



124 Grove Street, Suite 220  
Franklin, MA 02038  
Tel. (508) 541-3000  
Fax (508) 541-3008  
<https://ddcrwlaw.com>

Edward V. Cannon, Jr., Esq.  
[evc@ddcrwlaw.com](mailto:evc@ddcrwlaw.com)

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**Via Email: [alove@franklinma.gov](mailto:alove@franklinma.gov)**

Planning Board  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038  
Attn: Amy Love, Town Planner

RE: 488 & 496 Summer Street  
Response to BETA Suggestion of "Subdivision" and  
Town's Critical Senior Housing Need

Dear Board:

The applicant is providing this response to BETA's "Subdivision of Land (Chapter 300)" comments on p. 5 of its February 14, 2025 letter to the Board and to the questions raised by the Board about Franklin's critical senior housing need under zoning bylaw Section 185-48.D.1(g) in relation to the Board's waiver discretion as to the maximum number of permitted housing units.

**Subdivision of Land (Chapter 300)**

Each of the subdivision comments is misplaced because this is not a subdivision and is not subject to the subdivision rules and regulations. This is a Senior Village Planned Unit Development. According to the zoning bylaw Section 185-3 a Senior Village Planned Unit Development (Senior Village) is:

*A master-planned development of land as a unified, self-contained, residential community, constructed expressly for use and residency by persons who have achieved a minimum age requirement for residency of 55 years or older, in accordance with MGL c. 151B, § 4, Subsection 6, and also incorporating the preservation of natural open space areas as an integral element of the development. A senior village shall be permitted only within a Senior Village Overlay District and only upon the granting of a special permit by the Planning Board.*

Section 185-3 has a completely different definition for “Senior Village Residential Subdivision” which states:

*A subdivision of land within a senior village that results in creation of individual lots to serve as home sites upon which individual single-family dwellings are to be constructed for residency by seniors. The individual single-family dwellings may be detached homes, attached or semi-attached townhouses, or other building type(s) approved by the Planning Board that is/are each designed for occupancy by an individual family.*

In this instance there is no subdivision of land and there are no individual lots. The project does not meet the Senior Village Residential Subdivision and must not be held to comply with regulations provided for subdivisions.

### **Bylaw Section 185-48(D)(1)(g) – Critical Senior Housing Need**

The online version of the Merriam-Webster Dictionary lists definition 2.c. of “critical” as “being in or approaching a state of crisis”.

In August of 2024 Governor Healey signed into law Chapter 150 of 2024 the “Affordable Home Act” (the “Act”) the very first paragraph of which states:

*Whereas, the deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the financing of the production and preservation of housing for low and moderate income citizens of the commonwealth and to make related changes in certain laws, therefore it is **hereby declared to be an emergency law**, necessary for the immediate preservation of the public convenience. (emphasis added)*

The first section of the Act the declares one of the Acts primary purposes, “to support housing production for the **elderly**, disabled and homeless, to preserve housing for the **elderly**”. (emphasis added)

On February 6, 2025 Governor Healey’s office published “A Home For Everyone – A Comprehensive House Plan for Massachusetts 2025-2029”. The fifth line of the 43-page plan refers to “The housing crisis we find ourselves in...” The first sentence of the Executive Summary on p. 5 states, “The house crisis profoundly affects all of the people who call Massachusetts home.” The Needs Assessment Summary on p. 19 declares as its first priority, “A shortage of homes is the root cause of our housing cost crisis, but getting to a more abundant supply won’t be easy”. In fact the Commonwealth’s brand new housing production plan uses the word “crisis” 28 times!

The Massachusetts legislature and the Governor have not only recognized the critical housing need not only in Franklin but in all of Massachusetts, they took a major leap forward to address this crisis last summer with the swift enactment and immediate effect of the Act.

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In addition to the Commonwealth, the Town of Franklin has identified the critical need for senior housing in the town's most recent Housing Production Plan as set forth in the current version of the town's Master Plan, which includes the top 3 goals of the housing production plan as:

- 1) Maintain Franklin's Subsidized Housing Inventory above ten percent through 2030 and beyond.
- 2) Increase the number of housing units affordable to Franklin's very low-income, low-income, and moderate-income residents.
- 3) Increase the number of affordable housing units available to persons with special needs, and the elderly.

Given the urgent need for senior housing identified by the state and the Town of Franklin any reasonable view of the current housing situation for the elderly here in Franklin demonstrates that there is a "critical senior housing need".

Respectfully,

*Edward V. Cannon, Jr.*

Edward V. Cannon, Jr.

cc: Tim Jones  
Dan Merrikin, Legacy Engineering

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