

Town of Franklin



Planning Board

**October 4, 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; Brooke Cotta, Assistant Town Engineer; Matthew Crowley, BETA Group, Inc.

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. 81-P ANR: Cottage Street

Ms. Love stated that the applicant submitted an 81-P ANR plan of land located on Cottage Street, dated September 22, 2021. The purpose of the plan is to divide Parcel 296-174-000 into two (2) buildable lots; the plan meets current zoning requirements.

Motion to Approve 81-P ANR: Cottage Street. Halligan. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No).

B. Partial Form H: 340 East Central Street

Mr. Halligan recused himself.

Ms. Love reviewed that the applicant is requesting acceptance for the above referenced Partial Form H which is only for Starbucks, not the entire building or site. She stated that BETA performed an on-site observation and provided an extensive report. She noted that the Planning Board should keep in mind the safety items still outstanding on the site.

Chair Padula stated that he has concerns for Mr. Maglio. He stated that a generating system was needed to run the sewer system in case of a power outage; it was not on the plan and everyone except the developer, at a later date, missed it. He stated that on the approved plans, the catch basins are away from the curbs. He asked why this was not picked up sooner. He asked whose mistake is it, the contractor. Mr. Crowley confirmed there were at least three or four catch basins not up against the curb. Chair Padula asked if it is away from the curb, is it minimal to fix that by installing a double grate. Mr. Crowley discussed the possibility of a double grate. Chair Padula asked if all the covers were 265 lbs. Mr. Crowley stated that they should all be very close to that weight. Additional questions asked by Chair Padula were responded to by Mr. Crowley.

Mr. Crowley reviewed his Site Observation Report dated September 27, 2021, which was provided in the Planning Board's meeting packet. He suggested that many of the items in his report should have been

placed on the Form H to be completed such as the pylon sign and pavement in the rear. He stated that the applicant has installed the construction fencing for safety, and dumpsters have been installed. He noted minor changes such as a bike rack was added near the Starbucks site and conventional concrete not stamped concrete was installed.

Ms. Williams confirmed the stop sign in front of Big Y was installed. She asked about pedestrian circulation as a safety concern. She asked when the MassDOT sidewalk project will be completed. Mr. Crowley stated that the contractor indicated the MassDOT project was going to take place next year. Mr. Rondeau questions included the balance of the building and if any logistics were planned for the buildout of that area. Chair Padula noted that Building Commissioner Gus Brown will have to monitor construction of the other half of the building to make sure it is safe. He stated that the Form H will be contingent upon checking out the generator system to make sure it operational. Mr. Crowley stated that it seems like there are some temporary controls set on it; he would have to defer to DPW regarding if it is operational.

Mr. David entered the meeting.

Motion to Approve Partial Form H, 340 East Central Street. Power. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No).

Mr. Halligan re-entered the meeting.

C. Field Change: 5 Forge Parkway

Ms. Amanda Cavaliere of Guerriere & Halnon, Inc., on behalf of the applicant, reviewed her letter to the Planning Board dated September 29, 2021, which was included in the Planning Board's meeting packet. She stated that they are proposing some upgrades based on the HVAC system. She discussed the addition of a 71 ft. x 16 ft. chiller unit including concrete pad which is necessary to improve efficiency of odor mitigation system, balance the air exchange, and improve odor control for the biobed. The unit will reduce the parking area by eight (8) spaces, but it does not impact the total amount of parking spaces required per zoning. It was noted the installation of three (3) equipment pads at the front northeast corner of the building are necessary for the recently upgraded HVAC system.

Chair Padula confirmed the sidewalk would be bumped out a little to go around the equipment pad. Ms. Cavaliere agreed some bollards can be installed around the chiller at the ends. She stated that they are planning this for improved efficiency of odor mitigation. She stated the biobed has not been activated yet as they have been waiting for this piece of equipment.

Planning Board members all indicated approval of the field change; no vote was taken.

D. Meeting Minutes: August 9 & August 23, 2021

Motion to Approve the Meeting Minutes for August 9, 2021. Power. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve the Meeting Minutes for August 23, 2021. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM

PUBLIC HEARING – *Initial*

120 Constitution Boulevard

Site Plan Modification

Documents presented to the Planning Board are on file.

Chair Padula stated that the applicant, today, requested a continuance of the public hearing.

Motion to Continue the public hearing for 120 Constitution Boulevard, Site Plan Modification, to October 18, 2021. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:10 PM **PUBLIC HEARING** – *Initial*
 Washington 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 reviewed her letter to the Planning Board dated September 30, 2021, which was provided in the Planning Board's meeting packet. She stated that the site is located on Washington Street in the Industrial Zoning District (Assessors Map 304 Lot 064). The applicant is proposing to construct three (3) buildings, access road with stormwater management system, and septic. The applicant requested a parking waiver as 75 parking spaces are required. The applicant is required to file with the Conservation Commission. Letters were received from DPW and Fire; BETA is currently reviewing the plans. She stated three waivers were requested: 1.) to allow less than 42" of cover over the RCP drain pipe with proposed use of Class V RCP; 2.) to allow the use of HDPE pipe for the manifolds and pond 1, pond 2, pond 3 and the trench drains; and 3.) to allow minimal spillage onto the abutting properties. She noted that the site abuts a residential zone; the applicant is requesting a waiver for light spillage. She noted that the side setback requires that it equals to the height of the building. The applicant is proposing a one-story building and providing 31ft. side and rear setback; she explained that the building cannot increase more than 31ft. in height. She noted that the applicant may want to add crosswalks for pedestrian traffic through the parking area. She stated that the Department of Planning and Community Development defers to DPW/Engineering and BETA Group, Inc. to address drainage review.

Assistant Town Engineer Brooke Cotta read aloud the seven comments provided in the letter from Town Engineer Michael Maglio to the Planning Board dated September 28, 2021, which was provided in the Planning Board's meeting packet.

Mr. Rick Goodreau of United Consultants, Inc. introduced Mr. Peter Genta, Manager, Franklin Flex Space, LLC, and Mr. Bill Hummel and Mr. Rick Almedia, also with the development team. Mr. Goodreau reviewed the locus map and Site Plan. He stated that the applicant is proposing to construct three (3) buildings as shown on the plans with access off Washington Street. He explained that each building would have nine (9) spaces, each with a small office space as well as overhead door to provide access into the warehouse/industrial portion of the site. He reviewed the proposed parking. He showed the proposed reinforced concrete curb locations. He stated that they are proposing exits doors to the rear with concrete pads at each of the doors. He reviewed the proposed stormwater system for the site. He reviewed the proposed septic system connection; buildings will be serviced by Town water. He stated that they are proposing to have on-site propane for the building heat systems. The primary uses for the building will be for contractor-type uses/trades. He provided the Planning Board members with a list of proposed/target tenants. He noted that light manufacturing would also fit in this zoning district. He stated that on page 3 of the plan set they provided a parking breakdown. He noted that the rear of the building would abut the residential properties. He stated that they have adequate parking for the proposal. He stated this project has close proximity to a wetland resource area; they are proposing retaining walls. He stated they provided a building sequence to minimize any land disturbance necessary to construct the project.

Mr. Crowley stated that they are currently reviewing the project. Chair Padula stated that his concerns include screening, if there will be an association-type document with regulations for the building, hours of

operation as they are abutting residential properties, outside storage, how much manufacturing will there be, and if there will be retail sales. Mr. Goodreau stated that they are proposing a 6 ft. stockade fence for some screening for the abutting residential.

Mr. Halligan reviewed a similar type of situation approved on Union Street years ago which had many issues. He noted that with garage doors, all bays must have floor drains and grease traps installed. He asked how does the applicant plan to capture that. Mr. Goodreau explained the proposed industrial wastewater holding tanks. He noted that at the other location, they had to install a gated keycard entrance. He reviewed the parking spaces and stated that they could look into a keycard entrance. Discussion commenced between applicants and Planning Board members regarding current/possible future ownership and keycard entrance. Chair Padula asked about curbing. Mr. Goodreau reviewed the location of concrete curbing. He stated that there is no curbing in front of the buildings; there are bollards located at access doors at each location. Planning Board members asked questions. Mr. Goodreau stated that no storage is planned behind the buildings. Mr. Rondeau requested decibel levels for any rooftop units as there are residential abutters. Mr. Power asked about delivery vehicles and how wide is the area used as the delivery lane. Chair Padula asked if a tractor trailer went down there by mistake, how would it turn around. He stated that the truck would have to back up all the way. Mr. Goodreau stated that will be looked into. Ms. Williams requested plantings and asked about the access around the back of the building for pedestrians in case of emergency. She stated that it seems like the parking is not ideal.

Ms. Karen Miller, 246 Washington Street, asked who is to say that 18-wheelers cannot go in there and make deliveries to these businesses. How would they ensure that 18-wheelers would not be making deliveries? She asked if it will be safe to walk in the area with all the vehicles delivering and parking.

Mr. Paul Harrington, 241 Washington Street, stated that he echoed Ms. Miller. He stated concern about the traffic and if a stop sign could be put there. He stated that in terms of the stockade fence, the trails that are currently used would be closed off to the public. He stated that there is a dirt path from Washington Street to the culvert that people use; he noted that it is private property. He asked the location of the stockade fence. Chair Padula stated that it is private property and it is a liability issue to open it up to the public. Mr. Goodreau reviewed the location of the stockade fence; it is on the applicant's property.

Ms. Patricia Ristaino, 220 Washington Street, asked about the logistics of the site regrading access. She stated that there is a 50 ft. right of way and there is no frontage on this project; therefore, why is it being allowed. Chair Padula stated that 56 ft. is required for subdivisions and there is over 100 ft. at this site. Mr. Goodreau reviewed the breakdown of the frontage of what the applicant owns not including the frontage with Eversource; he stated that the right of way is owned by the power company.

***Motion to Continue Washington Street, Site Plan Modification, to November 1, 2021. Halligan.
Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

7:15 PM **PUBLIC HEARING** – *Continued*
Eastern Woods – 725 Summer Street
 Definitive Subdivision
Documents presented to the Planning Board are on file.

Ms. Love reviewed that the applicant submitted a preliminary plan for a Conventional Subdivision in December 2020. The applicant submitted three (3) waiver request: 1.) §300.13.A.(1) - Sidewalks. Location: To allow no sidewalks to be constructed; 2.) §300.10.G.(6) – Driveways: To allow access through the required frontage of a serviced lot; and 3.) §300.10.D.(5) – Proposed grades within the right-of-way to be no more than 5 ft. above or below existing grades. Ms. Love commented that the applicant is showing the sidewalk on one side of the road; the Planning Board will need to grant a waiver. She stated

that the applicant is required to file with the Conservation Commission, and DPCD defers to DPW and BETA to comment on drainage and roadway layout.

Assistant Town Engineer Brooke Cotta read aloud the two comments provided in the letter from Town Engineer Michael Maglio to the Planning Board dated September 29, 2021, which was provided in the Planning Board's meeting packet.

Ms. Amanda Cavaliere of Guerriere & Halnon, Inc., on behalf of the applicant, reviewed her letter to the Planning Board dated September 9, 2021, regarding comments from BETA Group Inc., which was included in the Planning Board's meeting packet. She stated that adjustments have been made to the plan and it now includes a 5 ft. sidewalk; she proposed a bituminous asphalt sidewalk as opposed to a concrete sidewalk which is required by subdivision regulations so they can stay consistent with the aesthetics of the surrounding neighborhood having sloped granite curbing. She stated that they changed the wooden guardrail to a W-beam per BETA comments, they reduced the number of street lights to be consistent with the surroundings, and they have added 16 ft. openings on driveways. They are in the process of addressing new comments received from BETA, DPW, and DPCD, and they are on the Conservation Commission's agenda for October 21, 2021. She stated they will file with Board of Health for the septic systems.

Chair Padula asked questions including if there was a way to provide an entrance to Lot 4 on its own. Ms. Cavaliere stated that they were abutting a utility easement through New England Power; she explained the access. Mr. Rondeau stated there is a lot of ledge in the area and asked how much blasting would need to be done. Ms. Cavaliere stated they have done some initial test pits and have found the soils are good. They will have to do more borings and analysis to determine if blasting is required. Ms. Love asked if a shared driveway was considered for Lots 3 and 4. Ms. Cavaliere stated that a few options have been looked at; depending on the house styles, a common driveway may be considered. Chair Padula noted they are in close proximity to a lot of homes; there would need to have a survey done on all the homes in the area before any blasting could be done, or a hammer instead of blasting would have to be used. Ms. Cavaliere stated that no determination regarding blasting has been made. Chair Padula noted the one sidewalk and slant granite used in the surrounding neighborhood; the pavement matches what is there already. He stated that to keep everything aesthetically the same, he would be okay with the two-course pavement. Chair Padula confirmed there are no limit of clearing regulations regarding private property.

Motion to Continue Eastern Woods, 725 Summer Street, Definitive Subdivision, to November 1, 2021. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Ms. Love noted that the Planning Board has until November 28, 2021, for a decision; an extension would be needed from the applicant at the November 1, 2021, Planning Board meeting.

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 the applicant submitted updated plans and four (4) waiver requests: 1.) §300-11.A.7.B - Distance from toe of pond berm to property line shall be minimum of 10 ft.; 2.) §300-13.A.1 - Sidewalk to be installed on one side of the road; 3.) §300-11.A.7.A - Distance from maximum pond water surface to property line and structure shall be 20 ft.; and 4.) §300-10.D.5 - Right of way grade. She stated that the applicant recently filed with Conservation Commission. She stated that an extension in writing from the applicant will be needed if there is no decision by the Planning Board at tonight's meeting.

Assistant Town Engineer Brooke Cotta read aloud the eleven comments provided in the letter from Town Engineer Michael Maglio to the Planning Board dated September 27, 2021, which was provided in the Planning Board's meeting packet.

Mr. Crowley stated that many of BETA's comments from their previous review have been addressed by the applicant. He reviewed his primary remaining comments which included, but were not limited to, the width of the proposed roadway. Currently, it is proposed as 26 ft.; however, BETA requested additional information on the number of trips once the temple is built. They must provide a temporary berm to control stormwater after the binder is installed. HDPE pipe must be changed to RCP pipe. Revisions to the landscaping plan must be done.

Mr. David Russo from Andrews Survey & Engineering stated that they are aware there are outstanding comments. He stated that they were before Conservation Commission which was continued. Chair Padula stated that the Planning Board has no problem with one sidewalk if the applicant is going to change to upright granite. The Planning Board does not usually waive not having drainage on a separate lot. The Planning Board will not have a problem with the 26 ft. wide roadway if the applicant is going to show on a plan the temple and how they are going to mitigate the parking. He stated that the Planning Board does not allow HDPE pipe; it must be RCP pipe. Chair Padula noted the need for 100-year drainage. Mr. Rondeau asked for a layout of the temple and the parking. Ms. Williams asked has there been any more thought to having sidewalks on a section of Washington Street as a connection. She asked if there is a plan from the Town for this. Chair Padula agreed that this was a very dangerous area. Mr. Halligan stated that as it is being presented tonight, it is a four-lot subdivision; there is no plan tonight for it to be a temple. Chair Padula stated that a future temple has been stated by the applicant. Mr. Halligan asked where is the drainage lot for the four-lot subdivision. Discussion commenced on the 26 ft. road width proposed; however, if the applicant returns to propose a temple, the 26 ft. road width may not be adequate. Mr. Russo stated that he would speak with the applicant and try to get a Site Plan for a better visual.

Motion to Continue Olam Estates, 900 Washington Street, Definitive Subdivision, to November 1, 2021. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Ms. Love confirmed that the written extension to the Planning Board can be emailed to her. Ms. Williams asked if all abutters were notified again. Ms. Love stated that the applicant said the abutters were going to be notified again, but not through certified mail. Ms. Love stated the applicant did not provide any documentation regarding such a notification to her; she will follow up with the applicant.

Motion to Adjourn the Planning Board Meeting. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 8:36 PM.

Respectfully submitted,

Judith Lizardi,
Recording Secretary

******Approved at the December 6, 2021 Planning Board Meeting***