

FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
April 10, 2024

A meeting of the Town Council was held on Wednesday, April 10, 2024, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Brian Chandler, Theodore Cormier-Leger, Robert Dellorco, Cobi Frongillo (via Zoom), Melanie Hamblen, Glenn Jones, Thomas Mercer, Deborah Pellegrini, Patrick Sheridan. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Amy Frigulietti, Deputy Town Administrator; Mark Cerel, Town Attorney.

CALL TO ORDER: ► Chair Mercer called the meeting to order at 7:00 PM. Chair Mercer called for a moment of silence. All recited the Pledge of Allegiance.

ANNOUNCEMENTS: ► Chair Mercer reviewed the following as posted on the agenda. A Note to Residents: All citizens are welcome to attend public meetings in person. To view the live meeting remotely, citizens are encouraged to watch the live stream on the Franklin Town Hall TV YouTube channel or the live broadcast on Comcast channel 9 and Verizon channel 29. Meetings are also archived by Franklin TV on the Franklin Town Hall TV YouTube channel and shown on repeat on Comcast channel 9 and Verizon channel 29 for those who miss the live meeting. To participate in the meeting remotely, citizens are able to join a Zoom webinar using the information provided. Any participants who wish to speak during the webinar must enter their full name and email address when joining the webinar. All participants will be automatically muted upon joining the webinar. In order to speak, participants, who have entered full name and email address, will need to select the “raise hand” function to request to be unmuted. All speakers will be required to state their full name and street address before commenting. ► He announced that Councilor Frongillo will be participating remotely via Zoom. ► He announced upcoming Town-sponsored community events. He said Town Council office hours will be held on April 18 from 8:30 AM to 9:30 AM at the Senior Center. He said the next Town Council meeting will be a joint meeting with the School Committee. It will take place at the Franklin High School auditorium on April 24 at 7 PM.

CITIZEN COMMENTS: ► Mr. Mark Minnichelli, 31 Longfellow Drive, said he would like address the position of the sustainability coordinator that was in the current budget that was perhaps pulled out. He said he understands they are in a difficult budget situation this year and fully funding the schools. He said he believes the sustainability coordinator will more than pay for itself in the ability to bring grants in to our town. He said he is not equipped to show data for that, but maybe he and other citizens can pull data from other towns to show proof that the position will be able to sustain itself. ► Mr. Paul Sharpe, 6 Carpenter Drive, said he wanted to reiterate that there was \$350,000 taken away from the School Department in 2011 because of a 1 percent raise and \$525 was taken away the year after for the raise. He said town administrators have talked consistently about shortfalls in the budget side of the School Department. He said he has seen the current budget situation repeat itself. He discussed that sayings such as “we are all in this together” and “One Franklin” seem to arise when the School Committee acts in their own self-interests and votes on those self-interests and emotions rather than financial realities and fiduciary responsibility. He discussed all the years that this budget situation has been identified by town administrators, but the School Committee just goes full steam ahead. He said the School Committee operates in a bubble. He noted that they gave out pay increases over and above what was affordable and financially responsible. He said other municipal departments could not do this. He said since 2008, the School Department has lost a total of 28 percent of the student population which is one-third of their enrollment. He reviewed the cost per student which would equate to \$1.7 million. He noted a school building was closed. He said redistricting has been talked about but not done. He said no organization would lose business by one-third, 30 percent, yet require significant increase to its operating budget. He discussed the increase in residents’ tax bills including CPA and increase in sewer rates. ► Chair Mercer said Mr. Sharpe was over his three minutes and asked him to finish his thought. ► Mr. Sharpe said water rates are increasing. ► Chair Mercer said he cannot allow Mr. Sharpe to

continue. ► Ms. Maureen Sullivan, owner/resident of 871 King Street and 553 Wahington Street, asked the Town Council to not keep ignoring the issues at that corner which are deadly. She said they are allowing a building to be taken down to put in 400 more trucks than there today. She said they should get serious. She said the trucks are backing into her driveway that the Town allowed. She asked the Town Council to take care of this situation. She discussed the additional potholes on the street since UPS moved in. She said the trucks are not supposed to come out of Grove Street onto Washington Street; they are supposed to go Rt. 140. She asked the Town Council to follow their own rules. ► Mr. Dave Callaghan, 30 Plain Street, and Mr. Dave McNeill, 85 Cross Street, discussed the financial challenges ahead. Mr. Callaghan discussed that Franklin is grappling with a \$10.1 million shortfall, and the School Department will need a \$9.3 million increase in FY25 with \$7.3 million to maintain current service levels and additional \$2.1 million to stabilize and partially restore from cuts that were made last year. He discussed funding methods. He said that the cost to educate students has risen far beyond what a 2.5 percent increase can accommodate. He said the School Committee voted to approve the FY25 school budget of \$81,319,261. He said they are asking for the Town Council's support to fully fund this budget including initiating an operational override for the community to vote on as a ballot question. He said they recognize the economic impact on the community, but there are consequences of inaction which he reviewed. He discussed the benefits of funding the School Committee's budget.

APPROVAL OF MINUTES: ► *March 13, 2024.* ► **MOTION to Approve** the March 13, 2024 meeting minutes by **Dellorco.** **SECOND** by **Hamblen.** **No discussion.** ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Jones-YES; Hamblen-YES; Mercer-YES; Pellegri-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: ► *Design Review Commission - Priya Natarjan.* ► Councilor Jones read the appointment. ► **MOTION** to ratify the appointment by the Town Administrator of Priya Natarjan to serve as an Associate Member of the Design Review Commission, with a term to expire on June 30, 2024, by **Jones.** **SECOND** by **Dellorco.** **Discussion:** ► Mr. Hellen thanked Ms. Natarjan for stepping up and volunteering. ► Councilor Jones said thank you for taking on this role. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Jones-YES; Hamblen-YES; Mercer-YES; Pellegri-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**

PUBLIC HEARINGS - 7:00 PM: ► *License Modification - Change of Officers & Change of Stock Interest of a Section 15 Retail Package Store License: Table & Vine, Inc. Located at 348 East Central St., Franklin, MA 02038 (License Transaction #7a).* ► *Chair Mercer declared the public hearing open.* ► Mr. Michael Gold (via Zoom) on behalf of Table & Vine and Big Y Foods provided a summary. He said they are required to obtain approval when there is a transfer of stock interest in Big Y. He reviewed that in 2020 they were before the Town Council for trust transactions. He explained that there has been more estate planning by the shareholders. He said the ABCC provided a letter approving the transactions subject to the Town's approval as well. He discussed the transfer of shares and the family members involved; this is all for estate planning. He said there are a few other changes to the officers and directors; he reviewed the names of the new officers and directors. He said there is a lot of documentation. ► Mr. Hellen said that this is just shareholders changing and the corporate board issue; it is an administrative item. ► *Chair Mercer declared the public hearing closed.*

LICENSE TRANSACTIONS: ► *License Modification - Change of Officers & Change of Stock Interest of a Section 15 Retail Package Store License: Table & Vine, Inc. Located at 348 East Central St., Franklin, MA 02038.* ► Councilor Jones read the license transaction. ► **MOTION** to **Approve** the License Modification - Change of Officers & Change of Stock Interest of a Section 15 Retail Package Store License: Table & Vine, Inc. Located at 348 East Central St., Franklin, MA 02038 by **Jones.** **SECOND** by **Dellorco.** **No discussion.** ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES;**

Frongillo-YES; Jones-YES; Hamblen-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES. ► VOTE: Yes-9, No-0, Absent-0.

PUBLIC HEARINGS - 7:00 PM (continued): ► *New Section 15 All Alcoholic Beverages Package Store License and Approval of Michael Gannon as the Manager - Shikshapatri Corporation d/b/a Dacey's Market & Deli, Located at 353 Lincoln St., Franklin, MA 02038 (License Transaction #7b).* ► *Chair Mercer declared the public hearing open.* ► Mr. Hellen said this was a home rule petition that was put through you guys through the legislature a couple of years ago. He said there may be some confusion over this being a new license; it is not. It is just being transferred which is allowed under the law, but we have a confirming email from the ABCC executive director that we have to title it as a new license because it is a home rule transfer. He said this is something they are not used to. He said that on the restaurant licenses, they have an unlimited quota, so we never have to do these. He said he cannot explain why it is called a new license; it is just the way the ABCC makes it. ► Attorney John Mooradian of Demakis Law Offices accompanied by Ravi Patel and Michael Gannon addressed the Town Council. Mr. Mooradian reviewed the process of the purchase of Dacey's Market. He said there will be no change to the store footprint. He said it will remain Dacey's Market. He said Mr. Patel owns a few stores with liquor licenses and Mr. Gannon will be the manager of record and is TIPS certified. He said they are seeking two motions: approval of the new license and approval of the pledge of the license inventory to Rockland Trust Company. ► Mr. Krupal Contractor said he and his family own the Lincoln Street Market at 455 Lincoln Street. He said he and his father came in October when there was an initial hearing for this liquor license. He said they told the Town Council that this place was never running well. He said the owner said at the meeting that everyone is buying ready-to-drink cocktails, and he wanted to stay in competition, so he needed a liquor license. Mr. Krupal said the license was approved, and it has not even been one year, and they have come back to sell the business. He said everyone knows the price of a liquor license in Massachusetts starts at \$200,000. So, we are clearly looking here that the owner's intention was not to sell the ready-to-drink alcohol. He literally just got the liquor license not even for one year and sold it to make a lot of money. He said there are multiple beer and wine stores in town. He explained that others can come and ask for a liquor license because Dacey's Market got approved, and then they can sell their license and make a lot of money. He said he would like the Town Council to deny this as a way of saying this practice is not good for the town. ► Mr. Cerel said increase competition is not grounds to deny a license. He said you folks make a determination when we petitioned the legislature that there was a public need at this location for an all-alcohol license; so, the only issue before you tonight is the suitability of the transfer. ► Mr. Jack Patel of Union Street Wines & Liquors, 317 Union Street, stated he agreed with Mr. Contractor. He said when this license was issued, he understood it was a non-transferrable license, which is why the ABCC is using this different language so it can be a new license. He requested the Town Council reconsider this transfer and see the loophole they are trying to use. ► Attorney Mooradian stated the reason for this meeting. He said this license is not transferrable to any other location in town. ► Mr. Matthew Porter, attorney for Liquor World located in Franklin, said the issue with tonight's application is the manner in which it has been brought forth. He said Mr. Hellen stated that this is essentially an ABCC issue, and this should be treated as a transfer and not a new license. He said he takes some exception to the way Mr. Hellen presented that. He said the reason that this needs to be brought forth as a new license is because when the home rule petition was approved for this location, it was approved in a manner that stated that the license cannot be transferred, and so as a result of that, it does trigger the fact that this now should be and needs to be considered a new license. He said at the prior hearing, the Town did find a public need, but before that hearing was an applicant stating that he did not want to operate as a full liquor store, he simply needed this all-alcohol license in order to sell High Noons and products of that nature in order to continue to operate the deli. Mr. Porter said his question for the applicant and for the Town Council is what is this new applicant's plan for the store. Is the plan to still operate as a deli with alcohol as an ancillary item, or is it going to be one month down the road, the deli is gone and this turns into a full-blown liquor store and now you have something that in his opinion there is not a public need in the town for because there is a package store .5 miles away, and Franklin is already over quota for liquor licenses. He said the Town needs to take a closer examination. ► Mr. Kyle Vieira, 40 Turnpike Street, Easton, said he was at the previous hearing. He said what Mr. Contractor said earlier is 100 percent accurate. This license was

represented that his deli clients needed a High Noon or hard beverage that was not able to be sold under their beer and wine license which is the backdrop that the Town Council found there to be a public need. He discussed the selling of the business after the license was obtained. He said this does not seem to be above board as to what was put in front of the Town Council at the previous meeting. He asked that the Town Council deny this or at least table the item to take a closer look at it. ► Mr. Hellen stated that Item B in the legislation says the licensing authority shall not approve the transfer of the license granted pursuant to the section at any other location which he believes Attorney John Mooradian of Demakis Law Offices spoke to, but it may grant the license to a new applicant which is the case tonight. He said the home rule allows the transfer of this license at that location. ► Mr. Cerel said he was specifically instructed how to proceed from the ABCC. ► Councilor Cormier-Leger asked if the transaction has been completed. ► Mr. Mooradian said the goal is that it is going to remain a deli and not going to be a full-blown liquor store. He said they are not looking to change the use. He said the transaction/purchase is contingent upon this approval and then the ABCC's review and approval. ► Councilor Chandler explained this license can only be transferred within this location. He asked about DeVita's Market. ► Mr. Mooradian said the applicant's wife is purchasing DeVita's. ► Councilor Chandler said one family will own two liquor licenses in Franklin. ► Mr. Cerel said it is not legally relevant. ► Councilor Hamblen asked what other stores the applicant owns. ► Mr. Mooradian reviewed the locations of the other stores. ► Mr. Hellen explained that he believes that anybody else that is aggrieved could possibly appeal to the ABCC, but that is outside of the jurisdiction. ► Mr. Cerel said the Town Council can impose reasonable conditions on the license transfer such as that it continues to be used as a mixed use with a convenience store and deli as part of the alcohol license. ► Councilor Jones said he thinks everyone is looking for some certainty that this is going to continue to be a deli which he asked the applicant. ► Mr. Mooradian said yes, and they would agree to that condition. ► Councilor Frongillo said it seems like we are arriving at a good option. He asked what grounds can be used for rejection. ► Mr. Cerel explained the general standard is public need and suitability of the applicant. He noted that the applicant has agreed to the stated condition. ► Ms. Denise Holt, 26 Cooks Farm Road, asked for clarification that it will be a deli first and alcohol second. She asked for the difference between a deli and convenience store. ► Chair Mercer said they can make that as part of the license. ► **Chair Mercer declared the public hearing closed.**

LICENSE TRANSACTIONS (continued): ► ***New Section 15 All Alcoholic Beverages Package Store License and Approval of Michael Gannon as the Manager - Shikshapatri Corporation d/b/a Dacey's Market & Deli, Located at 353 Lincoln St., Franklin, MA 02038.*** ► Councilor Jones read the license transaction. ► **MOTION to Approve** the New Section 15 All Alcoholic Beverages Package Store License and Approval of Michael Gannon as the Manager - Shikshapatri Corporation d/b/a Dacey's Market & Deli, Located at 353 Lincoln St., Franklin, MA 02038 by **Jones. SECOND** by **Dellorco. Discussion:** ► Councilor Frongillo confirmed there would be an amendment to the motion. ► **MOTION to Amend the Motion** for the New Section 15 All Alcoholic Beverages Package Store License and Approval of Michael Gannon as the Manager - Shikshapatri Corporation d/b/a Dacey's Market & Deli, Located at 353 Lincoln St., Franklin, MA 02038, to indicate that it continue the present operations as the convenience store and delicatessen in the same manner in which they have been operating, by **Sheridan. SECOND** by **Dellorco. Discussion:** ► Councilor Chander asked what is the process if they break this. ► Mr. Cerel said there are options to enforce; there is a range. ► Councilor Pellegrini asked if we should be mentioning that this is under the home rule. ► Mr. Cerel said the ABCC application identifies that, but they can identify chapter 346 of the Legislative Acts of 2022. ► Chair Mercer said they would have to withdraw this amendment. ► **Councilor Sheridan** said he **Withdraws** this amendment. **SECOND** by **Dellorco.** ► **MOTION to Amend the Motion** for the New Section 15 All Alcoholic Beverages Package Store License and Approval of Michael Gannon as the Manager - Shikshapatri Corporation d/b/a Dacey's Market & Deli, Located at 353 Lincoln St., Franklin, MA 02038, to indicate Chapter 346 of the Acts of 2022, and that the license is conditioned upon continuation of the current operations as the convenience store and delicatessen in the same manner in which they have been operating, by **Sheridan. SECOND** by **Hamblen. Discussion:** ► Councilor Cormier-Leger said he feels a little duped, and this is not an ethical thing brought before us. He said we look stupid by saying okay, just go ahead and sell it and make a huge profit because the Town gave you this special license and we believed that you wanted to sell these ready-made drinks. He said he does not support this. ► **ROLL CALL VOTE**

(on the amendment): Chandler-YES; Cormier-Leger-NO; Dellorco-YES; Frongillo-YES; Jones-YES; Hamblen-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES. ► VOTE: Yes-8, No-1, Absent-0. ► ROLL CALL VOTE (for the original motion on the license transaction as amended): Chandler-YES; Cormier-Leger-NO; Dellorco-YES; Frongillo-YES; Jones-YES; Hamblen-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES. ► VOTE: Yes-8, No-1, Absent-0.

PRESENTATIONS/DISCUSSIONS: ► Franklin Town Council Support for Proposed GL Chapter 40B Affordable Housing Project at 444 East Central Street Pursuant to DHCD's Local Initiative Program (LIP): Friendly 40B. ► Mr. Hellen discussed the application for the Friendly 40B under the Local Initiative Program (LIP) through the state of Massachusetts to try to encourage the creation of affordable housing. He discussed that the Town does Friendly 40Bs because the town is already over its 10 percent 40B percentage so hostile 40Bs cannot actually take place in Franklin. This gives the Town additional leverage to work with the proponent. He said there is legislation for Action on this. He noted Conservation Agent Breeka Li, Director of Planning and Community Development Bryan Taberner, and Building Commissioner Gus Brown are in attendance. He noted that the Town's Friendly 40B process is provided in the meeting packet. He said the Planning Board unanimously endorsed this project. He said the Conservation Commission has provided a preliminary endorsement of the project. He said there are many reasons the boards support the project. He said the project proponent has listened to those boards and incorporated a lot of the comments of the boards, Town staff, and residents. ► Mr. Edward Cannon, attorney on behalf of the proponent Tag Central, LLC, and Mr. A. J. Alevizos of TAG Central, LLC addressed the Town Council. Mr. Alevizos discussed how they have collaborated and coordinated with various Town Departments through public meetings and correspondence. He said they made many changes to the plans from their comments. He said this redevelopment project is truly a win-win for the town and the applicant. He reviewed members of the team and said many have direct local experience. He introduced Mr. Brian O'Connor, architect of Cube 3; Mr. Chris Frattaroli, wetlands scientist of Goddard Consulting; Allen & Major Associates, civil and landscape architects, represented by Carlton Quinn (via Zoom); and Vanasse & Associates, traffic engineer, represented by Jeffrey Dirk (via Zoom). He said Tag Central LLC is the applicant affiliated with the Alevizos Group which is a family real estate development investment and management office. He said they have been active in Franklin for a long time. He explained the project and that it is a Friendly 40B. He said it will be 264 units with 25 percent affordable, which is 66 units. He said as this is a rental property; all 264 units will count toward the town's subsidized housing inventory (SHI) number. He reviewed the one-, two-, and three-bedroom mix. He said the parking is 357 spaces which is a 1.35 parking ratio. ► Mr. Cannon narrated a slideshow presentation. He said the current site is the Stobbarts Nurseries. He said the location is walkable to many locations and approximately one mile away from the MBTA. He showed an aerial of the site. He said it is approximately 15 acres. He said there is a stream that bisects the site. He said most of the site has been disturbed over the years. He said there are a lot of invasive species and Tag Central will remove the invasive species. He said as it is a deep site, the buildings will be located further away from East Central Street. He showed photographs of existing conditions. He said they will clean it up to protect the wetland resource and beautify that area. ► Mr. O'Connor continued with the presentation. He showed a view of the proposed buildings, parking, garages, clubhouse, pool and amenity area, and fire access, and reviewed a walkthrough of the site. He reviewed the propose circulation for vehicles. He showed and reviewed the conceptual building elevations with three- and four-story buildings. He noted the proposed color of the buildings and noted they are proposed lighter than shown on the building elevations slide. He showed and reviewed representative completed projects. He said they spent time thinking about shielding the buildings and the exposure of the buildings from the street. He explained the distance from the street. He said the buildings on the east side are approximately 430 ft. set back from East Central Street. He said the four-story buildings are not near any homes, so they happen to be closer to the property lines but are set back over 415 ft. behind a series of commercial buildings. He said they are making sure the vegetated buffer is maintained. He reviewed the site plan improvements incorporated in collaboration with the Town as listed on a slide. Among the items on the list, he said they reduced the building height of the building closest to the neighborhood there by 25 percent, so they took one floor off the entire building. He said they worked closely with the fire department on the access and road coordination. ► Mr. Frattaroli discussed the conservation related project initiatives as listed

on a slide. He said they received a unanimous letter of support from the Conservation Commission. He reviewed some of the environmental and conservation issues with the project. ► Mr. Cannon summarized the public benefits of the projects as outlined on a slide. ► Mr. Alevizos provided a redevelopment summary and the benefits of this friendly 40B. ► Town Council members asked questions and made comments.

► Councilor Cormier-Leger discussed affordable housing is different than low-income housing. He said the need is not for more expensive housing. He said the town already has an enormous inventory of housing. He said he was not elected to help developers. He said he was elected to help the people who already live here. He said people do not want this; there are traffic and environmental concerns. He said it is difficult to lend his support to this. He said he does not think this is fair to the people who live next door, and he is concerned about the traffic implications. He said the added tax revenue is attractive. ► Councilor Chandler said Councilor Cormier-Leger's comments were well said. He noted the approximate number of school-aged children at 50. He said that is over \$1 million for the schools for this; so, the generated revenue of approximately \$600,000 per year leaves the town already \$400,000 in the hole. He noted the one-way in and out. He discussed the affordable part is \$27,000 per year and questioned how people would be able to save money with 80 percent of their salary for rent. ► Councilor Pellegrini said that the previous councilor members' comments were exactly what she is feeling. She said the seller of the property should be here at the meeting. She said you can say 50 for student enrollment, but it is always more. She confirmed that 25 percent would be affordable units. She said she received many texts and calls about this and not one was in favor. She said Town Council members have to listen to the residents. ► Councilor Dellorco said he agreed with the previous councilor members' comments. He discussed the cost of these affordable units. He said \$2,300 is too much. He asked about a traffic study. He said it probably said it was good; he knows the traffic is already heavy in that area. He said he is against this project. ► Councilor Jones said he avoids driving down East Central Street due to the traffic. He said they are at capacity with the roadway. He said these units are not actually affordable. He read aloud from a letter from Mr. Gino Carlucci discussing the setback of the proposed clubhouse. He discussed the projected 50 students and said that if there is a bedroom, children can be put in it. He explained that the town is in a fiscal crisis with the schools. He discussed that some projects can get started and then not be completed due to the economy and the possibility of a recession. ► Councilor Hamblen discussed that the proponents went through all the boards. She noted that the property owner has a right to sell his property. She said more housing means lower costs. She said this is an important project for Franklin. She said she wants Franklin to stay above the 10 percent subsidized housing. She said this is a perfect space for this and within walking distance of amenities. She said there is no detrimental effect to property values around such a development that is well-taken care of. She said all of the Town boards have recommended this. She said \$650,000 will help stabilize the budget. She asked if we want to be an open or closed community. ► Councilor Sheridan said he supports this project. He said to look at what it looks like now and what it could look like; this project will improve that land. He said we need tax revenue for the schools. ► Conservation Agent Breeka Li Goodlander talked about the site as degraded riverfront area. She said this area can be improved by a project like this. She said the town's local bylaw protects the isolated wetlands and the applicant has agreed to replicate at a 2:1 ratio. She said the Conservation Commission wrote a letter of support for this project with conditions. ► Councilor Frongillo said he had to rewrite his comments because the conversation did not go as expected from his colleagues. He said he is disheartened. He said there is an opportunity to work with a local developer, and he thought this would be time to work with them. He asked why are we pushing them out. He said they are willing to work with us on a need that we have for affordability to live in Franklin and new revenue for the services we like to enjoy. He said that they will hear from any neighbors about concerns, but for the few neighbors who are there to speak against the project, who is not there is the hundreds of people who are Franklin residents who can no longer afford to live in Franklin. He said he hears from seniors that they can no longer afford to live in Franklin. He said the town needs all ranges of affordable housing. He said this is affordable housing and is way more affordable than current rent. He said there are a lot of talking points that are outdated such as student enrollment. He said the price per student is an additive price. He said 50 new students will likely have no new impact or the hiring of just one new teacher. He said tax revenue is a serious concern. He said he thought they were going to talk about ways to improve this project. He said if the town is entirely ruled by people not wanting change, then we only exacerbate the affordability issues, the budget issues, and economic issues in Franklin. He said

he appreciates the local developer to work with every board. He said he is frustrated with his colleagues who do not want to start the conversation. ► Chair Mercer said he has many concerns about the project, most importantly and singly about the traffic. He said outside of that, he has no concerns; he loves the project. He discussed the budget deficit. He noted Proposition 2 ½ and new growth. He said there have been five new single-family houses built in Franklin in the last three years. He asked where are they going to get the new growth. He discussed the Town purchased 200 acres of open space in Franklin. He said if this project was on another street in town, there would be 50 other residents sitting here and asking us not to approve it for similar reasons. He explained that as councilors, they have to look at what is in the best interest of 34,000 people, not 75 that come to a Town Council meeting to speak against a particular project. ► Mr. Hellen talked about the affordability issue. He discussed the not-in-my-backyard (NIMBY) issue. He said they are in a frozen standstill on the housing issue in Massachusetts. He discussed housing values have increased and the lack of inventory. He said if not this project, which one; if not in Franklin, where. He said this is an opportunity with a developer for 67 deeded affordable housing units. He said we can work with the developer on traffic. He said this state is becoming the Manhattan of New England; you are either rich or poor. He discussed the cost of rent and said that rent will continue to go up if we do nothing. He noted the articles that he provided in the meeting packet.

Citizen/Audience Members: ► Mr. Gene Grella, 36 Red Gate Lane and abutter to the property, said a thoughtful project would have brought in the neighbors. He said that the property was once residential/commercial and it was changed to commercial because former Town Administrator Jeffrey Nutting said that if not changed, anyone could put a 40B over there. He asked about the wetlands and said something should already have been done about it. He said there is public well #9 on the back of the property; normally the Town protects that. He said currently there are no large projects on top of a well. He said who is going to police that well #9 is protected going forward. He said the town administrator should be working to represent the people in the Town of Franklin on these projects. He noted that there is another 40B project on Grove Street. He said that at this location, there are many issues including traffic. ► Ms. Jane Callaway-Tripp, 607 Maple Street, said there are condos in front of the Planning Board that will be going up about one block from this project which will add to the traffic. She asked how many of the apartments built in Franklin are still vacant. She said there are places to live, but nobody can afford them. She said bringing in more apartments is not going to make it affordable. She said that maybe Franklin grew so fast that we cannot handle what we have for population. She discussed the traffic going from one end of town to the other. She said this project is not okay and neither are 90 percent of the other projects we have had. There are places to live, but people cannot afford them. She referenced Councilor Frongillo's statement about cost per student and said according to the School Committee, it is \$17,000 per child. She discussed that the Town will be asking for an override because it is cited as \$17,000 per student, and said then how can you say that adding new students from this project will not cost \$17,000 per student. She said this town is drowning because we are trying to be so politically correct and appease everything that we have lost sight of what is important which is the residents, and the residents are the ones who pay the bills and vote. Without the residents, there is no town. The Town Council was elected to represent the people, and it is about time that they do. She discussed that she has five people in her home as it is so expensive. She discussed the taxes and fees that are going up in Franklin. She said we are the people you need to be concerned about. She said she is tired of hearing about bike paths and walking as everyone wants to get everywhere quickly and that requires a car. ► Mr. John Trombert, 63 Jordan Road, said there are many streets around town that will be affected by traffic. He noted the environmental concerns. He said the developer is requesting waivers on stormwater bylaws and asked why. He asked about the well on the property. ► Ms. Susan Rappa, 40 Red Gate Lane, noted the traffic on Rt. 140. She said it is too big of a development for the area. She said the developer said they worked with neighbors. She said they did not work with any neighbors; she asked who they are saying they worked with. She said this will take months and years to complete. She asked about the ledge and blasting that would be needed. She said Franklin is over the 10 percent for affordable housing so the Town Council and ZBA do not need to recommend this project. She showed a picture of her backyard and her property line. She read aloud from a posting from the property owner on their public business webpage who is selling the property. He states that he does not think they need more 40Bs either. He said that the Town asked the developer to build more 40Bs.

She asked if some Town staff are working on a deal with the developer to push this 40B through. She noted that 18 waivers need to be approved to even make this happen. She asked if this could be a behind-the-scenes deal; she hopes not. ► Mr. Hellen said there is absolutely no back-door deal or however Ms. Rappa characterized that. He explained the process that a developer goes through. He said he thinks these types of comments are what makes this almost like a reality TV show where it becomes about drama and accusations that are not true at all. He said whatever was on the Facebook post or whatever Ms. Rappa just said is flatly false. ► Ms. Renee Love, 39 Red Gate Lane, said this will be in her backyard. She discussed that as abutters, they are also long-term town residents. She noted the town administrator's letter in the meeting packet indicates that the proponent is aware of the concerns of the neighboring residents and has worked to address them. She said any concessions by the developer have been made at the request of Town boards such as the Planning Board; she said there was no input directly from the residents in her neighborhood including direct abutters. She said the proposed development is another massive apartment complex in town. She said the town has already met and exceeded the 40B affordable housing requirement. The Town has a choice in this matter. She noted the 18 waiver requests. She said the development is close to well #9 for drinking water. She said that the hundreds of automobiles that will be parked close to the well should be of concern. She noted the massive increase in traffic congestion. She noted the many other apartments and developments that have been built and that the impact of those developments has not even been realized yet. She discussed the ledge that will need to be considered when building. She said approving a zoning change to lessen the likelihood of future 40Bs down the road is shortsighted. She said they need to work toward long-term solutions. She asked the Town Council to not approve the zoning change requested and that the Town boards do not waive the bylaws that were enacted to protect the community. ► Mr. Mark Bernasconi, 32 Cook's Farm Road, asked about carbon mitigation and if natural gas will be used. He asked about solar generation on roof or garage tops. He said traffic is a number one issue. He asked if this will be done all at once or a phased rollout. He said he agreed with Councilor Frongillo about the student costs. He asked what about permeable/impermeable surfaces and if they will minimize that. ► Mr. Cooper Winston, 23 Village Way, asked if the number of units was reduced as the building height in one building was reduced. He asked about the number of parking spaces. He said he would like to get the math clarified on this. He discussed the traffic study that is needed. He said one more rainstorm and Jordan Road will be impassable. He said the developer should pay the stormwater utility fee that they asked for a waiver on; he said the residents all have to pay it. ► Mr. Mark Minnichelli, 31 Longfellow Drive, asked for the relevance of tonight's vote in the process. He said he was originally going to fully support the project. He said he is about more affordable housing in Franklin. He said he agrees with Councilor Frongillo that the perfect should not get in the way of the good. He discussed affordability. He said he had comments for the developers. He said he expressed concerns about pedestrian and bicycle friendliness of the location. He said it not a bicycle friendly location. He said he would like the developer to take more interest in the abutters' concerns. He would have liked the developers to respond to his previous comments at other meetings. He noted the need for traffic studies and does not think that timing the lights is the solution. He said he does not know what tonight's vote binds us to. ► Ms. Dianne Bernasconi, 32 Cook's Farm Road, said Cook's Farm is not senior living; it is regular living. She asked with the amount of people moving into this development, in addition to another teacher or another bus driver, will we need more police, fire, and public workers and what will that cost. She asked about the water table with all these other people in a large development in a small area. She asked if we can have impact fees to the developer for the expenses occurred in the town because of the development. ► Chair Mercer said we have enough water; the water ban is put on by the state and is mandated. ► Mr. Stephen Malloy, 19 Russett Hill Road, said this project seems like a poor use of what it could be. He noted it is a friendly 40B since the town is over the limit and asked how many units is the town over. ► Director of Planning and Community Development Bryan Taberner said the town is at 10.4 percent which may be about 100-150 units. ► Mr. Malloy said there could be better use of the space. He noted traffic and schools. He said this is not the town he moved into. He said there is so much building going on and traffic congestion. He said he and a lot of people do not like this. ► Mr. Marty O'Brion Jr., 1 Red Gate Lane, expressed his deep concern about the proposed project strain on Town resources, increased traffic, and environmental concerns. He reviewed how he and his wife chose to move to Franklin. He discussed a lack of supply in single-family housing. He said Franklin is doing a disservice to encourage this type of housing. ► Mr. Max Morrongiello, 127 Central Park

Terrace, said he has access to affordable housing. He noted concerns about traffic and said the traffic study said there would be approximately a 7.9 percent increase in traffic. He said the developer was considering working on the Rt. 140 and King Street intersection and what that would look like. He said Councilor Jones mentioned a letter by Mr. Gino Carlucci; he said Mr. Carlucci supports the project as a whole. He noted democracy is great and people showing up. He said as policy makers, they have to listen to all the stakeholders including the ones who are not here. He said there are 400 people going to live in this place and are looking for homes. The Town Council should look at these future voters. He said what happens if this is not approved and what will it be used for. ► Mr. Hellen said if you look up and down Central Street, you can get an idea of what can go there. He said it is all C1; any other commercial development could go there. He referenced the intersection and one of the positives of working with this developer. He said this is a tens of millions of dollars intersection at King Street and the same thing with Chestnut Street and Pleasant Street, and it requires eminent domain land taking. He said Mr. Alevizos talked with us conceptually about this. He said such projects take many years; it is on our radar. He said in the long term, we are looking at getting a GATRA style bus, public transit system, along the Rt. 140 route. He said the developer understands the concept and said the developer had open ears. ► Mr. Stephen Huston, 10 Wampanoag Drive, explained that Jordan Road is unsafe for biking. He said he would be more likely to support a 2 ½ override if this sort of project did not come up. ► Councilor Dellorco said he agreed. ► Ms. Meaghan Benson, 19 Winthrop Drive (via Zoom), said there was a lack of affordability and housing in Massachusetts. She said the elephant in the room is that the State in Franklin is housing migrants and not U.S. citizens and residents of Franklin while the town has many of their own looking for housing including veterans and elderly. She asked what is the process for these new arrivals at the hotel who are receiving permanent housing. She asked if these folks will be jumping in line ahead of our residents who have been on housing waitlists for years. She said it seems like we are exacerbating the housing problem in the state by adding more people to the state who need housing. She said Franklin residents want to make sure the same thing will not be happening in our town. She said she asked Representative Roy these questions and has not heard back. ► Mr. Hellen said Ms. Benson's question cannot be answered. He said he has zero role in the state's emergency shelter situation. He said he did not know details. He said that no Franklin taxpayer money has been spent on this issue. He said all of the questions and details cannot be answered at the local level; this is all run by the state. He said people should take the myths and rumors and park those cars as he does not hear any rumors that Ms. Benson is talking about. ► Mr. Pat Gallagher, 2 Cohasset Way, said he wanted to register his support for the project and continue the conversation. He said we are in a crisis situation for housing availability. He said other people should have the ability to live in this town. He said we should focus on the good of these projects. ► Chair Mercer recounted that when he grew up there were 6,000 to 7,000 residents. ► Ms. Chris Mucciarone noted the traffic issues. She said if the project goes through, could it be on a smaller scale and give some of the space back to open space and make it feasible for other people to use the area back there. ► Chair Mercer said he has heard a lot of concerns from residents, and he is concerned about taking a vote on this tonight. He said part of it is that he is disappointed that he heard that the TAG group did not spend enough time with residents. He asked to kick this back to the staff to work with the developer and some of the residents to see what they can do to address some of the concerns brought up this evening. ► Mr. Hellen said sure. He said there were a lot of questions, and he is happy to set up a time with the team and the residents to see what the concerns are and even walk the site with them including the building commissioner and water superintendent. He said he would like to educate the folks on the water table and more. He said he had thought there were residents at the board meetings bringing their concerns forward. ► Chair Mercer said it sounds like that did not happen. He said maybe for the people along Red Gate there could be something done to put in a bigger buffer. He confirmed that the Town Council members are okay in doing this. ► Mr. Alevizos said he would be happy to continue this and working outside of here to address some of the concerns. ► Chair Mercer said it would give the residents, if this were to pass, to have an opportunity before the vote is taken. ► Councilor Frongillo said he supports conversation. He said the traffic is a number one issue, and the project is made for vehicles. ► Councilor Jones said that the town owns the land immediately behind there, and the question is about building secondary paths for pedestrian traffic. ► Mr. Hellen explained the well area and what land the town owns back there. ► Chair Mercer said the residents will be notified about any meetings. ► Mr. Hellen explained the abutter notification process, and it is done when

legally required. He said they try to do the best they can with notifying residents. He said he is sorry some people were not notified up front. He said they will have a neighborhood meeting. ► Audience member said there is paperwork provided by the developers that says they spoke to and worked with the neighbors. She asked who were these neighbors spoken to. ► Mr. Hellen said he thought people showed up at the Planning Board; he said it was his impression. He said they just committed to an abutter meeting. ► Mr. Cannon said they followed the relatively new process of the Town for a LIP. He said maybe they can review that and use this as a learning opportunity to update that process. He said they appreciate the Town Council's efforts on this.

Chair mercer called a two-minute recess.

LEGISLATION FOR ACTION:

Note: Two-Thirds Vote requires six votes; Majority Vote requires majority of members present and voting.

a. ***Resolution 24-16: Franklin Town Council Support for Proposed GL Chapter 40B Affordable Housing Project at 444 East Central Street Pursuant to DHCD's Local Initiative Program (LIP): Friendly 40B (Motion to Approve Resolution 24-16 - Majority Vote).*** ► Item not taken.

b. ***Resolution 24-17: Local Acceptance of GL Chapter 166 Section 32A (Motion to Approve Resolution 24-17 - Majority Vote).*** ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 24-17: Local Acceptance of GL Chapter 166 Section 32A by Dellocco. SECOND by Hamblen.**
Discussion: ► Mr. Hellen said this is to help the building commissioner; he deserves an electrician. He said this is a housecleaning item. ► Building Commissioner Gus Brown explained that acceptance of this statute will permit a licensed electrician who is appointed as a local inspector of wires to also work privately. This was enacted by the General Court in recognition of the fact that it is very difficult for a municipality to hire a qualified person to work exclusively as a full-time electrical/wiring inspector. ► Chair Mercer said they would not be inspecting their own work. ► Councilor Jones confirmed there should be no conflict of interest on work. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellocco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**

c. ***Resolution 24-18: Gift Acceptance - Veterans' Services Department (\$2,250), Senior Center (\$1,500) (Motion to Approve Resolution 24-18 - Majority Vote).*** ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 24-18: Gift Acceptance - Veterans' Services Department (\$2,250), Senior Center (\$1,500) by Dellocco. SECOND by Hamblen.** **Discussion:** ► Chair Mercer thanked the donors. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellocco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Hellen said the town administrator's budget will be out this Friday. He said key dates are the Finance Committee on Wednesday, April 17. He said on April 24 there is a public hearing on an override to be held at Franklin High School at 7 PM with the Town Council and School Committee as a joint meeting. He said the FinCom hearings are scheduled for May 6, May 8, and May 15. Regarding an update of the migrant situation at the hotel, he said he cannot say enough about Health Director Cathy Liberty and the amazing stakeholders in the community for all the work they have been doing. He said they do not have confirmation from the state that they have renewed the lease for next year, although he has asked. He said the state said in early May/June another group will take over at the hotel to deal with the emergency shelter program. He said Ms. Liberty got a \$10,000 grant for transportation. He said regarding the schools, everything has been going well there. He said if people are hearing different things, people should give him a call. He said he is sure there are small issues going on, but there are small issues with people that are not migrants. He said the School Department has been doing a great job working through a tough situation. He said the state committed to providing \$200,000 for this for the schools. He said

regarding the DPW Director, he was put on administrative leave on February 9. Mr. Hellen said he is going to reinstate the DPW Director tomorrow morning. He said he will put out a complete website with a final report and other information, and it will all be made public. He said as an organization, they are being very transparent and proactive to get together all materials around people's questions. He said on May 1, the auditor's will be here to talk about the financials.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** None.
- b. **Economic Development Subcommittee.** ► Councilor Hamblen said they met tonight before this meeting. She said they spoke about downtown commercial parking and revisions in that and how we can become MBTA compliant; they will bring it to the full Town Council for discussion.
- c. **Budget Subcommittee.** None.
- d. **Master Plan Update Committee.** ► Councilor Jones said the next meeting is on April 17 at 6:30 PM. He said the master plan open house last month was an awesome success, and they will take and compile all that information.
- e. **Davis-Thayer Building Reuse Advisory Committee.** ► Mr. Hellen confirmed the requests for interest are due at the end of May.
- f. **Police Station Building Committee.** ► Chair Mercer said they have narrowed down the search for the project manager, and those interviews are scheduled for May 13 at a time to be determined.
- g. **GATRA Advisory Board.** None.

FUTURE AGENDA ITEMS: ► Councilor Cormier-Leger asked to look into the Stobbarts property and to ease concerns staff could walk the property to see if there were truly oil spills, environmental concerns, trucks, and other items brought up tonight which are going against our own bylaws. ► Councilor Jones said he would like to make shorter agendas. ► Councilor Dellorco said he noted the immigrants in the schools, but Mr. Hellen said he already knew.

COUNCIL COMMENTS: ► Councilor Cormier-Leger thanked everyone for the good dialogue at tonight's meeting. He said he would like along the lines of the migrant issue to have to police chief come to give an update from his perspective as there is speculation and rumors about inappropriate things happening at the hotel, safety concerns, and things happening at the schools. ► Mr. Hellen said the police chief will be at the May 1 meeting. ► Councilor Cormier-Leger thanked everyone for the Arts and Culture subcommittee with a great meeting and grant presentation and celebration at Dean. ► Councilor Chandler requested someone from DPW go by Ms. Sullivan's house tomorrow and take care of those patches/potholes. ► Mr. Hellen said he already noted it down. ► Councilor Pellegrini noted the earthquake on Tuesday. She asked about the stores going out on the main street and if that is related to the pop-up stores. ► Mr. Hellen said no. He said each business has their own story. ► Councilor Pellegrini noted the marathon on Monday. She asked about the ROTC program and if it was in Franklin. ► Councilor Sheridan said some high schools have junior ROTC, but he does not think Franklin does. ► Councilor Frongillo said the Arts and Culture subcommittee wrapped up. He said he has had positive interactions with the migrants. ► Councilor Hamblen reiterated the Arts and Culture subcommittee comments. She gave condolences to the family of Larry Bederian and to the veterans of VFW Post 3402 for Larry Bederian. ► Councilor Jones said Dean College just had a show; all the Dean College shows are spectacular. He said La Cantina Winery had a grand opening of their new location on Sunday; the location came out spectacular. He said today at the University of New Hampshire cadets competed at a competition and won first place. ► Councilor Dellorco gave condolences to the Bederian family and the Brunelli family. He said some families have come to his house and said the migrants are not so nice at the high school, and the Oak Street school is a mess; that is what he is hearing. ► Chair Mercer gave his condolences to the Bederian family and the Brunelli family. He thanked everyone who came to tonight's presentation. He said they listen to the public's input. He said April 24 at the Franklin High School auditorium there is a joint meeting of the Town Council and School Committee to talk about the override with an opportunity for the public to speak.

EXECUTIVE SESSION: a. ► To review and approve minutes from March 13, 2024 Town Council Executive Session. ► Chair Mercer stated there is a need for an executive session to review and approve minutes from March 13, 2024 Town Council Executive Session and the chair so declares. He said they will not return to open session. ► **MOTION to Enter executive session to review and approve minutes from March 13, 2024 Town Council Executive Session and not to return to open session by Jones. No SECOND No Discussion.** ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-Vote Not Provided; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES.** ► **VOTE: Yes-8, No-0, Absent-0, Vote Not Provided-1.**

Open Session ended at 11:06 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary