



FRANKLIN TOWN COUNCIL

June 4, 2014

7:00 PM

A. APPROVAL OF MINUTES – March 19, 2014

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

G. LICENSE TRANSACTIONS – *Super HK, LLC d/b/a Maguro House*

H. PRESENTATIONS/DISCUSSIONS – *Allan Mercer – Cultural District*

I. SUBCOMMITTEE REPORTS

J. LEGISLATION FOR ACTION

1. *Resolution 14-37: Authorization for Planning and Design Costs for Library Reconstruction/Addition*
2. *Resolution 14-38: Appropriation – Town Administration: Zoning Board of Appeals*
3. *Resolution 14-39: Appropriation – Town Administration: Street Lights*
4. *Resolution 14-40: Appropriation – Town Administration: Legal Expenses*
5. *Resolution 14-41: Appropriation – Snow & Ice*
6. *Resolution 14-42: Appropriation – Town Administration: Comptroller*
7. *Resolution 14-44: Acceptance of Gift – Town of Franklin*
8. *Resolution 14-45: Dedicated Proposition 2-1/2 Override Ballot Question for Stabilization Fund for Roadway, Sidewalk, and Related Drainage*
9. *Zoning Bylaw Amendment 14-728-R: Industrial to Single-Family III-2nd Reading*
10. *Zoning Bylaw Amendment 14-732: Amendment to the Franklin Town Code at Chapter 185, Section 21. Parking, Loading, and driveway requirements- 2nd Reading*
11. *Zoning Bylaw Amendment 14-733: Zoning Map changes from Commercial I to Downtown Commercial District in an Area on or Near Alpine Row-2nd Reading*
12. *Zoning Bylaw Amendment 14-734: Zoning Map Changes from Industrial to General Residential V District in an Area on or Near Josephine Street - 2nd Reading*
13. *Bylaw Amendment 14-737: Amendment to Sewer System Map – 1st 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
March 19, 2014**

A meeting of the Town Council was held on Wednesday, March 19, 2014 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present; Andrew Bissanti, Brett Feldman, Glenn Jones, Matt Kelly, Thomas Mercer, Peter Padula, Judith Pond Pfeffer, Robert Vallee, Steve Williams. Administrative personnel in attendance: Jeffrey Nutting; Town Administrator, Mark Cerel; Town Attorney and Maxine Kinhart; Assistant to the Town Administrator. Other officials present: Robert Cantoreggi; DPW Director, Laurie Ruzsala; Water and Sewer Superintendent, Mike Maglio; Town Engineer, Deacon Perrotta; Director of Operations.

CALL TO ORDER: Chairman Vallee called the meeting to order at 7:00PM with a moment of silence and the Boy Scouts from Troop 126 led the Pledge of Allegiance.

APPROVAL OF MINUTES: NONE.

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

PROCLAMATIONS/RECOGNITIONS: ► Chairman Vallee read the proclamation which thanked the Depoto family for their generosity and congratulated them on 76 years of business and three generations of family operations and wished them continued service. Mrs. Depoto thanked the Council for all they do.

CITIZEN COMMENTS: NONE.

APPOINTMENTS: *Caitlin Coyne – Historical Commission:* **MOTION** by Councilor Pfeffer to ratify the appointment of Caitlin Coyne of 10 Anchorage Road to serve as an associate member of the Historical Commission **SECONDED** by Councilor Jones. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Eric Buliung – Municipal Affordable Housing Trust Fund: **MOTION** by Councilor Pfeffer to appoint Eric Buliung of 12 Lenox Drive to serve as a member of the Municipal Affordable Housing Trust Fund **SECONDED** by Councilor Jones. **VOTE to Approve: Yes-9, No-0, Absent-0.**

HEARINGS: NONE.

LICENSE TRANSACTIONS: NONE.

PRESENTATIONS/DISCUSSIONS: *Department of Public Works – Roads, Water, Trash and Lincoln Street* – Robert Cantoreggi; DPW Director, Laurie Ruzsala; Water and Sewer Superintendent, Mike Maglio; Town Engineer, Deacon Perrotta; Director of Operations. Mr. Cantoreggi presented to the Council an outlook on current and future Town construction projects. Mr. Cantoreggi focused on how the previous 7.4 million dollar appropriation was spent and the type of appropriation needed for the next 5-Year Plan. Details on specific streets slated to have water lines and road reconstruction completed and updates on the Lincoln and Daniels Streets waterline and road reconstruction project were provided. Plans to have sidewalks installed on Panther Way and parking lot improvements to the Senior Center and Police Station were reviewed. In addition to road improvements, the DPW will be constructing a new DPW Storage Facility as the previous storage facility was constructed over contaminated land and had inadequate space for equipment. Mr. Cantoreggi discussed Sewer System improvements, which included the installation of new grinder pumps on Milliken Road and the monitoring of the Charles River Pollution Control District sewer treatment plant reconstruction project. Mr. Cantoreggi said he anticipated logistical issues during the State run Downtown Reconstruction Project scheduled to begin this Spring. Moving forward, Mr. Cantoreggi said a Sewer Capacity Study will commence shortly and the completion of construction projects at Panther Way Park, the Recycling Center and DelCarte

Playground. Mr. Cantoreggi said the DPW planned to hold an Open House event possibly on Earth Day. ► Chairman Vallee voiced concern regarding the appearance of the Recycling Center. Mr. Cantoreggi said the Recycling Center location makes it challenging to shield the center from the road, but the newly planted trees will grow to screen the center. Mr. Cantoreggi, Chairman Vallee and Councilor Kelly agreed to tour the Recycling Center together in order to come up with an agreeable plan. ► Councilor Jones suggested updating residents of road closures during the Downtown Reconstruction Project via phone/text/email messages. Mr. Cantoreggi said some residents have complained about the auto phone messages and he has learned to use the phone messages sparingly. Councilor Jones inquired about the Beaver Street Interceptor. Mr. Cantoreggi said the interceptor still operates and would cost in excess of 10 million dollars to replace. ► Chairman Vallee commended the DPW on the work they do.

Department of Public Works - Initiative 14 Plan – Robert Cantoreggi; DPW Director. Mr. Cantoreggi presented a request for the Council to appropriate 7.5 million dollars to complete much needed waterline improvements, road reconstruction and pavement preservation. Mr. Cantoreggi reviewed possible funding sources, Town road rating goals and a Proposed 5-Year Plan to reconstruct several roads. ► Mr. Nutting said there is no consistent funding source to do needed road repair and reconstruction work. Mr. Nutting said a dedicated over-ride may be the Town’s best option to address the aging roads and waterlines. ► Councilor Williams asked what a 1.5 million dollar over-ride would mean to the average taxpayer. Mr. Nutting said the over-ride would cost the average taxpayer \$130 more in taxes per year. ► Various other topics were covered. The new Town App to report poor road conditions such as potholes, broken streetlights, etc. is an efficient system and works well according to Mr. Cantoreggi. Mr. Cantoreggi clarified the Town covers up to \$40 for mailboxes and posts damaged by the Town snowplows. ► Mr. Cantoreggi made a request for the Council to consider limiting solid waste collection holidays to the six major holidays in order to better serve the residents. The Council supported the request. ► Chairman Vallee said Mr. Cantoreggi and the DPW do an outstanding job and are proactive.

Wine & Malt Package Store License – Mr. Nutting said this topic was added to the evening’s Agenda because a Wine & Malt license was denied at the last Council Meeting and Councilors were interested in developing a process to advertise newly available “Beer & Wine” and “All Alcohol” licenses. Mr. Nutting said it would not be too much work to announce available licenses and to work on this process.

SUBCOMMITTEE REPORTS: Citizens Committee – Chairman Vallee reported he and six other Councilors recently met with Milford Regional Hospital in an effort to address the distance of area hospitals to Franklin. Chairman Vallee said he would assign the issue to the Citizens Committee to evaluate the possibility of having a type of clinic or emergency room situated in Franklin whose mission it would be to stabilize a patient before the patient is transported to an area hospital.

LEGISLATION FOR ACTION:

Resolution 14-14: Purchase of Land at 92 Wachusett Street Authorization and Appropriation: Councilor Pfeffer read the resolution to purchase land containing buildings and improvements located at 92 Wachusett Street for the sum of \$159,100 for access to abutting Town-owned land, as well as public recreation and other municipal purposes. **MOTION** by Councilor Jones to move Resolution 14-14 **SECONDED** by Councilor Kelly. **DISCUSSION:** Mr. Nutting said the house would be demolished and the land would be used for much needed additional parking spaces at Fletcher Field. Councilor Padula recused himself from the vote. **ROLL CALL: Bissanti-Yes, Feldman-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Padula-Recused, Pfeffer-Yes, Vallee-Yes, Williams-Yes. VOTE to Approve: 8 – 0 – 0 – 1.**

Bylaw Amendment 14-731: Chapter 82, Appendix A, List of Service Fee Rates – 1st Reading: Councilor Pfeffer read the bylaw amendment to increase the service fee rates for Curbside Trash for a 65 Gallon Trash Cart from \$212 to \$216 and the fee for a 35 Gallon Trash Cart from \$192 to \$196 for FY15. **MOTION** by Councilor Jones to move Bylaw Amendment 14-731 to a 2nd Reading **SECONDED** by Councilor Mercer. **DISCUSSION:** Mr. Nutting said the fees reflect a cost of living increase included in the Trash Contract. The Town will subsidize a portion of the cost of living increase, but part of the increase will be passed on to

residents. **VOTE to Approve: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting announced the Town exceeded the amount appropriated for the Snow Budget by about \$150,000. Mr. Nutting said the Town has funds available to make up the difference in Free Cash. ► The Housing Trust is accepting RFP bids on affordable homes. If anyone is interested in selling a home for \$300,000 or less; the Town is looking to purchase homes for the Housing Trust to sell as "affordable" housing. ► Mr. Nutting clarified the Medical Marijuana facility proposed in Franklin is a "grow only" facility. Mr. Nutting said the Town could not prohibit facilities from locating in Franklin based on current laws, and the Town did zone these types of facilities to industrial parks located away from schools and religious organizations.

OLD BUSINESS: Councilor Pfeffer inquired about a letter from the 4th of July Coalition and asked if there were outstanding bills which need to be paid. Mr. Nutting said he was waiting for a full report from the Coalition.

NEW BUSINESS: ► Councilor Pfeffer spoke about the Housing Trust and the criteria a prospective seller would need to meet and the necessity to complete a comprehensive form due by April 1st. The Trust wants to put families in homes.

COUNCILOR COMMENTS: ► Councilor Jones congratulated the Davis Thayer PCC for a successful auction which raised \$17,000 to go into the PCC budget to cover things the School Budget does not cover. Councilor Jones announced the Franklin Education Foundation would be hosting an upcoming Trivia Night. ► Chairman Vallee said he would charge the Citizens Committee with reaching out to area hospitals to determine the feasibility of opening a trauma/urgent care center in Town. ► Councilor Kelly spoke about the 150 Emmons Street property and encouraged residents to contact Councilors if they have questions regarding the property. Contact information is available on the Town's website. ► Councilor Padula spoke in support of a trauma/urgent care center in Franklin. Councilor Padula addressed the perception the Council votes as a unit and cited the previous Council meeting where the Council was split on an issue.

ADJOURN: MOTION by Councilor Jones to adjourn **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-9, No-0, Absent-0.** Meeting adjourned at 8:32PM.

Respectfully Submitted,

Jan Brecht, Recording Secretary

LICENSE
TRANSACTIONS



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

For Reconsideration

FORM 43
MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

043000070
 ABCC License Number

Franklin
 City/Town

June 4, 2014
 Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License | <input type="checkbox"/> Change Corporate Name |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Pledge of Stock | <input type="checkbox"/> Seasonal to Annual |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock | <input type="checkbox"/> Change of License Type |
| <input type="checkbox"/> Cordials/Liqueurs Permit | <input type="checkbox"/> Issuance of Stock | <input type="checkbox"/> New Stockholder | <input type="checkbox"/> Other <input type="text"/> |
| <input type="checkbox"/> 6-Day to 7-Day License | <input type="checkbox"/> Management/Operating Agreement | <input checked="" type="checkbox"/> Wine & Malt to All Alcohol | |

Name of Licensee: Super HK, LLC EIN of Licensee: 27-0835577
 D/B/A: Maguro House Manager: Mei Fang Lee
 ADDRESS: 29 East Central Street CITY/TOWN: Franklin STATE: MA ZIP CODE: 02038
 Annual All Alcohol Restaurant
 Annual or Seasonal Category: (All Alcohol- Wine & Malt Wine, Malt & Cordials) Type: (Restaurant, Club, Package Store, General On Premises, Etc.)

Complete Description of Licensed Premises:

2393 Sq.. Ft.. Restaurant in downtown business block. Full kitchen, sushi bar, walk-in-freezer, 68 seat capacity dining area, two rest rooms, front and rear entrance/exits.

Application Filed: April 29, 2014 Date & Time Advertised: May 9, 2014 Date & Attach Publication Abutters Notified: Yes No

Contact Person for Transaction: Craig A. Ciechanowski, Esq. Phone: 508-541-3000

ADDRESS: 124 Grove Street, Suite 220 CITY/TOWN: Franklin STATE: MA ZIP CODE: 02038

Remarks:

The Local Licensing Authorities
 By:

Alcoholic Beverages Control Commission
 Ralph Sacramone
 Executive Director

 Judith Pond Pfeffer
 Clerk, Franklin Town

ABCC Remarks:

APPLICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE

City/Town

Franklin

1. LICENSEE INFORMATION:

A. Legal Name/Entity of Applicant:(Corporation, LLC or Individual) Super HK, LLC

B. Business Name (if different) : Maguro House

C. Manager of Record: Mei Fang Lee

D. ABCC License Number (for existing licenses only) : 043000070

E. Address of Licensed Premises: 29 East Central St. (Retail C)

City/Town: Franklin

State: MA

Zip: 02038

F. Business Phone: 508-520-8899

G. Cell Phone:

H. Email:

I. Website:

J. Mailing address (if different from E.):

City/Town:

State:

Zip:

2. TRANSACTION:

- New License New Officer/Director Transfer of Stock Issuance of Stock Pledge of Stock
 Transfer of License New Stockholder Management/Operating Agreement Pledge of License

The following transactions must be processed as new licenses:

- Seasonal to Annual (6) Day to (7)-Day License Wine & Malt to All Alcohol

IMPORTANT ATTACHMENTS (1): The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.

3. TYPE OF LICENSE:

- \$12 Restaurant \$12 Hotel \$12 Club \$12 Veterans Club
 \$12 General On-Premises \$12 Tavern (No Sundays) \$15 Package Store

4. LICENSE CATEGORY:

- All Alcoholic Beverages Wine & Malt Beverages Only Wine or Malt Only
 Wine & Malt Beverages with Cordials/Liqueurs Permit

5. LICENSE CLASS:

- Annual Seasonal

6. CONTACT PERSON CONCERNING THIS APPLICATION (ATTORNEY IF APPLICABLE)

NAME: Craig A. Ciechanowski, Esq.
ADDRESS: c/o Doherty, Ciechanowski, Dugan & Cannon; 124 Grove St., Suite 220
CITY/TOWN: Franklin STATE: MA ZIP CODE: 02038
CONTACT PHONE NUMBER: 508-541-3000 FAX NUMBER: 508-541-3008
EMAIL: cac@dcdclaw.com

7. DESCRIPTION OF PREMISES:

Please provide a complete description of the premises to be licensed. Please note that this must be identical to the description on the Form 43.

Approximately 2,393 square feet of space, more particularly shown on the plan attached hereto.

Total Square Footage: 2,393 Number of Entrances: Number of Exits:
Occupancy Number: 68 Seating Capacity: 68

IMPORTANT ATTACHMENTS (2): The applicant must attach a floor plan with dimensions and square footage for each floor & room.

8. OCCUPANCY OF PREMISES:

By what right does the applicant have possession and/or legal occupancy of the premises? Final Lease

IMPORTANT ATTACHMENTS (3): The applicant must submit a copy of the final lease or documents evidencing a legal right to occupy the premises. Other:

Landlord is a(n): LLC Other:

Name: Franklin Center Commons, LLC Phone: 781-828-5781

Address: 345 Neponset Street City/Town: Canton State: MA Zip: 02021

Initial Lease Term: Beginning Date 12/01/2009 Ending Date 11/30/2014

Renewal Term: N/A Options/Extensions at: 5 Years Each

Rent: \$40,681.00 Per Year Rent: \$3,390.08 Per Month

Do the terms of the lease or other arrangement require payments to the Landlord based on a percentage of the alcohol sales? Yes No

IMPORTANT ATTACHMENTS (4):

- 1. If yes, the Landlord is deemed a person or entity with a financial or beneficial interest in this license. Each individual with an ownership interest with the Landlord must be disclosed in §10 and must submit a completed Personal Information Form attached to this application.
- 2. Entity formation documents for the Landlord entity must accompany the application to confirm the individuals disclosed.
- 3. If the principals of the applicant corporation or LLC have created a separate corporation or LLC to hold the real estate, the applicant must still provide a lease between the two entities.

9. LICENSE STRUCTURE:

The Applicant is a(n):

LLC

Other :

If the applicant is a Corporation or LLC, complete the following:

Date of Incorporation/Organization:

08/10/2009

State of Incorporation/Organization:

MA

Is the Corporation publicly traded? Yes No **10. INTERESTS IN THIS LICENSE:**

List all individuals involved in the entity (e.g. corporate stockholders, directors, officers and LLC members and managers) and any person or entity with a direct or indirect, beneficial or financial interest in this license (e.g. landlord with a percentage rent based on alcohol sales).

IMPORTANT ATTACHMENTS (5):A. All individuals or entities listed below are required to complete a Personal Information Form.B. All shareholders, LLC members or other individuals with any ownership in this license must complete a CORI Release Form.

Name	All Titles and Positions	Specific # of Stock or % Owned	Other Beneficial Interest
Mei Fang Lee	Soc Signatory	50%	
Virginia Kong	Registered Agent	50%	

*If additional space is needed, please use last page.

11. EXISTING INTEREST IN OTHER LICENSES:Does any individual listed in §10 have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes No If yes, list said interest below:

Name	License Type	Licensee Name & Address
	Please Select	
	Please Select	
	Please Select	
	Please Select	
	Please Select	
	Please Select	
	Please Select	

*If additional space is needed, please use last page.

12. PREVIOUSLY HELD INTERESTS IN OTHER LICENSES:

Has any individual listed in §10 who has a direct or indirect beneficial interest in this license ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes No **If yes, list said interest below:**

Name	Licensee Name & Address	Date	Reason Terminated
Mei Fang Lee	Mandarin Cuisine, 691 Main Street, Walpole, MA 02081	until 2002	Transferred
			Please Select
			Please Select

13. DISCLOSURE OF LICENSE DISCIPLINARY ACTION:

Have any of the disclosed licenses to sell alcoholic beverages listed in §11 and/or §12 ever been suspended, revoked or cancelled? Yes No If yes, list said interest below:

Date	License	Reason of Suspension, Revocation or Cancellation

14. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR A (§15) PACKAGE STORE LICENSE ONLY :

A.) For Individual(s):

1. Are you a U.S. Citizen? Yes No
2. Are you a Massachusetts Residents? Yes No

B.) For Corporation(s) and LLC(s) :

1. Are all Directors/LLC Managers U.S. Citizens? Yes No
2. Are a majority of Directors/LLC Managers Massachusetts Residents? Yes No
3. Is the License Manager or Principal Representative a U.S. Citizen?

C.) Shareholder(s), Member(s), Director(s) and Officer(s):

- 1.. Are all Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes No

15. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR (§12) RESTAURANT, HOTEL, CLUB, GENERAL ON PREMISE, TAVERN, VETERANS CLUB LICENSE ONLY:

A.) For Individual(s):

1. Are you a U.S. Citizen? Yes No

B.) For Corporation(s) and LLC(s) :

1. Are a majority of Directors/LLC Managers **NOT** U.S. Citizen(s)? Yes No
2. Is the License Manager or Principal Representative a U.S. Citizen? Yes No

C.) Shareholder(s), Member(s), Director(s) and Officer(s):

- 1.. Are all Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes No

16. COSTS ASSOCIATED WITH LICENSE TRANSACTION:

A. Purchase Price for Real Property:	
B. Purchase Price for Business Assets:	\$59,535.56
C. Costs of Renovations/Construction:	\$145,420.99
D. Initial Start-Up Costs:	\$105.50
E. Purchase Price for Inventory:	\$16,796.71
F. Other: (Specify)	\$141.24
G: TOTAL COST	\$220,000.00
H. TOTAL CASH	\$99,000.00
I. TOTAL AMOUNT FINANCED	\$123,000.00

IMPORTANT ATTACHMENTS (6): Submit any and all records, documents and affidavits including loan agreements that explain the source(s) of money for this transaction. Sources of cash must include a minimum of three (3) months of bank statements.

The amounts listed in subsections (H) and (I) must total the amount reflected in (G).

17. PROVIDE A DETAILED EXPLANATION OF THE FORM(S) AND SOURCE(S) OF FUNDING FOR THE COSTS IDENTIFIED ABOVE (INCLUDE LOANS, MORTGAGES, LINES OF CREDIT, NOTES, PERSONAL FUNDS, GIFTS):

See attached affidavit explaining the three loans and personal contributions.

*If additional space is needed, please use last page.

18. LIST EACH LENDER AND LOAN AMOUNT(S) FROM WHICH "TOTAL AMOUNT FINANCED" NOTED IN SUB-SECTIONS 16(I) WILL DERIVE:

Name	Dollar Amount	Type of Financing
Chun Ling Yu	\$70,000.00	Personal loan
Rui Yu Dong	\$23,000.00	Personal loan
Mei Mei Lam	\$30000.00	Personal loan

*If additional space is needed, please use last page.

B. Does any individual or entity listed in §19 as a source of financing have a direct or indirect, beneficial or financial interest in this license or any other license(s) granted under Chapter 138? Yes No

If yes, please describe:

19. PLEDGE: (i.e. COLLATERAL FOR A LOAN)

A.) Is the applicant seeking approval to pledge the license? Yes No

1. If yes, to whom:

2. Amount of Loan: 3. Interest Rate: 4. Length of Note:

5. Terms of Loan :

B.) If a corporation, is the applicant seeking approval to pledge any of the corporate stock? Yes No

1. If yes, to whom:

2. Number of Shares:

C.) Is the applicant pledging the inventory? Yes No

If yes, to whom:

IMPORTANT ATTACHMENTS (7): If you are applying for a pledge, submit the pledge agreement, the promissory note and a vote of the Corporation/LLC approving the pledge.

20. CONSTRUCTION OF PREMISES:

Are the premises being remodeled, redecorated or constructed in any way? If YES, please provide a description of the work being performed on the premises: Yes No

21. ANTICIPATED OPENING DATE:

**IF ALL OF THE INFORMATION AND
ATTACHMENTS ARE NOT COMPLETE
THE APPLICATION WILL BE
RETURNED**

APPLICANT'S STATEMENT

I, Virginia Kong the sole proprietor; partner; corporate principal; LLC/LLP member

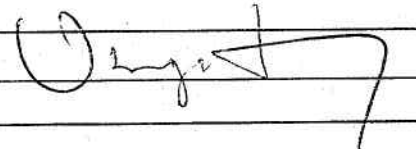
of Super HK, LLC, hereby submit this application for Super HK, LLC dba Maguro House (hereinafter the

"Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature:



Date:

2/13/14

Title:



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
 www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee	Super HK, LLC	B. Business Name (dba)	Maguro House
C. Address	29 East Central Street	D. ABCC License Number (If existing licensee)	043000070
E. City/Town	Franklin	State	MA
		Zip Code	02038
F. Phone Number of Premise	508-520-8899	G. EIN of License	27-0835577

2. PERSONAL INFORMATION:

A. Individual Name	Mei Fang Lee	B. Home Phone Number	
C. Address	53 Church Street		
D. City/Town	Grafton	State	MA
		Zip Code	01519
E. Social Security Number		F. Date of Birth	
G. Place of Employment	Maguro House		

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? Yes No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

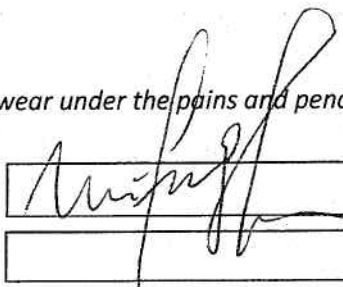
4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

50% ownership of the licensee

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.
 *If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature  Date

Title (If Corporation/LLC Representative)



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
 www.mass.gov/abcc

MANAGER APPLICATION

All proposed managers are required to complete a Personal Information Form, and attach a copy of the corporate vote authorizing this action and appointing a manager.

1. LICENSEE INFORMATION:

Legal Name of Licensee: Business Name (dba):

Address:

City/Town: State: Zip Code:

ABCC License Number: Phone Number of Premise:
 (If existing licensee)

2. MANAGER INFORMATION:

A. Name: B. Cell Phone Number:

C. List the number of hours per week you will spend on the licensed premises:

3. CITIZENSHIP INFORMATION:

A. Are you a U.S. Citizen: Yes No B. Date of Naturalization: C. Court of Naturalization:

(Submit proof of citizenship and/or naturalization such as US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers)

4. BACKGROUND INFORMATION:

A. Do you now, or have you ever, held any direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages? Yes No
 If yes, please describe:

B. Have you ever been the Manager of Record of a license to sell alcoholic beverages that has been suspended, revoked or cancelled? Yes No
 If yes, please describe:

C. Have you ever been the Manager of Record of a license that was issued by this Commission? Yes No
 If yes, please describe:

D. Please list your employment for the past ten years (Dates, Position, Employer, Address and Telephone):

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature Date



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee	Super HK, LLC	B. Business Name (dba)	Maguro House
C. Address	29 East Central Street	D. ABCC License Number (If existing licensee)	043000070
E. City/Town	Franklin	State	MA
		Zip Code	02038
F. Phone Number of Premise	508-520-8899	G. EIN of License	27-0835577

2. PERSONAL INFORMATION:

A. Individual Name	Virginia Kong	B. Home Phone Number	508-761-7590
C. Address	417 Brown Street, Unit 2		
D. City/Town	Attleboro	State	MA
		Zip Code	02703
E. Social Security Number		F. Date of Birth	
G. Place of Employment	Maguro House		

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? Yes No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

50% ownership of the licensee

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.
 *If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature		Date	2/13/14
Title		(If Corporation/LLC Representative)	

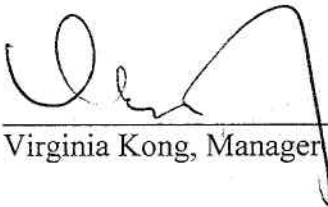
SUPER HK, LLC
MANAGERS' AND MEMBERS' CERTIFICATE

The undersigned, being all of the Managers and all of the Members of Super HK, LLC (the "LLC"), do hereby certify that:

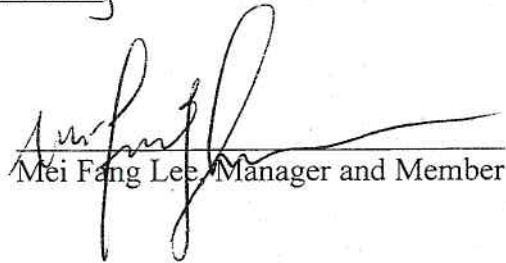
(a) The LLC is authorized to submit an application for an alcohol license to the Town of Franklin and does hereby appoint Mei Fang Lee as manager of such license.

(b) The Managers are hereby authorized, on behalf of the LLC, to execute and deliver the instruments and documents authorized by the foregoing paragraph with such changes as they, in their sole discretion, may deem necessary or appropriate, her execution and delivery thereof to be conclusive of their authority.

EXECUTED as of the 13 day of February 2014



Virginia Kong, Manager and Member



Mei Fang Lee, Manager and Member



DEAN COLLEGE

BUSINESS OFFICE

October 30, 2012

Maguro House Restaurant
Ms Virginia Kong
Ms Stacey Lee
29 East Central Street
Franklin, MA 02038

Re: Full Liquor License

Dear Virginia and Stacey,

As an interested party of the building at 17-33 East Central Street, Franklin, MA, you have the approval to acquire a 'Full Liquor License' for the Maguro House.

Regards,

Daniel A Modelane
Vice President of Financial Services and Treasurer

JOHN S. MARINI MANAGEMENT COMPANY
FRAMING COMPANY, INC.

345 NEPONSET STREET
CANTON, MASSACHUSETTS 02021
(781) 828-5781
Fax: (781) 828-0621
www.marinimgmt.com

May 11, 2012


Maguro House Restaurant
Ms Virginia Kong
Ms Stacey Lee
29 E. Central Street
Franklin, MA 02038

Re: Full Liquor License

Dear Virginia and Stacey,

As the owner for the 17 – 33 East Central Street, Franklin, MA building and your landlord, you have my approval to obtain a 'Full Liquor License' for the 'Mauro House.

Best regards,



John S. Marini
Franklin Downtown Revitalization, LLC

PRESENTATIONS
AND
DISCUSSIONS

1. ALLAN MERCER – CULTURAL DISTRICT

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

MEMORANDUM

TO: JEFFREY D. NUTTING, TOWN ADMINISTRATOR
FROM: BRYAN W. TABERNER, AICP, DIRECTOR
RE: PROPOSED CULTURAL DISTRICT
CC: BETH A. DAHLSTROM, TOWN PLANNER
DATE: MAY 27, 2014

As you know several individuals and organizations are working towards creation of a Cultural District in and around Downtown Franklin. Given that cultural economic development is on my list of economic development priorities this year it was logical DPCD would provide some assistance researching the issue and identifying potential benefits to local cultural organizations and business, and to the Town in general.

The research project was assigned to DPCD Intern Will Kolschowsky this past January. Will researched MCC cultural district program guidelines, contacted organizations, State agencies, other Massachusetts communities with cultural districts, completed a draft application, and was very instrumental into organizing a meeting held at Franklin Public Library on March 20th.

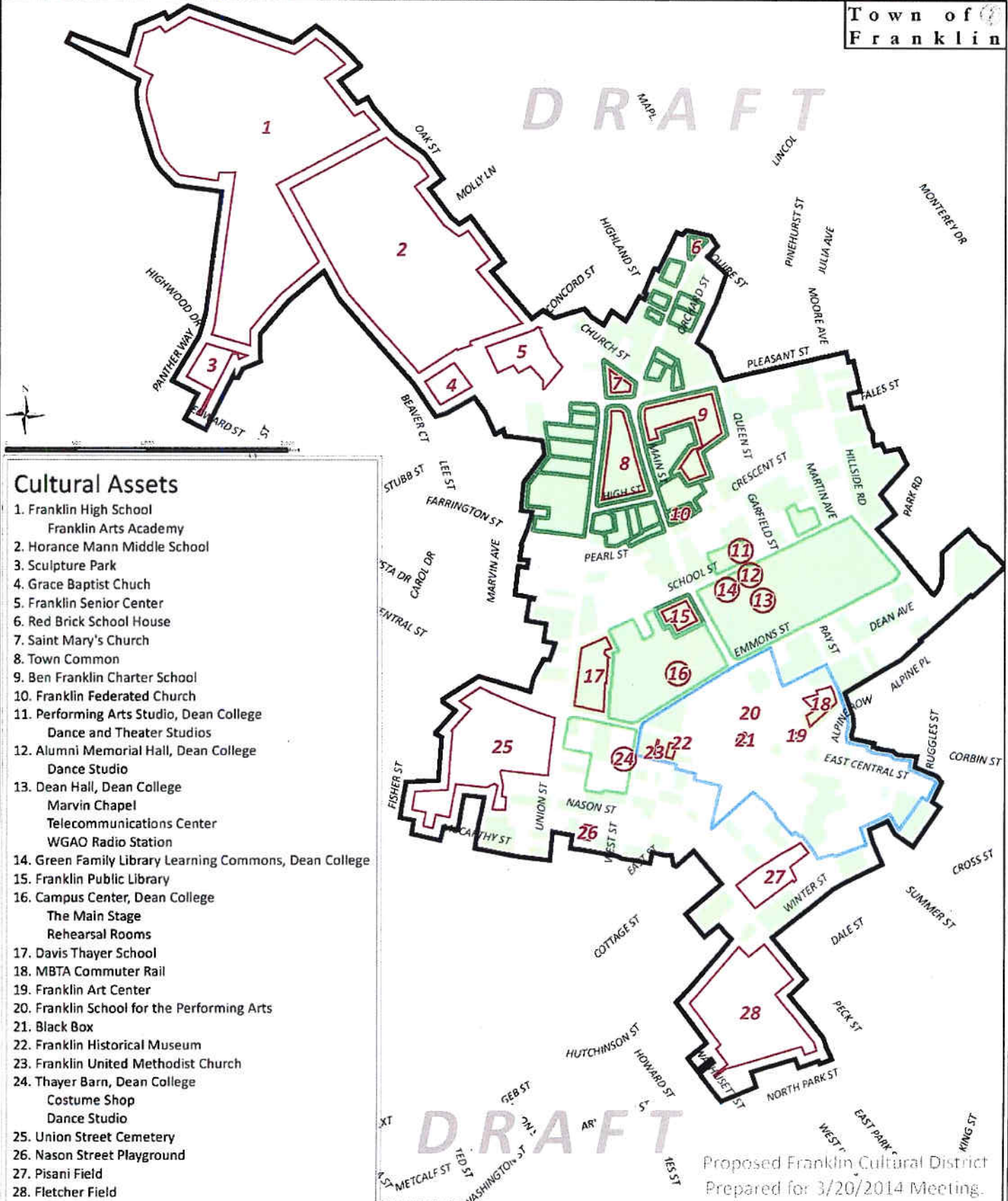
Since the March meeting a partnership of organizations has begun to form. A second meeting was held in April, and a smaller steering committee has begun to meet more often to discuss various related issues. Once the group has a formal plan I recommend they ask to be on Town Council's agenda for a presentation. Attached is general information about MCC's cultural district program and the Proposed Franklin Cultural District.

Cultural District

-  Proposed Cultural District
-  Dean College Historic District
-  Parcel Line
-  Cultural Assets
-  Downtown Commercial District
-  Historic Properties

Town of
Franklin

DRAFT



Cultural Assets

1. Franklin High School
Franklin Arts Academy
2. Horance Mann Middle School
3. Sculpture Park
4. Grace Baptist Church
5. Franklin Senior Center
6. Red Brick School House
7. Saint Mary's Church
8. Town Common
9. Ben Franklin Charter School
10. Franklin Federated Church
11. Performing Arts Studio, Dean College
Dance and Theater Studios
12. Alumni Memorial Hall, Dean College
Dance Studio
13. Dean Hall, Dean College
Marvin Chapel
Telecommunications Center
WGAO Radio Station
14. Green Family Library Learning Commons, Dean College
15. Franklin Public Library
16. Campus Center, Dean College
The Main Stage
Rehearsal Rooms
17. Davis Thayer School
18. MBTA Commuter Rail
19. Franklin Art Center
20. Franklin School for the Performing Arts
21. Black Box
22. Franklin Historical Museum
23. Franklin United Methodist Church
24. Thayer Barn, Dean College
Costume Shop
Dance Studio
25. Union Street Cemetery
26. Nason Street Playground
27. Pisani Field
28. Fletcher Field

DRAFT

Proposed Franklin Cultural District
Prepared for 3/20/2014 Meeting.

Creating a Cultural District

What is a Cultural District?

According to the Massachusetts Cultural Council, a cultural district is a specific geographical area that has a concentration of cultural facilities, activities, and assets. It has to be walkable, easily accessible, and easily identifiable to visitors and residents. Cultural districts should serve as a center for cultural, artistic and economic activity. Their designation lasts for five years and can be renewed upon successful compliance with annual reporting and support by the hosting city or town. The first report needs to address the number of visitors the district received and any changes there were to building occupancy rates. Annual reports thereafter can measure impact by looking at changes in: aggregate sales tax; the number of full time jobs in the district; or through customer surveys within the district.

Who is Involved?

After a specific geographical area is identified, a partnership needs to be formed. Organizations and stakeholders, representing a mix of interests for the district, need to partner together to develop a: mission; goals; marketing plan; and governance structure. The required governance structure distributes oversight and management responsibilities. There must also be a written agreement between the city or town and the designated partner that outlines the responsibilities of each party.

The majority of the organizations in the partnership must be located within the district. Organizations located outside the district may be included but only if they provide programming within the district on a regular basis. Organizations that represent artists in the community must be included in the partnership, and at least one cultural organization that is incorporated in Massachusetts must be included in the partnership.

What are Goals of a Cultural District?

The statute that created cultural districts defines specific goals. They are to:

1. Attract artists and cultural enterprises;
2. Encourage business and job development;
3. Establish the district as a tourist destination;
4. Preserve and reuse historic buildings;
5. Enhance property values; and
6. Foster local cultural development.

How do we Apply?

Most of the application process is online. There is a rolling enrollment and there are no deadlines. Applications with a strong management plan; well-defined strategic goals; a plan to fully utilize local cultural assets through creative programming and marketing; and inclusion of the community's unique history and topographic features, are likely to be the most successful. Applications are also assessed on their: budgets; incentives; and utilization of public amenities.

Cultural District Management Structure

The Massachusetts Cultural Council requires that Cultural Districts have a governance structure. Governance structures involve agreed upon rules, forms, and management techniques, such as: establishing a schedule for regularly held meetings, determining the number of attendees that will constitute a quorum, creating agendas, taking meeting minutes, and creating sub-committees to manage responsibilities. Other examples of governance structure initiatives include creating and managing a website, coordinating membership and volunteer outreach, and establishing budgets.

From the MCC Guidelines:

Prior to submitting an application, the city or town must form a cultural district partnership. The partnership must be comprised of a diverse mix of organizations that represent the interests of the district. The majority of organizations in the partnership must be located in the district.

At least one cultural organization that is incorporated in Massachusetts must be in the partnership. Cultural organizations located outside the geographic boundaries of the district may be involved in the partnership but must provide programming on a regular basis within the district's boundaries. Organizations that represent artists in the community must be included as partners.

Other types of partners may include: not-for-profit organizations; private for-profit businesses; funding agencies; educational and faith-based institutions; and regional, state, and federal agencies.

The partnership must have a governance structure. The management responsibility may be assigned to one of the partners or partner entities by the city or town. The entity must be a good match for the assignment and have the capacity to lead the partnership. Existing entities may be a Main Streets program, Empowerment Zone, Historic District, Business Improvement District or existing Cultural District partnership. There must be a written agreement between the city or town and the designated partner that outlines the responsibilities of each party.

Key Principles of Governance Structures

Some Cultural Districts in Massachusetts have Steering Committees to manage their district. Steering Committees generally have several members that meet regularly to discuss policies and standards for the district, set goals, meet State requirements for certification, and create and market a "brand" for the district. The Steering Committee is usually a core group of a larger more diverse set of partners.

A number of key principles can be identified from other Cultural Districts located in Massachusetts. Six overarching principles include:

1. The Municipality is engaged;
2. The Partnership is representative of the District;
3. There is a sound Management Structure;
4. There are clear policies, strategies, and an action plan;
5. There are strong relationships with external partners to support implementation;
and
6. Financial resources are in place.

Examples of Governance Structures:

Harbortown Cultural District

The Harbortown Cultural District started out with monthly meetings and a few management techniques but quickly changed to a more detailed governance structure when communication and coordination fell short between members. They established rules and created subcommittees, including the: Special Projects, Communications, Partners, and Finance subcommittees. The Harbortown Cultural District also has a Steering Committee that meets monthly. There are also quarterly meetings that are open to the District's 20 "Founding Partners." These Founding Partners are the local businesses, arts, and cultural organizations that expressed great interest in the creation of a Cultural District but did not want to be a part of the governance structure. The Harbortown Cultural District is also starting to collaborate regionally with three other Cultural Districts on Massachusetts's Cape Ann: Essex, Rockport, and Rocky Neck Cultural Districts.

Fenway Cultural District

The Fenway Cultural District is composed of 22 member institutions, and has eight subcommittees to carry out specific responsibilities. Their first subcommittee: Opening Our Doors, assists with programming, community outreach, event promotion, and student, resident and business volunteer recruitment. This subcommittee meets as frequently as possible, based upon member availability. Their second subcommittee: Design, Marketing & Promotions, develops district marketing plans, budgets, coordinates presentations, creates and manages promotions, develops cross-marketing opportunities, envisions the district's identity, addresses environmental issues that pertain to the district, among other tasks. The other subcommittees include: Signage and Wayfinding; Logo; Economic Development; Academic Advisement; Access, Universal Design & Pedestrian Safety; and the Local Artists Involvement subcommittee.

Concord Center Cultural District

The Concord Center Cultural District is in a management agreement with the Chamber of Commerce and the Town of Concord. They have established a Committee of 7 people (and private funders i.e. banks) that meet regularly.

Natick Center Cultural District

The Managing Partner for this District is the Natick Center Associates, who works with the Town for funding. Eventually, however, the Town is looking to have the Cultural District become its own, self-sustaining entity.

Shelburne Falls

Shelburne Falls' cultural district is managed by the Shelburne Falls Area Partnership. The partnership consists of members from the two towns the district is in as well as the Greater Shelburne Falls Area Business Association, which is the managing partner. The partnership meets 6 times a year. There is no permanent staff member for the district but there are volunteer driven Committees; one for Marketing and the other for Events.

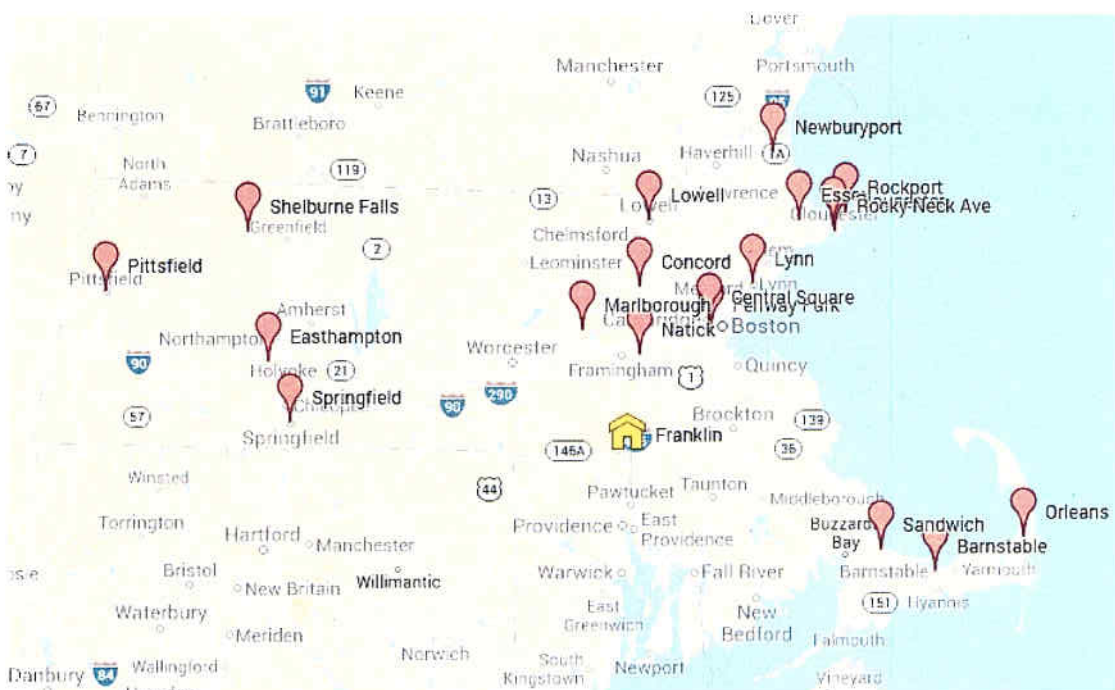
Marlborough

The Marlborough cultural district creation was facilitated by the Marlborough Downtown Village—a preexisting grassroots organization that brought together the interests of the many stakeholders in the area. Of this partnership, there is a core group of 12-15 members that do most of the work. Marlborough is currently looking to find funding for a full-time downtown manager.

Lowell

For the Lowell Canalway Cultural District there is a 10-member management team that is a part of COOL (Cultural Organizations of Lowell), which was a preexisting 501(3)(c) corporation. In addition to this management team, partners meet biannually. There is no staff position dedicated to the district, but they are looking to partner with UMass Lowell to create an internship position.

.Location of other districts:





Cultural Districts

Designation Guidelines

What is a Cultural District?

A cultural district is a specific geographical area in a city or town that has a concentration of cultural facilities, activities, and assets. It is a walkable, compact area that is easily identifiable to visitors and residents and serves as a center of cultural, artistic and economic activity. The Massachusetts Cultural Council recognizes that each community is unique and that no two cultural districts will be alike.

Who Can Apply?

Any city or town in the Commonwealth of Massachusetts is eligible to apply for designation of a cultural district. The city or town, after identifying a specific geographic area, must establish a partnership with other organizations and stakeholders. Cities or towns may apply for more than one cultural district but each designation must be applied for separately.

Cultural Districts Goals:

The statute that created cultural districts has specific goals. They are:

1. Attract artists and cultural enterprises
2. Encourage business and job development
3. Establish the district as a tourist destination
4. Preserve and reuse historic buildings
5. Enhance property values
6. Foster local cultural development

[See the legislation for the Massachusetts Cultural Districts Initiative.](#)

Length of Designation:

A cultural district designation will be in effect for 5 years and renewed upon successful compliance with annual reporting requirements in prior years, and a recommitment by the city or town to continue their cultural districts work.

Cultural District Partnership

The applicant must be a city or town's chief elected official. A city or town municipal department may be the contact for the application.

Prior to submitting an application, the city or town must form a cultural district partnership. The partnership must be comprised of a diverse mix of organizations that represent the interests of the district. The majority of organizations in the partnership must be located in the district.

At least one cultural organization that is incorporated in Massachusetts must be in the partnership. Cultural organizations located outside the geographic boundaries of the district may be involved in the partnership but must provide programming on a regular basis within the district's boundaries. Organizations that represent artists in the community must be included as partners.

Other types of partners may include not-for-profit organizations, private for-profit businesses, funding agencies, educational and faith-based institutions, and regional, state, and federal agencies.

The partnership must have a governance structure. The management responsibility may be assigned to one of the partners or partner entities by the city or town. The entity must be a good match for the assignment and have the capacity to lead the partnership. Existing entities may be a Main Streets program, Empowerment Zone, Historic District, Business Improvement District or existing Cultural District partnership. There must be a written agreement between the city or town and the designated partner that outlines the responsibilities of each party.

The MCC fully expects that cities and towns will be at varying stages in the development of their cultural district strategies and partnerships. Use the [Cultural Districts Readiness Wizard](#) to see if you are ready to apply.

Resolution by the City/Town

Any city or town applying for a state-designated cultural district must hold a public hearing with adequate notice regarding the proposed district and pass a resolution making a commitment to establishing a state-designated cultural district.

Resources for Cultural Districts

For cities and towns that choose to pursue cultural district designation, the Massachusetts Cultural Council (MCC) will provide a framework for how to assemble a public and private partnership, how to develop district goals, how to map the relevant assets within the district, how to identify public resources and planning tools that compliment the district and practices for marketing the district.

In addition, the Massachusetts Cultural Council offers a number of funding programs that might benefit the planning and implementation of your cultural district. Each program offers a combination of financial and/or technical resources to support the development of your cultural district's goals, and the implementation of your plan. If you are not familiar with the MCC's programs, please click on the links below for more information. MCC program staff is available for consultation for each program. The programs include: The Adams Art Program, Cultural Facilities Fund, Local Cultural Council Program and ArtistLink.

The legislation includes no new funds for 2012, so the cultural districts initiative will offer no grants or other financial rewards to communities, at least for the time being.

The MCC has identified state agencies whose programs and services may benefit your cultural districts. Each state agency is available to discuss the plan for your cultural district and to discuss whether their initiatives are appropriate for your district's plan of action. Some additional programs and services include: strategic community planning; marketing and promotion; historic property stewardship; way finding signage; open space programming; and economic development.

The following is a partial list of programs and services available to cultural districts. [More details on Massachusetts Resources for Cultural Districts](#)

Program Resources

Massachusetts Cultural Council

- [Adams Arts Program](#)
- [ArtistLink \(Artist Live/Work Space\)](#)
- [Cultural Facilities Fund](#)
- [Local Cultural Council Program](#)

Other State Agencies

Marketing and promotion	Massachusetts Office of Travel and Tourism
Historic designation	Mass Historic Commission
Community planning	Department of Housing and Community Development
Economic development	Executive Office of Housing and Economic Development

Open space and recreation	Department of Conservation and Recreation
Signage	Department of Transportation

What Types of Activity Take Place in a Cultural District?

Art classes and educational offerings	Public art
Art creation and rehearsal	Festivals
Art-related street vendors	Farmers Markets
Art and museum sales	Restaurant Week
Demonstrations (artists at work)	Open Studios
Exhibitions	Gallery Nights
Literary readings	Walking Tours
Performing arts events	Signature Event
Concerts	

To Be Eligible for Designation:

- The applicant must be a city or town of the Commonwealth of Massachusetts.
- The cultural district must have well-defined boundaries, be walkable and widely accessible.
- The cultural district must be a geographical area of a city or town that has a concentration of cultural facilities and assets.
- The city or town must hold a public hearing with adequate notice for public input and pass a resolution making a commitment to establishing a state designated cultural district. ([See Sample Resolution](#)) The only exception to this criterion is if a cultural district has been established in the same geographic area in a town or community within two years of applying for state designation, in which case a public hearing and resolution is not required.
- The city or town must establish a partnership of stakeholders prior to applying for designation that will provide oversight and management.
- The partnership must develop a mission, goals, and marketing plan for the district.
- The city or town must agree to participate in the state [cultural districts signage program](#). A minimum of two (2) signs must be purchased. This may incur some costs.

Application Process

The Massachusetts Cultural Districts Initiative has a rolling application process. There are no deadlines and the program accepts applications on an ongoing basis unless otherwise noted. Cities and towns should assess their readiness to apply and allow ample time for staff to complete the application.

Most of the application is in an online format. The application also involves various documents that must be submitted by mail. All items are required for an application to be reviewed.

There are four stages to the application process:

I. Confirm Eligibility

1. Review the designation guidelines to ensure that you understand the parameters of the Massachusetts Cultural Districts Initiative.
2. Complete the [Cultural Districts Readiness Wizard](#) to verify program eligibility and to assess readiness to complete the full application.

3. Contact Cultural Districts program staff to discuss any questions you may have

II. Provide a Master Map

Please provide 3 copies of a map that outlines the preliminary boundaries of your proposed cultural district. The map should clearly mark the boundaries of the district and identify the cultural assets. Include cultural facilities, artistic spaces, public amenities and cultural activities. You may also submit a list of the assets. The map can be created by your Redevelopment Authority, Planning Department, GIS department or you can access a web tool such as [google maps](#) to create the map.

Submit the map by mail to
Cultural Districts Initiative
Massachusetts Cultural Council
10 St. James Avenue, 3rd floor
Boston, MA 02116

The Cultural Districts Initiative Manager, Mer Jenkins, will be in contact with you to discuss the map.

III. Complete the Application:

1. Create an organizational profile to access the online application. *(Please note: Usernames/Passwords created for previously submitted Adams and Cultural Facilities Fund applications can be used.)*
2. Complete the online Cultural Districts Designation application.
3. Click the "final submission" button of the online application. The electronic component of your application will then be automatically received by the MCC.
4. Mail or hand-deliver the following attachments to the MCC in the order listed:

REQUIRED - 2 Identical sets

_____ Letter of Endorsement from Chief Elected Official

_____ Copy of Resolution from City Council / Board of Selectmen making a commitment to establish a state designated cultural district. (See Sample Resolution)

_____ Master Map. Please provide a map of the cultural district. The map should mark the boundaries of the district and clearly identify the cultural facilities, artistic spaces, public amenities and cultural activities located in the district. The map can be created by your Redevelopment Authority, Planning Department, GIS department or you can access a web tool such as [google maps](#) to create the map.

_____ Financial Resources Worksheet. This worksheet is an opportunity for you to identify resources in the district.

_____ Third party agreement (if relevant). If the municipality has made a third party arrangement for the oversight and management of the cultural district with an organization in the district, there must be a written agreement between the municipality and the organization that outlines their responsibilities.

_____ Audited accounts (if relevant). If the municipality has made a third party arrangement for the oversight and management of the cultural district with an organization in the district, the organization must submit their most recent audited accounts.

_____ 501c3 verification (if relevant). If the organization with oversight and management of the cultural district is a 501c3 incorporated in Massachusetts, the letter confirming this status must be submitted.

_____ Official legal documentation regarding any special zoning overlays or ordinances that is relevant to the cultural district

_____ Marketing materials, if relevant to the cultural district

OPTIONAL

_____ Reports, feasibility studies, visioning results, news articles, etc that may have been generated regarding a proposed district

Cultural Districts Initiative
Massachusetts Cultural Council
10 St. James Avenue, 3rd floor
Boston, MA 02116

IV. Site Visit

1. The Massachusetts Cultural Districts Initiative staff will review the application. If it is incomplete, or ineligible, staff will contact you with further instructions.
2. If your application is complete, staff will contact you to set up a site visit with the advisor to the Massachusetts Cultural Districts Initiative. The advisor and MCC staff will arrange a date to tour the proposed district and meet with the city/town applicant and other Cultural District partners. The meeting is an opportunity to demonstrate the district's readiness to obtain state designation. The applicant and partners should be prepared to respond to questions about the proposed district during the meeting. Instructions on preparing for the site visit and a meeting agenda will be emailed to you prior to the visit. The advisor will create a site visit report based on the information presented and his/her observations that will be reviewed by the board of the Massachusetts Cultural Council. [Learn more about what's involved in the site visit](#)

Review Criteria

Applications with a strong management plan, well-defined strategic goals, a plan to fully utilize local cultural assets through creative programming and marketing, and inclusion of the community's unique history and topographic features, are likely to be the most successful.

Applications will be assessed based on the following categories:

- Management & Budget
- Cultural Assets
- Public Infrastructure & Amenities
- Marketing
- Incentives & Evaluation

Final Decisions

The MCC staff and site advisor will make recommendations to the MCC board. The MCC Board will make all final decisions regarding state designation.

Award Process

Following the MCC board vote, your city or town will be notified of the outcome of your application by letter, usually within two weeks of a MCC board meeting.

If the application is successful, MCC staff will contact you to arrange a designation ceremony and media announcements. If the application is unsuccessful, staff will discuss next steps in the process for reapplication.

Reporting Requirements

A report will be required at the end of the first 12 months after designation and yearly thereafter.

The impact of a cultural district is tangible and measurable. In the first year, all designated cultural districts must gather the following baseline data:

- Visitors – Track number of visitors to the district
- Building Occupancy – Changes in occupancy rates

You must also track data that measures the impact and reflects the specific goals of your district. Examples are, but not limited to: aggregate sales tax in the district, number of full time jobs, number of artists, box office sales, consumer surveys and so on.

[Proceed to the Online Application](#)

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LEGISLATION

FOR

ACTION

TOWN OF FRANKLIN

RESOLUTION 14-37

**Authorization for Planning and Design Costs
for Library Reconstruction/Addition**

Whereas: The Town Council has been advised of a need for the design, engineering and preparation of plans for the reconstruction, repair, and furnishing of, and an addition to, the Franklin Public Library,

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Franklin that:

- (1) \$1,000,000 is appropriated to pay costs of design, engineering and preparation of plans for the reconstruction, repair, and furnishing of, and an addition to, the Franklin Public Library, including the payment of costs of the OPM and architectural services, all costs necessary for the preparation of bid specifications, and all other costs incidental or related thereto; and that to meet this appropriation the Treasurer-Collector with the approval of the Town Administrator is authorized to borrow \$1,000,000 under G.L. c.44, §7 or any other enabling authority.
- (2) This Resolution shall become effective according to the rules and regulations of the Town of Franklin Home Rule Charter.

VOTED:

DATED: _____, 2014

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

**Deborah L. Pellegrini
Town Clerk**

ABSENT _____

Judith Pond Pfeffer, Clerk

OFFICE OF THE TOWN ADMINISTRATOR



MEMORANDUM

DATE: May 27, 2014
TO: Town Council
FROM: Jeffrey D. Nutting, Town Administrator
RE: Library Improvements

As you are aware, the Library is in need of improvements. The preliminary estimates for repairs and a small addition is \$6.6 million. I suggest the Town Council approve a \$1 million bond to hire a Project Manager this fall, followed by an Architect.

The team of the Project Manager, Architect and Building Committee would present a proposed design with the estimated cost to the Town Council for approval in 2015.

I have attached our debt capacity spread sheet showing we should have over \$2,000,000 in debt capacity when we start to pay back the bond. Accordingly, no tax increase would be required to fund this project under the current debt policy.

Our Library holds a special place in history, and the renovation and addition are needed to continue its legacy.

cc: Finance Committee
Felicia Oti Library Director
Library Board

2. Library Data

	FY 2000	FY2005	FY2010	FY2014 Est
MBIC Municipal Appr Req'ment				938,743
Approved Library Budget	822,641	806,661	778,622	637,949
FTE	19	14	11	9
Collection	71,591	88,025	100,332	119,939
Circulation	234,009	256,439	340,961	370,938
Library Visits	172,580	261,940	278,343	295,134
No of Children's programs	139	218	229	302
Weekly Computer/Internet Use			297	630

Franklin Library Project Budget

Description of Work	
Hard cost of constructon	\$4,961,365
Building Permit	\$0
Architectural & Engineering services	\$555,000
project management	\$272,875
HazMat Survey & monitoring	included with A&E
Geotech survey & Environmental review	included with A&E
Structural peer review	included with A&E
Advertising	\$5,000
Materials testing	\$15,000
Utility company backcharges	required?
Moving	\$5,000
Printing and copying	\$8,000
legal	required?
Technology	\$100,000
FF&E	\$100,000
Construction Contingency	\$577,760
Total Project Cost	\$6,600,000

Town of Franklin, Massachusetts

Projected Debt Service (Inside Prop 2 1/2)

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
1 Current Actual General Fund Debt Service	2,792,838	2,732,851	2,651,611	2,567,581	2,471,411	2,099,336	2,036,006	1,966,261	1,662,376	1,318,386	1,118,606
2 Estimated General Fund R Assumes \$2.5 Million Growth/Year	99,817,869	102,317,869	104,817,869	107,317,869	109,817,869	112,317,869	114,817,869	117,317,869	119,817,869	122,317,869	124,817,869
3 Target for General Fund Debt Service at 3.5% of General Fund Rev	3,493,625	3,581,125	3,668,625	3,756,125	3,843,625	3,931,125	4,018,625	4,106,125	4,193,625	4,281,125	4,368,625
4 Current Available Capacity (Under 3.5% General Fund Revenues Target)	700,788	848,274	1,017,014	1,188,544	1,372,214	1,831,789	1,982,619	2,139,864	2,531,249	2,962,739	3,250,019

Projected Debt Service

3.00% BAN Rate

4.00% Bond Rate

5 Total Principal	-	-	-	-	-	-	-	-	-	-	-
6 Total Interest	-	-	-	-	-	-	-	-	-	-	-
7 Total BAN Interest	-	-	-	-	-	-	-	-	-	-	-

8 Total Projected Debt Service

9 Total Actual & Projected

9 Total Actual & Projected	2,792,838	2,732,851	2,651,611	2,567,581	2,471,411	2,099,336	2,036,006	1,966,261	1,662,376	1,318,386	1,118,606
# Projected Available Capacity (over/under t:	700,788	848,274	1,017,014	1,188,544	1,372,214	1,831,789	1,982,619	2,139,864	2,531,249	2,962,739	3,250,019

BAN - Bond Anticipation Note, short term borrowing usually for 1 year
 Bond - Long term borrowing, anywhere from 10 to 20 years.

Town of Franklin, MA

\$7,000,000 General Obligation Library Bonds, Dated May 1, 2017
20 Years, Equal Principal

with: \$1,000,000 BANs dated May 1, 2015, Due May 1, 2016
\$3,000,000 BANs dated November 1, 2015, Due May 1, 2016
\$7,000,000 BANs dated May 1, 2016, Due May 1, 2017
(Interest Estimated, Subject to Change)

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
05/01/2015	-	-	-	-	-
05/01/2016	1,000,000.00	2.000%	20,000.00	20,000.00	-
05/01/2016	3,000,000.00	2.000%	30,000.00	30,000.00	-
06/30/2016	-	-	-	-	50,000.00
05/01/2017	7,000,000.00	2.000%	140,000.00	140,000.00	-
06/30/2017	-	-	-	-	140,000.00
11/01/2017	-	-	175,000.00	175,000.00	-
05/01/2018	350,000.00	5.000%	175,000.00	525,000.00	-
06/30/2018	-	-	-	-	700,000.00
11/01/2018	-	-	166,250.00	166,250.00	-
05/01/2019	350,000.00	5.000%	166,250.00	516,250.00	-
06/30/2019	-	-	-	-	682,500.00
11/01/2019	-	-	157,500.00	157,500.00	-
05/01/2020	350,000.00	5.000%	157,500.00	507,500.00	-
06/30/2020	-	-	-	-	865,000.00
11/01/2020	-	-	148,750.00	148,750.00	-
05/01/2021	350,000.00	5.000%	148,750.00	498,750.00	-
06/30/2021	-	-	-	-	647,500.00
11/01/2021	-	-	140,000.00	140,000.00	-
05/01/2022	350,000.00	5.000%	140,000.00	490,000.00	-
06/30/2022	-	-	-	-	630,000.00
11/01/2022	-	-	131,250.00	131,250.00	-
05/01/2023	350,000.00	5.000%	131,250.00	481,250.00	-
06/30/2023	-	-	-	-	612,500.00
11/01/2023	-	-	122,500.00	122,500.00	-
05/01/2024	350,000.00	5.000%	122,500.00	472,500.00	-
06/30/2024	-	-	-	-	595,000.00
11/01/2024	-	-	113,750.00	113,750.00	-
05/01/2025	350,000.00	5.000%	113,750.00	463,750.00	-
06/30/2025	-	-	-	-	577,500.00
11/01/2025	-	-	105,000.00	105,000.00	-
05/01/2026	350,000.00	5.000%	105,000.00	455,000.00	-
06/30/2026	-	-	-	-	560,000.00
11/01/2026	-	-	96,250.00	96,250.00	-
05/01/2027	350,000.00	5.000%	96,250.00	446,250.00	-
06/30/2027	-	-	-	-	542,500.00
11/01/2027	-	-	87,500.00	87,500.00	-
05/01/2028	350,000.00	5.000%	87,500.00	437,500.00	-
06/30/2028	-	-	-	-	525,000.00
11/01/2028	-	-	78,750.00	78,750.00	-
05/01/2029	350,000.00	5.000%	78,750.00	428,750.00	-
06/30/2029	-	-	-	-	507,500.00
11/01/2029	-	-	70,000.00	70,000.00	-
05/01/2030	350,000.00	5.000%	70,000.00	420,000.00	-
06/30/2030	-	-	-	-	490,000.00
11/01/2030	-	-	61,250.00	61,250.00	-
05/01/2031	350,000.00	5.000%	61,250.00	411,250.00	-
06/30/2031	-	-	-	-	472,500.00
11/01/2031	-	-	52,500.00	52,500.00	-
05/01/2032	350,000.00	5.000%	52,500.00	402,500.00	-
06/30/2032	-	-	-	-	455,000.00
11/01/2032	-	-	43,750.00	43,750.00	-
05/01/2033	350,000.00	5.000%	43,750.00	393,750.00	-
06/30/2033	-	-	-	-	437,500.00
11/01/2033	-	-	35,000.00	35,000.00	-
05/01/2034	350,000.00	5.000%	35,000.00	385,000.00	-
06/30/2034	-	-	-	-	420,000.00
11/01/2034	-	-	26,250.00	26,250.00	-
05/01/2035	350,000.00	5.000%	26,250.00	376,250.00	-
06/30/2035	-	-	-	-	402,500.00
11/01/2035	-	-	17,500.00	17,500.00	-
05/01/2036	350,000.00	5.000%	17,500.00	367,500.00	-
06/30/2036	-	-	-	-	385,000.00
11/01/2036	-	-	8,750.00	8,750.00	-
05/01/2037	350,000.00	5.000%	8,750.00	358,750.00	-
06/30/2037	-	-	-	-	367,500.00
Total	\$7,000,000.00	-	\$3,865,000.00	\$10,865,000.00	-

Town of Franklin, MA
\$7,000,000 General Obligation Library Bonds, Dated May 1, 2017
20 Years, Level Debt

with: **\$1,000,000 BANs dated May 1, 2015, Due May 1, 2016**
\$3,000,000 BANs dated November 1, 2015, Due May 1, 2016
\$7,000,000 BANs dated May 1, 2016, Due May 1, 2017
(Interest Estimated, Subject to Change)

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
05/01/2015	-	-	-	-	-
05/01/2016	1,000,000.00	2.000%	20,000.00	20,000.00	-
05/01/2016	3,000,000.00	2.000%	30,000.00	30,000.00	-
06/30/2016	-	-	-	-	50,000.00
05/01/2017	7,000,000.00	2.000%	140,000.00	140,000.00	-
06/30/2017	-	-	-	-	140,000.00
11/01/2017	-	-	175,000.00	175,000.00	-
05/01/2018	210,000.00	5.000%	175,000.00	385,000.00	-
06/30/2018	-	-	-	-	560,000.00
11/01/2018	-	-	169,750.00	169,750.00	-
05/01/2019	220,000.00	5.000%	169,750.00	389,750.00	-
06/30/2019	-	-	-	-	559,500.00
11/01/2019	-	-	164,250.00	164,250.00	-
05/01/2020	235,000.00	5.000%	164,250.00	399,250.00	-
06/30/2020	-	-	-	-	563,500.00
11/01/2020	-	-	158,375.00	158,375.00	-
05/01/2021	245,000.00	5.000%	158,375.00	403,375.00	-
06/30/2021	-	-	-	-	561,750.00
11/01/2021	-	-	152,250.00	152,250.00	-
05/01/2022	255,000.00	5.000%	152,250.00	407,250.00	-
06/30/2022	-	-	-	-	559,500.00
11/01/2022	-	-	145,875.00	145,875.00	-
05/01/2023	270,000.00	5.000%	145,875.00	415,875.00	-
06/30/2023	-	-	-	-	561,750.00
11/01/2023	-	-	139,125.00	139,125.00	-
05/01/2024	285,000.00	5.000%	139,125.00	424,125.00	-
06/30/2024	-	-	-	-	563,250.00
11/01/2024	-	-	132,000.00	132,000.00	-
05/01/2025	300,000.00	5.000%	132,000.00	432,000.00	-
06/30/2025	-	-	-	-	564,000.00
11/01/2025	-	-	124,500.00	124,500.00	-
05/01/2026	315,000.00	5.000%	124,500.00	439,500.00	-
06/30/2026	-	-	-	-	564,000.00
11/01/2026	-	-	116,625.00	116,625.00	-
05/01/2027	330,000.00	5.000%	116,625.00	446,625.00	-
06/30/2027	-	-	-	-	563,250.00
11/01/2027	-	-	108,375.00	108,375.00	-
05/01/2028	345,000.00	5.000%	108,375.00	453,375.00	-
06/30/2028	-	-	-	-	561,750.00
11/01/2028	-	-	99,750.00	99,750.00	-
05/01/2029	360,000.00	5.000%	99,750.00	459,750.00	-
06/30/2029	-	-	-	-	559,500.00
11/01/2029	-	-	90,750.00	90,750.00	-
05/01/2030	380,000.00	5.000%	90,750.00	470,750.00	-
06/30/2030	-	-	-	-	561,500.00
11/01/2030	-	-	81,250.00	81,250.00	-
05/01/2031	400,000.00	5.000%	81,250.00	481,250.00	-
06/30/2031	-	-	-	-	562,500.00
11/01/2031	-	-	71,250.00	71,250.00	-
05/01/2032	420,000.00	5.000%	71,250.00	491,250.00	-
06/30/2032	-	-	-	-	562,500.00
11/01/2032	-	-	60,750.00	60,750.00	-
05/01/2033	440,000.00	5.000%	60,750.00	500,750.00	-
06/30/2033	-	-	-	-	561,500.00
11/01/2033	-	-	49,750.00	49,750.00	-
05/01/2034	460,000.00	5.000%	49,750.00	509,750.00	-
06/30/2034	-	-	-	-	559,500.00
11/01/2034	-	-	38,250.00	38,250.00	-
05/01/2035	485,000.00	5.000%	38,250.00	523,250.00	-
06/30/2035	-	-	-	-	561,500.00
11/01/2035	-	-	26,125.00	26,125.00	-
05/01/2036	510,000.00	5.000%	26,125.00	536,125.00	-
06/30/2036	-	-	-	-	562,250.00
11/01/2036	-	-	13,375.00	13,375.00	-
05/01/2037	535,000.00	5.000%	13,375.00	548,375.00	-
06/30/2037	-	-	-	-	561,750.00
Total	\$7,000,000.00	-	\$4,424,750.00	\$11,424,750.00	-

TOWN OF FRANKLIN

RESOLUTION NO.: 14-38

APPROPRIATION: Town Administration – Zoning Board of Appeals

AMOUNT REQUESTED: \$ 500

PURPOSE: To appropriate from Free Cash to the Zoning Board of Appeals Budget, Account # 01176200-534030

FINANCE COMMITTEE ACTION

Meeting Date: 6/3/14 **Vote:**

Recommended Amount: \$500

MOTION

Be It Moved and Voted by the Town Council that the sum of Five hundred dollars (\$500.00) be transferred from Available Funds (Free Cash) to the FY 2014 Zoning Board of Appeals Budget, Account 01176200-534030.

DATED: _____, 2014

VOTED:

UNANIMOUS _____

YES _____ **NO** _____

A True Record Attest:

ABSTAIN _____

ABSENT _____

Deborah L. Pellegrini
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council

TOWN OF FRANKLIN

RESOLUTION NO.: 14-39

APPROPRIATION: Town Administration – Streetlights

AMOUNT REQUESTED: \$ 10,000

PURPOSE: To transfer funds from the DPW Contracted Services Account 01440200-530920 to the Streetlights Account 01424200-521010

FINANCE COMMITTEE ACTION

Meeting Date: 6/3/14 Vote:

Recommended Amount: \$10,000

MOTION

Be It Moved and Voted by the Town Council that the sum of Ten thousand dollars (\$10,000.00) be transferred from FY 14 DPW Contracted Services Account 01440200-530920 to the FY 2014 Streetlights Account 01424200-521010.

DATED: _____, 2014

VOTED:

UNANIMOUS _____

YES _____ **NO** _____

A True Record Attest:

ABSTAIN _____

ABSENT _____

**Deborah L. Pellegrini
Town Clerk**

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

TOWN OF FRANKLIN

RESOLUTION NO.: 14-40

APPROPRIATION: Town Administration – Legal Expenses

AMOUNT REQUESTED: \$ 10,000

PURPOSE: To appropriate from Free Cash to the FY 14 Legal Budget, Account # 01151200

FINANCE COMMITTEE ACTION

Meeting Date: 6/3/14 **Vote:**

Recommended Amount: \$ 10,000

MOTION

Be It Moved and Voted by the Town Council that the sum of Ten thousand dollars (\$10,000.00) be transferred from Available Funds (Free Cash) to the FY 2014 Legal Budget, Account # 01151200.

DATED: _____, 2014

VOTED:

UNANIMOUS _____

YES _____ **NO** _____

ABSTAIN _____

ABSENT _____

A True Record Attest:

**Deborah L. Pellegri
Town Clerk**

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

TOWN OF FRANKLIN

RESOLUTION NO.: 14-41

APPROPRIATION:	Snow & Ice Salaries: 01442100	130,104
	Snow & Ice Expenses: 01442200	149,896

TOTAL REQUESTED: \$ 280,000

PURPOSE: To transfer funds to cover shortfalls within the above named accounts, the snow & ice deficit.

FINANCE COMMITTEE ACTION

Meeting Date: 6/3/14 Vote:

Recommended Amount: 280,000

MOTION

Be It Moved and Voted by the Town Council that the sum of Two Hundred and Eighty Thousand Dollars (\$280,000) be transferred to the above named accounts from Free Cash.

DATED: _____, 2014

VOTED:

UNANIMOUS _____

YES _____ **NO** _____

ABSTAIN _____

ABSENT _____

A True Record Attest:

**Deborah L. Pellegri
Town Clerk**

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

**TOWN OF FRANKLIN
REQUEST FOR FUNDS**

FISCAL YEAR 2014

DATE: 05/06/14

DEPARTMENT/COMMITTEE requesting funds Administration

ACCOUNT NAME Snow & Ice

ACCOUNT NUMBER 01442100-510000 salaries
01442200-554020 salt

BALANCES: (To be filled in by Town Comptroller)

ORIGINAL BUDGET \$ \$ 903,500
BALANCE UNEXPENDED \$ \$ 1,181,410
AMOUNT REQUESTED \$ \$ 280,000


REASON:

salaries	130,104.00
expenses - salt	<u>149,896.00</u>
	280,000.00

SOURCE OF FUNDING:

FREE CASH	250,000
DPW - expenses	30,000

Town Administrator Approval



ACTION OF FINANCE COMMITTEE

DATE OF MEETING: 5/6/14 NUMBER PRESENT: 7 VOTE: 7-0

RECOMMENDED AMOUNT \$ 280,000

NOT RECOMMENDED

FINANCE COMMITTEE CHAIR

TOWN OF FRANKLIN

RESOLUTION NO.: 14-42

APPROPRIATION: Town Administration – Comptroller Expense

AMOUNT REQUESTED: \$ 1,000

PURPOSE: To appropriate from Free Cash to the Comptroller’s Expense

FINANCE COMMITTEE ACTION

Meeting Date: 6/3/14 **Vote:**

Recommended Amount: \$1,000

MOTION

Be It Moved and Voted by the Town Council that the sum of One thousand dollars (\$1,000.00) be transferred from Available Funds (Free Cash) to the FY 2014 Comptrollers Expense Account 01135200-571100 (training).

DATED: _____, 2014

VOTED:

UNANIMOUS _____

YES _____ **NO** _____

ABSTAIN _____

ABSENT _____

A True Record Attest:

**Deborah L. Pellegri
Town Clerk**

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



TOWN OF FRANKLIN

RESOLUTION 14-44

Acceptance of Gift – Town of Franklin

WHEREAS, Franklin Community Access, Franklin TV, has very generously given a grant of \$164,000.00 to the Franklin High School to be used for the purchase of video equipment.

NOW THEREFORE, BE IT RESOLVED THAT:

The Town Council of the Town of Franklin gratefully accepts this grant from Franklin TV and thanks them for their generosity.

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

DATED: _____, 2014

VOTED: _____

UNANIMOUSLY: _____

A TRUE RECORD ATTEST:

YES: ____ **NO:** ____

ABSTAIN: ____ **ABSENT:** ____

Deborah L. Pellegri
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council



Franklin Community Cable Access, Inc.
23 Hutchinson St., P.O. Box 286
Franklin, MA 02038 • 0286

508•541•4118 www.franklin.tv

To: Jeffery Nutting
Town Administrator
355 East Central St
Franklin, MA 02038

Date: May 28, 2014
Re: Franklin High School TV studio funding

We are pleased to inform you that Franklin TV is providing a grant of \$164,000.00 to be applied toward the purchase of video production equipment for Franklin High School's new TV studio. Our check is enclosed. This grant constitutes approximately 50% of the total equipment purchase. The equipment will be used for training FHS students in the art and craft of video production. In accordance with Franklin TV's bylaws and by agreement with the Town of Franklin as the License/Franchise Authority, this equipment is also to be used for generating school related video programs that are to be shown on Franklin's Educational cable TV channel.

Franklin TV will also be completing the fiber connection between the high school, to the Municipal Building, and then to our studio at 23 Hutchinson St. for an estimated additional \$35,000.00. Per request of the school, this will enable the high school to originate live TV programming via the educational cable channel. The connection will consist of a fiber video line and ethernet-based command/control systems for remote control of audio/video switching systems located at 23 Hutchinson St. Completing this work is dependent upon Comcast's schedule for its portion of the project.

We look forward to working with FHS teachers to make the Franklin High School video facility and its curriculum second to none.

My best regards,

W. Ken Norman,
Board President,
FCCA, Inc. / Franklin TV

cc: Thomas Mercer
High School Building Committee Chairman
14 Mercer Lane
Franklin, MA 02038

Maureen Sabolinski
Superintendent of Schools
355 East Central St.
Franklin, MA 02038

Peter Light
Principal, Franklin High School
218 Oak St.
Franklin, MA 02038

FRANKLIN COMMUNITY CABLE ACCESS INC.

P.O. BOX 286
FRANKLIN, MASSACHUSETTS 02038-0286

DEAN
BANK
Franklin, MA 02038

53-7203-2113

EZShield™ Check Fraud
Protection for Business

5/28/2014

PAY TO THE
ORDER OF

Town of Franklin

\$ 164,000.00

One Hundred Sixty Four Thousand Dollars & No Cents

DOLLARS

MEMO

Memo FHS Equipment

William K. Norman
Rob Fessenden
AUTHORIZED SIGNATURE

⑈001434⑈ ⑆211372035⑆ 2000814000⑈

FRANKLIN COMMUNITY CABLE ACCESS INC.

Our Community Access

FranklinTV

23 Hutchinson St., Box 286, Franklin, MA 02038-0286 508-541-4118

Check# 1434 1434

5/28/2014

Town of Franklin

\$164,000.00

One Hundred Sixty Four Thousand Dollars & No Cents

FHS Video Studio Equipment Grant

\$164,000.00

Note 2

Memo FHS Equipment

TOWN OF FRANKLIN

RESOLUTION 14-45

**DEDICATED PROPOSITION 2-1/2 OVERRIDE BALLOT QUESTION
FOR STABILIZATION FUND FOR ROADWAY, SIDEWALK AND
RELATED DRAINAGE WORK**

WHEREAS, Subsection g of GL Chapter 59 Section 21C (Proposition 2 ½)authorizes a municipality to assess taxes in excess of the amount otherwise allowed, to fund a stabilization fund for a stated purpose, and

WHEREAS, The Town of Franklin (Town) has a significant backlog of roadways, sidewalks, and related drainage which require work, the cost for which exceeds forty-eight million dollars, and

WHEREAS, The Town desires to undertake said work,

NOW THEREFORE, The Franklin Town Council, as the appropriating authority for Town, hereby seeks voter approval as authorized by GL Chapter 59 Section 21C (g) to assess taxes in excess of the amount otherwise allowed, for the purpose of funding a stabilization fund for roadway, sidewalk, and related drainage work, and hereby directs the Town Clerk to place the following question on the ballot to be decided by voters at the general election to be held on Tuesday November 4, 2014;

Shall the Town of Franklin be allowed to assess an additional \$1,500,000 in real estate and personal property taxes for the purpose of funding a stabilization fund as provided in GL Chapter 40 Section 5 B, said funds to be expended solely for roadway, sidewalk and related drainage work for the fiscal year beginning July first, two thousand and sixteen?

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

DATED: _____, 2014

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

**Deborah L. Pellegrini
Town Clerk**

ABSENT _____

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



MEMORANDUM

DATE: May 27, 2014
TO: Town Council
FROM: Jeffrey D. Nutting, Town Administrator
RE: Consideration for a Dedicated Override for Roads, Sidewalks and drainage

This winter was difficult not only in terms of a deficit in the snow and ice budget, it but exposed our huge backlog in road repairs that citizens had to deal with.

As the Council is aware, according to the 2012 Pavement management Plan, we have a \$48 million backlog of streets, sidewalks and related drainage needing reconstruction, repaving and other general maintenance. Further, we should be adding new sidewalks on some streets to allow our students and the general public to safely walk to various destinations in town.

A good example would be the extension of sidewalks on Pleasant Street to Miller Street. This would allow folks to walk to the Delcarte Recreation Area and all the citizens that live in the subdivisions along Pleasant street to walk to town. Further, other sidewalks need to be replaced.

The DPW director suggested that having \$1.5 million every year, along with funds voted for water line replacement and our annual Chapter 90 allocation from the State of about \$900,000, would allow us to begin to tackle the huge backlog.

A dedicated override is allowed under state law and, if approved by the voters, can only be used for the purpose stated on the ballot question unless there is another vote by the citizens to change or eliminate the purpose. In other words, if a dedicated override for roads/sidewalk/drainage was approved; those funds could only be used for that purpose by an annual 2/3 vote of the Town Council and for no other purpose.

A \$1.5 million override would cost the "average" taxpayer a little less than \$130 per year starting in July of 2015. While no one wants to pay higher taxes, almost every citizen uses the public ways every day. Properly funding roads and sidewalks is a benefit for almost every citizen of our community.

The roads and sidewalks will continue to deteriorate without an annual dedicated revenue stream that allows for proper maintenance. We do not have the capacity in the annual operation budget to maintain current levels of school and municipal services and fund improvements to public ways.

Accordingly, I would like to suggest the Council put the question to the voters this November and let them decide the issue.

Franklin Roads with Road Rating of 69 or Below

A STREET
ALPINE PLACE
ALPINE ROW
AMY'S WAY
ANN MARIE LANE
ANNABEL LANE
ARLINGTON STREET
ARROWHEAD LANE
BACON STREET
BARON ROAD
BEAVER COURT
BEAVER STREET
BEDFORD ROAD
BEECH STREET
BETH ROAD
BIRCH STREET
BLUE JAY STREET
BRIAN ROAD
BRIDLE PATH
BRUSHWOOD HILL
BUBBLING BROOK DRIVE
BURNING TREE ROAD
BYRONS WAY
CAROL DRIVE
CARPENTER DRIVE
CATHERINE AVENUE
CHARLES DRIVE
CHARLES RIVER DRIVE
CHARLOTTE COURT
CHERIE LANE
CHESTNUT STREET
CHILMARK ROAD
CHURCH STREET
CHURCHILL ROAD
CLEVELAND AVENUE
COBBLESTONE DRIVE
COLELLA DRIVE
COLT ROAD
CONCORD STREET
CONSTITUTION BOULEVARD

COOK STREET
CORBIN STREET
CORONATION DRIVE
CORPORATE DRIVE
COTTAGE STREET
COUNTRY CLUB DRIVE
CRESCENT STREET
CRYSTAL DRIVE
DALE STREET
DARTMOUTH ROAD
DAVID ROAD
DAWN MARIE CIRCLE
DEAN AVENUE
DELTA COURT
DELTA DRIVE
DIANNE CIRCLE
DISCOVERY WAY
DONNY DRIVE
DWIGHT STREET
EAGLE DRIVE
EAST CENTRAL STREET
ELDON DRIVE
ELM STREET
EMILY DRIVE
EVAN ROAD
EVERETT STREET
FARM POND LANE
FARRINGTON STREET
FOREST STREET
FREEDOM WAY
GALLISON STREET
GARDEN STREET
GEB STREET
GENERAL WINGLASS ROAD
GEORGIA DRIVE
GERARD CIRCLE
GINNY LANE
GLENN DRIVE
GLENWOOD ROAD
GLOUCESTER DRIVE

GRANDVIEW DRIVE
GREYSTONE ROAD
GRISSOM CIRCLE
GROVE STREET
GWYNNE ROAD
HAMEL CT
HAWTHORNE DRIVE
HIGH STREET
HILL AVENUE
HILLTOP ROAD
HOWARD STREET
JAMES STREET
JANIE AVENUE
JEFFERSON ROAD
JOSEPH CIRCLE
JOSEPHINE STREET
JOY STREET
JULIA DAWN DRIVE
JULIE AVENUE
KARA-LYN DRIVE
KENWOOD CIRCLE
KEOUGH STREET
LANDRY STREET
LAWRENCE DRIVE
LENA CIRCLE
LEXINGTON STREET
LIBERTY WAY
LILY WAYE
LINCOLN STREET
LINCOLNWOOD DRIVE
LISA LANE
LOCKEWOOD DRIVE
LONGFELLOW DR
LONGHILL ROAD
MAC'ARTHUR ROAD
MACKINTOSH STREET
MAIN STREET
MAPLE STREET
MAPLE TREE LANE
MARVIN AVENUE

MARY ANNE DRIVE
MASTRO DRIVE
MATTHEW DRIVE
MEADOW PARKWAY
MEADOWBROOK ROAD
METCALF STREET
MICHAEL ROAD
MIDLAND AVENUE
MILL STREET
MOCKINGBIRD DRIVE
MONTEREY DRIVE
MOORE AVENUE
MOUNT STREET
NATALIE CIRCLE
NATIONAL DRIVE
NEWELL DRIVE
NORTHGATE ROAD
OAK STREET
OAK STREET EXTENSION
OAK TREE LANE
ODYSSEY LANE
OLD BIRCH STREET
OLD CHESTNUT STREET
OLD FARM ROAD
OLD FORGE HILL ROAD
OLD GROVE ROAD
OLD WEST CENTRAL STREET
ORCHARD STREET
OXFORD DRIVE
PARK ROAD
PARLIAMENT DRIVE
PARTRIDGE STREET
PAULENE DRIVE
PEARLY LANE
PEPPERMILL LANE
PEPPERTREE WAY
PHEASANT HILL ROAD
PHYLLIS LANE
PINE RIDGE DRIVE
PINE STREET
PLEASANT STREET
POND STREET
POPULATIC STREET

PROSPECT STREET
QUEEN STREET
RAY HILL
REAGAN AVENUE
RED GATE LANE
REGENT CIRCLE
REID STREET
RIBERO ROAD
ROYAL COURT
RUGGLES STREET
RUSSELL STREET
SARGENT LANE
SCHOFIELD DRIVE
SECRET GARDEN LANE
SHADY LANE
SHAWKEMO PATH
SHEPARD ROAD
SHERMAN AVENUE
SKYLINE DRIVE
SOPHIA CIRCLE
SOUTH STREET
SQUIBNOCKET ROAD
STANFORD ROAD
STEPHEN WAY
STUBBS STREET
SUGAR BEET ROAD
SUMMER STREET
SUNKEN MEADOW ROAD
SUSAN'S WAY
SYMMES ROAD
TAM O SHANTER ROAD
TERESA CIRCLE
THAYER STREET
TONI LANE
UNCAS AVENUE
UNION STREET
VINCENT WAY
VINE STREET
WALKER ROAD
WARWICK ROAD
WASHINGTON STREET
WHEELLOCK CIRCLE
WHITE AVENUE

WHITE DOVE ROAD
WINTERBERRY DRIVE
WOOD HAVEN DRIVE
WOODSTOCK CIRCLE
WORSTED STREET
YORK LANE

1. Overrides

a. General Overrides

A community's levy limit is increased by the amount stated in an override for any purpose except for a stabilization fund so long as all appropriations made for the stated purpose and fiscal year equal or exceed that amount, *i.e.*, the first dollars appropriated for that purpose are deemed to come from the override. If total appropriations for the year are less than the stated amount, then the community may only increase its levy limit by the amount actually appropriated.

The additional funds raised by the override are "earmarked" for the stated spending purpose only in the first fiscal year.

~~A~~ b. Stabilization Fund Overrides

The additional funds raised by an override to fund a stabilization fund are earmarked for that purpose in the first fiscal year and in subsequent fiscal years upon appropriation. Any change in the purpose for which the additional levy capacity may be used in future years must be approved by a majority of voters at a referendum election. See Bureau of Accounts Informational Guideline Release (IGR) 04-201 Creation of Multiple Stabilization Funds and Proposition 2 1/2 Overrides for Stabilization Funds (January).

In the first year, town meeting, town council or city council makes an appropriation into the fund of any amount up to the amount stated in the override. The community's levy limit is increased by the amount stated, or amount appropriated if less.

In subsequent years, the community's levy limit is increased only where the additional levy capacity is "appropriated" by a 2/3 vote of the selectmen, town council or city council, with the mayor's approval if required by law, for the same stabilization fund purpose. If "appropriated," the assessors raise the amount in the tax rate.

2. Debt Exclusions

a. Total Exclusion

A debt exclusion covers debt service on the amount of borrowing authorized or contemplated for the stated purpose at the time of the referendum. Debt service includes payments of principal on permanent debt and interest on permanent and temporary debt. Any premiums received on the debt issue must be offset against the stated interest cost when calculating the debt exclusion so that it

Monies may also be transferred from one stabilization fund to another by two-thirds vote. If the monies in the fund from which the transfer is made could not be appropriated directly for the purpose of the fund receiving the transfer, *e.g.*, a transfer of \$50,000 from a fund for a particular school construction project to a fund to construct a new senior center, the vote also serves as a change in purpose to the extent of the amount appropriated.

E. Investment and Interest

The treasurer may invest stabilization funds in national, savings or cooperative banks, Massachusetts trust companies, federal savings and loans associations located in Massachusetts or securities that are legal investments for savings banks under Massachusetts law.

All interest earned on the investment of stabilization funds belongs to the funds. The treasurer may pool monies from all stabilization funds for investment purposes, but the accounting officer must account for them separately in the general ledger and allocate interest earned on the pooled monies proportionately to each stabilization fund.

F. Limits on Funds

1. Annual Appropriations

Total annual appropriations to all stabilization funds are limited to 10 percent of the prior year's tax levy. This includes "appropriations" of additional levy capacity resulting from Proposition 2½ overrides approved for the funds. See Section II-B below. The limit on total appropriations may be exceeded with approval of the Director of Accounts.

2. Balance

The total of all stabilization fund balances cannot exceed 10 percent of a community's equalized valuation.

II. STABILIZATION FUND OVERRIDES

A. Presentation and Approval of Override Referendum

Cities and towns may ask voters to approve a Proposition 2½ levy limit override referendum for the purpose of funding any of the stabilization funds it establishes.



If approved, the additional levy capacity is earmarked for the same stabilization fund in the fiscal year the override is effective and subsequent years. G.L. Ch. 59 §21C(g).

Therefore, the amount of any override for a stabilization fund must be clearly identified, preferably by presenting a separate override question for each stabilization fund being funded. For example:

Shall the city/town of _____ be allowed to assess an additional \$100,000 in real estate and personal property taxes for the purposes of funding the municipal capital stabilization fund for the fiscal year beginning July 1, ____?

Shall the city/town of _____ be allowed to assess an additional \$100,000 in real estate and personal property taxes for the purposes of funding the school capital stabilization fund for the fiscal year beginning July 1, ____?

If the amount is included in an override for multiple purposes, however, the exact amount allocated to the particular stabilization fund must be stated. For example:

Shall the city/town of _____ be allowed to assess an additional \$1,000,000 in real estate and personal property taxes for the purposes of funding the town and school operating budgets, the municipal capital stabilization fund (\$100,000) and the school capital stabilization fund (\$100,000) for the fiscal year beginning July 1, ____?

B. Appropriation of Override in Future Years

1. Annual Appropriation Procedure

In the year the override is effective, the appropriation of the funds generated by the override to the particular fund is made by the usual appropriation procedure, *i.e.*, a two-thirds vote of the legislative body.

Each year thereafter, however, the selectmen, town council or city council, with the mayor's approval if required by law, must decide whether to "appropriate" any of the additional capacity resulting from the override for the same stabilization fund purpose. A two-thirds vote is required to make any "appropriation".

2. Referendum Form

The following question form should be used to present a referendum to change the override purpose:

Shall the city/town of _____ be allowed to change the purpose of a Proposition 2½ override referendum approved at an election held on _____, ____ for the (capital stabilization fund) to the following new purpose(s): _____ for the fiscal year beginning July 1, ____?

3. Referendum Approval

The referendum is approved if a majority of those voting on the question vote "yes."

4. Appropriation in Future Years

If the purpose of the override is changed to another stabilization fund, or other purpose, the additional levy capacity would have to be "appropriated" to the new purpose each year or the levy limit would be reduced. See Section II-B above.

Town of Franklin



Deborah L. Pellegrini, CMC
Town Clerk
Election Administrator

Office of Town Clerk
355 East Central Street
Franklin, Massachusetts 02038-1352
(508) 520-4900
E-mail: dpellegrini@Franklin.MA.US

Notary Public
Justice of the Peace
Passport Agent

To: Robert R. Vallee, Council Chairman
Jeff Nutting, Town Administrator

From: Deborah L. Pellegrini, CMC, Town Clerk

Date: May 6, 2014

Subject: Ballot Question on November 4, 2014 State Election Ballot

The question was asked if the Town of Franklin would be able to place an Override/Debt Exclusion question on the November 4, 2014 State ballot and the answer is yes.

The State sets certain provisions as to the time the question must be submitted to the State by a community. The State must have the exact wording by August 6, 2014. I would like to see the Council vote the question at the July 9th Council meeting. Remember this must be in a Resolution form. This will give me the proper time to get things ready for placement on the State Ballot.

If I can be of further assistance, please do not hesitate to call.

TOWN OF FRANKLIN

**ZONING BY-LAW AMENDMENT 14-728-R
INDUSTRIAL TO SINGLE-FAMILY III**

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
INDUSTRIAL TO SINGLE-FAMILY III**

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 Industrial to Single-family III an area containing 3.99± acres, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

304-067-000	304-069-000	304-071-000
304-068-000	304-070-000	304-073-000

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.

DATED: _____, 2014

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Deborah L. Pellegrini
Town Clerk

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council

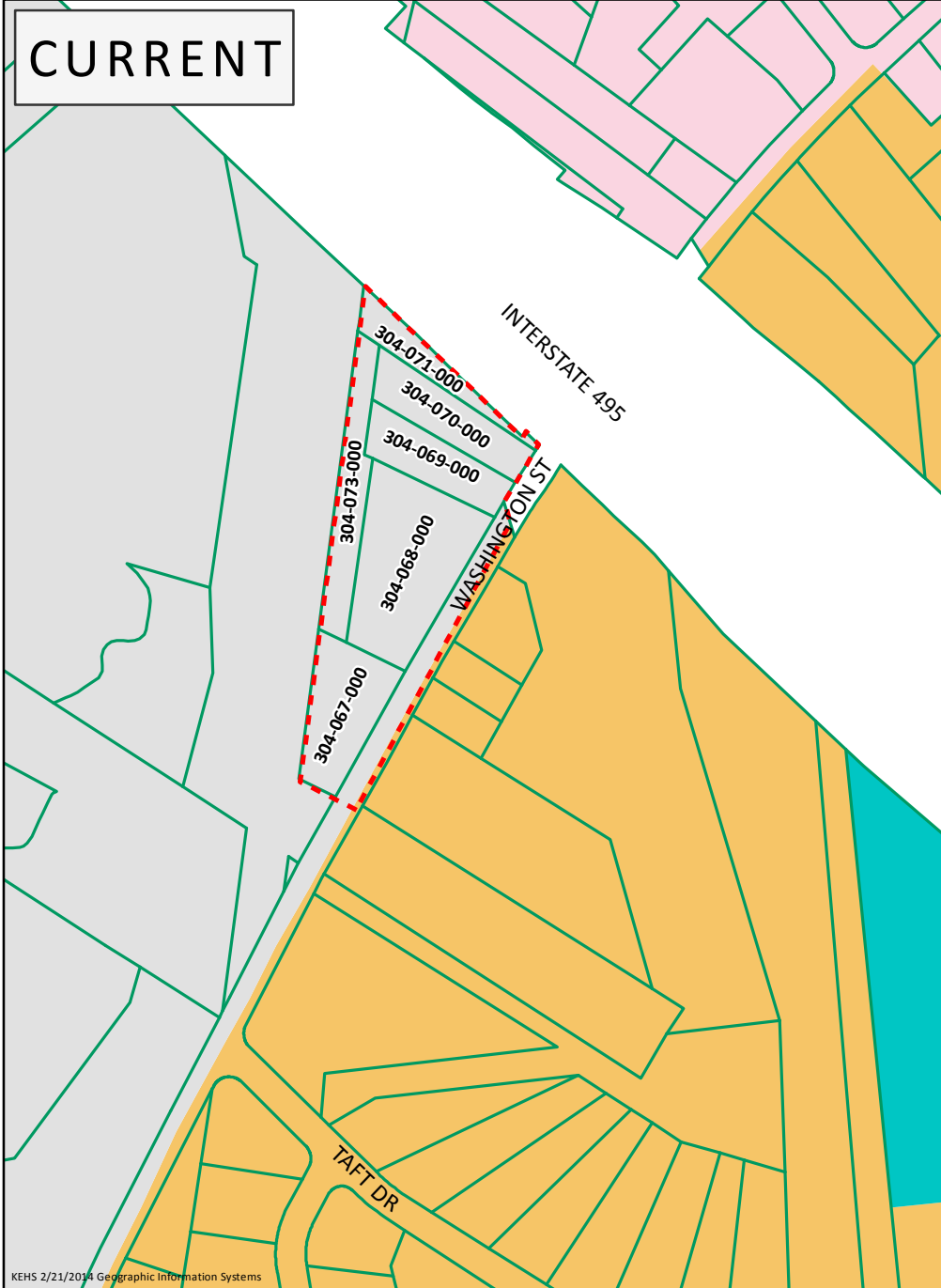
Proposed Zoning Map Changes

Industrial to Single-Family III

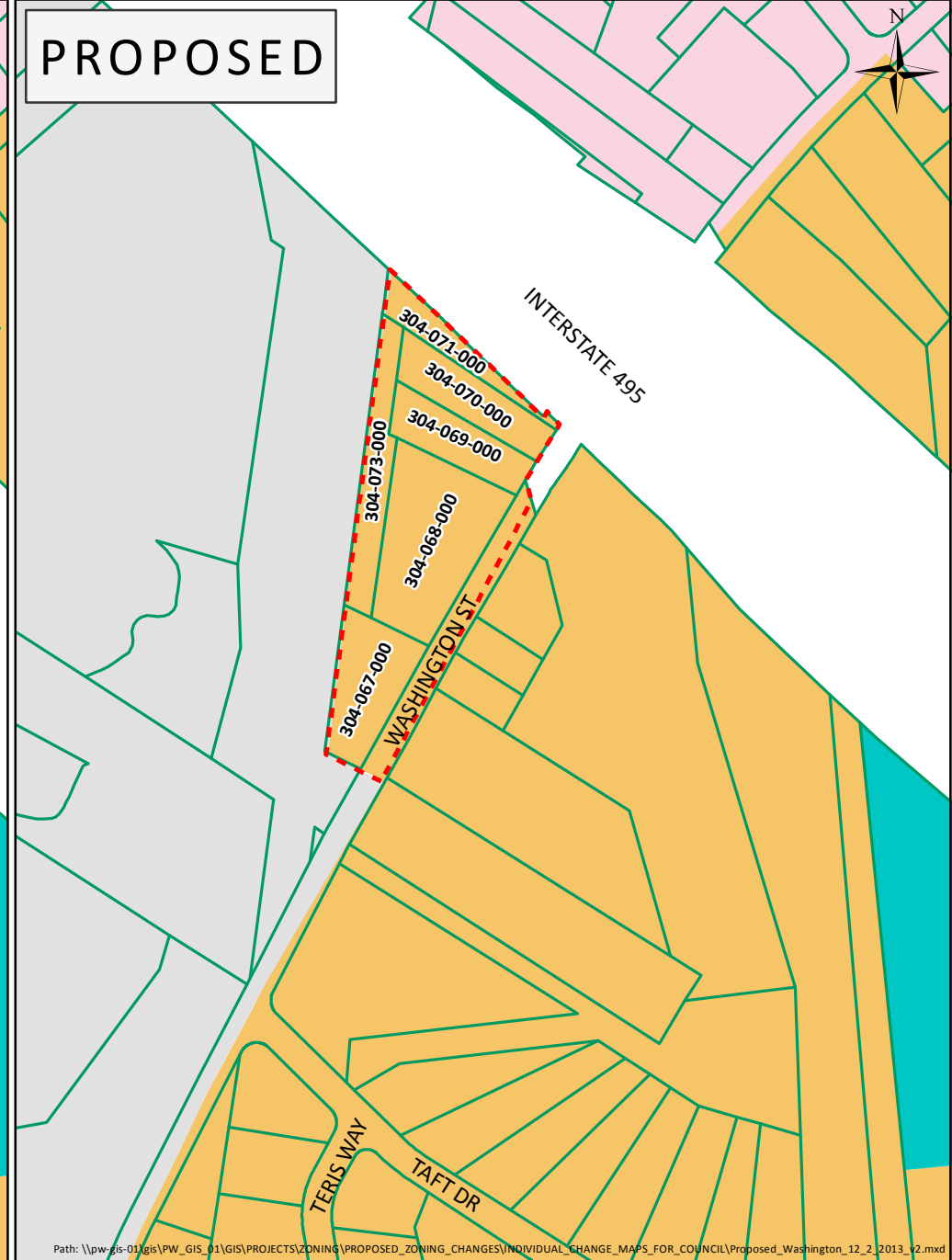
- Parcel Line
- Single-Family III
- Business
- Single-Family IV
- Industrial
- Area of Proposed Changes

0 112.5 225 450 675 900 Feet

CURRENT



PROPOSED



Town of Franklin

Tel: (508) 520-4907

Fax: (508) 520-4906



Planning Board

355 East Central Street
Franklin, Massachusetts 02038-1352

April 29, 2014

Deborah L. Pellegrini, Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038

2014 APR 29 PM 3:50

CERTIFICATE OF VOTE

Zoning By-law Amendment #14-728-R:
§185-5. Zoning Map – Industrial to Single Family III
(rezoning of six parcels along Washington Street)

Petitioner: Town of Franklin, Department of Planning and Community Development

Dear Mrs. Pellegrini:

Please be advised that at its meeting on Monday, April 28, 2014 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to **RECOMMEND**, as presented, to the Town Council the adoption of Zoning By-law Amendment #14-728-R: §185-5. Zoning Map – Industrial to Single Family III.

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

Sincerely,

Anthony Padula
Chairman

cc: Town Council
Town Administrator

Attachment

SPONSOR:
Administration

TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 14-732
PARKING, LOADING AND DRIVEWAY REQUIREMENTS
A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, SECTION 21.

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended at section of §185-21 Parking, loading, and driveway requirements by adding and ~~deleting~~ the following text:

§185-21.C.(7) The following shall apply to entrances or exits to all parking areas having 20 or more parking spaces:

- (a) Entrance or exit center lines shall not fall within 50 feet of an intersection of street side lines or within 150 feet of the center line of any other parking area entrance or exit on the same side of the street, whether on the same parcel or not, if serving 20 or more spaces. Users shall arrange for shared egress if necessary to meet these requirements.
- ~~(b) Egressing vehicles shall have 400 feet of visibility in each travel direction.~~
- (b) The Planning Board may issue a special permit reducing the requirements of §185-21.C.(7).(a), upon its determination that, as a result of offsite conditions beyond the developers control, a proposed development cannot practicably meet them, but that the proposed development nonetheless adequately addresses vehicular ingress and egress, including both traffic flow and public safety. The Board may require additional mitigation measures as an alternative.
- (c) Sight distance for exiting vehicles shall comply with Stopping Sight Distance (SSD) and Intersection Sight Distance (ISD) as defined by the Massachusetts Department of Transportation in its 2006 Project Development and Design Guide.

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: _____, 2014

VOTED:

UNANIMOUS _____

YES _____ **NO** _____

ABSTAIN _____

ABSENT _____

A True Record Attest:

Deborah L. Pellegrini
Town Clerk

Judith Pond Pfeffer, Clerk

Town of Franklin

Tel: (508) 520-4907

Fax: (508) 520-4906



Planning Board
355 East Central Street
Franklin, Massachusetts 02038-1352

April 29, 2014

Deborah L. Pellegrini, Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038

RECEIVED
2014 APR 29 PM 3:50

CERTIFICATE OF VOTE

Zoning By-law Amendment #14-732

Chapter 185-21. Parking, Loading, and driveway requirements (changes to sight distance requirements)

Petitioner: Town Administrator

Dear Mrs. Pellegrini:

Please be advised that at its meeting on Monday, April 28, 2014 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to **RECOMMEND**, as presented, to the Town Council the adoption of Zoning By-law Amendment #14-732, changes to Chapter 185-21. Parking, Loading, and driveway requirements.

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

Sincerely,

Anthony Padula
Chairman

cc: Town Council
Town Administrator

Attachment

OFFICE OF THE TOWN ADMINISTRATOR



MEMORANDUM

DATE: March 29, 2014
TO: Town Council
FROM: Jeffrey D. Nutting, Town Administrator
RE: Changing Zoning Bylaw on Site Distance and Driveway Separation

Back in February it came to our attention that the current site distance requirement for exiting or entering a commercial/industrial site in Franklin is 400 feet. We are not sure how long this has been in place, but it is not based on any standard. Accordingly, we are suggesting that the bylaw be amended to a standard as outlined in the *MASS DOT 2006 Project Development Design Guide Standards*, which is based on traffic speed and conditions. This will vary from street to street but still allows for safe stopping distances.

The second item that came to our attention was that there is a minimum requirement of 150 feet between entrances if there is parking for more than 20 vehicles. This has never been an issue that anyone can recall until the recent proposed development on Old West Central Street. If an applicant is below the 150 feet, he needs to seek relief from the Zoning Board. We think it makes more sense to put this decision in the hands of the Planning Board since they are charged with site plan and special permits.

SPONSOR: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 14-733
ZONING MAP CHANGES FROM COMMERCIAL I TO DOWNTOWN
COMMERCIAL DISTRICT IN AN AREA ON OR NEAR ALPINE ROW**

Changes to § 185-5 Zoning Map

**A ZONING BY-LAW AMENDMENT TO THE CODE OF THE TOWN OF FRANKLIN
AT CHAPTER 185 SECTION 5, ZONING MAP
BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:**

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

The Zoning Map of the Town of Franklin be amended by changing from Commercial I to Downtown Commercial District an area containing 1.70± acres, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

<u>Parcel Number</u>		
279-180-000	279-182-000	279-184-000
279-181-000	279-183-000	279-185-000

And the Zoning Map of the Town of Franklin be amended by changing from Commercial I and Downtown Commercial District to Downtown Commercial District an area containing 1.72± acres, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

<u>Parcel Number</u>
279-171-000
279-174-000

The area to be rezoned is shown on the attached zoning map (“Zoning Map - Alpine Row Area”).

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: _____, 2014

VOTED:
UNANIMOUS _____
YES _____ **NO** _____
ABSTAIN _____
ABSENT _____

A True Record Attest:

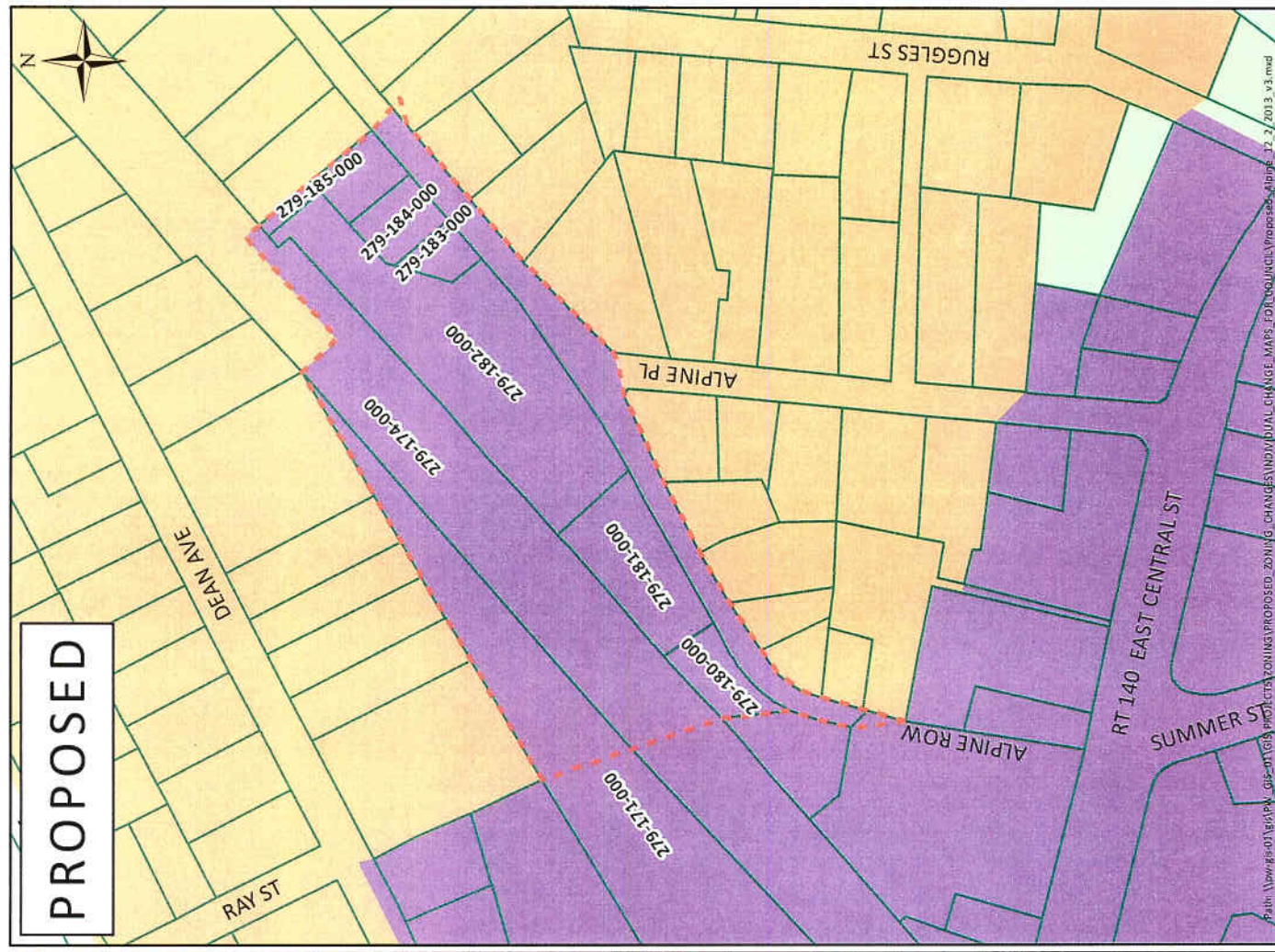
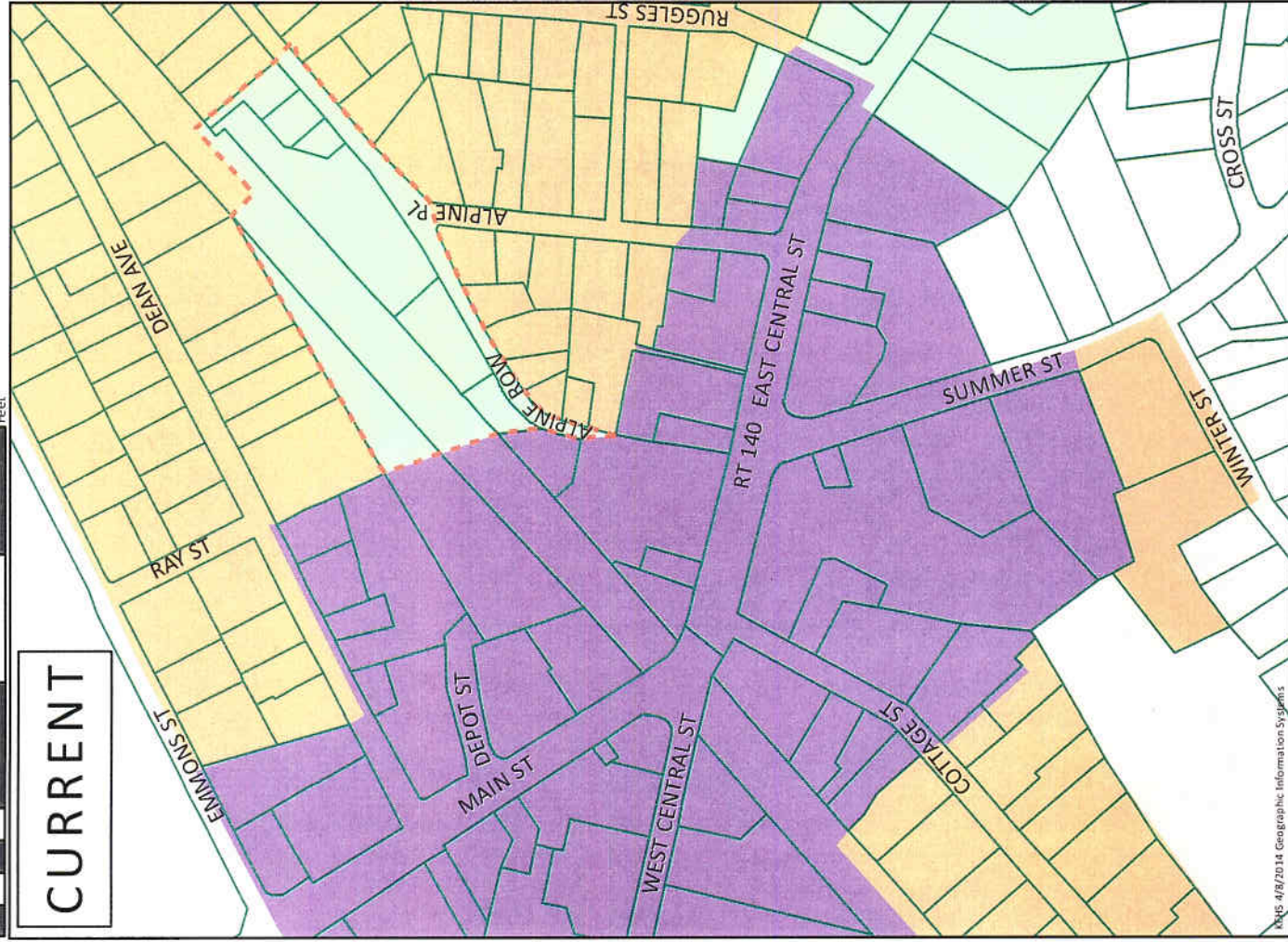
**Deborah L. Pellegrini
Town Clerk**

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

Zoning Map - Alpine Row Area

Commercial I to Downtown Commercial District

-  General Residential V
-  Single-Family IV
-  Commercial I
-  Downtown Commercial District
-  Area of Proposed Changes



Town of Franklin

Tel: (508) 520-4907

Fax: (508) 520-4906



Planning Board

355 East Central Street
Franklin, Massachusetts 02038-1352

April 29, 2014

Deborah L. Pellegrini, Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038

2014 APR 29 PM 3:50

CERTIFICATE OF VOTE

Zoning By-law Amendment #14-733:

§185-5. Zoning Map – Commercial I to Downtown Commercial and from Commercial I and Downtown Commercial District to Downtown Commercial District
(rezoning of eight parcels along or around the area of Alpine Row)

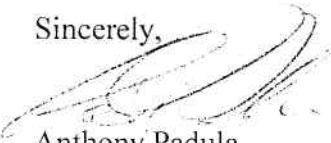
Petitioner: Town Administration

Dear Mrs. Pellegrini:

Please be advised that at its meeting on Monday, April 28, 2014 the Planning Board, upon motion duly made and seconded, voted (4-0-0) to **RECOMMEND**, *as presented*, to the Town Council the adoption of Zoning By-law Amendment #14-733: §185-5. Zoning Map – Commercial I to Downtown Commercial and from Commercial I and Downtown Commercial District to Downtown Commercial District.

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

Sincerely,


Anthony Padula
Chairman

cc: Town Council
Town Administrator

Attachment

SPONSOR: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 14-734**

**ZONING MAP CHANGES FROM INDUSTRIAL TO GENERAL RESIDENTIAL V
DISTRICT IN AN AREA ON OR NEAR JOSEPHINE STREET**

Changes to § 185-5 Zoning Map

**A ZONING BY-LAW AMENDMENT TO THE CODE OF THE TOWN OF
FRANKLIN AT CHAPTER 185 SECTION 5, ZONING MAP**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

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

The Zoning Map of the Town of Franklin be amended by changing from Industrial to General Residential V an area containing 13.57± acres, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

<u>Parcel Number</u>		
279-190-000	279-197-000	280-001-000
279-195-000	279-198-000	280-002-000
279-196-000	279-199-000	

The area to be rezoned is shown on the attached zoning map (“Zoning Map – Josephine St. Area”).

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: _____, 2014

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Deborah L. Pellegri
Town Clerk

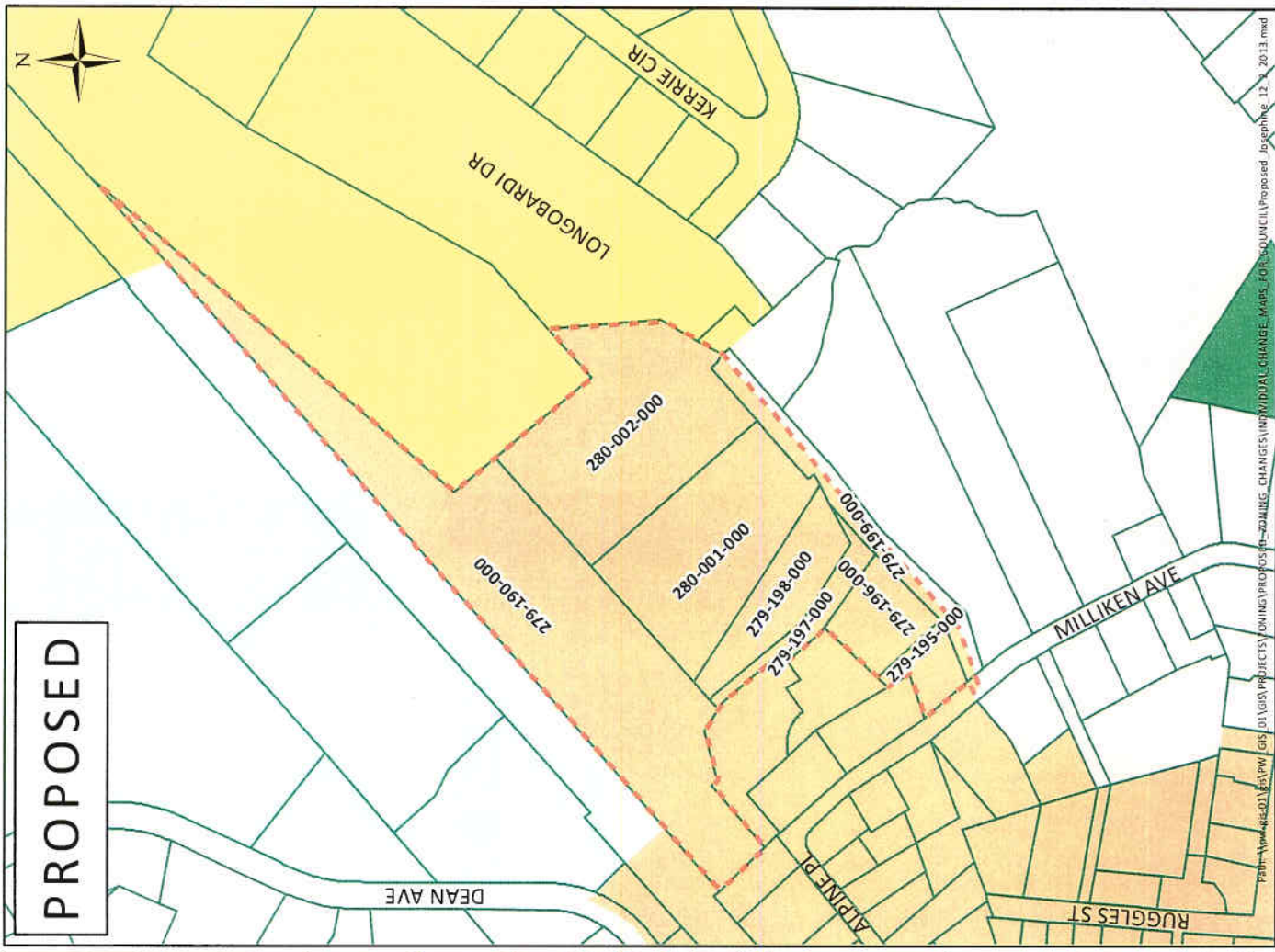
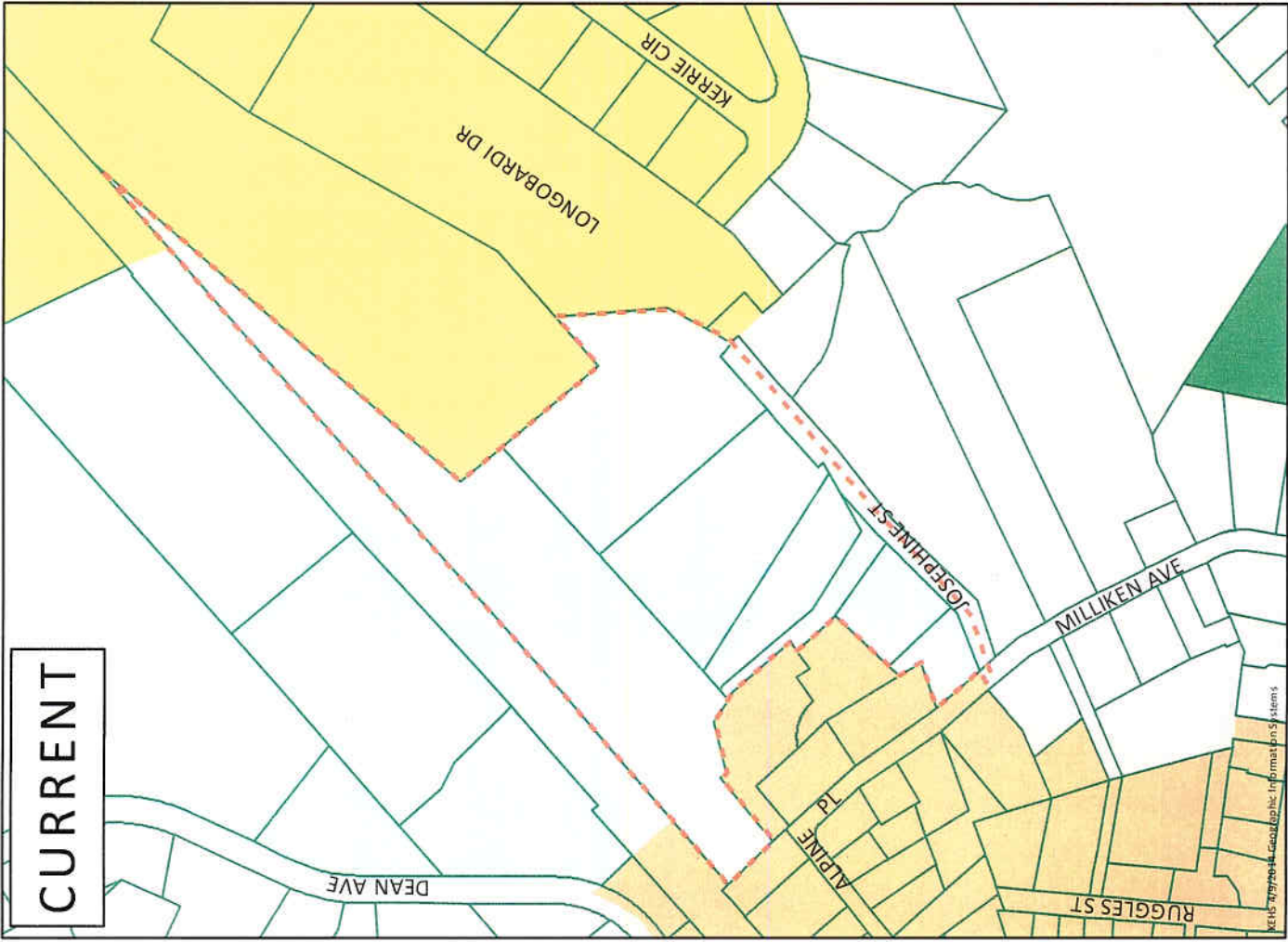
ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council

Zoning Map - Josephine St. Area

Industrial to General Residential V



- Parcel Line
- Commercial II
- General Residential V
- Industrial
- Single-Family III
- Single-Family IV
- Area of Proposed Changes

Town of Franklin

Tel: (508) 520-4907



Fax: (508) 520-4906

Planning Board

355 East Central Street
Franklin, Massachusetts 02038-1352

RECEIVED
2014 APR 29 PM 3:50

April 29, 2014

Deborah L. Pellegrini, Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038

CERTIFICATE OF VOTE

Zoning By-law Amendment #14-734:

§185-5. Zoning Map – from Industrial to General Residential V (rezoning of eight parcels along or around the area of Josephine Street)

Petitioner: Town Administration

Dear Mrs. Pellegrini:

Please be advised that at its meeting on Monday, April 28, 2014 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to **RECOMMEND**, *as presented*, to the Town Council the adoption of Zoning By-law Amendment #14-734: §185-5. Zoning Map – from Industrial to General Residential V.

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

Sincerely,

Anthony Padula
Chairman

cc: Town Council
Town Administrator

Attachment



TOWN OF FRANKLIN

**BY-LAW AMENDMENT 14-737
AMENDMENT TO SEWER SYSTEM MAP**

**A BY-LAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN,
CHAPTER 139, ENTITLED SEWERS, AS FOLLOWS:**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 139-14 of the Code of the Town of Franklin entitled Sewer System Map, Exhibit A (map) be amended by adding the following extension as an eligible location:

Extending from 36 Pinehurst St. approximately 200 feet to existing sewer system located on Pinehurst St. to a proposed new manhole.

This By-Law amendment shall become effective in accordance with the provisions of the Franklin Home Rule Charter.

DATED. _____, 2014

VOTED:

UNANIMOUSLY: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

**Deborah L. Pellegrini
Town Clerk**

**Judith Pond Pfeffer, Clerk
FRANKLIN TOWN COUNCIL**

257 Fisher Street
Franklin, MA 02038



DATE: 5/29/2014

MEMORANDUM

TO: Jeff Nutting, Town Administrator
Brutus Cantoreggi, Director of Public Works

FROM: Michael Maglio, P.E., Town Engineer *MM*

SUBJECT: #36 Pinehurst St - Sewer Extension Permit Application

CC: Laurie Ruszala, Water and Sewer Superintendent
Mark Cerel, Town Attorney

The property owner of 36 Pinehurst Street has submitted an application for a Sewer System Extension Permit to allow a sewer connection from her property to the existing sewer system. The existing septic system has failed and the property is not able to pass a Title 5 perc test for a new system due to soil conditions and proximity to residential drinking water wells located on adjacent properties.

The applicant is proposing to connect a single family structure to the existing sewer system located approximately 200 feet away on Pinehurst St. The proposed sewer extension will consist of a low pressure sewer service from the property at 36 Pinehurst St to a proposed sewer manhole located in Pinehurst St. The low pressure sewer service will continue from this new manhole to an existing gravity manhole located approximately 200 feet further down Pinehurst St.

I believe that the Sewer System Extension Permit application meets the criteria identified in the Bylaw under Item 7 regarding a hardship. If the Council decides to approve the extension, I recommend the following conditions be attached to the approval:

1. The applicant will need to file all required permits and fees with the DPW prior to construction and the installation shall be in accordance with DPW standards.
2. The proposed low pressure sewer line will remain a service line and its maintenance along its entire length will remain the responsibility of the property owner.
3. The applicant shall construct the proposed sewer service line and pave the resulting trench with 2" of hot mix asphalt, and shall pay the Town \$7000 which will be used by the DPW to repave the affected area of Pinehurst St from edge to edge the following construction season.

Revised 3/31/06 according to By-Law Amendment 05-568

TOWN OF FRANKLIN

APPLICATION FOR SEWER EXTENSION PERMIT

Location: 36 PINEHURST STREET
Owner: MARTINA MacDONALD
Engineer: FRANK O. WATERMAN AND ASSOC.

Description of Extension:

/ #Homes: New _____ Existing _____
Commercial/Industrial Flow _____

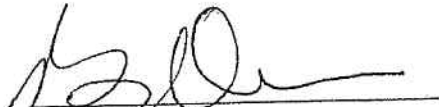
CRITERIA FOR APPROVAL

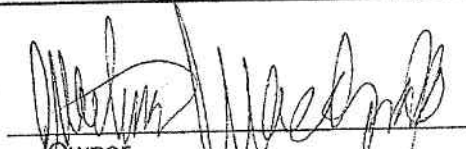
1. Was the sewer extension shown on a Definitive Pan approved by the Planning Board prior to October 21, 1998?
2. Does proposed extension eliminate system overflows or other conditions which pose a public health threat?
3. Does the proposed extension improve the capacity of an existing overloaded sewer line?
4. Does the proposed extension eliminate the need for a pump station serving existing residential development?
5. Is the proposed extension required for the installation of a community sewage treatment plant to serve existing residential development?
6. Will the proposed extension, in the opinion of the Town Council, involving making a substantial improvement to public utility infrastructure or otherwise conferring a significant public benefit, provided that the proposed extension by itself shall not be deemed to satisfy this criteria?
7. The Town Council may, upon a showing by the property owner of hardship, financial or otherwise, approve an extension to the map for an existing single building lot, upon which a sing-family residential structure is or could otherwise be legally constructed, which directly abuts a lot which was

serviced by an existing gravity sewer main as of the date of original adoption of this bylaw, and which does not satisfy any of the criteria listed in above. Said extension shall be granted for the minimum linear distance necessary to provide the requested service. In approving the extension, the Council may either require extension of the existing main or permit connection by a service line and may impose other conditions to protect, maintain, or improve the public infrastructure.

Owner's explanation as to why it meets or exceeds criteria:

FAILED TITLE V AND LEDGE PROHIBITS
NEW SEPTIC SYSTEM


Owner's Engineer


Owner



DATE: 5/29/2014

MEMORANDUM

TO: Jeff Nutting, Town Administrator
Brutus Cantoreggi, Director of Public Works

FROM: Michael Maglio, P.E., Town Engineer MM

SUBJECT: #36 Pinehurst St - Sewer Extension Permit Application

CC: Laurie Ruzala, Water and Sewer Superintendent
Mark Cerel, Town Attorney

The property owner of 36 Pinehurst Street has submitted an application for a Sewer System Extension Permit to allow a sewer connection from her property to the existing sewer system. The existing septic system has failed and the property is not able to pass a Title 5 perc test for a new system due to soil conditions and proximity to residential drinking water wells located on adjacent properties.

The applicant is proposing to connect a single family structure to the existing sewer system located approximately 200 feet away on Pinehurst St. The proposed sewer extension will consist of a low pressure sewer service from the property at 36 Pinehurst St to a proposed sewer manhole located in Pinehurst St. The low pressure sewer service will continue from this new manhole to an existing gravity manhole located approximately 200 feet further down Pinehurst St.

I believe that the Sewer System Extension Permit application meets the criteria identified in the Bylaw under Item 7 regarding a hardship. If the Council decides to approve the extension, I recommend the following conditions be attached to the approval:

1. The applicant will need to file all required permits and fees with the DPW prior to construction and the installation shall be in accordance with DPW standards.
2. The proposed low pressure sewer line will remain a service line and its maintenance along its entire length will remain the responsibility of the property owner.
3. The applicant shall construct the proposed sewer service line and pave the resulting trench with 2" of hot mix asphalt, and shall pay the Town \$7000 which will be used by the DPW to repave the affected area of Pinehurst St from edge to edge the following construction season.



DATE: 5/29/2014

MEMORANDUM

TO: Jeff Nutting, Town Administrator
Brutus Cantoreggi, Director of Public Works

FROM: Michael Maglio, P.E., Town Engineer *MM*

SUBJECT: #36 Pinehurst St - Sewer Extension Permit Application

CC: Laurie Ruszala, Water and Sewer Superintendent
Mark Cerel, Town Attorney

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Revised 3/31/06 according to By-Law Amendment 05-568

TOWN OF FRANKLIN

APPLICATION FOR SEWER EXTENSION PERMIT

Location: 36 PINEHURST STREET
Owner: MARTINA MacDONALD
Engineer: FRANK O. WATERMAN AND ASSOC.

Description of Extension:

/ #Homes: New _____ Existing _____

Commercial/Industrial Flow _____

CRITERIA FOR APPROVAL

1. Was the sewer extension shown on a Definitive Plan approved by the Planning Board prior to October 21, 1998?
2. Does proposed extension eliminate system overflows or other conditions which pose a public health threat?
3. Does the proposed extension improve the capacity of an existing overloaded sewer line?
4. Does the proposed extension eliminate the need for a pump station serving existing residential development?
5. Is the proposed extension required for the installation of a community sewage treatment plant to serve existing residential development?
6. Will the proposed extension, in the opinion of the Town Council, involving making a substantial improvement to public utility infrastructure or otherwise conferring a significant public benefit, provided that the proposed extension by itself shall not be deemed to satisfy this criteria?
7. The Town Council may, upon a showing by the property owner of hardship, financial or otherwise, approve an extension to the map for an existing single building lot, upon which a sing-family residential structure is or could otherwise be legally constructed, which directly abuts a lot which was

APPLICATION FOR SEWER EXTENSION PERMIT - Page Two

Department	Signature		Comments
	Recommends Approval	Recommends Disapproval	
Department of Public Works			<input type="checkbox"/> Extension is indicated as an "eligible" extension on the Sewer System Map of: <input type="checkbox"/> 9/16/98 <input type="checkbox"/> Amended ___/___/9__ <input type="checkbox"/> Also requires state sewer extension permit
Conservation Commission			
Board of Health			
Community Planning			
Treasurer-Collector			<input type="checkbox"/> No outstanding fees, taxes or fines.
Town Administrator			

Approval Date: ___/___/9__

Sewer Extension Permit #: _____

Conditions, If Any: _____



TOWN OF FRANKLIN

BY-LAW AMENDMENT 05-568

AMENDMENT TO GENERAL BY-LAWS - CHAPTER 139 - SEWERS

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

Chapter 139 of the Code of the Town of Franklin be amended by adding and deleting thereto the following:

§ 139-14. Sewer System Map. [Added 10-21-1998 by Bylaw Amendment 98-390-R]

[ADD and AMEND]

- C. In order to conserve municipal resources and to promote orderly growth within the Town of Franklin, the Town Council may amend the Sewer System Map by adding or deleting eligible extensions. In determining whether a proposed extension should be classified as eligible, the Department of Public Works and the Town Council shall consider whether the proposed extension promotes any or all of the following factors:
 - (1) Was the sewer extension shown on a definitive plan approved by the Planning Board prior to the effective date of this chapter?
 - (2) Does proposed extension eliminate system overflows or other conditions which pose a public health threat?
 - (3) Does the proposed extension improve the capacity of an existing overloaded sewer line?
 - (4) Does the proposed extension eliminate the need for a pump station serving existing residential development?
 - (5) Is the proposed extension required for the installation of a community sewage treatment plant to serve existing residential development?
 - (6) Will the proposed extension, in the opinion of the Town Council, involve making a substantial improvement to public utility infrastructure or otherwise conferring a significant public benefit, provided that the proposed extension by itself shall not be deemed to satisfy this criteria?
- D. Proposed amendments which ~~do not~~ serve any of the factors set forth above may be ~~denied~~ granted by the Town Council.

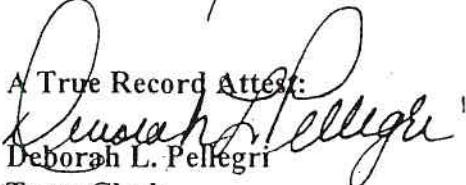
[ADD]

(7) ~~Notwithstanding the preceding, the Council may, upon a showing by the property owner of hardship, financial or otherwise, approve an extension to the map for an existing single building lot, upon which a single-family residential structure is or could otherwise be legally constructed, which directly abuts a lot which was serviced by an existing gravity sewer main as of the date of original adoption of this bylaw,~~ ^{Town}

and which does not satisfy any of the criteria listed in ^{above.} ~~Subsection e.~~ Said extension shall be granted for the minimum linear distance necessary to provide the requested service. In approving the extension, the Council may either require extension of the existing main or permit connection by a service line and may impose other conditions to protect, maintain, or improve the public infrastructure.

This By-Law amendment shall become effective in accordance with the provisions of the Franklin Home Rule Charter.

DATED: May 18, 2005

A True Record Attest:

Deborah L. Pellegrini
Town Clerk

VOTED: Passed
UNANIMOUS 9
YES 9 NO 0
ABSTAIN 0
ABSENT 0


Judith Pond Pfeffer, Clerk
Franklin Town Council