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**May 8, 2017
Meeting Minutes**

Chairman Anthony Padula called the above-captioned meeting to order this date at 7:00 PM. Members in attendance: Joseph Halligan, John Carroll, William David, Gregory Rondeau, Alternate Rick Power. Members absent: None. Also present: Michael Maglio, Town Engineer; Amy Love, Planner; Matthew Crowley, BETA Group, Inc.

7:00 PM Commencement/General Business (items taken out of order from agenda)

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

Chairman Padula remarked on the Horace Mann statue dedication. He stated a few people that were not mentioned at the dedication that he wanted to recognize are Design Review, the Planning staff, the Pre-Construction staff, and the Planning Board. They worked very hard to fit the RFP into Mr. Calarese's building. It is a beautiful building, a beautiful site; very nice job. Thank you.

A. Endorsement: 0 Pond Street – Site Plan & Special Permit

Ms. Love stated that on February 27, 2017 the Planning Board approved the Site Plan & Special Permit for 0 Pond Street. The applicant came in for a modification which was approved. Within the set of plans the Certificate of Vote, Conditions of Approval and Special Conditions are included. Everything is all set to be signed.

Motion to Endorse 0 Pond Street – Site Plan & Special Permit. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

B. 81-P ANR – 235 Grove Street

Ms. Love stated this is an application on Grove Street. It is currently owned by the Rossetti family; they are looking to make another buildable lot on the property. They meet all the zoning regulations to create another buildable lot.

Motion to Have the Chairman sign the 81-P. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

C. Meeting Minutes: April 18, 2017

Motion to Approve the April 18, 2017 Meeting Minutes. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM

PUBLIC HEARING – Initial

***Amendment to Chapter 300, Subdivision Rules and Regulations
Section 10.D.5 – Right-of-way Grading***

Motion to Waive the reading. Carroll. Second: None provided. Vote: 5-0-0 (5-Yes; 0-No).

DRAFT FOR REVIEW*Documents presented to the Planning Board:*

1. *Town of Franklin Amendment to Planning Board's Subdivision Regulations*
2. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date April 18, 2017*

Ms. Love stated this was discussed at the last Planning Board meeting. It was a request to make a change to the existing subdivision rules and regulations to eliminate the end of the sentence on Chapter 300, Section 10.D.5.a. for the right-of-way grade.

Chairman Padula confirmed this will make it a waiver.

Motion to Approve the Amendment to Chapter 300, Subdivision Rules and Regulations, Section 10.D.5 – Right-of-way Grading. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

General Business (continued)**D. Discussion: Tasting Rooms-Brewery/Distillery**

Ms. Love stated that at the April 12, 2017 Town Council meeting, this was referred to the Planning Board for a public hearing on creating a new use in the Town's zoning code bylaw on the production of beer, wine, and spirits, with establishing a retail on premise. She noted a letter from Jamie Hellen, Deputy Town Administrator, was provided that further explains adopting said bylaw. It does not include restaurants; it is more for small craft breweries and wineries that are offering a tasting room where anything that is tasted is only made onsite and can be purchased onsite. They may have an option that they can consume several different drinks. No restaurant or food served onsite. It is primarily to promote their craft. Licenses will be issued through the Town Council as are all alcohol licenses.

Chairman Padula requested additional information from Ms. Love for the next Planning Board meeting.

7:10 PM **PUBLIC HEARING** – Continued
 5 Kenwood Circle
 Site Plan Modification

Documents presented to the Planning Board:

1. *Email dated May 4, 2017 from George Russell, Conservation Agent, to Amy Love, Planner*
2. *Site Plan Modification Sheets 1-4, dated April 26, 2017, for 5 Kenwood Circle, Franklin, Massachusetts, Prepared by Engineering Design Consultants, Inc., with Received by Planning date April 27, 2017*
3. *Letter dated May 3, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board*
4. *Letter dated May 3, 2017 from Matthew Crowley of BETA Engineering to Franklin Planning Board*
5. *Memorandum dated May 3, 2017 from DPCD to Franklin Planning Board*
6. *Letter dated March 29, 2017 from George Russell, Conservation Agent, to Peter Bemis of Engineering Design Consultants, Inc.*
7. *Memorandum dated April 3, 2017 from G.B. McCarraher, Fire Chief, to DPCD*
8. *Letter dated March 25, 2017 from Peter Bemis, Engineering Design Consultants, Inc., to Franklin Planning Board*
9. *Form P: Application for Approval of a Site Plan from RCG Kenwood, LLC, applicant, with Received by Planning date March 28, 2017*
10. *Certificate of Ownership with Received by Planning date March 28, 2017*
11. *Town of Franklin Board of Assessors Abutters List Request Form with Received by Planning date March 29, 2017*

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12. Abutters List Report dated March 28, 2017

13. Franklin Planning Board Public Hearing Notice with Received by Town Clerk date March 28, 2017

Mr. Maglio stated revised plans for this project were received. He stated he had two comments. One had to do with test pits. They were submitted on the plans; he reviewed them and they were fine. So, that comment can be ignored. The other comment was about a note on the outfalls, but the pipe was changed to concrete, so it must be a typo on the plans. For clarification, he asked about the curbing. It appears that in the front parking lot section it is cape cod berm, and another section is integral concrete curb and sidewalk. There appears to be no reinforcement in there.

Chairman Padula stated that in BETA's report under Comments, General, G2, it is stated that the Planning Board has generally "preferred" vertical reinforced concrete or granite. He stated that it is not that it is "preferred," but rather that is what is in the bylaw. He asked this to be noted for the future.

Mr. Crowley stated he would make a note of that for the future.

Mr. Zachary Bemis of Engineering Design Consultants, Inc., addressed the Planning Board. He stated they were before the Planning Board two weeks ago for a modified site plan. He provided an overview of the proposed additional parking plan. He noted three more trees were added along the frontage. Based on BETA's review he thought the reinforced concrete or vertical granite was suggested, but not required.

Chairman Padula stated it is the bylaw. The requirement is reinforced concrete or granite; they found that it lasts.

Mr. Halligan asked what exists on the site right now.

Mr. Bemis stated there are sections with no curbing, and bituminous, but not cape cod berm, standard 6 in. berm. He discussed a mesh that goes into the curbing.

Chairman Padula discussed the sidewalk up against the building and the curb which is not going to be reinforced concrete or granite. He discussed car stops so cars cannot go over the curb and sidewalk.

Mr. Halligan asked if reinforced concrete or additional parking stops is an option that can be given to the applicant. Also, does putting in the parking stops shorten the parking spot from 19 ft. to 17 ft.?

Chairman Padula stated these types of things must be taken up during the winter so it can be plowed. He asked the applicant which way he would like to go.

Mr. Bemis pointed out that there would only be vehicular traffic in the front, no trucking. He discussed the proposed sidewalk curbing. He stated they are balancing the needs of the client with costs.

Chairman Padula stated he does not think the Planning Board minds the monolithic curbing on the front of the sidewalk as long as it has the mesh in it and is reinforced; but in the parking lot he would rather see the reinforced concrete.

Mr. Carroll stated he would rather see the granite or reinforced concrete, but not the cape cod berm. The Planning Board has already been through this with another site. He noted that trailer trucks do not feel this when they back over it.

Mr. Bemis continued to discuss curbing and trucks at the site.

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Chairman Padula stated the reinforced concrete will be fine, it is in the bylaws. The sidewalk up against the building, they will let that go. He confirmed there are two snow storage locations.

Motion to Approve, subject to the cord curbing along the building and the reinforced concrete along the parking area, 5 Kenwood Circle, Site Plan Modification. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

Chairman Padula stated that when the applicant comes back for endorsement, applicant will show a new plan that has that and a diagram.

7:15 PM **PUBLIC HEARING** – Continued
115, 119, 125 & 129 Dean Avenue
Special Permit & Site Plan

Documents presented to the Planning Board:

1. Letter dated May 1, 2017 from Greg Lucas of BETA Engineering to Franklin Planning Board
2. Letter dated April 28, 2017 from Matthew Crowley of BETA Engineering to Franklin Planning Board
3. Memorandum dated May 2, 2017 from Jeffrey Nutting, Town Administrator, to Franklin Planning Board
4. Memorandum dated May 3, 2017 from DPCD to Franklin Planning Board
5. Letter dated April 19, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board
6. Letter dated January 21, 2016 from Bob Percy, Franklin Historical Commission, to Gus Brown, Building Commissioner
7. Memorandum dated April 4, 2017 from George Russell, Conservation Agent, to Franklin Planning Board
8. Memorandum dated April 12, 2017 from Franklin Board of Health to Franklin Planning Board
9. Memorandum in Support of Application for Special Permit to Allow Multi-Family or Apartment Residential Use Within the General Residential V District from Richard Cornetta, Jr., Esquire of Cornetta, Ficco & Simmler, PC, dated March 30, 2017
10. Memorandum dated March 30, 2017 from Scott W. Thornton, P.E. and Derek I. Roach, EIT, Vanasse & Associates, Inc., to Town of Franklin Permitting Authorities
11. Application for Approval of a Site Plan and Special Permit(s) from Fairfield Residential Company, LLC, applicant, including owner list, with Received by Planning date March 31, 2017
12. Certificates of Ownership (3) with Received by Planning date March 31, 2017
13. Abutters List Report dated March 20, 2017
14. Franklin Planning Board Public Hearing Notice with Received by Town Clerk date April 3, 2017

Note: Chairman Padula, at the April 24, 2017 Planning Board meeting, activated alternate Planning Board member, Mr. Power, as this public hearing is for a special permit.

Chairman Padula stated there was a request by the applicant for a continuance to May 22, 2017.

Motion to Continue the public hearing for 115, 119, 125 & 129 Dean Avenue, Special Permit & Site Plan, to May 22, 2017 at 7:15 PM. Rondeau. Second: David. Vote: 5-0-1 (5-Yes; 0-No; 1-Abstain). (Mr. Halligan abstained.)

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7:20 PM **PUBLIC HEARING** – Continued
Acorn Hill Estates – 27 Acorn Place
 Definitive Subdivision

Documents presented to the Planning Board:

1. *Definitive Subdivision Plan, Acorn Hill Estates, Franklin, MA, Subdivision Plan, Date: November 7, 2016; Revision Date: April 26, 2017, Prepared by Thomas A. Ryder, P.E. & Associates, with Received by Planning date April 27, 2017*
2. *Memorandum dated May 5, 2017 from G.B. McCarraher, Fire Chief, to DPCD*
3. *Letter dated May 3, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board*
4. *Letter dated May 3, 2017 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board*
5. *Memorandum dated May 3, 2017 from DPCD to Franklin Planning Board*
6. *Letter dated December 14, 2016 from George Russell, Conservation Agent, to Franklin Planning Board*
7. *Memorandum dated December 23, 2016 from G.B. McCarraher, Fire Chief, to DPCD*
8. *Memorandum dated January 11, 2017 from Franklin Board of Health to Franklin Planning Board*
9. *Letter dated March 9, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board*
10. *Letter dated March 9, 2017 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board*
11. *Memorandum dated March 10, 2017 from DPCD to Franklin Planning Board*
12. *Revised 27 Acorn Place, Franklin, MA, Definitive Subdivision Plan Submittal Packet, March 2017, Prepared by Thomas A. Ryder, P.E. & Associates, with Received by Planning date March 6, 2017*
13. *Form R: Franklin Planning Board Subdivision Waiver Request dated April 26, 2017, to reduce minimum cover requirement from 42 inches to 30 inches, with Received by Planning date May 1, 2017*
14. *Form R: Franklin Planning Board Subdivision Waiver Request dated April 26, 2017, to provide a light at the entrance and at the cul-de-sac, with Received by Town Clerk date April 28, 2017*
15. *Form R: Franklin Planning Board Subdivision Waiver Request dated March 6, 2017, to reduce minimum length of street from required 400 feet to a minimum of 350 feet, with Received by Planning date March 6, 2017*
16. *Form R: Franklin Planning Board Subdivision Waiver Request dated March 6, 2017, to reduce pavement width from 26 feet to 24 feet*
17. *Form R: Franklin Planning Board Subdivision Waiver Request dated November 7, 2016, for one sidewalk where two are required*
18. *27 Acorn Place, Franklin, MA, Definitive Subdivision Plan Submittal Packet, November 2016, Prepared by Thomas A. Ryder, P.E. & Associates, with Technical Memorandum, with Received by Planning date December 13, 2016*
19. *Form C: Application for Approval of a Definitive Plan with Received by Planning date December 13, 2016*
20. *Certificate of Ownership with Received by Planning date December 13, 2016*
21. *Form R: Franklin Planning Board Subdivision Waiver Request dated November 7, 2016, for one sidewalk where two are required, with Received by Planning date December 13, 2016*
22. *Town of Franklin Board of Assessors Abutters List Request Form dated November 14, 2016 with Received by Planning date December 13, 2016*
23. *Abutters List Report dated November 14, 2016*
24. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date December 19, 2016*

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Mr. Thomas Haynes, applicant, addressed the Planning Board. He stated the soil testing for the drainage basin was completed. The drainage basin was designed around those results. He worked with BETA, DPW and Community Planning to address the other outstanding issues. He stated he thinks there is a small issue regarding the maintenance of the rain gardens on the privately-owned lots. He will work with the appropriate board to put a plan together. He does not image the maintenance will be more than \$100 or \$200 per year.

Chairman Padula stated he thinks the applicant will have to put that in a covenant when he sells the house.

Mr. Maglio stated he was not aware of any outstanding comments.

Ms. Love stated that on page C-8 of the plans it does provide rain garden notes and that it is the responsibility of the homeowners to take care of the rain gardens.

Mr. Haynes stated there should be a note that the size and location of the rain gardens must remain.

Mr. Halligan asked if this means that every subdivision, street, any development that comes forward, every home, will have to have a rain garden or underground drainage for the roofs themselves no matter who comes forward? What is the reason this applicant has rain gardens for the homes?

Mr. Maglio stated he believes the applicant designed them into this plan to reduce the size of the detention basin, and not just for the roof runoff, but for the runoff from the yard. Cannot increase any runoff from a site in existing condition before it is developed; this is one way that can be used to do that.

Chairman Padula stated he has a request from the Fire Chief to add a fire hydrant.

Mr. Haynes stated he talked to the Fire Chief today. The applicant did an analysis of the fire hydrants and the one they are proposing near Lot 3 is coverage for all the homes, new and existing. He stated the Fire Chief stated he could not read the plan and was not sure where the proposed fire hydrant was. All the homes are within the 500-ft. requirement.

Mr. Maglio stated there is a proposed fire hydrant on the plans at the end of the cul-de-sac. This will be reviewed again as part of the DPW water permits.

Mr. Crowley stated BETA has no other outstanding concerns. In response to a question about the reduced minimum cover requirement from 42 in. to 30 in, he stated they have a shallow cover pipe; the waiver is because it is less than 42 in.

Chairman Padula confirmed there were five waivers.

Motion to Close the public hearing for Acorn Hill Estates, 27 Acorn Place, Definitive Subdivision. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Chairman Padula and others discussed the lighting waiver and the curve of the cul-de-sac.

Motion to Approve waiver to allow street light to be installed at the entrance of the new roadway and one light at the cul-de-sac. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve waiver to allow sidewalks on one side of the road only. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

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Motion to Approve waiver to allow street width to be reduced from 26 ft. to 24 ft. as shown on the plan. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve waiver to allow minimum cover requirement to be reduced from 42 in. to 30 in. for drainage pipe depth for a change of Class V. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve waiver to allow dead end street length to be reduced from the required 400 ft. minimum to 350 ft. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve Acorn Hill Estates, 27 Acorn Place, Definitive Subdivision. Rondeau. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

Chair and Member Comments

Chairman Padula, in response to Mr. Halligan's question, stated the distillery discussion was cut short because it was not really going to be presented tonight. He stated that Ms. Love is going to provide more information on the bylaws.

Mr. Halligan requested a five-minute discussion for informational purposes.

Ms. Love stated what is in the books right now is the use regulation schedule is showing it in all zones except Residential.

Mr. Halligan confirmed that it is not creating a new zone, it is allowing the use in existing zones.

Ms. Love stated it is adding a definition of the use and the use regulation schedule change.

Chairman Padula stated this is a manufacturing site first, with tasting after. Manufacturing is not allowed in those zones that you want to put this to. If it was just a tasting or to serve liquor it would be allowed in those zones, but not the manufacturing. It was explained that it was already allowed in all those zones, but it is not.

Ms. Love stated it would be authorized through special permit by the Planning Board.

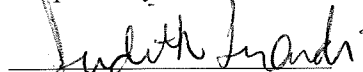
Mr. Halligan read from the zoning book. The only thing now being allowed is a tasting in a manufacturing facility.

Chairman Padula stated this is just not for tasting, but it was said that it would be for purchase, anything manufactured in the location. This bylaw allows you to purchase a bottle onsite and drink it there. This is going to become a bar.

Ms. Love stated you would be able to purchase a pint and consume it there. They can also sell it and purchaser can walk away with it.

Motion to Adjourn. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 7:48 PM.

Respectfully submitted,



Judith Lizardi
Recording Secretary