

## Town of Franklin



## Planning Board

**July 26, 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, 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: Amy Love, Planner; Matthew Crowley, BETA Group.

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

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

**A. Final Form H: 162 Grove Street**

Ms. Love reviewed that on October 19, 2020, the Planning Board approved an application for a Special Permit and Site Plan Modification for 162 Grove Street. The purpose of the Site Plan was to open a retail marijuana facility with additional parking spaces and drainage for the site. The applicant is requesting acceptance for the above referenced Final Form H. BETA performed an on-site observation and provided a report.

Chair Padula questioned the number of bollards and the approved versus installed fencing; it was approved as 4 x 6 metal fencing. Mr. Crowley explained the number of bollards. He confirmed the installed fencing type and stated that he would confirm with the approved plan. Chair Padula noted that on the approved plan, in curbing notes, the existing Cape Cod berm would remain. However, any areas that were redone would be replaced with vertical concrete granite, as stated in zoning 185-21 a. 2; that was not done. Mr. Crowley stated that during his site observation there were many vehicles, and he was not able to review the spaces. Chair Padula pointed out other incomplete items and questioned a double catch basin where a single basin is on the plans. He asked if for the occupancy permit, was the applicant supposed to provide parking mitigation or a parking attendant. Ms. Love stated that for the first 30 days, it is by appointment only. After that period, the applicant can provide a traffic overview to the Planning Board. Mr. Halligan suggested a Partial Form H so the applicant can occupy the building and have BETA then determine if all is complete. Mr. David and Mr. Rondeau agreed with Mr. Halligan.

***No Motion or Second made to Approve a Partial Form H - 162 Grove Street. Vote: 5-0-0 (5-Yes; 0-No).***

**B. Limited Site Plan: 27 Forge Parkway (to be presented with 27 Forge Parkway Site Plan)**

Item discussed during 27 Forge Parkway public hearing.

**7:05 PM    PUBLIC HEARING – Initial**

***40 Alpine Row***

Site Plan

*Documents presented to the Planning Board are on file.*

***Motion to Waive the reading. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

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

Ms. Love stated that the site is located at 40 Alpine Row in the Downtown Commercial zoning district. The applicant is proposing to construct a 12,230 sq. ft. structure with commercial, multifamily, and under-level parking and surface parking. The applicant is not required to file with the Conservation Commission and has not requested any waivers. Letters have been received from DPW, Fire, Conservation, Zoning, and BETA. She commented that the applicant has received a recommendation from the Design Review Commission. She questioned if the applicant will need approval from the MBTA to encroach on the property. She noted that the applicant is required to provide 48 spaces and has provided 78 parking spaces. The applicant should show where snow storage will be located. She stated that DPCD defers to DPW/Engineering and BETA Group to address drainage issues.

A representative for the applicant stated that they have received a copy of the letter provided in the meeting packet from Town Engineer Michael Maglio to the Planning Board dated July 16, 2021, outlining 12 comments responsive to the submitted materials. Chair Padula read aloud a letter from the Inspection Department to the Planning Board dated July 21, 2021, stating that the applicant has met the Town bylaw requiring retail on the first floor. He read aloud a letter from the Fire Department to the Planning Board dated June 25, 2021, which stated that in reviewing this plan the fire department would like to see a truck turning analysis to make sure the department's largest truck is able to maneuver the site; in addition, it is preferred that the rear access be 20 ft. in width instead of the proposed 18 ft. width. This is based on the requirements of fire code 527 CMR 1. As well, the fire department would like to see at least one yard hydrant in the rear of the building.

Mr. Crowley reviewed his letter provided in the meeting packet dated July 22, 2021, outlining findings, comments, and recommendations. He requested clarification on the number of stories, parking space location and size, edge treatment on Alpine Place, snow storage shown on the plans, HVAC equipment location, oil/water separator, pre- and post-development flows onto Town roadways, and infiltration and drainage systems.

Chair Padula asked if a Chapter 21E regarding oils hazardous materials has ever been done on the property. Mr. Crowley stated that he would have to check with the LSP to confirm if the state would be overseeing.

Attorney Craig Ciechanowski, representing the applicant; Mr. Jeff Walker and Mr. Brendan Carr, applicants; Mr. Alex Siekierski project architect of JtA; Mr. Daniel Campbell, project engineer of Level Design Group, and the landscape architect, addressed the Planning Board. Attorney Ciechanowski reviewed the property location, existing conditions, and proposed development. Mr. Campbell reviewed questions and concerns raised regarding access and requirements for the project as a whole. He reviewed the existing conditions of the property as shown on the plan. He stated that there are multiple structures on the property and it is primarily all paved with little green space. The proposed project will have a one-way in access. He noted that Alpine Row and Alpine Place have recently been paved. He discussed the infiltration and drainage. He stated that as the site is primarily paved, they are providing drainage for the building as well as utilizing existing drainage. They will be increasing infiltration and total cleaning, overall. He noted that as they are increasing landscaped area, they are decreasing flow; they will provide the calculations as requested by BETA. He stated that the parking spaces at the rear will be angled. They will address the fire department's comment that the rear access be 20 ft. in width instead of the proposed 18 ft. width. He reviewed proposed snow storage. He addressed spills and spill containment and noted there was a Phase I study done on this property. He noted that DEP has closed out the property. He will provide this information to BETA. Chair Padula asked if the applicant already received approval from the Town for the tie in for sewer and drainage. Mr. Campbell stated that the Town does not currently have an easement in that area. It is currently

accepting all the drainage from this property, and they are not proposing to modify how much, with the exception of removing total flow, will be traversing into that existing drain line. He stated that they have not applied directly for the sewer line. Chair Padula asked what is on the far right north of the property. Mr. Campbell stated that the intention is an amenity to the project such as a game area/basketball court; there is no intention to have lights there. He stated that the lights are shown on the photometric plan.

Planning Board members asked questions. Ms. Williams noted that one light is shown in the basketball court. She questioned the length of the sidewalk in the front of the building and if there would be retail on the site. Mr. Campbell stated that he did not know what the uses would be at this time. Chair Padula noted that the applicant was applying for a grease trap. Mr. Campbell stated that was a placeholder. Mr. Rondeau asked about the height of the retaining wall, screening for headlights, water to the site, and fencing details. Mr. David asked about snow storage and requested it be on the drawing. Discussion commenced on parking spaces and the back up area needed. Mr. Campbell reviewed the asphalt that is intended to be removed. The landscape architect reviewed the proposed fencing as shown on the plans. Mr. Campbell discussed snow storage and noted it will be on the islands for small storms and the basketball area for larger amounts. Chair Padula noted that drainage and curbing need to be brought up to current standards. He asked why a Cultec system is not proposed. Mr. Campbell reviewed the requirements and their drainage proposal.

**Citizens' Comments:** ► Mr. William Brown, 39 Alpine Place, located across the street from the proposed building, asked if there would be any greenery so when he looks out of his window, he does not just see the roof of the proposed three-story building. He stated that someone on the third floor of the proposed building will be able to look down on the neighboring properties; that will reduce privacy. Mr. Campbell stated that the proposed height is less than required by zoning; the building is 30 ft. 7 in. from the street level to the parapet with possible 18 in. additional to the top. Chair Padula stated that they are allowed this height by right due to zoning changes made by the Town Council. ► Ms. Jane Callaway-Tripp, 607 Maple Street, reviewed the privacy lost by the neighbors and the disruption encountered during the construction. She stated that Franklin is supposed to have a hometown feel; unfortunately, there is so much building going on to build this Town up. She stated that the concerns and feelings of the townspeople must be listened to. ► Ms. Elaine Costello, 14 Alpine Place, discussed that her main concern is the traffic. ► Ms. Ruth Garcia, 71 Alpine Place, agreed with Ms. Costello regarding concerns about traffic. She noted that there are many children in the area and she is worried about safety. She stated that this proposal does not fit in with the character of the neighborhood. ► Resident of Alpine Place discussed the proposed use not being consistent with the neighborhood character and that the neighborhood would be affected by the proposed use. She discussed that the road is dangerous for children. She discussed that this is a neighborhood and the proposed building is too big for the neighborhood and too close to the direct abutters. She asked if a traffic study has been done. She stated that the road is too small to handle 27 units as well as retail. ► Mr. Stephan Accad, 43 Alpine Place, stated that he will be most affected by the proposed development as it will be only 40 ft. from his window. He asked about contamination on the property and the results of previous studies. He asked why the building will be on the road and not set back; he stated there will be 12 balconies in his view. He stated that he currently gets flooded; so, if there is anything added to the flow, it will be worse for him. He stated that the small sewage treatment plant on Milliken Avenue is already overwhelmed and people are smelling sewage. He asked about stop signs. He stated that there are better uses for the property. He noted the oil tanks formerly stored on the site; there must be contamination on the site. He stated that there are many issues with this proposal including traffic; the people are sick of this. ► Mr. Andrew Bissanti, 148 Brook Street, stated that he was a concerned resident and Town Council member. He asked how Design Review Commission can know this is a circa 1900 neighborhood and allow a futuristic-type building to be built. He discussed previously restored buildings in that neighborhood that have kept with the character of the neighborhood. He asked why no one from DPW is attending the meeting to address drainage issues. He noted that there is a smell of sewage in the area. He stated that the postcard sent out to the neighbors by the applicant showing the proposed building caused great concern, and it seems like it is a done-deal. The applicant explained the intent of the postcard with the picture of the building was to say hello. Mr. Bissanti requested that the Planning Board consider the neighbors. He noted the furor over stormwater management in Franklin; but, he is hearing

on this proposal the stormwater seems to be fluffed over. He asked how can the applicant not have a Cultec system on this site.

Chair Padula stated that he and Mr. Bissanti stuck their necks out regarding stormwater and citizens paying tax on the stormwater on one's property; the DPW Director just pushed it through the Town Council. He stated that the balcony issue would be reviewed. He stated that the Planning Board is not the Town Council; the Planning Board goes by rules and regulations. He stated that the Planning Board had nothing to do with changing the street to one-way or changing zoning on the site. The Town Council did that which is why the development can be built three stories and to the street. He reviewed the Milliken Avenue sewer station and stated that complaints need to go to the DPW; it is not the applicant's fault there is a problem with the sewer station. He noted that some small towns do not have sewer; therefore, they can say no to some proposed developments. He stated that it is up to Design Review to make sure that proposed buildings are within the New England character. If this were a Special Permit, a traffic study may be looked at. However, in this case, a traffic study is not required. The Planning Board's responsibility is for the people. He explained that if a proposal meets the Town's zoning, bylaws, and criteria, they cannot say no.

A resident stated that her father was instrumental in bringing sewer to Franklin which allowed a lot of businesses. She stated that the people speaking tonight should be reaching out to their Town Council members. She owns a house on Ruggles Street. She discussed that citizens need to convey to the Town Council members who represent them what the citizens want the community to be.

Chair Padula stated that when the Town Council discusses changing zoning, people should take note. He stated that the administration in Franklin decided that DPW is in charge of streets and sidewalks. Mr. Bissanti stated that there are nine Town Council members. He noted that he is only one member, and he often is the only no vote. He noted that the Town Council meetings are open to the public. He stated that the EDC should not be discussing zoning; Chair Padula agreed.

***Motion to Continue Site Plan for 40 Alpine Place to August 23, 2021. Rondeau. Second: David. No Vote Taken.***

***Mr. Halligan re-entered the meeting.***

***Motion for a two-minute recess. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:10 PM **PUBLIC HEARING** – Initial

***5 Fisher Street***

Site Plan

*Documents presented to the Planning Board are on file.*

***Motion to Waive the reading. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

Mr. Rick Kaplan, owner of 5 Fisher Street; Mr. Casey Killam, partner; project manager; Mr. Daniel Campbell, civil engineer of Level Design Group; and Mr. Chris Brown, architect of JtA, addressed the Planning Board.

Ms. Love reviewed that the site is located at 3, 5, 7 Fisher Street in the Mixed Business Innovation zoning district and consists of 14.7 acres. The applicant is proposing a large-scale redevelopment. Approximately 10,000 sq. ft. of building and pavement will be removed and green space will be added. The remaining buildings will be modified and renovated. Additional parking will be added along with a stormwater system, and landscape. The applicant is not required to file with the Conservation Commission and has not requested any waivers. Letters have been received from DPW, Fire, Conservation, and BETA is currently reviewing the plans. She commented that the applicant is scheduled with the Design Review

Commission on August 3, 2021. Several of the proposed uses will require a Special Permit from the Planning Board. She recommended a condition be added that the uses will file for a Special Permit once they are known. The applicant is required to provide 374 spaces and has provided 360 parking spaces. The applicant should show where snow storage will be located. The applicant may want to add crosswalks for pedestrian traffic through the parking area. She stated that DPCD defers to DPW/Engineering and BETA Group to address drainage issues.

Chair Padula noted Town Engineer Michael Maglio's letter provided in the meeting packet to the Planning Board dated July 16, 2021, outlining nine comments responsive to the submitted materials. Mr. Crowley stated that he has not read Mr. Maglio's letter. He stated that the overall impervious is increasing at the site. They have a subsurface infiltration system proposed for that portion of the site; he suggested the applicant provide some upgrades for the entire site. Chair Padula read aloud the letter from the Fire Department dated July 21, 2021.

Mr. Campbell reviewed the site plan and the property, including a discussion of the existing structures, existing pavement, utilities, and drainage. He reviewed the primary drain line from West Central Street and discussed the majority of the drainage is from Fisher Street. He reviewed the portions of the site structures that they are proposing to demolish. He reviewed replacement of parking, new pavement, sidewalk, and patio areas; there will be new pavement in the rear of the property. He stated that they are cleaning up parking striping. He noted proposed snow storage throughout the site.

Chair Padula asked if the drainage for this site will go offsite and stated that the drainage must stay onsite. Mr. Campbell stated that the drainage will not go offsite; he reviewed current and proposed drainage. Mr. Halligan questioned what would be going in the building. He asked about the handicap spaces and requested they be divided throughout the site. The applicant discussed the businesses he ideally envisions going into the buildings. Ms. Williams expressed concern regarding the accessible parking spots. Mr. Campbell stated that they have provided the number of required handicapped spaces; he is willing to move the spaces. Mr. Halligan expressed concerns that there be sidewalks wrapping around the building, there be enough lighting in the parking lot, and all exiting conditions be shown on the Site Plan. Mr. Brown reviewed the proposed sidewalks and addressed the proposed lighting. Mr. Rondeau asked about traffic flow for the site, roof top units on the buildings, and the dumpster pad location. Mr. Campbell addressed the dumpster location and turning radius and noted it will be a fairly small dumpster. Chair Padula asked about snow storage and stated the Cape Cod berm must be changed on the plans. Mr. Halligan stated that grease traps would be needed if there were going to be restaurants. Mr. David asked about trees and screening. Mr. Campbell stated that snow storage is shown on the plans. Mr. Bissanti stated that he knows developer Rick Kaplan and noted how Mr. Kaplan has turned around other developments. Ms. Williams asked if a traffic study has been done to anticipate the increase in traffic on West Central Street. Chair Padula stated that a traffic study can be requested because this is a change in use. He asked Mr. Crowley to determine if a traffic study should be requested. Mr. Crowley stated that he would provide that information.

***Motion to Continue Site Plan for 5 Fisher Street to August 23, 2021. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

7:15 PM      **PUBLIC HEARING** – *Continued*  
                  ***Site Plan – 27 Forge Parkway***  
                  Site Plan Modification  
                  *Documents presented to the Planning Board are on file.*

Mr. James Libby, facilities manager at Thermo Fisher Scientific Corporation, Inc.; Mr. Andrew Boynton, project manager of PIDC; and Mr. Chris Larson, site supervisor of PIDC, addressed the Planning Board.

Ms. Love reviewed that the applicant filed a Site Plan Modification to add solar canopies in the parking lot and filed a Limited Site Plan Modification to remove a loading dock and three parking spaces. BETA was asked to review the plan. Town Engineer Michael Maglio provided a review on the Site Plan Modification. She stated that the Planning Board requested the Site Plan and Limited Site Plan Modifications be presented together; the applicant last presented at the February 22, 2021, Planning Board meeting. Mr. Boynton showed an enlarged poster board with the plans; he reviewed the plans and noted that they will be putting in three loading dock doors.

Mr. Crowley stated that BETA has started to look at this project, but they do not have a full set of comments. He noted that the applicant was increasing the impervious area, the number of parking spaces should be reviewed, and adequate street light levels should be confirmed. Chair Padula asked if additional information is needed regarding the canopies. Mr. Crowley stated that the applicant needs to provide additional details on how the stormwater will be directed off the canopies and information on replanting of the stormwater basin in the middle of the lot and how it functions as the bioretention area. He noted that the solar canopies do not add any additional impervious; however, they do add additional nutrient load such as nitrogen and phosphorus. He stated that a drainage letter was provided; however, more information is needed. Mr. Libby explained why they are requesting additional docks; the dock expansion program is due to their new COVID aerosol monitoring system. This product will help society; there has been a big call for the product to be shipped around the world. Mr. Boynton requested the drainage evaluations for each project be looked at separately. Mr. Crowley stated that his comments will be in one document but separated for the two projects.

***Motion to Continue Site Plan for 27 Forge Parkway, Site Plan Modification, to August 9, 2021. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

A representative for the canopy project stated that Ecogy Energy is present at the meeting. She stated that a stormwater plan was submitted specifically to address the bioretention areas and how that would affect drainage. She stated that they have a final stormwater report addressing the canopies and indicating that drainage will not be affected with the addition of the canopies. Chair Padula stated that BETA must review that analysis.

***Motion to Continue Limited Site Plan for 27 Forge Parkway to August 9, 2021. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

#### **Chair and Member Comments**

Mr. Rondeau stated that he did not see any improvements on the Panther Way project. He would like to see something done as it will only get worse with more rain. Ms. Williams suggested that if the Town Engineer cannot be present at a Planning Board meeting, a representative to take his place attend the meeting.

***Motion to Adjourn the Planning Board Meeting. Power. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 9:40 PM.***

Respectfully submitted,

Judith Lizardi,  
Recording Secretary

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