

## Town of Franklin



## Planning Board

**September 13, 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; Michael Maglio, Town Engineer; Matthew Crowley, BETA Group, Inc. (via Zoom).

**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 was video recorded.

**A. Partial Form H: 105 Constitution Boulevard (formerly 4 Liberty Way)*****Mr. Rondeau recused himself.***

On February 11, 2019, the Planning Board approved an application for a Special Permit and Site Plan to construct a marijuana cultivation facility with parking spaces and drainage for the site. Ms. Love stated that the applicant was before the Planning Board a few weeks ago for a Partial Form H; however, there were several outstanding items. BETA has performed an on-site observation and provided a report and pictures regarding the changes that have been made. Outstanding items include a temporary fence around the dumpsters; a permanent fence will be installed when materials are obtained. She stated that the Planning Board has not determined if they will allow the waiver for the landscaping; where loam and seed were to be placed, the applicant put in crush stone.

Chair Padula stated that waiving the landscaping for where the applicant put in crushed stone does not waive the applicant from landscaping for the whole project. Mr. Crowley stated that BETA returned to the site on September 9, 2021; the applicant had addressed the majority of the outstanding items. He reviewed his Site Observation Report dated September 9, 2021, provided in the meeting packet, and noted items were addressed by the applicant, except fencing. He noted the applicant installed all the trees and shrubs throughout the site; therefore, the main topic is the installed rip rap.

Chair Padula stated that he has no problem issuing a Partial Form H for the site. He stated that he is upset and asked that between the advisors, pre-construction meetings, and engineering department, how was the curbing in the back of the parking lot missed. He noted trees are supposed to be planted around the parking lot at every 30 ft., and a sidewalk was supposed to be 6 ft., not 4 ft. as approved. He asked how were all these items missed. He stated this will not happen again. Mr. Halligan noted the plans were very busy; he suggested having one plan sheet showing just curbing around the site.

***Motion to Approve Partial Form H, 105 Constitution Boulevard (formerly 4 Liberty Way). Halligan. Second: David. Vote: 4-0-0 (4-Yes; 0-No).***

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

**B. Endorsement: 27 Forge Parkway**

Ms. Love stated that the applicant submitted plans for endorsement for the Limited Site Plan Modification for the loading docks. The conditions have been included on the back sheet of the plans.

Chair Padula stated that the plan indicated reinforced concrete for the curbing. Mr. Maglio stated that on sheet 8 of the plans there is detail for curb reinforcement. Mr. Halligan noted that the plans show rebar. Planning Board members reviewed the plans.

***Motion to Endorse 27 Forge Parkway. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

7:05 PM      **PUBLIC HEARING** – *Initial*  
                  ***176-210 Grove Street***  
                  Site Plan Modification  
                  *Documents presented to the Planning Board are on file.*

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

Ms. Love stated that the applicant requested a modification to the approved Site Plan. The site is located in the Industrial Zoning district. The applicant is proposing to increase the impervious surface by 26,000 sq. ft. and add 92 parking spaces. The following letters have been received from other Town departments and outside peer review: letter dated August 25, 2021, from J.S. Barbieri, Deputy Fire Chief; letter dated March 20, 2020, from Mike Maglio, Town Engineer; and letter dated September 3, 2021, from Matt Crowley, BETA Group. She stated that the applicant is not within Conservation Commission jurisdiction. She recommended a condition that the Certificate of Vote, dated July 13, 2020, special conditions apply to this application. She stated that DPCD defers to DPW/Engineering and BETA Group to address drainage issues. She stated that DPCD recommends continuing the public hearing until all outstanding issues are addressed.

Mr. Maglio reviewed his comment letter dated September 8, 2021, which was provided in the meeting packet. He noted the proposed plan includes the addition of two fence gates at the rear of the new building; the applicant should describe how the proposed traffic flow will operate through the three sites, especially for truck traffic. He recommended that the applicant consider relocating the existing hydrant adjacent to building #210 to the far side of the access road rather than closer to the existing building. He had no comments on the drainage.

Mr. Garrett Horsfall of Kelly Engineering reviewed the proposed modification. He stated that there were 107 approved parking spaces. The proposed building tenant requested an increase in spaces; they are now providing 199 parking spaces. He reviewed the original plan's handicapped spaces and entries. He stated that this has all been shifted toward the main entry of the building. He noted that this proposal includes a slight widening of the loading area; the tenant had inadequate loading depth. He corrected that the increase in impervious is 9,000 sq. ft. He stated that the applicant would be re-striping and confirmed the grades as necessary which will be on the updated plans. Planning Board members asked questions. Mr. Horsfall reviewed the existing to proposed modifications as shown on the provided plans. He noted new pavement is shown in red; none of the building is being modification. He explained where the pavement is being extended. He discussed that the parking was previously approved; they are proposing to re-strip as this tenant does not need as many loading docks.

Ms. Williams asked if there has been a revised traffic study with the new proposed tenant. Another representative for the applicant who did not identify himself stated that the last study was for a 50 percent increase in traffic for a typical warehouse distribution. Mr. Halligan noted that the applicant provided money to the Town, and there is now an approved light at the area. Chair Padula noted that the delivery trucks will be the smaller UPS trucks. Mr. Crowley provided a review of the project as outlined in his peer review comment letter dated September 3, 2021. He reviewed the proposed drainage. He stated that test pits would be conducted during construction. He stated that there were no major issues from BETA.

Chair Padula requested the applicant provide the hours of operation; he would like to know when truck backup alarms would be going. Mr. Crowley discussed that the applicant is widening the driveway and will be installing curbing; however, there will be no curbing on the other side of the existing driveway area. Mr. Horsfall discussed where the curbing is proposed. Mr. Halligan requested that the applicant indicate the distances to the existing residential homes. A representative for the applicant indicated all loading will be done inside the building.

***Motion to Close 176-210 Grove Street, Site Plan Modification. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

***Motion to Approve 176-210 Grove Street, Site Plan Modification, with the hours of operation printed on the approved endorsed plan. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:10 PM      **PUBLIC HEARING** – *Initial*  
                  ***Eastern Woods – 725 Summer Street***  
                  Definitive Subdivision  
                  *Documents presented to the Planning Board are on file.*

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

Ms. Love stated that the applicant submitted a preliminary plan for a conventional subdivision in December 2020; the applicant has changed the plans for this definitive subdivision. She stated that the applicant is proposing four lots coming in off of Falls Lane not Summer Street. They have requested the following waivers: §300.13.A.(1) - Sidewalks. Location: to allow no sidewalks to be constructed, and §300.10.G.(6) - Driveways: to allow access through the required frontage of a serviced lot. She stated that the applicant is required to file with Conservation Commission. She stated that letters have been received from the Town Engineer, BETA, Conservation, and Fire.

Mr. Maglio reviewed his comment letter to the Planning Board dated September 8, 2021, provided in the meeting packet. He reviewed that Fall Lane is a Town-accepted roadway. He stated that the proposed plan calls for wells and septic systems to be utilized for each house lot. He stated that the applicant is requesting a waiver to install no sidewalks. He noted that in the past, the Planning Board has granted waivers for one sidewalk for the substitution of vertical granite curb over sloped granite edging. He noted that the existing section of Fall Lane as well as the rest of the original subdivision has sloped granite edging installed with one asphalt sidewalk. He stated that based on the data from test hole #4, it appears a corner of the drainage basin may be in ledge, although infiltration is being attributed to the entire basin footprint. He explained that the drainage basin access is not adequate. The unpaved access road which crosses the adjacent property is proposed at a 14 percent slope. Additionally, the sediment forebay is at the bottom of a 15-ft. wall below the roadway with no way of accessing it for maintenance. He reviewed that the proposed drainage basin also does not have the minimum setbacks of 20 ft. from the maximum water elevation to the property line, and the toe of the basin's berm embankment is within 10 ft. of the

nearest property line. The emergency spillway elevation will experience an overflow during the 100-year storm event; the spillway should be designed so that it can contain the 100-year storm.

Chair Padula stated that if there is a slope that is to be maintained, the trees are not to be cut or removed until it is decided what needs to be done. He stated that the slant granite is supposed to be done in two pours not one pour; therefore, the plan details need to be changed.

Mr. Crowley reviewed some of his comments as provided in his letter to the Planning Board dated September 8, 2021. He reviewed that the proposed retaining walls height be lessened or the walls be re-located, if possible. The proposed wooden guardrail should be revised to be completely crash-worthy. The applicant may need to request an additional waiver for changing grades. He noted they have a waiver for a driveway easement; the easement should be relocated as close to the property line as possible. The Planning Board may wish to address the proposed lighting. He requested clarification on arborvitaes.

Chair Padula confirmed there is no fire suppression. Mr. Rondeau asked about the driveway slopes/elevation changes. Chair Padula asked about a leveling-off area before reaching the street when on the driveway.

Mr. Jeffrey Wilson, 24 Summer Heights Drive, stated that the proposed house aesthetics, the proposed setbacks from the road for the houses, and the lack of sidewalks are all different than the current neighborhood. He questioned the clearing on the applicant's property. Chair Padula stated that there is not much the Planning Board can do regarding an applicant clearing on their own property. He stated that the applicant has to straighten out the drainage. Mr. Halligan noted that as it is a dead-end road, no one will see that the new houses are located further back than the existing houses.

Ms. Amanda Cavaliere of Guerriere and Halnon, Inc. reviewed the plans and layouts and discussed the areas to be cleared. She reviewed that the current plan is for four lots rather than the original plan for 10 lots. The entire property is approximately 18 acres; about 14 acres would be used for the four lots, the drainage lot, and extending the road. The front portion and remaining land may go before the Planning Board as ANR lots. She noted that the houses would have septic systems, private wells, and roof recharge. She stated that they are aware they will be making some changes to the plans based on Town and BETA comments. They will be going before Conservation Commission. She confirmed that the proposed driveways are approximately 200 ft. to 350 ft.

***Motion to Continue Eastern Woods, 725 Summer Street, Definitive Subdivision, to October 4, 2021. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:20 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 received an email from the applicant today. The applicant filed with Conservation Commission; however, they have not submitted new plans to the Planning Department since the first meeting with the Planning Board held on February 8, 2021.

Mr. Jude Gauvin from Andrews Survey & Engineering noted staffing issues had delayed the continuance of this project. Subsequently, Andrews Survey & Engineering joined with DiPrete Engineering; DiPrete Engineering is now in control of the project. He stated that they addressed 95 percent of the comments from the Planning Board's last meeting and from BETA. They filed with Conservation Commission and are scheduled to present on September 23, 2021. A project engineer is completing the remainder of the

comments; they will issue revised comments and a revised plan set. They would like to return to the Planning Board on October 4, 2021, to continue the process. He stated that as there has been much time between the first meeting with the Planning Board in February and now, the applicant will send out new abutter notifications.

Chair Padula and Ms. Williams stated that re-notification to the abutters would be desirable. As well, Chair Padula requested a written extension to December from the applicant. The applicant stated the written extension and notification to the abutters will be done.

***Motion to Continue Olam Estates, 900 Washington Street, Definitive Subdivision, to October 4, 2021. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

***Motion to Adjourn the Planning Board Meeting. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 8:09 PM.***

Respectfully submitted,

Judith Lizardi,  
Recording Secretary

***\*\*\*Approved at the October 18, 2021 Planning Board meeting.***