarding Norfolk County Assessments.

**SUBCOMMITTEE REPORTS:** NONE.

**OLD BUSINESS:** ► Councilor Bissanti inquired about land located on Wachusett Street. Mr. Nutting said



another letter was sent to the property owner's attorney. ► Councilor Pfeffer requested the Facilities Director return to Council to address the water leaks at Jefferson Elementary School and the condition of the Old Municipal Building. ► Councilor Powderly requested the Treasurer-Collector resolution be revised and brought back before the Council. Councilor Powderly volunteered to participate on any committee formed to work on the revised resolution.

**NEW BUSINESS:** ► Councilor Kelly suggested the formation of a subcommittee to address the Treasurer-Collector appointment process with the goal of creating a resolution the Council would support. Chairman Vallee said he would form a subcommittee. ► Councilor Bissanti supported the formation of a subcommittee to work on the Treasurer-Collector appointment process. Mr. Nutting suggested coming to a consensus prior to forming the subcommittee to determine if a Treasurer-Collector appointment has support of at least six members of the Council.

**COUNCILOR COMMENTS:** ► Councilor Jones stated his impression was the members of the Council support having the voters decide whether the Treasurer-Collector should be elected or appointed. Councilor Jones said the issue is the wording of the resolution, which needs to be worked out so that the question can go to ballot in the Fall Election. ► Councilor Pfeffer thanked the family of Alden Stewart for their generous donation, the Fire Department and to the wonderful groups in Franklin who raise money for different organizations. ► Chairman Vallee commended the DPW for the excellent job the department does sweeping the streets. ► Councilor Kelly thanked everyone who made donations throughout the year.

**ADJOURN: MOTION** by Councilor Powderly to adjourn **SECONDED** by Councilor Jones. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0 Unanimous.** Meeting adjourned at 8:50PM

Respectfully Submitted,

Jan Brecht, Recording Secretary

# PUBLIC HEARINGS

7:10 PM

1. ZONING BYLAW AMENDMENT 13-701: CHANGES TO CHAPTER 185, SECTION 3. DEFINITIONS
2. ZONING BYLAW AMENDMENT 13-702: CHANGES TO CHAPTER 185, SECTION 36. IMPERVIOUS SURFACES
3. ZONING BYLAW AMENDMENT 13-703: CHANGES TO CHAPTER 185, SECTION 40. WATER RESOURCE DISTRICT
4. ZONING BYLAW AMENDMENT 13-704: CHANGES TO CHAPTER 185, ATTACHMENT 9. SCHEDULE OF LOT, AREA, FRONTAGE, YARD AND HEIGHT REQUIREMENTS
5. ZONING BYLAW AMENDMENT 13-705: CHANGES TO CHAPTER 185, SECTION 5. ZONING MAP

# PRESENTATIONS AND DISCUSSIONS

- ▶ FACILITIES DIRECTOR – MICHAEL D'ANGELO
- ▶ DPW DIRECTOR – BRUTUS CANTOREGGI


# OFFICE OF THE TOWN ADMINISTRATOR

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## MEMORANDUM

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**DATE:** April 19, 2013  
**TO:** Town Council  
**FROM:** Jeffrey D. Nutting, Town Administrator   
**RE:** Presentations by Mike D'Angelo and Brutus Cantoreggi

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Mike and Brutus are both on vacation this week, so I do not have information in the packet for review.

Mike will update the Council on the Remington Jefferson School and the report on the old municipal building that was forwarded to you awhile back.

Brutus will review the DPW work plan for the coming summer into the next few years.

LEGISLATION

FOR

ACTION



Sponsor: Administration

**TOWN OF FRANKLIN  
RESOLUTION 13-24  
AUTHORIZATION FOR TOWN ADMINISTRATOR TO  
EXECUTE MASS DOT LAND DAMAGE AGREEMENT  
IN CONNECTION WITH ROUTE 140 IMPROVEMENTS**

**WHEREAS**, Route 140 in the area of the Franklin Municipal Building is a state highway under the authority of the Massachusetts Department of Transportation Highway Division (Mass DOT), and

**WHEREAS**, Mass DOT recently completed improvements to Route 140 which included the installation of traffic lights to control traffic at the intersection of Route 140 with the Franklin Municipal Building's and Big Y's access driveways, and

**WHEREAS**, Mass DOT expanded the existing road layout to accommodate the placement of the traffic lights by exercising its eminent domain power which included acquiring an easement from the Town of Franklin for highway purposes consisting of approximately 750 square feet where the Franklin Municipal Building driveway intersects Route 140, and

**WHEREAS**, Mass DOT's installation of traffic lights within the easement area enhances safety for motorists and pedestrians and has minimal impact upon Town's use of its land.

**NOW THEREFORE**, the Town of Franklin (Town), acting by and through its Town Council, hereby authorizes the Town Administrator to execute the Mass DOT Land Damage Agreement attached hereto as "Exhibit A", wherein Town agrees to accept zero dollars in full settlement of any damage claims arising from Mass DOT's taking of the above-described easement for highway purposes from Town.

This Resolution shall become effective according to the rules and regulations of the Town of Franklin Home Rule Charter.

**DATED: April 24, 2013**

**VOTED:**

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

**A True Record Attest:**

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

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

**Deborah L. Pellegrini  
Town Clerk**

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

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

## EXHIBIT A



Deval L. Patrick, Governor  
 Timothy R. Murray, Lt. Governor  
 Richard A. Davey, Secretary & CEO  
 Frank DePaola, Administrator



## Land Damage Agreement - Standard Form

City/Town: FRANKLIN Project: ROUTE 140

Owner: TOWN OF FRANKLIN

Mailing Address: 355 EAST CENTRAL STREET, FRANKLIN, MA 02038

County: NORFOLK Layout/Order No.: 8302

Parcel No.: 12-E-1 F.A.P. #: N/E/A

This agreement is entered into for full settlement of any and all claims for damage incurred or to be incurred by the Massachusetts Department of Transportation – Highway Division as a result of a taking by eminent domain, construction, and/or alteration relating to the subject property by the Massachusetts Department of Transportation – Highway Division. The land and/or rights in land taken, and limitations of access, if any, are described in an order of taking (together with any related plans) adopted by the Massachusetts Department of Transportation – Highway Division, and on file at the office of said Department and to be recorded at the Registry of Deeds in the above referenced county.

The owner agrees to accept the sum of \$ Zero in full settlement of any and all claims whatsoever to the taken or remaining property of the owner, whether caused by the taking of land and/or rights in land, limitations of access, changes in grade or drainage and/or alteration relating to the subject property; and hereby releases the Massachusetts Department of Transportation – Highway Division, from any and all claims, due to said taking, construction and/or alteration relating to the subject property.

Additions to this agreement are as follows: (if none, write "None")

None

It is understood and agreed that this agreement shall become binding only when signed by the owner and other parties in interest, and formally approved by the Massachusetts Department of Transportation – Highway Division Administrator. It is also understood and agreed that the owners are entitled to damages for the rights being acquired, but have agreed to accept no award of damages. The owner(s) agree(s) to indemnify and hold harmless Massachusetts Department of Transportation – Highway Division with respect to any claims brought by any tenant(s)/sub-tenant(s) in possession of the subject property.

SIGNATURE OF OWNERS(S):

DATE:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ASSENTED TO BY MORTGAGEE(S) AND/OR TENANT(S) OF RECORD (REGISTRY OF DEEDS):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

APPROVED BY:

\_\_\_\_\_  
 Acting Director, Right of Way Bureau

\_\_\_\_\_  
 Date

LAW OFFICES

**CORNETTA, FICCO & SIMMLER, P.C.**

ATTORNEYS AT LAW

4 WEST STREET

FRANKLIN, MASSACHUSETTS 02038

RICHARD R. CORNETTA, JR.

VOICE (508) 528-5300

FAX (508) 528-5555

March 4, 2013

Mr. Jeffrey Nutting, Town Administrator

Town of Franklin

355 East Central Street

Franklin, MA 02038

Via: [jnutting@franklin.ma.us](mailto:jnutting@franklin.ma.us)

Ms. Maxine Kinhart

Franklin Housing Partnership

Town of Franklin

355 East Central Street

Franklin, MA 02038

Via: [mkinhart@franklin.ma.us](mailto:mkinhart@franklin.ma.us)

Re: **Meadowbrook Heights Senior Village**  
Grey Wolf Drive, Franklin, Massachusetts

Dear Mr. Nutting and Ms. Kinhart:

This firm is legal counsel to the Maple Leaf Realty Trust. This correspondence has been sent in connection with the Regulatory Agreement and Declaration of Restrictive Covenants that was executed between the Town of Franklin, the Department of Housing and Community Development and the Maple Leaf Realty Trust dated July 31, 2009 (the "Agreement") pertaining to the above-entitled senior village residential development.

At present, the residential senior housing project consists of 59 total residential units, with 9 units designated as low/moderate income under the local initiative program and special permit approved by the Franklin Zoning Board of Appeals. As the town of Franklin has been serving as the designated lottery agent in accordance with this Agreement, you are aware of the recent difficulty in identifying prospective qualified low/moderate income purchasers for the four affordable units. In the interests of allowing the developer to continue the sales of the residential units that have been constructed to date, Maple Leaf would propose an amendment to the Agreement.



According to the proposed amendment to the Agreement (copy enclosed), the total low/moderate income units would remain at 9, and the remaining affordable units will continue to be constructed and sold in accordance with the terms of the original Agreement. However, the proposed amendment to the Agreement would involve a re-location of three of the four remaining unsold affordable units within the overall development plan as originally submitted with the Agreement. In summary, the proposed amendment would propose a re-location as follows:

**Current Affordable Unit  
To become a Market Rate Unit**

103 Grey Wolf Drive

104 Grey Wolf Drive

137 Grey Wolf Drive

**Market Rate Unit  
To become Affordable Unit**

154 Grey Wolf Drive

148 Grey Wolf Drive

144 Grey Wolf Drive

Kindly schedule the consideration of the proposed amendment to the Agreement on the next available agenda of the Franklin Housing Partnership, as well as before the corresponding next available agenda before the Franklin Town Council.

Should you require any further documentation, please do not hesitate to contact this office.

Thank you for your attention to this matter.

Very truly yours,

*Richard R. Cornetta, Jr*

Richard R. Cornetta, Jr.

Encl.

cc: William S. Ronca



## TOWN OF FRANKLIN

### RESOLUTION 13-29

#### Authorization to Sign Amended Regulatory Agreement

**WHEREAS,** The Planning Board voted on July 23, 2007 to grant a Special Permit to Maple Sands Corporation for construction of a Senior Residential Community under the Town's Senior Village Bylaw to be known as Meadowbrook Heights and located off of Longhill and Meadowbrook Roads consisting of 59 two bedroom home ownership condominium dwelling units. Fifteen percent (15%) of the units are to be designated as affordable in perpetuity and to do so the Town and developer must submit a Local Initiative Program (LIP) Application and Regulatory Agreement among other documents to the Department of Housing and Community Development; and

**WHEREAS,** On November 14, 2007 the Town Council endorsed the LIP Application and authorized the Town Administrator to sign the Regulatory Agreement for Meadowbrook Heights on Resolution 07-41.

**WHEREAS,** The Developer and the Housing Trust wish to amend said Regulatory Agreement by swapping currently designated affordable unit numbers 103, 104, 137 to market rate units and current market rate unit numbers 154, 148, 144 to affordable rate units.

**NOW THEREFORE BE IT RESOLVED THAT** the Town Council does vote to endorse the change of location of units and further authorizes the Town Administrator to sign the amended Regulatory Agreement for Meadowbrook Heights Estates on behalf of the Town of Franklin and further authorizes the Town Administrator or members of his staff as he may designate to take any and all actions related to such agreement.

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

**DATED:**                   , 2013

**VOTED:** \_\_\_\_\_

**UNANIMOUSLY:** \_\_\_\_\_

**A TRUE RECORD ATTEST:**

**YES:** \_\_\_\_ **NO:** \_\_\_\_  
**ABSTAIN:** \_\_\_\_ **ABSENT:** \_\_\_\_

**Deborah L. Pellegrini**  
Town Clerk

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

**LOCAL INITIATIVE PROGRAM**  
**AMENDMENT TO REGULATORY AGREEMENT**  
**AND**  
**DECLARATION OF RESTRICTIVE COVENANTS**  
**FOR**  
**OWNERSHIP PROJECT**

This Amendment to the Regulatory Agreement and Declaration of Restrictive Covenants is made this \_\_\_\_ day of \_\_\_\_\_ 2013 by and among the Commonwealth of Massachusetts, acting by and through the Department of Housing and Community Development ("DHCD"), pursuant to Chapter 204 of the Acts of 1996, the Town of Franklin ("the Municipality"), and William S. Ronca and Michael A. DiNapoli, as Trustees of the Maple Leaf Realty Trust u/d/t dated December 12, 2006, a real estate trust recorded with the Norfolk County Registry of Deeds at Book 24354, Page 216, having an address at 45 Silver Fox Road, Franklin, MA 02038, and its successors and assigns ("Project Sponsor").

**WITNESSETH:**

WHEREAS, pursuant to G.L. c. 40B, §§ 20-23 (the "Act") and the final report of the Special Legislative Commission Relative to Low and Moderate Income Housing Provisions issued in April 1989, regulations have been promulgated at 760 CMR 45.00 (the "Regulations") which establish the Local Initiative Program ("LIP"), a Regulatory Agreement and Declaration of Restrictive Covenants (the "Agreement") was executed between the DHCD, the Municipality and the Project Sponsor dated July 31, 2009 and the Agreement was recorded with the Norfolk Registry of Deeds at Book 26974, Page 319.

WHEREAS, the Project Sponsor intends to construct a housing development known as Meadowbrook Heights at a 30.94 acre site on Long Hill Road and Meadowbrook Road in the Municipality, more particularly described in Exhibit A attached hereto and made a part hereof (the "Project");

WHEREAS, such Project is to consist of a total number of 59 condominium units/single family homes (the "Units") and 9 of the Units will be sold at prices specified in this Agreement to persons or households with incomes at or below eighty percent (80%) of the regional median household income (the "Low and Moderate Income Units");

WHEREAS, the Chief Elected Official of the Municipality (as that term is defined in the Regulations) and the Project Sponsor have made application to DHCD to certify that the Project is a valid Comprehensive Permit Project (as that term is defined in the Regulations) within the LIP Program and therefore that the Project Sponsor is qualified to apply to the Municipality's Board of Appeals (as that term is defined in the Regulations) for a comprehensive permit pursuant to the Act (the "Comprehensive Permit"), or have made application to DHCD to certify that the units in the Project are Local Initiative Units (as that term is defined in the Regulations) with the LIP Program; and

WHEREAS, in partial consideration of the execution of this Agreement, DHCD has issued or will issue its final approval of the Project within the LIP Program and has given and will give technical and other assistance to the Project;

NOW, THEREFORE, in consideration of the agreements and covenants hereinafter set forth, and other good and valuable consideration, the receipt and sufficiency of which each of the parties hereto hereby acknowledge to the other, DHCD, the Municipality, and the Project Sponsor hereby agree and covenant as follows:

1. The Agreement shall be amended by deleting the Exhibit B attached thereto and replacing the same with the revised Exhibit B attached hereto. In all other respects said Agreement, is hereby ratified and affirmed.

2. Upon execution, the Project Sponsor shall immediately cause this Amendment to the Agreement to be recorded with the Registry of Deeds for the County where the Project is located or, if the Project consists in whole or in part of registered land, file this Agreement and any amendments hereto with the Registry District of the Land Court for the County where the Project is located (collectively hereinafter the "Registry of Deeds"), and the Project Sponsor shall pay all fees and charges incurred in connection therewith. Upon recording or filing, as applicable, the Project Sponsor shall immediately transmit to DHCD and the Municipality evidence of such recording or filing including the date and instrument, book and page or registration number of the Agreement.

3. The Project Sponsor hereby represents, covenants and warrants as follows:

- (a) The Project Sponsor (i) is a real estate trust duly organized under the laws of the Commonwealth of Massachusetts, and is qualified to transact business under the laws of this State, (ii) has the power and authority to own its properties and assets and to carry on its business as now being conducted, and (iii) has the full legal right, power and authority to execute and deliver this Agreement.
- (b) The execution and performance of this Agreement by the Project Sponsor (i) will not violate or, as applicable, has not violated any provision of law, rule or regulation, or any order of any court or other agency or governmental body, and (ii) will not violate or, as applicable, has not violated any provision of any indenture, agreement, mortgage, mortgage note, or other instrument to which the Project Sponsor is a party or by which it or the Project is bound, and (iii) will not result in the creation or imposition of any prohibited encumbrance of any nature.
- (c) The Project Sponsor will, at the time of execution and delivery of this Agreement, have good and marketable title to the low and moderate income units that may be affected by this Amendment constituting the Project free and clear of any lien or encumbrance (subject to encumbrances created pursuant to this Agreement, any loan documents relating to the Project the terms of which are approved by DHCD, or other permitted encumbrances, including mortgages referred herein, below).
- (d) There is no action, suit or proceeding at law or in equity or by or before any governmental instrumentality or other agency now pending, or, to the knowledge of the Project Sponsor, threatened against or affecting it, or any of its properties or rights, which, if adversely determined, would materially impair its right to carry on business substantially as now conducted (and as now contemplated by this Agreement) or would materially or adversely affect its financial condition.

4. The Project Sponsor represents and warrants that it has obtained the consent of all existing mortgagees of the Project to the execution and recording of this Agreement and to the terms and conditions hereof and that all such mortgagees have executed the Consent to the Amendment to the Regulatory Agreement attached hereto and made a part hereof.

Executed as a sealed instrument as of the date first above written.

Project Sponsor: Maple Leaf Realty Trust

By: \_\_\_\_\_  
William S. Ronca  
its Trustee

By: \_\_\_\_\_  
Michael J. DiNapoli  
its Trustee

Department of Housing and  
Community Development

By: \_\_\_\_\_  
its Director

Municipality

By: \_\_\_\_\_  
Jeffrey D. Nutting  
Town Administrator

Attachments:     Exhibit A - Legal Property Description  
                     Exhibit B - Prices & Location of Low & Moderate Income Units  
                     Exhibit B1 - Schedule of Low & Moderate Income Units  
                     Exhibit B2 - Map of Location of Low & Moderate Income Units

Consent forms signed by any and all mortgagees whose mortgages are recorded prior to this Amendment To Regulatory Agreement must be attached to this Amendment To Regulatory Agreement.

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF NORFOLK, ss.

\_\_\_\_\_, 2013

On this \_\_\_\_\_ day of \_\_\_\_\_, 2013, before me, the undersigned notary public, personally appeared William S. Ronca and Michael J. DiNapoli, proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person whose name is signed on the preceding document, as Trustees of the Maple Leaf Realty Trust [Project Sponsor], and acknowledged to me that they signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
Print Name:  
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF SUFFOLK, ss.

\_\_\_\_\_, 2013

On this \_\_\_\_\_ day of \_\_\_\_\_, 2013, before me, the undersigned notary public, personally appeared \_\_\_\_\_, proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person whose name is signed on the preceding document, as \_\_\_\_\_ for the Commonwealth of Massachusetts acting by and through the Department of Housing and Community Development, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary public  
Print Name:  
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF NORFOLK, ss.

\_\_\_\_\_, 2013

On this \_\_\_\_\_ day of \_\_\_\_\_, 2013, before me, the undersigned notary public, personally appeared Jeffrey D. Nutting, proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person whose name is signed on the preceding document, as Town Administrator for the Town of Franklin, and acknowledged to me that he signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
Print Name:  
My Commission Expires:

**CONSENT TO AMENDMENT TO REGULATORY AGREEMENT**

Re: Meadowbrook Heights  
(Project Name)  
Franklin, Massachusetts  
(City/Town)  
Maple Leaf Realty Trust  
(Project Sponsor)

The Undersigned being the holder of the following mortgages and encumbrances on the above described Project, hereby consents to the execution and recording of this Agreement and to the terms and conditions hereof, to wit:

Mortgage dated 12/18/2006, filed with Norfolk District of the Land Court as Instrument No. 1118652 with Certificate No. 173944.

Assignment of Licenses and Permits dated 12/18/2006, filed with Norfolk District of the Land Court as Instrument No. 1118653 with Certificate No. 173944.

Uniform Commercial Code dated 12/18/2006, filed with Norfolk District of the Land Court as Instrument No. 1118654 with Certificate No. 173944.

Mortgage dated 1/30/2008, filed with Norfolk District of the Land Court as Instrument No. 1146097 with Certificate No. 173944.

Assignment of Licenses and Permits dated 1/30/2008, filed with Norfolk District of the Land Court as Instrument No. 1146098 with Certificate No. 173944.

SCITUATE FEDERAL SAVINGS BANK  
(name of lender)

By: \_\_\_\_\_  
its \_\_\_\_\_

**COMMONWEALTH OF MASSACHUSETTS**

COUNTY OF \_\_\_\_\_, ss. \_\_\_\_\_, 2013

On this \_\_\_\_\_ day of \_\_\_\_\_, 2013, before me, the undersigned notary public, personally appeared \_\_\_\_\_, proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person whose name is signed on the preceding document, as \_\_\_\_\_ of \_\_\_\_\_ Bank, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
Print Name:  
My Commission Exp:

## EXHIBIT A

Re: Meadowbrook Heights  
(Project Name)  
Franklin, Massachusetts  
(City/Town)  
Maple Leaf Realty Trust  
(Project Sponsor)

### Property Description

#### Parcel One

The land with the buildings thereon located on Meadowbrook Road, Franklin, Norfolk County, Massachusetts, and being Lot 192, Lot 193 and Lot 194 as shown on the plan entitled "LAND COURT CASE NO. 30347<sup>F</sup> MEADOWBROOKESTATES PLAN OF LAND IN *Franklin, Mass*" Norfolk County Scale: 1" = 60' dated April 6, 1999 by Salvetti, Surveying & Engineering Assoc., 10 Emmons Street, Franklin, Mass 02038 a copy of a portion of which is filed at the Norfolk County Registry District with Certificate No 156457. Lot 192 contains 1,600 S.F., Lot 193 contains 33,401 S. F. and Lot 194 contains 33, 101 S.F. according to said Plan.

Lot 193 is conveyed subject to the 20' Wide Sewer Easement, the Sewer Easement and 15' Drain Easement and Lot 194 subject to the 20' Wide Sewer Easement all as set forth in the Conveyance of Easements and Utilities to the Town of Franklin dated January 10, 2002 in Norfolk Registry District Document No. 918651.

#### Parcel Two:

That certain parcel of/and with the buildings thereon, if any, situated on Long Hill Road in Frank/in, Norfolk County, Massachusetts and being shown or designated as Lot 201 on a Plan of Land entitled "Land Court Case No. 30347<sup>F</sup> Meadowbrook Estates Plan of Land In Franklin, Mass", Scale: 1=60', Dated April 6, 1999; Prepared by: SALVETTI, Surveying & Engineering Assoc., 10 Emmons Street, Franklin, Mass. 02038; being Sheet 2 of 3; and being filed with the Norfolk County Registry District of the Land Court on November 3, 1999 as Plan No. 30347<sup>F</sup> said P/an being filed with Certificate of title No. 156457. Said parcel containing 1,281,264 square feet, more or less, or 29.41 acres, more or less, labeled "Not a buildable lot due to lack of frontage"

For title see Notice of Voluntary Withdrawal recorded with the Norfolk County Registry of Deeds at Book 25933, Page 121. See also Norfolk District Certificate of Title No. 173944. See Master Deed dated May 13, 2008 filed with the Norfolk District of the Land Court, Document No. 1157516 with Certificate No. C359.



EXHIBIT B

Re: Meadowbrook Heights  
(Project Name)  
Franklin, Massachusetts  
(City/Town)  
Maple Leaf Realty Trust  
(Project Sponsor)

Maximum Selling Prices, Initial Condominium Fees, and Percentage Interest Assigned to Low and Moderate Income Units

	Sale Price	Condo Fee	% Interest
One bedroom units	\$ _____	\$ _____	_____
Two bedroom units	\$ _____	_____ month	_____
Three bedroom units	\$ _____	\$ _____	_____
Four bedroom units	\$ _____	\$ _____	_____

Location of Low and Moderate Income Units

The housing units which are Low and Moderate Income Units are those designated as those units set forth on Schedule of Unit attached as Exhibit B1, and Map attached as Exhibit B2, and made apart hereto.

- ✓ a plan of land entitled \_\_\_\_\_, filed Norfolk's Plan No. \_\_\_\_ of \_\_\_\_\_, Plan Book \_\_\_\_
- ✓ floor plans recorded with the Master Deed of the \_\_\_\_\_ Condominium recorded with the \_\_\_\_\_ Registry of Deeds in Book \_\_\_\_\_, Page \_\_\_\_\_.

EXHIBIT B1  
AMENDMENT TO REGULATORY AGREEMENT

Phase	Bldg #	Unit #	Address	Bldg	#rms	%CAPH1	%CAPH2	%CAPH3	%CAPH4	%CAPH5	%CAPH6
			Grey Wolf								
1	1	1	15	dup	11						1.83486
<b>1</b>	<b>1</b>	<b>2</b>	<b>17</b>	<b>dup</b>	<b>11</b>						<b>0.91743</b>
1	2	3	19	dup	11						1.83486
1	2	4	21	dup	11						1.83486
1	3	5	23	dup	11						1.83486
1	3	6	25	dup	11						1.83486
1	4	7	27	dup	11						1.83486
1	4	8	29	dup	11						1.83486

2	5	9	35	tri	11						1.83486
<b>2</b>	<b>5</b>	<b>10</b>	<b>37</b>	<b>tri</b>	<b>11</b>						<b>0.91743</b>
2	5	11	39	tri	11						1.83486
2	6	12	41	tri	11						1.83486
2	6	13	43	tri	11						1.83486
2	6	14	45	tri	11						1.83486
2	7	15	53	tri	11						1.83486
<b>2</b>	<b>7</b>	<b>16</b>	<b>55</b>	<b>tri</b>	<b>11</b>						<b>0.91743</b>
2	7	17	57	tri	11						1.83486

3	8	18	63	dup	11						1.83486
3	8	19	65	dup	11						1.83486
3	9	20	69	dup	11						1.83486
3	9	21	71	dup	11						1.83486
3	10	22	73	dup	11						1.83486
3	10	23	75	dup	11						1.83486
3	11	24	77	dup	11						1.83486
3	11	25	79	dup	11						1.83486
3	12	26	81	dup	11						1.83486
3	12	27	83	dup	11						1.83486

4	13	28	85	dup	11						1.83486
4	13	29	87	dup	11						1.83486
4	14	30	89	dup	11						1.83486
4	14	31	91	dup	11						1.83486
4	15	32	93	dup	11						1.83486
4	15	33	95	dup	11						1.83486
<b>4</b>	<b>16</b>	<b>38</b>	<b>86</b>	<b>dup</b>	<b>11</b>						<b>0.91743</b>
4	16	39	88	dup	11						1.83486
4	17	40	94	dup	11						1.83486
<b>4</b>	<b>17</b>	<b>41</b>	<b>96</b>	<b>dup</b>	<b>11</b>						<b>0.91743</b>

5	18	34	97	dup	11						1.83486
5	18	35	99	dup	11						1.83486
5	19	36	101	dup	11						1.83486
5	19	37	103	dup	11						1.83486
5	20	42	98	dup	11						1.83486
5	20	43	100	dup	11						1.83486
5	21	44	102	dup	11						1.83486
5	21	45	104	dup	11						1.83486

[illegible]

**LOW/MODERATE INCOME UNITS**

- Unit 2, 17 Grey Wolf Drive
- Unit 10, 37 Grey Wolf Drive
- Unit 16, 55 Grey Wolf Drive
- Unit 38, 86 Grey Wolf Drive
- Unit 41, 96 Grey Wolf Drive
- Unit 48, 144 Grey Wolf Drive
- Unit 50, 148 Grey Wolf Drive
- Unit 53, 154 Grey Wolf Drive
- Unit 55, 147 Grey Wolf Drive

Unit 2, 17 Grey Wolf Drive  
Unit 10, 37 Grey Wolf Drive  
Unit 16, 55 Grey Wolf Drive  
Unit 38, 86 Grey Wolf Drive  
Unit 41, 96 Grey Wolf Drive  
Unit 48, 144 Grey Wolf Drive  
Unit 50, 148 Grey Wolf Drive  
Unit 53, 154 Grey Wolf Drive  
Unit 55, 147 Grey Wolf Drive

# OFFICE OF THE TOWN ADMINISTRATOR



## MEMORANDUM

**DATE:** March 1, 2013  
**TO:** Town Council  
**FROM:** Jeffrey D. Nutting, Town Administrator  
**RE:** FY 14 Trash Fee Increase

I am requesting the Town Council approve an \$8 per year increase in the FY 14 trash fee in conjunction with the increase in the annual budget of over \$130,000. If you approve the fee, we will still need to transfer about \$87,000 for surplus to balance the budget. This will leave a surplus of about \$250,000, which can be used over the next few years to help slow the rate of increases in the trash fee. Please see the rate history below, the proposed FY 14 rate, and the potential rates for future years, using the surplus to offset costs.

Please call with questions.

### Rate History

FY 05 fee \$300  
FY 06 fee \$216  
FY 07 fee \$240  
FY 08 fee \$232  
FY 09 fee \$244  
FY 10 fee \$244  
FY 11 fee \$220  
FY 12 fee \$220

### 35 Gallon Containers

---

FY 13 fee \$204.....\$184  
FY 14 fee \$212.....\$192  
\*FY 15 fee \$220.....\$200  
\*FY 16 fee \$228.....\$208

*\*Potential future fees*



Sponsor: Administration

**TOWN OF FRANKLIN**  
**BYLAW AMENDMENT 13-700**

**AMENDMENT OF SERVICE FEES:**  
**Solid Waste and Recycling**

**A BY-LAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN, BE IT ENACTED  
BY THE FRANKLIN TOWN COUNCIL THAT:**

**Chapter 82 of the Code of the Town of Franklin, Appendix A, "List of Service Fee  
Rates" is hereby amended as attached (add underlined text, delete struck).**

**This By-Law amendment shall become effective July 1, 2013.**

---

**DATED: \_\_\_\_\_, 2013**

**A True Record Attest:**

**Deborah L. Pellegrini  
Town Clerk**

**VOTED:**

**UNANIMOUS \_\_\_\_\_**  
**YES \_\_\_\_\_ NO \_\_\_\_\_**  
**ABSTAIN \_\_\_\_\_**  
**ABSENT \_\_\_\_\_**

---

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

**APPENDIX A**  
**LIST OF SERVICE FEE RATES**

<b>DEPARTMENT</b>	<b>FEE</b>	<b>FY13 RATE</b>	<b>FY 14 RATE</b>	<b>SERVICE CATEGORY</b>
<b>PUBLIC WORKS</b>				
	<b>CURBSIDE TRASH (ANNUAL)</b>			
	Fee Using 65 Gallon Trash Cart	<del>\$204.00</del>	<u>\$212.00</u>	UTILITY
	Fee Using 35 Gallon Trash Cart	<del>\$184.00</del>	<u>\$192.00</u>	<u>UTILITY</u>

# **FRANKLIN PLANNING & COMMUNITY DEVELOPMENT**

355 EAST CENTRAL STREET, ROOM 120  
FRANKLIN, MA 02038-1352  
TELEPHONE: 508-520-4907  
FAX: 508-520-4906

## **MEMORANDUM**

**TO: TOWN COUNCIL**  
**FROM: GLENN JONES, CHAIRMAN, ECONOMIC DEVELOPMENT COMMITTEE**  
**RE: ECONOMIC DEVELOPMENT RELATED ZONING BYLAW AMENDMENTS**  
**CC: JEFF NUTTING, TOWN ADMINISTRATOR, ECONOMIC DEVELOPMENT COMMITTEE,**  
**PLANNING BOARD, DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT**  
**DATE: MARCH 20, 2013**

The Economic Development Committee is pleased to provide you with a summary of topics the Committee has been working on with the assistance of the Department of Planning and Community Development and other staff members.

At their March 13, 2013 meeting, the Economic Development Committee voted to support three changes to the Town's Zoning Bylaw, and I believe these changes are in the best interest of the Town. The proposed changes allow more flexible use of parcels during the development review process, while maintaining sufficient regulations to assure protection of the Town's water supply.

The Economic Development Committee voted to recommend changes to Zoning Bylaws §185-36 Impervious Surfaces and §185-40 Water Resources District Bylaw.

Attached are the following zoning bylaw amendments for review and consideration:

- 13-701: §185-3. Definitions
- 13-702: §185-36. Impervious Surfaces
- 13-703: §185-40. Water Resource District
- 13-704: §185. Attachment 9 Schedule of Lot, Area, Frontage, Yard and Height Requirements

The Economic Development Committee discussed the rezoning of six parcels along Old West Central Street. Committee members unanimously agreed in order to continue to encourage economic development the parcels should be rezoned from Single Family III to Business.

The six parcels along Old West Central Street are:

- 620 West Central Street
- Vacant Lot (Town owned)
- 648 Old West Central Street
- 652 Old West Central Street
- 656 Old West Central Street
- 664 Old West Central Street

Attached are the following zoning bylaw amendments for review and consideration:

- 13-705: §185-5. Zoning Map - Single Family III to Business Zoning District
- Proposed Zoning Map Change

Members also discussed and supported the creation of a Medical Marijuana Overlay District. A Zoning Bylaw amendment has been drafted by the DPCD in response to approval of Question 3 on the November 6, 2012 State Referendum by the voters of the Town of Franklin. The proposed bylaw amendment will be presented to the Council at their April 3, 2013 meeting.



**Sponsor:** *Department of Planning and  
Community Development*

**TOWN OF FRANKLIN  
ZONING BY-LAW AMENDMENT 13-701**

**Changes to §185-3. Definitions**

**A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT  
CHAPTER 185, SECTION 3.**

**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, added into §185-3 Definition in alphabetical order:

UPLAND – land that does not fall within a wetlands resource area as defined in M.G.L. Chapter 131, Section 40, 310 CMR 10, or Franklin Town Code 181.

This by-law Amendment shall become effective in accordance with the provisions of the Franklin Home Rule Charter and M.G.L. c.40A, §5.

**DATED:** \_\_\_\_\_, 2013

**A True Record Attest:**

**Deborah L. Pellegrini  
Town Clerk**

**VOTED:**

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

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

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

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

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

**SPONSOR:**  
*Department of Planning and  
Community Development*

**TOWN OF FRANKLIN  
ZONING BY-LAW AMENDMENT 13-702  
IMPERVIOUS SURFACES**

**A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT  
CHAPTER 185, SECTION 36.**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:**

Chapter 185 of the Code of the Town of Franklin is hereby amended by ~~deleting~~ and adding the following text at §185-36 Impervious Surfaces:

The maximum coverage by structures plus paving shall be as regulated in the Schedule of Lot, Area, Frontage, Yard and Height Requirements and, within the Water Resource District, as regulated in § 185-40. Greater coverage within the Water Resource District may be allowed ~~only by the Board of Appeals pursuant to §185-40D.(1)(1). §185-40C(2) and F.~~ Greater coverage than allowed under the Schedule of Lot, Area, Frontage, Yard and Height Requirements within other districts may be allowed on special permit from the Planning Board upon its receipt of calculations prepared by a registered professional engineer indicating that stormwater runoff from the site will not be increased following the development. ~~by more than 10% in a twenty-five-year storm and that the soil loss rate from the site will not be increased above the existing rate by more than 10% following development and upon the Planning Board's determination that erosion control methods to be employed during construction will be adequate to prevent excessive soil loss.~~

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:** \_\_\_\_\_, 2013

**VOTED:**  
**UNANIMOUS** \_\_\_\_\_

**A True Record Attest:**

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

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

**Deborah L. Pellegrini**  
**Town Clerk**

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

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

**SPONSOR:**  
*Department of Planning and  
Community Development*

**TOWN OF FRANKLIN  
ZONING BY-LAW AMENDMENT 13-703  
WATER RESOURCE DISTRICT**

**A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT  
CHAPTER 185, SECTION 40.**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:**

Chapter 185 of the Code of the Town of Franklin is hereby amended by ~~deleting~~ and adding the following text at §185-40.D.(1)Water Resource District:

~~(1) Rendering impervious more than 15% or 2,500 square feet of the lot area, whichever is greater, of a lot located within the Water Resource District. However, rendering impervious more than 15% but no more than 60% of the lot area of a lot located within the Water Resource District is permitted only in industrial and commercial zones and only upon the issuance of a special permit. An applicant for a special permit must provide artificial recharge that does not degrade groundwater quality. The proposed water recharge efforts shall be permitted only upon the approval of a hydrogeologist retained by the Town of Franklin at the expense of the applicant, under the provisions of MGL c. 44 § 53G.~~

(1). Impervious Coverage

(i) Residential Zones:

Residential use: Rendering impervious coverage more than 15% or 2,500 square feet whichever is greater, of the upland area of a lot located within the Water Resource District, is only permitted for residential uses within a residential zone by a special permit from the Zoning Board of Appeals (ZBA).

Non-residential uses: Rendering impervious coverage more than 15% or 2,500 square feet whichever is greater, of the upland area of a lot located within the Water Resource District is only permitted for non-residential uses within a residential zone by a special permit from the Planning Board.

(ii) Non-residential Zones:

Non-residential uses: Rendering impervious coverage up to 80% of the upland area of a lot located within the Water Resource District is permitted only in non-residential zones provided an application for Site Plan approval has been provided.

An applicant for site plan approval must provide artificial recharge that does not degrade groundwater quality. The proposed water recharge efforts shall be permitted only upon the approval of a hydrogeologist retained by the Town of Franklin at the expense of the applicant, under the provisions of MGL c. 44 § 53G.

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:** \_\_\_\_\_, 2013

**VOTED:**  
**UNANIMOUS** \_\_\_\_\_

**A True Record Attest:**

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

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

**Deborah L. Pellegri**  
**Town Clerk**

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

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

**Sponsor:** *Department of Planning and  
Community Development*

**TOWN OF FRANKLIN**

**ZONING BY-LAW AMENDMENT 13-704**

**Changes to §185 Attachment 9.**

**Schedule of Lot, Area, Frontage, Yard and Height Requirements.**

**A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT  
SCHEDULE OF LOT, AREA, FRONTAGE YARD AND HEIGHT  
REQUIREMENTS**

Note: Within this section, changes are shown in **Bold** type and appear as additions (**xyz**) and as deletions (~~xyz~~). This is to retain the readability of the document.

**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 and deletions to §185 Attachment 9. Maximum Percent of Lot Covered. Structures Plus Paving.

Town of Franklin  
Schedule of Lot, Area, Frontage, Yard and Height Requirements

[Amended 5-20-1998 by Bylaw Amendment 98-357; 5-6-1998 by Bylaw Amendment 98-361; 5-3-2000 by Bylaw Amendment 00-430; 7-11-2001 by Bylaw Amendment 01-468; 12-5-2001 by Bylaw Amendment 01-486; 10-2-2002 by Bylaw Amendment 02-507; 6-11-2003 by Bylaw Amendment 03-511]

District	Minimum Lot Dimensions				Minimum Yard Dimensions			Maximum Height of Building		Maximum Impervious Coverage of Upland	
	Area (square feet)	Continuous Frontage (feet)	Depth (feet)	Lot Width (minimum circle diameter)	Front (feet)	Side (feet)	Rear (feet)	Stories	Feet	Structures	Structures Plus Paving <sup>3</sup>
Rural Residential I	40,000	200	200	180 <sup>4</sup>	40	40	40	3	35	20	25
Residential VI	40,000	200	200	180 <sup>4</sup>	40	40	40	3	35	20	25
Rural Residential II	30,000	150	200	135 <sup>4</sup>	40	35	35	3	35	20	25
Single Family Residential III	20,000	125	160	112.5	40	25	30	3	35	25	35
Single Family Residential IV	15,000	100	100	90	30	20	20	3	35	30	35
General Residential V	10,000	100	100	90	20	15	20	3	40	30	35
Neighborhood Commercial	18,000	100	100	90	20	30	40	3	35	30	35
Downtown Commercial	5,000	50	50	45	5 <sup>10</sup>	0 <sup>2</sup>	15	3 <sup>9</sup>	40 <sup>9</sup>	80	90
Commercial I <sup>7</sup>	5,000	50	50	45	20 <sup>1</sup>	0 <sup>2</sup>	15	3 <sup>6</sup>	40 <sup>6</sup>	90	<del>80 100</del>
Commercial II	40,000	175	200	157.5	40	30	30	3	40	50	<del>80 60</del>
Business	20,000	125	160	112.5	40	20	30	3	40	50	<del>80 60</del>
Industrial	40,000	175	200	157.5	40	30 <sup>5</sup>	30 <sup>5</sup>	3 <sup>6</sup>	-	50	<del>80 60</del>
Limited Industrial	40,000	175	200	157.5	40	30 <sup>8</sup>	30 <sup>8</sup>	3 <sup>6</sup>	40 <sup>6</sup>	50	<del>80 60</del>
Office	40,000	100	100	90	20	30 <sup>3</sup>	30 <sup>3</sup>	3 <sup>6</sup>	40 <sup>6</sup>	50	<del>80 60</del>

Setbacks: No structure or pole carrying overhead wires shall be put up within 60 feet nor shall a billboard be erected within 100 feet of right-of-way which is 75 feet or more.

NOTES:

<sup>1</sup> But no new structure shall be required to provide a deeper yard than that existing on that parcel upon adoption of this amendment.

<sup>2</sup> Increase to 20 feet when abutting a residential district.

<sup>3</sup> **See Definition of Upland §185-3, §185-36. Impervious Surfaces and §185-40. Water Resource District.**

<sup>4</sup> Within open space developments (see § 185-43), the lot width must be met for individual lots shall be no less than 1/2 those required within the underlying district.

<sup>5</sup> Increase by the common building height of the structure, when abutting a residential use.

<sup>6</sup> Up to 5 stories and/or 60 feet, whichever is greater, may be permitted by a special permit from the Planning Board.

<sup>7</sup> Permitted residential uses must observe requirements of General Residential V District for residential use building only. Mixed use buildings are exempt from this requirement.

<sup>8</sup> Increase by 1.5 the common building height of a structure, when abutting a residential district or use.

<sup>9</sup> Up to 4 stories and/or 50 feet, whichever is less, may be permitted by a Special Permit from the Planning Board provided the structure is set back at least 15 feet from frontage.

<sup>10</sup> Minimum 5' setback required on first floor, street level; upper floors can overhang required first floor set back.

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:** \_\_\_\_\_, 2013

**VOTED:**

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

**A True Record Attest:**

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

**Deborah L. Pellegrini**  
**Town Clerk**

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

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

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**Judith Pond Pfeffer, Clerk**

**SPONSOR:** *Department of Planning and  
Community Development*

**TOWN OF FRANKLIN**

**ZONING BY-LAW AMENDMENT 13-705**

**Single Family III to Business Zoning District**

**Changes to § 185-5 Zoning Map**

**A ZONING BY-LAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN  
AT CHAPTER 185 SECTION 5, ZONING MAP, RE: CHANGE FROM SINGLE  
FAMILY III TO BUSINESS.**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:**

Chapter 185 of the Code of the Town of Franklin is hereby amended by making the following amendments to §185-5, of the Code of the Town of Franklin, Zoning Map:

That the Zoning Map of the Town of Franklin be amended by changing from Single Family III to Business an area containing 2.21± acres, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

270-015-000	271-030-000	271-031-000
271-032-000	271-033-000	271-034-000

The area to be rezoned is shown on the attached zoning map.

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:** \_\_\_\_\_, 2013

**A True Record Attest:**

**Deborah L. Pellegrini**  
Town Clerk

**VOTED:**  
**UNANIMOUS** \_\_\_\_\_

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

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

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

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



# Proposed Zoning Map Change

## Single-Family III to Business

- Parcel Line
- Office
- Business
- Rural Residential II
- Commercial II
- Single-Family III

