

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

May 31, 2024

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

Re: Zoning Bylaw Amendment 24-905: Zoning Map Changes From Single Family Residential III To Business, An Area On Or Near King Street - First Reading

We are asking the Town Council to consider Zoning Bylaw Amendment 24-905 which if approved will change two parcels of land from the Single Family Residential III zoning district to the Business zoning district, which will allow development for a variety of commercial uses.

On May 6, 2024 the Planning Board voted unanimously (0-5) not to recommend approval of this bylaw amendment to the Town Council after the Council requested a full Planning Board analysis after the previous hearing was a 1-2 due to the change in membership from the election last year.

For more information, we have included in the agenda packet the Planning Board's decision letter, a memo from Bryan Taberner, and the proposed legislation and map.

If you have any questions, please let us know.

Town of Franklin

355 East Central Street
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Phone: (508) 520-4907
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PLANNING BOARD

The following notice will be published in the Milford Daily Newspaper once on Monday, April 22, 2024 and again on April 29, 2024

FRANKLIN PLANNING BOARD PUBLIC HEARING NOTICE

In accordance with the provisions of M.G.L. Chapter 40A, Section 5, notice is hereby given that the Planning Board will hold a Public Hearing on Monday, May 6, 2024 at 7:00 PM and the Town Council will hold a Public Hearing on Wednesday, June 5 at 7:00 PM in the Council Chambers of the Franklin Municipal Building, 355 East Central Street (also available to be attended remotely) to consider amending Chapter 185, Section 5 of the Code of the Town of Franklin.

ZONING BY-LAW AMENDMENT 24-905

Zoning Map Amendment 24-905 (formerly 24-901) would amend the Town's existing Zoning Map (Chapter 185, Section 5, of Franklin Town Code) by changing parcels 313-061-000 and 313-062-000 parcels from the Single Family Residential III zoning district to the Business zoning district.

Please contact the Department of Planning & Community Development at (508) 520-4907 if you require further information or if you need to make arrangements to provide translation services for the hearing impaired, or for persons with language barriers.

Copies of the plan and supporting documentation may be reviewed in the Department of Planning & Community Development during regular office hours.

Greg Rondeau, Chairman
Franklin Planning Board

Tom Mercer, Chairman
Franklin Town Council

Town of Franklin

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Franklin, Massachusetts 02038-1352



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PLANNING BOARD

May 7, 2024

Nancy Danello, Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038

RECEIVED
2024 MAY - 8 P 5: 36
TOWN OF FRANKLIN
TOWN CLERK

CERTIFICATE OF VOTE

Zoning By-law Amendment #24-905
King Street Rezone from SFIV to Business
Petitioner: Town of Franklin, Town Administrator

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, May 6, 2024 the Planning Board, upon motion duly made and seconded, voted (0-5) to *RECOMMEND*, to the Town Council the amendment for Zoning By-law #24-905, a Zoning By-Law to amend the zoning map.

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

Sincerely,

Gregory Rondeau
Chairman

cc: Town Council
Town Administrator

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

MEMORANDUM

TO: JAMIE HELLEN, TOWN ADMINISTRATOR
FROM: BRYAN W. TABERNER, AICP, DIRECTOR
RE: PROPOSED ZONING MAP AMENDMENT 24-905, FROM SINGLE FAMILY RESIDENTIAL III TO BUSINESS, AN AREA ON AND NEAR KING STREET
CC: AMY Frigulietti, DEPUTY TOWN ADMINISTRATOR; MARK CEREL, TOWN ATTORNEY; AMY LOVE, TOWN PLANNER
DATE: MARCH 7, 2024

The Town is being asked to consider rezoning to Business two residentially zoned parcels of land adjacent to the Fire Station on King Street. Attached is Zoning Map Amendment 24-905 for consideration by Town Council at their next meeting. Other than the Amendment number, Zoning Map Amendment 24-905 is identical to Amendment 24-901 (Formerly 23-901) that was before Town Council on February 28th.

If approved by Town Council, Zoning Map Amendment 24-905 would amend the Town's existing Zoning Map (Chapter 185, Section 5, of Franklin Town Code) by changing the following parcels from the Single Family Residential III zoning district to the Business zoning district.

Parcel	Location	Size (acres)	Owner
313-061-000	634 King Street	0.9798	Cumberland Farms, Inc.
313-062-000	648 King Street	<u>0.3401</u>	Thomas P. Nasuti
	Total Area	1.3198	

This small zoning map change would allow development of the two parcels for a variety of commercial uses. Uses allowed by right include: nursery, greenhouse or garden center; restaurant; other retail sales and services; office uses including banks/credit unions, medical/dental, and other professional or administrative uses; business incubator or co-working space; artisanal and craft maker space; art gallery.

Uses that may be allowed by Planning Board special permit include: motor vehicle, boat, farm implement sales (without repair service); filling or service station; vehicular service establishment; function hall or catering; hotel or motel; brewery, distillery, or winery production with tasting room.

Uses that may be allowed by Zoning Board of Appeals special permit include: animal hospital, kennel, day care, training, or grooming.

Attachments 2 through 8 (Use Regulations Schedules Parts I through 7) of the Town's Zoning Bylaw (Chapter 185 of Franklin Town Code) contain a complete list of uses that are allowed by right or may be allowed by Zoning Board of Appeals or Planning Board special permit in the Business Zoning District.

Attached are the following:

- Bylaw Zoning Amendment 24-905; and
- A diagram with two maps: one showing the current zoning in the area, and one showing proposed Zoning Map changes.

Please let me know if you have questions or require additional information.



SPONSOR: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 24-905**

**ZONING MAP CHANGES FROM SINGLE FAMILY RESIDENTIAL III
TO BUSINESS AN AREA ON OR NEAR KING STREET**

**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:

That the Zoning Map of the Town of Franklin be amended by changing from Single Family Residential III to Business an area containing **1.32± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers **313-061-000** and **313-062-000**.

The area to be rezoned is shown on the attached map (“Proposed Zoning Map Changes, An Area On Or Near King Street”).

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: _____, 2024

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

RECUSED: _____






Nancy Danello, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

Proposed Zoning Map Changes

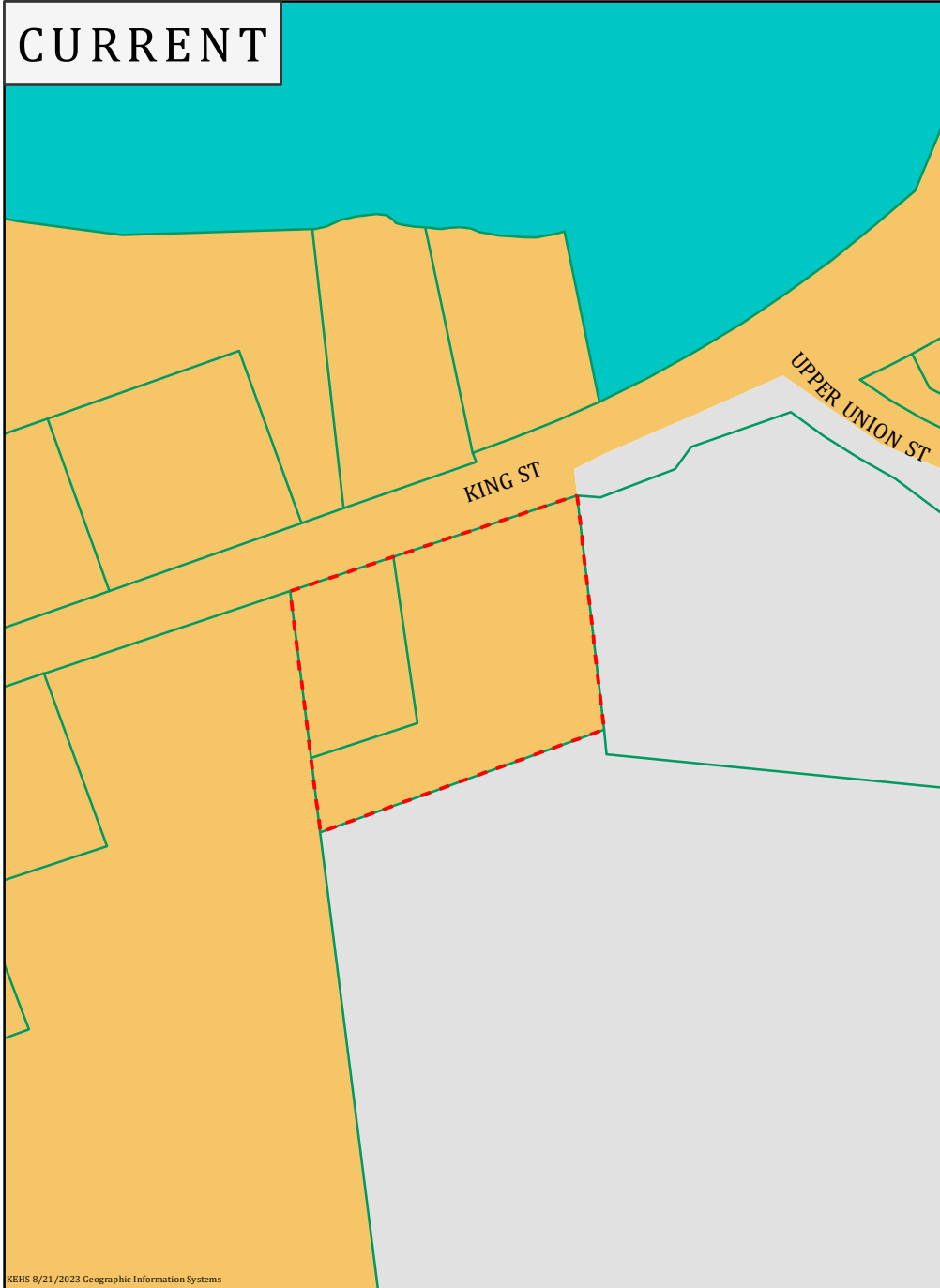
An Area On Or Near King Street From Single Family Residential III to Business

24-905

-  Business
-  Industrial
-  Single-Family III
-  Area of Proposed Change
-  Parcel Line

0 125 250 500 Feet

CURRENT



PROPOSED

