



## FRANKLIN TOWN COUNCIL

August 6, 2014

7:00 PM

**A. APPROVAL OF MINUTES –**

**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 –** *Election Workers  
Conservation Commission*

**F. HEARINGS**

**G. LICENSE TRANSACTIONS –**

- »Petition for Change of D/B/A- Soco Rose
- »Change in Beneficial Interest and Removal of an LLC Director and Concept President – 99 Restaurant of Boston LLC

**H. PRESENTATIONS/DISCUSSIONS -**

- »Gateway Committee
- »Collection Containers
- »Parking Discussion

**I. SUBCOMMITTEE REPORTS**

**J. LEGISLATION FOR ACTION**

**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**

# APPOINTMENTS



## APPOINTMENTS:

### Election Workers

The Town Clerk has submitted the attached list of names to be appointed as Election Workers for the 2014 - 2015 election calendar.

**MOTION** to ratify the appointment by the Town Administrator of the attached listed Election Workers as requested by the Town Clerk.

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**DATED:** \_\_\_\_\_, 2014

**A True Record Attest:**

**Deborah L. Pellegri**  
Town Clerk

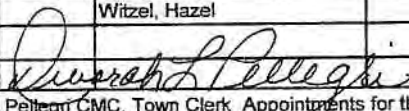
**VOTED:**

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

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

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

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

	NAME	YES/NO		ADDRESS	TEL.#
	Adams, Joyce		D	110 Dean Avenue	520-3457
	Azarian, Sheila		R	46 Ruggles St.	369-5621
	Bissant, Anne M.		U	215 Jordan Rd.	528-4665
	Boyea, Debra		R	2 Harlow Pond Ct	528-5424
Driver	Bauer, Wolfgang		U	511 Union Street	528-2118
	Brown, Robert		U	3 Meadowbrook Rd.	528-3164
Driver	Brunelli, Peter		U	3 Burning Tree Rd.	528-3087
	Buffone, Yvette		U	148 Dean Ave.	528-3428
	Carrachino, Paul		U	14 Hayward Street	528-4260
	Carrachino, Valarie		U	14 Hayward St.	528-4260
	Cussen, Joan		U	26 Ribero Dr.	520-6803
	D'Alessando, Janice		U	670 Pond St.	528-3878
	D'Errico, Mary		U	72 Deer View Way	528-0049
	Doherty, Geneva		D	81 Highbank Rd.	553-9337
	Dorflinger, Christian		R	21 Janie Ave.	528-9405
	Dunne, Pat		U	89 Pine Ridge Dr.	528-9113
	Faenza, Madeline		U	96 Dean Ave.	528-1756
Driver	Ferguson, George		U	388 Oakland Pkwy	528-7701
	flanders, Susan		U	3 Oak Tree Ter.	528-4926
Driver	Fiorillo, Francis A		U	60 Southgate Rd	528-7930
	Fregeau, Marlene		U	5 Brookfield Rd.	528-5524
	Gelineau, Gloria		U	201 Crossfield Rd.	528-2479
	Gelineau, Donald		U	201 Crossfield Rd.	528-2479
	Gentili, Jean		U	200 Daniels St.	528-6040
	Gianotti, Jeanette		R	2 Woodchester Rd.	520-9545
	Halterman, Janet		U	34 South Street	346-3597
	Hooper, Sheila		D	35 Pheasant Hill Rd	528-5658
	Hutchinson, Joyce		D	59 Central Park Ter.	528-1312
	Ipacs, Carol		R	417 East Central St.	528-1417
registrar	Jewell, Linda		R	11 Dover Cir.	541-6159
	Kelly, Barbara		D	73 Union St.	528-9691
	Kirton, Alfred		D	49 Elm Street	528-1653
	Lacouature, Ruth		U	103 Populatic Street	
	Malanson, Jayne		U	3 laurel Ct.	528-9903
	McDermott, Lesley		R	38 Central Park Ter.	528-3445
	McDermott, Sandra		D	33 Crescent Street	528-0292
	Moynihan, Patricia		D	381 Oak St.	520-2031
	Netto, Pat		U	7 Grissom Cir.	528-5610
	Noble, Elizabeth		U	16 Sahlin Cir.	533-6488
	Oliver, Mariene		D	81 Partridge St	520-1427
	Oliver, Robert		D	81 Partridge St.	520-1427
	Pasquantonio, Joanne		D	112 Cottage St	528-5131
	Picard, Betty		U	126 Central Park Ter.	528-6125
	Pisani, Jeanne		U	28 Garfield St.	541-1236
	Reynolds, Marie B.		U	52 Anthony Road	520-3818
	Rondeau, Barbara		U	204 Lincoln St.	528-0144
	Santoro, Patricia		U	231 Chestnut St.	528-4818
	Simmler, Marsha		U	280 King Street	528-2727
	Semerjian, Lucy		U	21 Garfield St.	528-3805
	Smith, Donald M.		U	41 Anchorage Rd	528-2382
	Smith, Joanne		D	44 Shady Ln.	528-6934
	Staniscia, Sheila		D	1085 Upper Union St.	528-6799
	Tolman, Elaine		U	34 Worsted Street	
	Tomaino, Theresa		U	923 Washington Street	528-8717
	Tomaino, Richard		U	923 Washington Street	528-8717
	Vozzella, Louise		D	90 Miller Street	528-0145
	Williams, Elena		R	6 Maple Tree Lane	520-6685
	Wizel, Hazel		R	131 Highwood Dr.	520-1141
Attest:					
Deborah L. Pellegrini CMC, Town Clerk Appointments for the dates: 2014-2015					

# APPOINTMENTS



## Conservation Commission

Scott D. McLean  
11 Southpine Drive

The Conservation Commission has recommended the appointment of Scott D. McLean to serve as a member of the Conservation Commission.

**MOTION** to ratify the appointment by the Town Administrator of Scott D. McLean to serve as a member of the Conservation Commission.

**DATED:** \_\_\_\_\_, 2014

**VOTED:**

UNANIMOUS \_\_\_\_\_

**A True Record Attest:**

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

**Deborah L. Pellegri**  
Town Clerk

ABSTAIN \_\_\_\_\_

ABSENT \_\_\_\_\_

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

From:  George Russell

Tuesday, July 22, 2014 9:01:46 AM



Subject: ConCom member

To:  Jeff Nutting

Cc:  Dianne Blanchard

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Jeff,

At their July 17, 2014 meeting, the ConCom voted unanimously to recommend Mr. Scott Mclean become a member of the Commission. I believe you already have his resume.

George

George Russell, AICP  
Town of Franklin Conservation Agent  
355 East Central Street  
Franklin, MA 02038  
508-520-4929  
[grussell@franklin.ma.us](mailto:grussell@franklin.ma.us)

## SCOTT D. MCLEAN

11 Southpine Drive • Franklin, MA 02038 • [mcleansc@gmail.com](mailto:mcleansc@gmail.com) • (508) 648 1217

### EDUCATION

**Vermont Law School**, South Royalton, VT

Juris Doctor and Master of Environmental Law and Policy, May 2013

- Coursework included: Environmental Law, Administrative Law, Land Use Regulation, Corporations

**Boston College**, Chestnut Hill, MA

Bachelor of Science, Biology, May 2006

- Minor in Chemistry, pre-medical concentration

### EMPLOYMENT

**Social Security Advocates for the Disabled**, Norwell, MA: March 2014- Current

- Law clerk for an advocacy organization that represents Social Security disability claimants during administrative appeal of benefits denial
- Draft briefs regarding claimant's medical history and disability claim to submit to administrative judge overseeing appeal
- Examine claimant medical records to provide counsel with necessary information

**Franklin Public Schools**, Franklin, MA; October 2013-February 2014, May-December 2009, September-November 2008

- Substitute teacher for middle school and high school level classes
- Teacher's Certificate, Massachusetts: Grades 8-12 in Biology

**Vermont Natural Resources Board**, Montpelier, VT; January-May 2013

- Legal Extern
- Assisted counsel, performed legal and factual research, document drafting, administrative research and duties
- Participated in NRB administrative process, including policy and enforcement meetings
- Independently worked on both policy and enforcement assignments

**Massachusetts Department of Environmental Protection**, Worcester, MA: May-August 2012

- Legal Intern for the Office of General Counsel (Central Regional Office)
- Assisted regional counsel, performed legal research, document drafting, and administrative research and duties
- Participated in MassDEP administrative process, including policy and enforcement meetings
- Independently worked on both policy and enforcement assignments

**Hepregen Corporation**, Medford, MA; December 2009-July 2010

- Research Assistant for a biotech startup developing a new in vitro liver assay
- Assisted personnel in lab duties and independently worked on various projects, including the development of new assay techniques

**University of Massachusetts Medical School**, Worcester, MA; November 2008-May 2009

- Research associate in a laboratory studying olfactory neuron development, specifically axon guidance from the olfactory epithelium to the olfactory bulb

**Covance Research Products**, Dedham, MA; March 2008- August 2008

- Immunohistochemistry technician for a research support company that provided antibodies for research
- Provided quality control for the company's research antibody products

**Roger Williams Medical Center**, Providence, RI; June 2006-August 2007

- Research assistant in lab studying role of hematopoietic stem cells in regeneration of skin and muscle tissue

# LICENSE TRANSACTIONS

1. CHANGE OF D/B/A – SOCO ROSE
2. CHANGE IN BENEFICIAL INTEREST AND  
REMOVAL OF AND LLC DIRECTOR AND  
CONCEPT PRESIDENT – 99 RESTAURANT OF  
BOSTON LLC





## License Transactions:

Soco Rose Inc.  
338 Union Street

Soco Rose Inc. has petitioned the Council for a change of d/b/a to The GBU.

**MOTION** to approve the change of d/b/a to The GBU.

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**DATED:** \_\_\_\_\_, 2014

**VOTED:**

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

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

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

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

**A True Record Attest:**

**Deborah L. Pellegri**  
Town Clerk

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



The Commonwealth of Massachusetts  
**Alcoholic Beverages Control Commission**  
 239 Causeway Street  
 Boston, MA 02114  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

For Reconsideration

**FORM 43**  
**MUST BE SIGNED BY LOCAL LICENSING AUTHORITY**

043000020

ABCC License Number

Franklin

City/Town

August 6, 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 checked="" type="checkbox"/> Other <input type="text" value="DBA"/> |
| <input type="checkbox"/> 6-Day to 7-Day License   | <input type="checkbox"/> Management/Operating Agreement  | <input type="checkbox"/> Wine & Malt to All Alcohol |  |

Name of Licensee

EIN of Licensee

D/B/A

Manager

ADDRESS:

CITY/TOWN:

STATE

ZIP CODE

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:**

One story block and brick building (1400 sq. feet) consisting of dining room and bar, store room and kitchen, one front entrance and exit, and one side door.

Application Filed:

Date & Time

Advertised:

Date & Attach Publication

Abutters Notified: Yes  No

Contact Person for Transaction

Phone:

ADDRESS:

CITY/TOWN:

STATE

ZIP CODE

Remarks:

The Local Licensing Authorities  
 By:

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

Alcoholic Beverages Control Commission  
 Ralph Sacramone  
 Executive Director

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ABCC Remarks: \_\_\_\_\_

The Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION  
MONETARY TRANSMITTAL FORM**

**APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE  
LOCAL LICENSING AUTHORITY.**

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA:

NO FEE

IF USED EPAY, CONFIRMATION NUMBER:

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY):

043000020

LICENSEE NAME:

Soco Rose, Inc.

ADDRESS:

338 Union Street

CITY/TOWN:

Franklin

STATE MA

ZIP CODE

02038

**TRANSACTION TYPE (Please check all relevant transactions):**

- Change of Hours  
 Change of DBA  
 Charity Wine License

**THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL  
FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND  
SUPPORTING DOCUMENTS TO:**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION  
P. O. BOX 3396  
BOSTON, MA 02241-3396**

The Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

PETITION FOR CHANGE OF LICENSE

043000020

ABCC License Number

Franklin

City/Town

The licensee Soco Rose Inc respectfully petitions the Licensing Authorities to approve the following transactions:

- |   |  |
|---|--|
| <input type="checkbox"/> Change of Manager        | <input type="checkbox"/> Alteration of Premises  |
| <input type="checkbox"/> Pledge of License/Stock  | <input type="checkbox"/> Cordial & Liqueurs  |
| <input type="checkbox"/> Change of Corporate Name | <input type="checkbox"/> Change of Location  |
| <input checked="" type="checkbox"/> Change of DBA | <input type="checkbox"/> Change of License Type (\$12 ONLY, e.g. "club" to "restaurant") |

Change of Manager

Last-Approved Manager:

Requested New Manager:

Pledge of License /Stock

Loan Principal Amount: \$

Interest Rate:

Payment Term:

Lender:

Change of Corporate Name/DBA

Last-Approved Corporate Name/DBA:

Soco Rose Bar + Grille

Requested New Corporate Name/DBA:

The GBU

Change of License Type

Last-Approved License Type:

Requested New License Type:

Alteration of Premises: (must fill out attached financial information form)

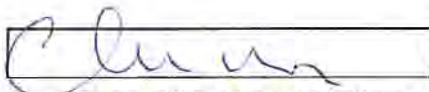
Description of Alteration:

Change of Location: (must fill out attached financial information form)

Last-Approved Location:

Requested New Location:

Signature of Licensee



(If a Corporation/LLC, by its authorized representative)

Date Signed

6-24-14

*The Commonwealth of Massachusetts*

Town of Franklin

24-Jun-14


In conformity with the provisions of Chapter one hundred and ten, Section five of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of

Number The GBU is conducted at  
338 Union Street Street  
Franklin, MA 02038 508-528-7626

by the following persons.

FULL NAME	RESIDENCE
Christina Bridges	200 Wachusett Street, Franklin, MA 02038
_____	_____
_____	_____

Signed

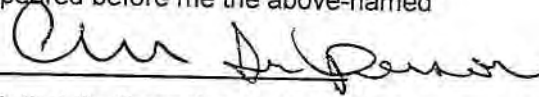
  
\_\_\_\_\_

*The Commonwealth of Massachusetts*

Norfolk County ss.

24-Jun-14

Personally appeared before me the above-named



and made oath that the foregoing statement is true.

A certificate issued in accordance with this section shall be in force and effect for four years from the date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed.

Expiration Date 2018



Deborah L. Pellegrini  
Town Clerk



## LICENSE TRANSACTIONS:

This is an application from 99 Restaurant of Boston LLC for a Change in Beneficial Interest and the Removal of an LLC Director and Concept President on their all alcoholic beverages restaurant license.

This is a corporate transaction and the request from the Corporation went directly to the Alcoholic Beverages Control Commission because of the number of 99 Restaurants in Massachusetts. The ABCC has given preliminary approval of the transaction and requires only that the Local Licensing Authority submit a Form 43.

**MOTION: Move to authorize the Clerk of the Council to sign Form 43 pursuant to the instructions sent by the ABCC on the requested transaction for a Change in Beneficial Interest and the Removal of an LLC Director and Concept President for the 99 Restaurant of Boston LLC.**

DATED: \_\_\_\_\_, 2014

VOTED:

UNANIMOUS \_\_\_\_\_

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

ABSTAIN \_\_\_\_\_

ABSENT \_\_\_\_\_

---

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



Alcoholic Beverages Control Commission

239 Causeway Street

Boston, MA 02114

www.mass.gov/abcc

FORM 43

MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

043000063

ABCC License Number

Franklin

City/Town

August 6, 2014

Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- New License
- Transfer of License
- Change of Manager
- Cordials/Liqueurs Permit
- 6-Day to 7-Day License
- New Officer/Director
- Change of Location
- Alteration of Licensed Premises
- Issuance of Stock
- Management/Operating Agreement
- Pledge of License
- Pledge of Stock
- Transfer of Stock
- New Stockholder
- Wine & Malt to All Alcohol
- Change Corporate Name
- Seasonal to Annual
- Change of License Type
- Other Change in Benefit and removal of L

Name of Licensee: 99 Restaurants of Boston LLC

EIN of Licensee: 82-0573657

D/B/A: 99 Restaurant & Pub

Manager: David Camilleri

ADDRESS: 847 W. Central Street

CITY/TOWN: Franklin

STATE: MA

ZIP CODE: 02038

Annual

Annual or Seasonal

All Alcohol

Category: (All Alcohol- Wine & Malt Wine, Malt & Cordials)

Restaurant

Type: (Restaurant, Club, Packag Store, General On Premises, Etc.)

Complete Description of Licensed Premises:

One floor dining area w/167 seats. Lounge/bar area w/24 seats. Waiting area, dressing room, manager's office, food & paper storage area, cooler, walk-in freezer, mechanical room, electrical room & receiving area.

Application Filed: July 2014  
Date & Time

Advertised:   
Date & Attach Publication

Abutters Notified: Yes  No

Contact Person for Transaction: Tiffany Brinkley, Paralegal

Phone:   
Date & Attach Publication

ADDRESS: 3038 Sidco Drive, Attn: License Compliance

CITY/TOWN: Nashville

STATE: TN

ZIP CODE: 37204

Remarks: Application and forms submitted directly to ABCC; reviewed and deemed to be in compliance with MGL. Form 43 only requirement for

The Local Licensing Authorities  
By:  
  
Judith Pond Pfeffer  
Clerk, Franklin Town

Alcoholic Beverages Control Commission  
Ralph Sacramone  
Executive Director

ABCC Remarks:



July 1, 2014

**VIA FEDEX**

Attn: Licensing Authority

**RE: 99 Restaurants of Boston, LLC - Change of Director Notice**

Dear Sir or Madam:

On behalf of the above-referenced entity, please accept this letter as notice of a change in directors/officers. Although there has been no change in ownership, please be advised that effective December 7, 2013, George Scanlon is no longer an officer, director, and/or managing member. Please remove Mr. Scanlon to the extent he is listed in such capacity for all of our licenses in your jurisdiction. As well, John Grady, former Concept President for 99 Restaurant, has retired and shall also be removed from your records. Please note that there are no replacements for Mr. Scanlon nor Mr. Grady.

Briefly, we anticipate that this letter, along with the enclosed copy of the application previously submitted to the ABCC in March will satisfy your requirements; however, if further action should be taken on behalf of 99 Restaurants of Boston, LLC, please advise immediately.

**Please submit any mailed correspondence to American Blue Ribbon Holdings, LLC, Attn: License Compliance, 3038 Sidco Drive, Nashville, TN 37204.**

Sincerely,

A handwritten signature in blue ink that reads "Tiffany Brinkley".

Tiffany Brinkley  
Paralegal | Licensing  
O'Charley's | 99 Restaurant  
Max & Erma's | Bakers Square | Village Inn  
P (615) 782-8867  
F (615) 782-5032  
[licensing@abrholdings.com](mailto:licensing@abrholdings.com)

Enclosure(s)

*passion to serve.*





*The Commonwealth of Massachusetts*  
*Department of the State Treasurer*  
*Alcoholic Beverages Control Commission*  
*Boston, Massachusetts 02114*

*Steven Grossman*  
*Treasurer and Receiver General*  
April 8, 2014

*Kim J. Gainsboro, Esq.*  
*Chairman*

LOCAL BOARDS

Billerica, Easton, Stoneham, Wareham, Wilmington, Bridgewater, Auburn, Lowell, Foxboro, Pittsfield, Haverhill, Westford, Boston, Quincy, North Dartmouth, North Andover, Lynnfield, West Springfield, Springfield, Franklin, Rockland, Andover, Centerville, Worcester, Concord, Fairhaven, Woburn, Somerville, Greenfield, Marlborough, Holyoke, Chicopee, Plymouth, Tewksbury, Pembroke, Braintree, Falmouth, Hingham and Framingham

The Commission has received an application from 99 Restaurant of Boston LLC for a Change of Officers/Directors in the above-noted cities and towns. There are no new officers or directors coming in. There is just an officer and director leaving the corporation.

Due to the magnitude of these transactions, the Commission has received the information and documents provided by the licensee. The review was to determine whether the contemplated transaction is consistent with the provisions of M.G.L. c. 138. Based upon our review, we are satisfied that the transaction is consistent with the purposes of the law and would not result in the individual corporate licenses being deemed to be out of compliance with the applicable statute. Accordingly, this letter sets forth our recommended procedure for the processing of these applications.

Arrangements have been made for the Corporation to pay all of the \$200 application fees directly to the Commission. Therefore, no fee needs to be collected.

The Commission has reviewed and accepted copies of the following documents and instruments:

Retail Application

Personal Information Form and CORI Request Form

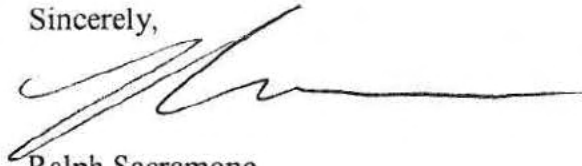
Vote of the Board of Directors

Certificate of change of the LLC

Where there will be no change of existing managers, the Commission will not require that a Manager Form be completed, nor will the Commission require background information on the managers as such information should already be on file.

The applicant will contact you directly for processing the application. Please forward to the Commission the Form 43. The Commission will require no other forms, documents or information in connection with these applications. Should you or your town/city solicitor have any questions or require information or assistance, please contact Investigator Jack Carey at (617) 727-3040, extension 36.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Sacramone', with a long horizontal flourish extending to the right.

Ralph Sacramone  
Executive Director

Cc: Ted Mahony, Chief Investigator  
Pat Krueger, Licensing Coordinator  
Tiffany Brinkley, Paralegal

PRESENTATIONS  
AND  
DISCUSSIONS

1. GATEWAY COMMITTEE
2. COLLECTION CONTAINERS
3. PARKING DISCUSSION

July 23, 2014

page 1 of 3

Mr. Robert Vallee, Chair  
Franklin Town Council  
Office of the Town Administrator  
355 East Central Street  
Franklin, MA 02038

From: The Franklin Gateway Committee -(citizens group)  
Re: Proposed Emmons Street Property Redevelopment

Dear Mr. Vallee:

The future redevelopment of 150 Emmons Street, the site of the former Municipal Building in downtown Franklin, is located at one of the key gateways to Franklin Center. The property has a rich, longstanding history. For these reasons, we as interested citizens would like to see the redevelopment of the site remain a key gateway into downtown Franklin, which will maximize short-term and long-term benefits to the Town and its residents.

We would like to go on record, however, that this committee strongly urges the Town Council to wait on any development of this property until we can assess the true and real impact of the upcoming Streetscape project that will include a new two-way traffic pattern both on West Central Street and Emmons Street.

As a committee and a community, our overarching priority is to preserve the quintessential New England character and charm that downtown Franklin provides by including conditions in the future request for proposal that will define how the gateway to downtown will be developed. The following conditions help marry the principles that the Town has defined for the commercial district by creating a neighborhood identity that promotes pedestrian activity, human interactions, safety and livability.

This parcel is in the heart of the proposed Franklin Cultural District. A community green space would offer economic benefits to the town by encouraging foot traffic and bringing people downtown to shop or dine. Additionally, this space could provide a venue for a multitude of cultural activities, for example outdoor art exhibits, an artisan marketplace, or music and theatre performances.

- We request that approximately 20% of the property, roughly 8,000 square feet, be retained by the town of Franklin, specifically the southwest parcel of land, in perpetuity, to be used as community green space. Maintaining the corner of this parcel would allow the Town of Franklin to control the initial welcoming impression of visitors to the downtown area.

- We fully concur that a statue or monument in honor of Horace Mann is appropriate and needed, and we support this measure that has been broadly talked about in discussion of the future use of this space. We recommend that the statue and green space project be designed and managed by a community committee in conjunction with the Town, rather than an outside developer, so the statue is done to the community's specifications. We suggest securing state funding for this important project.
- We suggest that the building frontage to Route 140 have limited setback, after landscaping provisions, to continue and enhance the New England style main street appeal that exists in the downtown area.
- We request that parking be sufficient and adequate for the building use but not a primary focus of the development, with consideration given to the streetscape project and traffic pattern changes that have yet to occur.
- We explicitly request that no drive-through of any sort be permitted in this development.

We feel strongly that these conditions above, incorporated in the request for proposal, together with the long-term planning recommendations above, will lead to a welcoming private/public investment to the gateway of downtown Franklin.

Thank you for your time and consideration.

## Signed, the Supporters of the Franklin Gateway Committee

*Del Arnold  
Sue Bencuya  
Hannah Close  
Vicki Coates  
Jane Curran  
Alec Danz  
Stacey David  
Gary Donelan  
Gail Eckberg  
Barbara Evans  
Tom Fahey*

*Michael Lucier  
Christopher Lucier  
Amanda Lucier  
Stephanie Miksis  
Lisa Maxwell-Rounds  
Maxwell Morrongiello  
Lisa Piana  
Nancy Rappa  
Guy Rezendes  
Joanne Roche  
Rev. Carol Rosine*

*Karen M Young  
Pamela Williams  
Bruce Wood  
Deborah Ryan  
Raye Lynn Mercer  
Hallie Wetzell  
Connie Jones  
Roberta Trahan  
Lisa Carlucci  
Karilyn Hammer  
Selena Cousin*

*Alan Mercer  
Richard Fotland  
Denise Schultz  
Paul Guarino  
Tina Guarino  
Daydre Hamilton  
Jim Kupfer  
Maria Lucier  
Kathleen M. Kirchmyer  
Claire Malette.  
Jim Hill  
Brenda Hutchinson  
Joshua Close  
Judy Luttazi  
Patricia Prewitt  
Kevin Dolan  
Tina Powderly*

*Marjorie Sardella  
Carl Scheinman  
Theresa McDougall  
John Sheridan  
Sue Sheridan  
Jean Sirois  
Chris Sternadore  
Lynn Wetzell  
Bill Buccella  
Kathleen Nosek  
Erica Luttazi  
Kelly Luttazi  
Julie Dolan  
Katie Buccella  
Steve Luttazi  
Kim Rezendes  
Bob Hamiilton*

*Maura O'Brien  
Claire Griffin  
Thomas G. Curran  
Wayne McDougall  
Robert Piana  
Richard Guardabascio  
Suzanne Sayward  
Lisa Buccella  
Virginia Gillis  
Rebecca Skinner  
Bob Hamilton  
Rita Fahey  
Paul Peterson  
Sam Pasquantonio  
Terri Frank  
Carolyn Marr*

(FOR DISCUSSION PURPOSES ONLY)

SPONSOR: Administration

**TOWN OF FRANKLIN  
BYLAW AMENDMENT 14-\_\_\_\_\_  
CHAPTER 65, COLLECTION CONTAINERS**

**A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN BY ADDING A NEW CHAPTER.**

**Be it enacted by the Franklin Town Council that Chapter 65, Collection Containers is added in its entirety as follows to the Code of the Town of Franklin.**

**Chapter 65  
Collection Containers**

**65.1 Purpose**

The purpose of this bylaw is to regulate the location, siting, and maintenance of collection containers for used clothing, household goods, books and other items to protect public health and safety, including preventing rodents and vermin and blight.

**65.2 Definitions**

Collection Containers : Any bin or other container where a member of the public may donate or otherwise dispose of used clothing, shoes, household goods, books or other items.

Charitable Organization: A duly-organized and existing legal entity which has received a formal designation under Section 501C(3) of the United State Internal Revenue Code and maintains an office or facility within the Town.

Church/Church Property: A duly-established and generally recognized religious denomination and its active place of worship.

Uncollectible Goods or Item: Any goods or item, the collection of which is not specifically authorized in Section 65.3.

**65.3 Permitted Collection Containers**

Collection containers for used clothing, shoes, household goods, and books, only, are permitted within the Town and only in the locations specified in this bylaw; collection containers for other goods or items and at other locations are prohibited.

A collection container shall be fully enclosed with a pull-down, self-closing door located on the front section. It shall have a footprint of no more than twenty-five (25)

square feet and a height of no more than six feet, measured from the bottom edge to the top edge of the front and rear sections. Dumpster-type containers are prohibited, regardless of dimensions.

Any existing collection container for uncollectible goods or items or which does not comply with specifications contained in this section shall be removed within thirty (30) days following the effective date of this bylaw; any existing collection container located in a non-permitted location or improperly sited shall be removed and/or relocated within ninety (90) days following the effective date of this bylaw.

#### 65.4 Exclusions

This bylaw shall not apply to:

- a. Commercial trash dumpsters.
- b. Town of Franklin trash and recycling totes.

#### 65.5 Permitted Locations

Collection containers are permitted in the following locations:

- a. Private property located within the Industrial District, as defined in Chapter 185 of the Franklin Town Code and designated on the Town's official zoning map; a collection container is not permitted on an unimproved or vacant lot and no more than four (4) containers are permitted on an improved lot.
- b. A church may place and maintain up to two collection containers for its own charitable work on church property.
- c. A charitable organization may place and maintain up to two collection containers for its own charitable work on its property.
- d. The Town Recycling Center, in the discretion of the Director of Public Works.

#### 65.7 Permit Required

Placement of a collection container pursuant to Section 65.5(a) shall require written application to and issuance of a permit from the Town Administrator; all existing collection containers which otherwise comply with this bylaw shall comply with this subsection within thirty (30) days following the effective date of this bylaw.

#### 65.8 Permit Application Contents

The application pursuant to Section 65.7 shall include:

- a. Legal name, principal business address and legal identification of applicant.
- b. Name, address, telephone number and email address for contact person.
- c. Written permission from property owner, including information for owner required of applicant in (a) and (b).
- d. Description of collection container.
- e. Listing of collectible items.
- f. Pick-up, inspection, and maintenance schedules.



#### 65.9 Siting

- a. Collection containers shall be sited so as not to obstruct traffic sight lines or distances and not to otherwise impede the flow of traffic or pose a safety hazard to pedestrians.
- b. Collection containers shall not be sited within any setback or buffer required by Chapter 185, Town's Zoning Bylaw.
- c. Collection containers shall be placed upon a concrete pad or asphalt paved surface.
- d. Collection containers shall not utilize or obstruct any parking space required for minimum zoning compliance or any space designated for trash dumpster placement or snow storage on an approved site plan.

#### 65.10 Maintenance

- a. Collection container shall be kept clean and in good repair and its site shall be clean and free of debris at all times. Without limiting this requirement, no container overflow and no disposal of uncollectible goods or items shall be permitted.

#### 65.11 Penalties for Non-Compliance

- a. Placement of collection container for uncollectible goods or items or which does not comply with specifications contained in Section 65.3 or placement of a collection container in a non-permitted location: \$300; each day shall constitute a separate offense.
- b. Failure to obtain a permit for a collection container where one is required \$100; each day shall constitute a separate offense.
- c. All other violations:
  - First offense: \$50
  - Second offense: \$100
  - Third and subsequent offense: \$300In the case of continuing violations, each day shall constitute a separate offense.

Property owner and collection container owner shall each be responsible for compliance with this bylaw and shall be liable for any violation.

#### 65.12 Enforcement

In addition to the Franklin Police Department, this bylaw may be enforced by the Franklin Building Commissioner and the Franklin Board of Health Agent.

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

←—————→  
**DATED: \_\_\_\_\_, 2014**

**A True Record Attest:**

**Deborah L. Pellegrini  
Town Clerk**

**VOTED:**

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

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

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

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

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

# OFFICE OF THE TOWN ADMINISTRATOR

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## MEMORANDUM

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**DATE:** August 1, 2014  
**TO:** Town Council  
**FROM:** Jeffrey D. Nutting, Town Administrator  
**RE:** Discussion of Downtown Parking

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The goal of parking management in the downtown is to provide for turnover of spaces for customers at reasonable time intervals. The parking “problem” has several issues including:

1. Keeping MBTA commuters from using spaces reserved for customers.
2. Parking in the downtown after 4 p.m. on Friday and Saturday evening.
3. Parking for employees.
4. Parking close to some business establishments.
5. Underutilization of some spaces.

After several meetings with the business community, I offer for discussion the following changes to the downtown parking:

1. Commuter Parking - Sell commuter spaces Monday-Friday 5 a.m. - 12 p.m. (last train leaves at 12:12 p.m.) If spaces are available after noon anyone can park in the space. Further, increase the fee from \$480 per year to \$540 per year. ( \$135 per quarter)
2. Merchant Permits – Sell merchant parking Monday - Friday 5 a.m. - 2 p.m. After 2 p.m. anyone can park in the spaces. Increase fee from \$360 to \$400 per year. Further, restrict permits to up to 10 per business unless spaces are available.
3. Meters - Eliminate meters and enforce two-hour parking Monday-Friday 8 a.m. - 2 p.m. This would result in a loss of revenue (including fines) of approximately \$25,000 - \$30,000 per year. However, if you increase commuter and merchant permit parking, we would collect

approximately \$5,000 more than we currently collect. If after a year the enforcement was an issue, meters could be installed. Further, we could still have flags in the downtown by placing on each side of the bridge (complete) or by installing holders in the sidewalk where the meters would go.

4. Make a loading zone next to Dean Bank.
5. Add a handicap spot in the Ferrara lot.
6. Add four spaces on the north side of Emmons, and the remaining 10 will be merchant parking.
7. All of streets currently with two-hour parking and residential parking would be two-hour parking Monday - Friday from 8 a.m. -12 p.m.
8. Add School Street from Main to Union to the two-hour parking limit Monday-Friday, 8 a.m. - 12 p.m.
9. Eliminate commuter parking at Fletcher Field and replace with merchant parking if there was a demand. (May need to keep commuter parking during construction of the downtown)
10. Allow the Town Administrator to adjust number of various spaces as demand requires for up to 120 days to meet temporary demands.

During the reconstruction of the downtown in 2015, we will need lots of flexibility for parking, since at some point there will be no parking on Main Street and East Central Street. The use of the old municipal building, Ferrara's lot and maybe some commuter spaces will need to be used temporarily to allow for business and customer parking.