

**DRAFT FOR REVIEW****Town of Franklin****Planning Board****July 11, 2016  
Meeting Minutes****RECEIVED  
2016 AUG 29 AM 9:06  
TOWN OF FRANKLIN  
TOWN CLERK**

Chairman Anthony Padula called the above-captioned meeting to order this date at 7:00 PM. Members attendance: Joseph Halligan, John Carroll, William David, Gregory Rondeau, Alternate Rick Power. Also present: Bryan Taberner, Director, Planning and Community Development; Michael Maglio, Town Engineer; Kristin Kaczmarek, Planner; Matthew Crowley, BETA Group, Inc.

**7:00 PM Commencement/General Business**

Chairman Padula announced the meeting would be video and audio recorded for the public's information.

**A. Certificate of Vote – Union Meadows**

Ms. Kristin Kaczmarek stated the Department of Planning and Community Development (DPCD) received separate waiver forms for each of five (5) requested waivers. She stated the DPCD recommends the Planning Board vote on the waivers and the plan as submitted.

Mr. Donald Nielsen of Guerriere & Halnon, Inc. stated the change in the fencing was noted, some plantings were added, and a note was added to the plan regarding the Certificate of Vote.

*Motion to Approve Waiver #1 - §300-10 D (5): To allow grades within the public way to be more than 5' above the existing grade at 6+00 to the end of the proposed road. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve Waiver #2 - §300-11 A (3): To allow stormwater management on a drainage lot that does not conform to zoning. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve Waiver #3 - §300-13 A (1): To allow sidewalks on the south side of the road only. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve Waiver #4 - §300-8.a (1) (c): To not expand the development plan or locate trees. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve Waiver #5 - §300-8D (1) – (6): To not provide the environmental analysis. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve Union Meadows Subdivision, as amended. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).*

**DRAFT FOR REVIEW****B. Extension - Chestnut Senior Village**

Chairman Padula stated the applicant asked to continue to the next meeting.

**C. 81-P ANR – Union Meadows Decision**

Ms. Kaczmarek stated the Department of Planning and Community Development recommends the Planning Board to vote to endorse the 81-P Plan.

***Motion to Endorse 81-P ANR - Union Meadows Definitive Subdivision. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

**D. Interim As-Built – Cook's Farm Phase II**

Mr. Donald Nielsen of Guerriere & Halton, Inc. and Mr. Ron Roux, representing the owners, addressed the Planning Board. Mr. Nielsen stated this discussion is for informational purposes to provide an update on Phase II. He stated they have satisfactorily completed the stormwater management systems for Phase II which was a special condition of approval for the release of occupancy permits for homes to be constructed in this phase of the project. This system is in place and operational.

Mr. Matthew Crowley, BETA Group, Inc., stated they were at the site last week. There are two means of egress to the site. The drainage system has been installed and is functional at this time. There is no curbing, however there is a temporary bituminous berm placed at the edges of the roadways. The temporary parking is not yet installed. He spoke with Mr. Roux today and clarified the houses along the Road C area are not part of Phase II.

Mr. Michael Maglio, Town Engineer, stated the plans showed no curbings and the grading is such that the catch basins are in the low points. So, with grass sloping, water will make it into the catch basins. There is erosion control on-site.

Chairman Padula stated he did not like the decks; they are closer than the required distance between the houses. Is there any chance to change the walkouts so they are in the front or the back of the house? The railings, stairways and decks are part of the homes and are not supposed to be any closer than 15 ft. on the approved site plan. He stated the Building Commissioner has mentioned this as well.

Mr. Roux stated they are not decks; they are stoops with two stairs to get down to the outdoor living area. Two of them have railings because they are more than 30 in. from the house. He stated there was 15 ft. between the buildings. Sprinklers were put in which they did not have to do; as such, he thought they could go to 10 ft. He stated he did not have the plans with him, but he would check.

7:05 PM      **PUBLIC HEARING – Initial**  
**Zoning Bylaw Amendment 16-762**  
**Site Plan and Design Review**

*Documents presented to the Planning Board:*

- 1. Memorandum dated July 1, 2016 from Department of Planning and Community Development to Franklin Planning Board*
- 2. Town of Franklin, Zoning By-law Amendment 16-762, Site Plan and Design Review*
- 3. Franklin Planning Board Public Hearing Notice*

***Motion to Waive the Reading. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***



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*Motion to Continue the Public Hearings for Zoning Bylaw Amendments 16-762 and 16-764 until the end of the 7:35 PM public hearing in order to accommodate people in audience. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).*

7:05 PM      **PUBLIC HEARING** – *Initial*  
                  **Zoning Bylaw Amendment 16-764**  
                  Limited Site Plan Approval

*Documents presented to the Planning Board:*

1. *Memorandum dated July 1, 2016 from Department of Planning and Community Development to Franklin Planning Board*
2. *Town of Franklin, Zoning By-law Amendment 16-764, Site Plan and Design Review*
3. *Franklin Planning Board Public Hearing Notice*

*Please refer to Public Hearing – Initial, Zoning Bylaw Amendment 16-762.*

7:10 PM      **PUBLIC HEARING** – *Continued*  
                  **100 Financial Park – Warehouse Development**  
                  Site Plan

*Documents presented to the Planning Board:*

1. *Memorandum dated July 8, 2016 from Department of Planning and Community Development to Franklin Planning Board*
2. *Letter dated July 7, 2016 from Michael Maglio, Town Engineer, to Franklin Planning Board*
3. *Letter dated July 8, 2016 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board*
4. *Memorandum dated July 7, 2016 from G.B. McCarraher, Fire Chief, to DCPD*
5. *Letter dated July 1, 2016 from Douglas Hartnett, Highpoint Engineering, Inc., to Franklin Planning Board*
6. *Highpoint Engineering, Inc. Long Term Pollution Prevention Plan*
7. *Massachusetts Department of Environmental Protection Underground Storage Tank Program, Facility Detail Report*
8. *Highpoint Engineering, Inc. Stormwater Management Facility Post Construction Operation & Maintenance Budget*
9. *Compliance Summary – Building and Site Dimensional Requirements, Concept Lot Plan, with issue date July 1, 2016*
10. *Construction Sequencing Plan, with Revision date July 1, 2016, Sheet numbers SEC#10-1 and SEC#10-2*
11. *100 Financial Park – Warehouse Development, Site Development Plans, with Plan Revisions date July 1, 2016*

Mr. Douglas Hartnett, Principal of Highpoint Engineering, and Mr. Will Deshler of CRE Management, addressed the Planning Board. Mr. Hartnett provided a follow-up and stated that since the last meeting they have conducted a series of plan revisions based on BETA's most recent peer review. Those plans were then resubmitted to BETA for final comment which has been received and it appears that most of the comments have been addressed. Also, they have met with Fire Department and addressed and resolved concerns. Conducted a revised traffic study based on restricted access to Grove Street; Daniel Mills will address that aspect of the project.

Ms. Kaczmarek stated the project was heard at the Conservation Commission's last meeting and was continued. Department of Planning and Community Development (DPCD) received the revised plans and revised traffic study. The revised traffic study was not received until July 6, 2016; therefore, BETA has

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not performed a full review. There has been a preliminary review in-house. The report indicated some restrictions proposed to the Grove Street end of Financial Park. DPCD finds the restrictions reasonable and anticipates a full traffic report presentation at the next meeting. The applicant is requesting a waiver for a reduction in parking requirements. DPCD finds that granting this waiver is appropriate. She stated DPCD has a list of recommended conditions and recommends that the Planning Board continue the public hearing until the traffic report is reviewed and other outstanding issues are addressed.

Mr. Hartnett stated he has reviewed the conditions and has no objections.

Ms. Kaczmarek read the conditions out loud.

Mr. Maglio stated that at the last Planning Board meeting it was mentioned that the applicant might want to send more traffic on the Grove Street driveway access. The DPW has discussed this with other town staff and feel strongly as little traffic as possible should be utilizing the Grove Street access to minimize any potential impacts to the town's drinking water well. And, the updated traffic analysis shows that while the future traffic volumes will meet the warrants for a traffic signal on Washington Street at King Street, the report recommends monitoring traffic after occupancy to see if the signal warrants are met. Based on the analysis, he recommended that installation of the traffic signal be a condition of approval, and that it be installed prior to occupancy.

Mr. Crowley stated BETA's revised traffic review comments may be ready as early as tomorrow. Regarding the stormwater aspects, the applicant provided an updated plan set and comments. BETA has no outstanding issues that were not previously covered by DPCD.

Mr. Harnett stated they are scheduled with the Conservation Commission for July 21, 2016.

Mr. Rondeau stated he has received calls regarding the warehouse and loading docks and asked if they had any idea how many trailers would be heading to King and Washington Streets if they were not going to Grove Street. There are 70 loading docks, that could be 140 trailers per day. There are so many trailers already in that area; this will make it even worse.

Mr. Hartnett stated it is not anticipated that one loading dock would accommodate one trip back and forth on a single day. The traffic study prepared by MDM Transportation projects a certain number of truck trips based on the square footage of the building. They do not have a specific tenant for the building at this time.

Mr. Carroll stated concern regarding the school and the warehouse being together and there are no sidewalks. He asked what will be done for the kids riding their bikes or walking to school. He is concerned about what business will be going into the warehouse.

Mr. Hartnett stated he would have to defer to the school for this question. He noted that the school and warehouse projects have been working closely together since the beginning and the projects rely on each other. The school did not feel the need for sidewalks as it is a destination school with mostly parent drop off and buses. And, with the remoteness of the area, it is not anticipated that there will be students walking through the site to get to the school.

Chairman Padula stated one of the restrictions would be that it could not be a 24-hour trucking place as it is in a residential district. He would like to know the hours of operation.

Mr. Daniel Mills of MDM Transportation Consultants, Inc. provided an overview of the revised traffic study to reflect DPW's desire to restrict access to Grove Street. They had originally shown full access to the Grove Street roadway. They do not know who the tenant will be so they have to use a database that



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averages out what a typical warehouse uses for trips. It depends on the number of shifts a tenant may have. Estimating a 100-trip warehouse. Estimating about 8 trucks trips during the morning or afternoon peak period of time. At the Constitution Boulevard intersection, every hour during morning and evening peak time there are about 100 trucks that travel through that area. If a student were walking to school, as there are no sidewalks on Washington Street or Grove Street public ways, the student would encounter a traffic situation. The information from their database does not specify a 24-hour operation, it is just an average.

Mr. Halligan asked if there could be a bicycle or walking path put in to access the school. He would be in favor of a signal light. He expressed concern that it is not known what business is going in there. What if it is a dangerous or hazardous explosive material and it is close to both a school and a water resource area? How can Planning Board make sure they know what they are approving? How do you watch what is going in there on a day-to-day basis? He would like to base his vote on a safety issue for the public, not so much as what is in the book. There is a school right next to the warehouse.

Mr. Hartnett stated that based on the conditions by the DPCD, when there is a change of use, a different tenant, they are obligated to come back before the Planning Board to prove the parking relief is still warranted. The zoning bylaw has a specific vehicle that requires a potential tenant to seek approvals for certain materials. He also stated the town has a noise ordinance in the bylaw.

Planning Board members discussed hours of operation, overall noise, residential area, truck noise/shifting, materials in the warehouse, and location next to school and water resource area.

***Motion to Continue public hearing for 100 Financial Park, Warehouse Development, Site Plan, to July 25, 2016, at 7:05 PM. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

7:15 PM

**PUBLIC HEARING** – Continued

***100 Financial Park – Benjamin Franklin School  
Site Plan***

***Documents presented to the Planning Board:***

1. *Memorandum dated July 8, 2016 from Department of Planning and Community Development to Franklin Planning Board*
2. *Letter dated July 7, 2016 from Michael Maglio, Town Engineer, to Franklin Planning Board*
3. *Letter dated July 8, 2016 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board*
4. *Benjamin Franklin Classical Charter Public School, Plan Sheets: Utilities Plan with Revision date July 5, 2016, and Civil Details with Revision date July 5, 2016*

Mr. Andy Truman of Samiotes Consultants, Inc., Mr. Richard Marks, Owner's Project Manager of Daedalus Projects, Inc., and Mr. Peter Wood of Samiotes Consultants, Inc. addressed the Planning Board. Mr. Marks corrected Mr. Hartnett's statement indicating it was a private school. It is a public charter school open to students from 14 communities including Franklin.

Mr. Truman stated most of the comments from BETA have been resolved. They met with DPW and made a slight change to the plan. Peer review and Town review comments have been addressed. Conservation Commission closed their public hearing last week and issued an order of conditions. The only outstanding issue is the waiver for the HDPE pipe.

Mr. Taberner confirmed this is being treated as a separate site plan.

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Ms. Kaczmarek stated applicant has responded to all DPCD's comments. She stated the only concerns are traffic and access. Received preliminary ANR plan. She suggested the Planning Board discuss their preference of the use of ScourStop mats at stormwater outlets. She recommended that the Planning Board close the public hearing.

Mr. Crowley stated the applicant has satisfactorily responded to the outstanding issues. Final plan should be updated to reflect zoning information presented on the ANR plan. Planning Board may want to discuss the ScourStop mats at stormwater outlets.

Mr. Hartnett stated he does not like the riprap.

Mr. Maglio stated bylaw does not state a requirement. He does not have experience with the ScourStop.

Mr. Marks reviewed the plan and discussed the fields for students to play on. The front yard would have some walking-type paths. Would like a play structure for both younger and middle school students. There is no plan at this time for an outdoor basketball hoop.

Mr. Halligan asked if they think this school would be used on the weekends by the public. He asked since there are two separate site plans, how can Planning Board get them to put in sidewalks once it is approved? If the industrial park is required to put in a sidewalk, it will end and there will be no connection to the school. So, should the school be required to put in a sidewalk before approval?

Mr. Marks stated there are about five walkers currently at the school with about 450 students. Walkers to the school are not anticipated due to the location.

Mr. Truman stated the sidewalk on the school property is there because it is required by ADA.

Chairman Padula stated he does not agree with HDPE pipe. He has seen riprap that works, and has not seen the ScourStop.

Mr. Carroll stated he has received calls from parents about the sidewalks. He stated there are limited sidewalks, with cars coming in and parents running late, kids get out and what do they walk on? Drivers could attempt to turn around and back over the area. They cannot back over a sidewalk and a child could not get hurt. He stated there is a safety issue that no one seems to be addressing.

Mr. Marks stated there is a grass strip to walk on. The cars and drop off will be monitored.

Mr. Truman reviewed the car drop-off procedure and the sidewalks on the plan.

Ms. Heather Zolnowski, Head of the Benjamin Franklin Classical Charter School, addressed the Planning Board. She stated the school at their current location did not have sidewalks until about four weeks ago when they were put in on Pleasant Street. The school does not have a lot of walkers as it is a regional school. There are about five or six walkers a day. There will be a separate drop-off area for buses and parents, just like at the current school. She stated safety is of utmost concern.

Mr. Daniel Mills of MDM Transportation Consultants, Inc. stated they did the traffic study for the school. The school has a much smaller area for drop off currently and they do very well. This is a much longer drop-off area, and they are separating buses and parent drop off and cars are not backing out onto a public roadway.

Mr. Truman discussed the proposed signage around the school and the drop-off route.



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Chairman Padula asked if striping could be added.

Mr. Marks stated they would have no objection to that. He asked for a definition of occupancy in regards to the installation of the traffic signal. They have a complete MEP design. All components are indoors, expect for the emergency generator outside which would only be running in an emergency and 15 minutes per week for exercise. He asked what is the best format to prove that they do not have noise. They do not believe this has to be a special condition of the plan.

Mr. Taberner stated any conditions only apply to this as the site plans stand alone.

Mr. Maglio reiterated that they would like to make sure the traffic signal is in place before any impacts occur. He reiterated only the school buses are using the Grove Street entrance, but all parents and employees are coming off of Washington Street. He stated he does not think the emergency generator will be a problem.

***Motion to Close the public hearing for 100 Financial Park, Benjamin Franklin School. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

Chairman Padula stated the applicants are not requesting any waivers except the waiver for the HDPE drainage pipe.

Mr. Truman stated there would be no connection to the public system. They have about 800 lin. ft. of HDPE pipe and believe it is a cost savings. Both BETA and DPW had no issue with the pipe.

Mr. Maglio stated where it is a private site he is not concerned. He confirmed the traffic light will be on town-owned land.

Chairman Padula stated he is not for it. And, it is in a water resource area.

Mr. David and Mr. Carroll stated they prefer the concrete pipe.

Ms. Kaczmarek read the nine (9) recommended special conditions for approval.

***Motion to Approve, with recommended special conditions, 100 Financial Park, Benjamin Franklin School. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

7:20 PM      **PUBLIC HEARING** – Continued  
**Lincoln Street – Rolling Brook Estates**  
Definitive Subdivision

*Documents presented to the Planning Board:*

1. Letter dated July 8, 2016 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board
2. Letter dated July 6, 2016 from Michael Maglio, Town Engineer, to Franklin Planning Board
3. Memorandum dated July 8, 2016 from Department of Planning and Community Development to Franklin Planning Board
4. Letter dated June 13, 2016 from Eric Dias, Strong Point Engineering Solutions, LLC, to Franklin Planning Board
5. Form R: Franklin Planning Board Subdivision Waiver Request: Waivers #7 - 8, dated July 7, 2016
6. Letter dated July 1, 2016 from Eric Dias, Strong Point Engineering Solutions, LLC, to Franklin Planning Board, RE: Response to Town Engineer Review Comments

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7. *Letter dated July 1, 2016 from Eric Dias, Strong Point Engineering Solutions, LLC, to Franklin Planning Board, RE: Response to DPCD Review Comments*
8. *Letter dated July 1, 2016 from Eric Dias, Strong Point Engineering Solutions, LLC, to Franklin Planning Board, RE: Response to Peer Review Comments*
9. *Form R: Franklin Planning Board Subdivision Waiver Request: Waivers #1 – 6, with Received by Planning date June 13, 2016*
10. *Memorandum dated May 12, 2016 from G.B. McCarraher, Fire Chief, to DCPD*
11. *Memorandum dated June 14, 2016 from George Russell, Conservation Agent, to Franklin Planning Board*
12. *Letter dated June 13, 2016 from Eric Dias, Strong Point Engineering Solutions, LLC, to Franklin Planning Board*
13. *Memorandum dated May 18, 2016 from Lenore White, Wetland Strategies, Inc., to George Russell, Franklin Conservation Commission*
14. *Email dated May 3, 2016 from Kathy Celorier, Conservation Department, to George Russell, Conservation Agent*
15. *Letter dated May 2, 2016 from Eric Dias, Tunison Dias, Inc., to Franklin Planning Board*
16. *Form C Application for Approval of Definitive Plan with Received by Planning date May 2, 2016*
17. *Form R: Franklin Planning Board Subdivision Waiver Request: Waivers #1 – 13, with Received by Planning date May 2, 2016*
18. *Certificate of Ownership with Received by Planning date May 2, 2016*
19. *Abutters List Request Form with Received by Planning date May 2, 2016*
20. *Abutters List Report, Town of Franklin, February 24, 2016*
21. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date May 2, 2016*
22. *Definitive Subdivision Plan for Rolling Brook Estates, Lincoln Street, Franklin, Massachusetts, Plan Sheets with Revision Date July 1, 2016*

Mr. Eric Dias of Strong Point Engineering Solutions, LLC, on behalf of the applicant, TNT Building Corporation, addressed the Planning Board.

Mr. Matthew Crowley, BETA Group, Inc. stated they have received revised documents. All of the comments have been addressed. He noted that in the stormwater analysis they are proposing an increase in stormwater from the site; however, they have provided a downstream flooding analysis showing that the increase during the 100-year storm will be minimal, approximately ½ in. The site has much ledge and poor soil; infiltrating onsite will be difficult to impossible.

Mr. Dias stated they have done test pits and the proposed facilities will work in those areas.

Mr. Maglio stated the applicant has redesigned the system into a more traditional drainage system and he is satisfied with what they have done. All previous outstanding comments have been addressed.

Ms. Kaczmarek stated all previous comments have been addressed. She noted the project appeared before the Conservation Commission on July 7, 2016 and was approved. The applicant is requesting eight (8) waivers. She noted six (6) of the waivers have been previously discussed. She stated that Waivers #7 and #8 were found to be acceptable and reasonable for the project. Applicant is also providing a private road covenant to be approved by the Town Council. She stated as long as all else has been addressed, she recommended the Planning Board vote on the plan and waivers as submitted.

Mr. Dias stated that Parcel B on the plan, about 21 acres, is intended to be conveyed to the town. In response to a question regarding necessary blasting of the ledge, Mr. Dias stated much of it will have to



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be looked at when out there. They are intending, where possible, to crush and reuse on site. Anything needing to be blasted will go through pre-blast survey and be well-regulated.

*Motion to Approve Waiver #1: Request to allow grades within the proposed right of way to be more than 5' above the existing grade. Carroll. Second: Halligan. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve Waiver #2: Request to allow a minor roadway to have sidewalks on one side only. Carroll. Second: Halligan. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve Waiver #3: Request to allow for a minimum right of way width of 40' and minimum pavement width of 18' for a portion of the proposed right of way intended to remain private. Carroll. Second: Halligan. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve Waiver #4: Request to allow the private portion of the proposed right of way to exceed the maximum length of a dead end roadway of 600'. Carroll. Second: Halligan. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve Waiver #5: Request to allow the use of cape cod berm rather than granite curb along the private portion of the proposed right of way. Carroll. Second: Halligan. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve Waiver #6: Request to allow for no sidewalks along the proposed private way. Carroll. Second: Halligan. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve Waiver #7: Request to waive requirement to show all existing trees 10" diameter or greater within proposed right of way. Carroll. Second: Halligan. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve Waiver #8: Request waiver of requirement to provide an additional Environmental Analysis. Carroll. Second: Halligan. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve the Definitive Subdivision for Rolling Brook Estates, Lincoln Street, with special condition as part of the site plan that Parcel B be deeded to the town upon approval. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion for five-minute recess. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).*

7:35 PM **PUBLIC HEARING** – Continued  
265-303 East Central Street - Aubuchon  
Site Plan Modification

Documents presented to the Planning Board:

1. Letter dated July 6, 2016 from Michael Maglio, Town Engineer, to Franklin Planning Board
2. Memorandum dated July 1, 2016 from Department of Planning and Community Development to Franklin Planning Board
3. Letter dated June 24, 2016 from Donald Nielsen, Guerriere & Halnon, Inc., to Franklin Planning Board, RE: Response to Town DPW Review Comments
4. Letter dated June 24, 2016 from Donald Nielsen, Guerriere & Halnon, Inc., to Franklin Planning Board, RE: Response to Review Comments
5. Supplemental Historical Plans with Received by Planning date June 27, 2016
6. Memorandum dated May 16, 2016 from G.B. McCarraher, Fire Chief, to DCPD
7. Memorandum dated April 28, 2016 from George Russell, Conservation Agent, to Franklin Planning Board

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8. *Memorandum dated May 3, 2016 from Franklin Board of Health to Franklin Planning Board*
9. *Site Plan Modification Aubuchon Hardware for 265-303 East Central Street, Franklin, Massachusetts, Plan Sheet 1, 2, and 3 of 5, with Revision date June 24, 2016, and two (2) Historical Plan Sheets for Star Market with Revision date June 24, 1987*
10. *Form P Application for Approval of a Site Plan with Received by Planning date May 31, 2016 with signature of owner*
11. *Form P Application for Approval of a Site Plan with Received by Planning date May 31, 2016 with signature of applicant*
12. *Certificate of Ownership with Received by Planning date April 27, 2016*
13. *Abutters List Request Form with Received by Planning date April 27, 2016*
14. *Abutters List Report, Town of Franklin, March 14, 2016*
15. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date April 28, 2016*
16. *Plan of Land "Exhibit A" Norfolk Registry of Deeds, Dedham, MA, Received June 12, 1989*

***Mr. Halligan recused himself.***

Mr. Donald Nielsen of Guerriere & Halnon, Inc. and Mr. Gregory Moran, Director of Real Estate, Aubuchon Company, addressed the Planning Board. Mr. Nielsen stated since the last meeting they have done investigation into plans and the past history of the Horace Mann site; plans were found at the DPW. They submitted these 15+ plans indicating what had occurred on this site since 1961 when first developed as Star Market. He addressed parking questions to the Town Planner. He noted on the plans that no hazardous materials or fertilizers will be stored outdoors.

Mr. Maglio reiterated that no storage of fertilizers outdoors was noted on the plans and should also be a condition of approval. All previous comments have been addressed.

Chairman Padula asked about the setback for the natural gas onsite and questioned whether the Fire Chief had approved. He questioned the drainage on the plan; four different pipes going into one catch basin.

Mr. Maglio stated there was a comment letter from the Fire Chief who stated it met with the requirements. He stated that nothing is going to change with the drainage that is out there.

Mr. Nielsen discussed the location of the Garden Center for seasonal items including some plants, and the location of the propane tanks with a fence and separate entry; he noted someone will be schooled in how to handle the propane and tanks.

Ms. Kaczmarek stated the applicant has submitted the supplemental historical plans and responded to all comments. She recommended endorsement of the plan.

Mr. Nielsen explained the calculations for the seven parking spaces lost and 10 spaces required for a total of 17 parking spaces. He noted there are actually 30-40 spaces extra on the site. He explained a notation of the plan that there is a section on BP with a 95-year lease for parking which has approximately 44 years left on the lease.

Chairman Padula confirmed that the Planning Board is taking a vote on the elimination of parking spaces and limited site plan modification for garden center and propane tank.

***Motion to Close the public hearing for 265-303 East Central Street, Aubuchon, Site Plan Modification. Carroll. Second: Rondeau. Vote: 4-0-1 (4-Yes; 0-No; 1-Abstain, Mr. Halligan).***



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*Motion to Approve the elimination of seven (7) parking spaces for 265-303 East Central Street, Aubuchon. Carroll. Second: Rondeau. Vote: 4-0-1 (4-Yes; 0-No, 1-Abstain, Mr. Halligan).*

*Motion to Approve the Limited Site Plan Modification for 265-303 East Central Street, Aubuchon. Carroll. Second: Rondeau. Vote: 4-0-1 (4-Yes; 0-No, 1-Abstain, Mr. Halligan).*

*Mr. Halligan re-entered the meeting.*

**General Business (continued)****E. Lot Release – 66 Oxford Drive (Lot 27)**

Ms. Kaczmarek stated an email was received from a paralegal on behalf of the applicant that the applicant is selling their house and is requesting a release of the lot. A Certificate of Release for the other lots in the subdivision which does not include Lot 27 is provided as historical documentation.

Chairman Padula asked why there were never any lot releases. He will not release the lot until he finds out if the street was accepted by the town and if the subdivision was finished.

Mr. Taberner stated that they are finding many parcels/lots with houses on them for long periods of time that never had a proper lot release; banks are now checking closer and finding this. This situation will most likely be happening again in the future. He would have to look into whether the subdivision was finished or not. The owners of the house would like to close by June 30<sup>th</sup>.

Mr. Maglio stated he believes it has been accepted, but he will verify to be sure.

Chairman Padula confirmed this would be lot release for only this particular lot.

*Motion to Approve Lot Release, 66 Oxford Drive (Lot 27). Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).*

**F. Acceptance of Meeting Minutes – June 20, 2016**

*Motion to Accept the June 20, 2016 meeting minutes. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).*

*Please note: the following two public hearings were taken out of order. See notation above.*

7:05 PM      **PUBLIC HEARING** – Initial  
                 **Zoning Bylaw Amendment 16-762**  
                 Site Plan and Design Review

*Documents presented to the Planning Board:*

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- 2. Town of Franklin, Zoning By-law Amendment 16-762, Site Plan and Design Review*
- 3. Franklin Planning Board Public Hearing Notice*

Mr. Maglio stated this proposed bylaw amendment has been discussed in the past. It regards references to the stormwater standards and relates to Chapter 153 Stormwater Management Bylaw and the subdivision rules and regulations. This vote is to recommend to the Town Council.

**DRAFT FOR REVIEW**

***Motion to Recommend Zoning Bylaw Amendment 16-762 to the Town Council. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).***

7:05 PM

**PUBLIC HEARING – Initial**  
***Zoning Bylaw Amendment 16-764***  
**Limited Site Plan Approval**

*Documents presented to the Planning Board:*

1. *Memorandum dated July 1, 2016 from Department of Planning and Community Development to Franklin Planning Board*
2. *Town of Franklin, Zoning By-law Amendment 16-764, Site Plan and Design Review*
3. *Franklin Planning Board Public Hearing Notice*

Mr. Maglio noted this bylaw amended has been discussed at past Planning Board meetings. He stated this is a proposed change to the bylaw regarding when a project qualifies for a limited site plan. He reviewed the specific criteria of the proposed changes as outlined on the provided handout. This way a business may be able to come in as a limited site plan and the town may be able to get some improvements instead of none at all.

Mr. Nielsen asked what is an approved site plan. Is it one that is endorsed or has a Certificate of Vote? He noted that there are plans that were done in the 1960s and 1970s that have no record from the Planning Board. There was a time when site plans were not signed. The definition should be included.

Chairman Padula stated some of the plans he just allowed were signed by the Planning Board members. It showed parking, drainage, and all the information was provided on the signed copy. Once the plan was signed, it was an endorsed plan. The Planning Boards realm is to know where all the infrastructure is and where it goes.

Mr. Halligan stated an approved site plan is one that has a Certificate of Vote or has been endorsed.

Mr. Maglio read an approved site plan definition; he had no issue with the definition and would have the town attorney review said definition.

Chairman Padula stated the definition should be added to the bylaw amendment.

Mr. Taberner stated he would prepare a memorandum indicating the Planning Board recommended adding said wording and provide to the Town Council to discuss.

***Motion to Adjourn. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 9:11 PM.***

Respectfully submitted,



Judith Lizardi  
Recording Secretary