

Town of Franklin



Planning Board

**November 1, 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.

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. Endorsement: 176-210 Grove Street Site Plan Modification

Ms. Love stated that the applicant submitted Site Plans for Endorsement that included adding additional parking spaces. The applicant has added the Certificate of Vote and hours of operation to the front page of the plans. Chair Padula noted two discrepancies in the plans. He stated that for the bituminous paving the diagram showed 1.5 in. base and 1.5 in. finish; it should have been 2.5 in. base and 1.5 in. finish. The sidewalk detail was 5 ft. and the curbing detail showed a 6 in. reveal and it should be an 8 in. reveal of upright granite. He requested those items be changed on the plan.

Mr. Maglio discussed the curb reveals and the discrepancies. Ms. Love stated that she thinks the applicant went off the original approved site plan and they were just adding the additional parking. Mr. Crowley stated that if this is changed on the current plan, it will not match the original approved plan; he stated that he thinks the original plan showed 6 in. Chair Padula asked how come no one caught that. Mr. Maglio stated that 6 in. is industry practice. Chair Padula stated that the Town is allowed to make more stringent regulations, which they did, requiring a 7 in. reveal. On the new modification, it should be according to the regulations.

Chair Padula reviewed that the Planning Board is endorsing the Site Plan Modification for the increased parking. On that increased parking, that detail should be correct as it has not been done yet. Mr. Crowley confirmed that the applicant has not done the curb yet; they are working on the drainage. He stated there is about 300 ft. of curb that is being done. Chair Padula reiterated that the regulations should line up with the diagram.

Motion to Endorse 176-210 Grove Street, Site Plan Modification, with the changes indicated. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

B. Final Form H: 12 Forge Parkway

Ms. Love reviewed that the applicant submitted a Final Form H, engineer's certificate of completion, and a final as-built plan. BETA has provided an onsite report with pictures verifying the site work is complete.

Mr. Crowley discussed the ADA regulations for walkways/railings. He noted that there is a short section that is over the regulations. He stated that he spoke with Building Commissioner Gus Brown who noted that this is something he investigates as part of his final certificate of occupancy.

Ms. Williams questioned the change in slope regarding the ramp. Mr. Crowley stated that the lower portion of the walkway is less than 5 percent, so it is not considered a ramp.

Motion to Approve Final Form H for 12 Forge Parkway. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

C. 81-P ANR: Bent Street

Ms. Love reviewed that the applicant submitted a Form A application for an 81-P Plan review to accompany the plan of land for Bent Street and Emily Drive. They are two parcels with two different ownerships. The parcels are located in Rural Residential 1. The purpose of the plan is to combine Parcels A & B to form Lot 1 and combine Parcels C & D to form Lot 2. Lot 1 will become a conforming buildable lot and Lot 2 is conforming to zoning with an existing structure on the lot.

Chair Padula noted that on the Certificate of Ownership it does not indicate type of plan. He requested that Ms. Love circle ANR plan on the certificate.

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

7:05 PM **PUBLIC HEARING** – *Continued*
 Washington Street
 Site Plan Modification
 Documents presented to the Planning Board are on file.
 To Be Continued

Chair Padula stated the public hearing will be continued.

Motion to Continue Washington Street, Site Plan Modification, to December 6, 2021. Halligan. Second: David. 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 stated that the Planning Board has 90 days for a decision; that date is November 28, 2021. She stated that the applicant can provide a written extension to the Planning Board to extend this deadline, if needed. She reviewed that the definitive plans indicate the development will be serviced by private water and individual on-site subsurface sewage disposal systems. She noted the waiver request for sidewalks on one side of the road. She noted that should the Planning Board make a decision, some recommended conditions of approval have been provided

Mr. Maglio stated that he had one outstanding comment related to the proposed wall around the stormwater basin which will vary in height from 1 ft. to 10 ft. He stated that although he prefers to not see a retaining wall used in the final design of the basin, the revised design shifted the wall further away from the access path around the basin and added a guardrail for safety. While the plans indicate the design of the wall will be provided by others, he recommended that the final wall material selection and its design be approved by DPW prior to construction as the wall will eventually be owned by the Town. Chair Padula discussed the detail for the wall plans and having a structural engineer sign off prior to approving the site.

Ms. Amanda Cavaliere of Guerriere & Halnon, Inc. reviewed the procedure for approval of the wall. She stated that the wall would go through the Building Department for approval and be stamped by a structural engineer after approval by the Planning Board. Planning Board members asked questions about the process of approval of the retaining wall. Ms. Cavaliere confirmed the Conservation Commission granted a Negative Determination; therefore, no filing of a Notice of Intent is required.

Chair Padula confirmed that slant granite was approved for the subdivision, and he would like to keep it all the same to match the existing subdivision. Ms. Cavaliere confirmed they would be putting in slant granite. Mr. Rondeau confirmed that the applicant would not be clear cutting the entire land parcel, and this should be conditioned. Chair Padula confirmed that they would not be taking out any root systems that are holding back banks; an earth removal permit from ZBA would be required.

Mr. Crowley stated that he had similar comments to Mr. Maglio regarding the walls. He noted that they have changed some of the access to the retention basin; the final plans should have fencing and guardrails to the satisfaction of the DPW. Ms. Cavaliere confirmed the street light concern has been resolved. Mr. Crowley confirmed a waiver was not required for the street lights. He noted that the test pits should be verified at the start of construction. Ms. Cavaliere stated that they should be out of the ledge range, but would be doing additional testing.

Motion to Close the public hearing for Eastern Woods, 725 Summer Street, Definitive Subdivision. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve Eastern Woods, 725 Summer Street, Definitive Subdivision, with the following conditions: test pits for ledge; detail for retaining wall from licensed structural engineer; Waivers: 1. §300.13.A.(1) - Sidewalks. Location: To allow one sidewalk to be constructed, 2. §300.10.G.(6) – Driveways: To allow access through the required frontage of a serviced lot, 3. §300.10.D.(5) – Proposed grades within the right-of-way to be no more than five feet above or below existing grades; if earth removal is determined to exceed 1,000 cy, then an earth removal permit will be required from ZBA. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – Continued
 15 Freedom Way
 Site Plan Modification
 Documents presented to the Planning Board are on file.

Ms. Love reviewed that the applicant filed a Site Plan Modification to add 82 parking spaces. The applicant is providing a total of 216 parking spaces where 275 are required. She stated that the applicant currently has three handicap parking spaces. The required amount based on 216 parking spaces is seven spaces. It was recommended that the applicant add four additional handicap spaces by the front door; the applicant has provided four handicap spaces. The applicant has added 10 trees to the Site Plan, provided a

photometric plan, and acknowledged that 26 spaces will be more than 300 ft. from the entrance of the building.

Mr. Maglio reviewed that his previous comments have been resolved; he has no outstanding issues. He noted that the detail for the reinforced concrete curb on the plans shows a 6 in. reveal.

Mr. Mark Sotir of Barrett Distribution asked if they could use monolithic berm for the curb. He stated that plow drivers prefer the berms rather than curbs in the parking lot. Chair Padula stated that waivers for Cape Cod berm are not something that the Planning Board does; the Planning Board prefers the upright granite. He stated that with Cape Cod berm, eventually the plows start to destroy it. Mr. Sotir asked if curb stops are allowed. Chair Padula discussed where curb stops are recommended and stated that they are the applicant's prerogative to use.

Mr. Crowley stated that his comments have been addressed. He noted that on the plan submitted October 19th the dimensions of the parking spaces were not correct. He notified the design engineer who had the plan modified and sent to BETA. The new plan is dated October 26th depicting everything at the correct dimensions. Chair Padula stated that before endorsement this would be straightened out and the spaces would be 9 ft. x 19 ft.

Ms. Love confirmed the photometric would be incorporated in the plans. Mr. Halligan requested that any change in tenant requires the applicant to return for a Limited Site Plan. Ms. Williams asked about the snow storage location. Mr. Crowley stated that it will have to be monitored as general site maintenance; it should be adequate.

Motion to Close the public hearing for 15 Freedom Way, Site Plan Modification. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve 15 Freedom Way, Site Plan Modification. Halligan. Chair Padula noted three conditions: parking change to 9 ft. x 19 ft. and 24 ft. backup area; curbing will be upright granite or reinforced concrete and reveal will be at least 7"; and any changes to tenant will require applicant to return to the Planning Board for a determination of parking. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:10 PM **PUBLIC HEARING** – Continued
 40 Alpine Row
 Site Plan
 Documents presented to the Planning Board are on file.

Mr. Halligan recused himself.

Ms. Love reviewed comments from the September 27, 2021, Planning Board meeting. She stated that there was an issue with encroachment onto private property; the applicant is to work with DPW to resolve this. The Planning Board requested the pavement be 2.5 in. per §300-F(4), of the Subdivision Rules and Regulations. The Planning Board should determine the minimum width of the sidewalk of 4 ft. or 5 ft. She reviewed the list of recommended conditions as outlined in her memo to the Planning Board dated October 27, 2021; she noted that BETA may have a few revisions to said conditions.

Chair Padula reviewed the bylaws for Commercial I and II; the recommended is 6 ft. However, the applicant is showing a 5 ft. sidewalk. He reviewed that this was not added for Downtown Commercial when it was a new zone; it should have been included. Therefore, the wording should be changed in the zoning.

Mr. Crowley reviewed his Site Plan Peer Review report dated October 28, 2021. He reviewed some of his recommended conditions, including but not limited to, the requirements for the guardrail along the retaining wall. He stated that he believed the design engineer was going to investigate if there were any additional measures to improve sight distance. The final wall design should be provided at the start of construction. Rooftop units should be screened in accordance with the proposed roof plan, and relocate the two parallel parking spaces to provide continuous access of the commercial space to the rear spaces on the property.

Chair Padula asked if a structural engineer stamped diagram would be required for the retaining wall. Mr. Crowley stated yes for anything over 4 ft. Planning Board members asked questions. In response to questions, Mr. Daniel Campbell of Level Design Group, on behalf of the applicant, noted that the concrete patio space is for use by the residential space, not the commercial area. There are elevators and staircases within the residential space to get to the patio area. He reviewed the sidewalk area in front of the existing building being converted to commercial use. He stated that he would be happy to speak to Mr. Maglio and the Town regarding crosswalk access and curb cuts; he noted that there is a moratorium on cutting into the road for the next few years. Mr. Crowley confirmed that as sight distance is limited, there is more available to make a right-hand turn; the left turn is where the sight distance is shorter. Mr. Campbell reviewed the sight distance situation.

Mr. Maglio stated one of his concerns is that it looks like the Town road is encroaching on private property; it will probably be staked out prior to construction. He would like this issued conditioned by the Planning Board to be resolved before any construction would start. He suggested any landscaping remain low as to not impair sight distance. Mr. Campbell confirmed the patio is for tenants only. It is a place to sit; it has a planting bed around it. He stated that there is a staircase as a fire egress. It is not intended for open access.

Chair Padula stated that this would be conditioned upon easement to the Town, the 2.5 in. pavement, before construction and the building permit issued structural engineer will sign off for the retaining wall, and rail/fence on top of the retaining wall. He stated that the Design Review Commission provided a recommendation.

Motion to Close 40 Alpine Row, Site Plan. Rondeau. Second: David. Chair Padula stated that conditions to be added are that before construction the Town easements will be discussed and there will be an agreement in place; the asphalt diagram will be changed to 2.5 in. base and 1.5 in. finish; structural engineer will sign off on the wall construction and the retaining walls; there will be a 5 ft. sidewalk in front of the site and granite curbing; and the recommended conditions #1-8. Vote: 4-0-0 (4-Yes; 0-No). Voted to approve Rondeau, seconded David, (4-0)

Mr. Halligan re-entered the meeting.

7:20 PM **PUBLIC HEARING – Continued**
Olam Estates – 900 Washington Street
 Definitive Subdivision
Documents presented to the Planning Board are on file.
To Be Continued

Chair Padula stated there was a request for a continuation of the public hearing. Ms. Love noted the applicant is providing an extension to January 1, 2022, for a decision date.

Motion to Continue Olam Estates for 900 Washington Street, Definitive Subdivision, to December 6, 2021. Halligan. Second: Rondeau. 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 8:03 PM.

Respectfully submitted,

Judith Lizardi,
Recording Secretary

******Approved at the December 20, 2021 Planning Board Meeting***