

Town of Franklin



Planning Board

**July 12, 2021
Meeting Minutes**

Chair Anthony Padula called the above-captioned meeting held in the Town Council Chambers at 355 East Central Street, Franklin, MA, to order this date at 7:00 PM. The public had the option of attending the meeting live at the Town Hall, or dialing into the meeting using the provided phone number, or participating by copying the provided link. Members in attendance: Joseph Halligan, William David, Gregory Rondeau, Rick Power, associate member Jennifer Williams. Members absent: None. Also present: Michael Maglio, Town Engineer (via Zoom); Amy Love, Planner.

7:00 PM Commencement/General Business

Chair Padula read aloud the Zoom platform call-in phone number and the Zoom link which were also provided on the meeting agenda. He stated that the meeting would be video recorded.

A. Memo from TA – Meeting Minutes

Ms. Love reviewed the memo from Town Administrator Jamie Hellen dated June 23, 2021, which was provided to all boards and committees. She stated that the memo was a housekeeping item informing boards and committees that the State extended remote public hearings until April 1, 2022. The memo included a reminder that there is a State bylaw regarding the timeframe for accepting meeting minutes.

B. 81-P ANR: Prospect Street

Ms. Love stated that lot lines remain the same as the previous approved plans. The Bellingham Planning Board signed the mylar at their meeting; they requested that a note be added to the plans indicating the lots are non-conforming in Bellingham. This note does not change the conforming lots in the Town of Franklin. She stated that the Franklin Planning Board recently approved a similar ANR plan.

Motion to Approve the 81-P ANR: Prospect Street. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

C. 81-P ANR: Elm Street

Ms. Love stated that the purpose of the plan is to add Parcel A to 12 Elm Street; 22 Elm Street and 12 Elm Street remain conforming. She noted that Planning Board members were provided with a revised ANR containing two minor changes.

Motion to Approve the 81-P ANR: Elm Street. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

D. Field Change: 105 Constitution Boulevard

Mr. Rondeau recused himself.

Ms. Love stated that Mr. Mark Santora, engineer, provided a letter for several proposed field changes. BETA provided a sketch to illustrate the proposed changes to the handicap parking spaces; BETA recommended that if the shift to the handicap parking spaces is accepted, bollards be installed along the sidewalk. She stated that the applicant also requested to add a storage container to the rear of the property. She requested the engineer provide a diagram showing the location of the proposed storage container.

Mr. Santora showed and described the plan with the dry storage container location, size, and setbacks. He stated that they have also shown rip rap as needed. Mr. Maglio stated that he reviewed the requested changes and most were minor in nature; the issue with the storage container is a Planning Board decision. He discussed the request to shift the handicap ramps and the spaces; the proposal is for a 19 ft. wide access ramp which spurred the recommendation of the sidewalk bollards. Mr. Santora confirmed that the curbing would be vertical granite. He stated everywhere the handicap ramp dips down to a flat opening will have a bollard in front of the parking space but not in front of the hatching so the wheel chairs can get out of the van and into the ramp; he noted this is per the suggestion of Mr. Matthew Crowley, BETA Group. He stated that the applicant does not have an objection.

Motion to Approve the Field Change: 105 Constitution Boulevard. Halligan. Second: David. Vote: 4-0-0 (4-Yes; 0-No).

Mr. Rondeau re-entered the meeting.

E. Endorsement: 12 Forge Parkway

Ms. Love stated that the Planning Board approved the Special Permit and Site Plan Modification on June 21, 2021, for a storage facility at 12 Forge Parkway. The applicant has submitted plans for endorsement. The Certificate of Vote and Conditions are included in the plans to be endorsed.

Mr. Rondeau confirmed that the 10 ft. PVC fence was on the detail of the drawing. Chair Padula confirmed the Saturday times were listed in the Special Permit.

Motion to Endorse 12 Forge Parkway. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

F. Meeting Minutes: June 7 & June 21, 2021

Motion to Approve the Meeting Minutes for June 7, 2021. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve the Meeting Minutes for June 21, 2021. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Chair and Member Comments

Chair Padula asked for follow up regarding Mr. Rondeau's comments at the June 7, 2021 meeting; Mr. Rondeau had asked about Panther Way regarding people getting blasted with sand during the wind and had asked that the site be stabilized. At the June 7, 2021 meeting, Mr. Maglio had responded that he had spoken with the applicant and the applicant indicated that he would take care of it.

Chair Padula stated that during the recent rainstorm it was just a mudslide as erosion control prevention was not installed. He asked Mr. Maglio the current status. Mr. Maglio stated that he spoke with Brad during the storm on Friday, and silt sacks were being installed in the downstream catch basins on Panther Way. They had some wash out coming onto the street, and they were building some stone check dams to control it during the storm. Mr. Maglio stated that he spoke with Brad again today, and they were doubling up on the silt sacks to keep everything under control in the rain. Mr. Maglio noted that regarding the sand, he spoke to Brad who then sprayed down the site with calcium chloride to try to tighten the sand so it did not blow in the wind; it seems under control. He stated that Brad said his plan was to get a crew out there to pave starting next week; he is hoping to have the front parking area paved by the end of next week. He will then put down loam and seed to get it stabilized. Mr. Maglio stated that after everything gets stabilized, the applicant will pull the silt sacks out of the catch basins; if there is any debris, they will have to clean the catch basins.

7:05 PM **PUBLIC HEARING** – *Continued*
Site Plan – 27 Forge Parkway
Site Plan Modification
Documents presented to the Planning Board are on file.

Ms. Love stated that the applicant filed a Site Plan Modification to add solar canopies in the parking lot. BETA has not been requested to review the plan. Town Engineer Michael Maglio provided a review on the Site Plan Modification. She commented that the applicant last presented at the February 22, 2021, Planning Board meeting, and the Planning Board requested that the Stormwater Management report be submitted; the applicant submitted the report.

Mr. Maglio reviewed his letter to the Planning Board dated July 8, 2021. He discussed that the submitted Stormwater Report (section 1.1) indicates that Ecogy Energy is proposing to construct and install the solar canopies and the site owner is proposing to relocate three parking lot islands, but the island relocations are not part of the submitted design. He recommended that all work related to this site be included in a single submission, even if the work is to be completed by separate contractors, so that the Planning Board can adequately review all the proposed improvements. He discussed that his second concern is that the proposed solar canopies are shown covering three existing landscaped islands which operate as bioretention swales to control stormwater runoff. The project description indicates that the project will include replanting these areas with shade tolerant plants; however, the Massachusetts Stormwater Handbook recommends bioretention areas be located in areas of full sun, or if not possible, in an area that gets at least a half-day of sunlight. He recommended that the solar canopies are positioned so as to skip over the bioretention areas so that they may continue to be exposed to full sun. The solar canopies could be extended further out over additional parking spaces to make up the difference in area.

Chair Padula asked Ms. Brittany Friese of Ecogy Energy, representing the applicant, if the applicant would return with a revised plan showing all the revisions. Ms. Friese showed and discussed plans regarding the shading over the bioretention area and moving the canopies. She stated that they would be happy to submit new drawings. She stated that the property owner is proposing some new work directly north of the buildings which is why they had to move the canopies. She asked if they could present all the materials at the July 26, 2021, Planning Board meeting.

Mr. Rondeau asked if the Fire Department has seen the new plan and what the canopies have to do with site lighting. Ms. Friese reviewed elevation drawings and stated that the Fire Department did not have any comments at the February meeting. She stated that they will be installing lighting under the canopies.

Motion to Continue Site Plan – 27 Forge Parkway, Site Plan Modification, to July 26, 2021. Padula. No Second made. Vote: 5-0-0 (5-Yes; 0-No).

7:10 PM **PUBLIC HEARING** – *Continued*
Olam Estates – 900 Washington Street
Definitive Subdivision
Documents presented to the Planning Board are on file.

Ms. Love stated that she provided the Planning Board with a memo from the applicant indicating they have retained services and are planning to submit revised plans at the end of this week or the beginning of next week and file with Conservation Commission. She stated that the applicant requested to continue the public hearing to September 13, 2021, and extend the extension deadline from September 1, 2021, to November 1, 2021.

Motion to Continue Olam Estates – 900 Washington Street, Definitive Subdivision, to September 13, 2021, and to Accept the Extension Deadline to November 1, 2021, for Olam Estates – 900 Washington Street, Definitive Subdivision. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Chair and Member Comments (continued)

Discussion commenced regarding public hearings being extended for long periods of time. Ms. Love stated that she cannot ask the applicant to pay for new certified mailings; however, she can repost the public hearing on the Town's website as people who sign up for email notifications of public hearings will get notified. Chair Padula asked if an applicant can legally be limited to two public hearings and after that be required to withdraw without prejudice and reapply; Town Counsel will have to be asked. Ms. Love noted that all projects are posted on the Planning Board's website.

Mr. Rondeau asked if there is anything in the bylaws or if there is a way to require non-clearing of sites without a building permit or bond on the site; he stated that other towns do this to prevent clearing of land and then the developer disappears. Chair Padula stated that he knows there is a builder in Town partially clearing a site but does not have approval yet. He stated that he would think there would be something in place as this makes a lot of erosion problems with heavy rains with all the vegetation taken away. Mr. Maglio stated that if the site is one acre or more, a soil erosion and sediment control plan permit through the DPW has to be filed. If it is less than one acre, there is really no control. Chair Padula stated that he knows of a project that is over one acre going on right now; there is a lot of concern from the residents surrounding the project. Discussion commenced about the bylaw for clearing more than one acre of private land.

Motion to Adjourn the Planning Board Meeting. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 7:40 PM.

Respectfully submitted,

Judith Lizardi,
Recording Secretary

******Accepted at the August 23, 2021 Planning Board Meeting***