

DRAFT FOR REVIEW**Town of Franklin****Planning Board**

2017 AUG - 8 AM 9:43
TOWN OF FRANKLIN
TOWN CLERK
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**July 24, 2017
Meeting Minutes**

Chairman Anthony Padula called the above-captioned meeting to order this date at 7:00 PM. Members in attendance: Joseph Halligan, John Carroll, William David, Alternate Rick Power. Members absent: Gregory Rondeau. Also present: Michael Maglio, Town Engineer; Amy Love, Planner; Matthew Crowley, BETA Group, Inc.

7:00 PM Commencement/General Business

Chairman Padula announced the meeting would be video and audio recorded for the public's information.

A. Site Plan Extension: 120 Grove Street

Ms. Love stated she received a faxed letter from the owner/applicant asking for an extension on their approval of 2008. On August 6, 2016 the Planning Board granted a one-year extension; they are looking for another one.

*Motion to Approve Site Plan Extension: 120 Grove Street, for one year to July 5, 2018. Carroll.
Second: David. Vote: 4-0-0 (4-Yes; 0-No).*

B. Endorsement: 272 East Street – CVS Parking

Ms. Love stated that on June 26, 2017 the Planning Board approved the Limited Site Plan to repave and restripe four handicapped parking spaces to bring them up to code; they are asking for the plans to be endorsed.

Motion to Endorse 272 East Street – CVS Parking. Halligan. Second: David. Vote: 4-0-0 (4-Yes; 0-No).

C. Endorsement: 750 Union Street – Change of Use

Ms. Love stated that on June 12, 2017 the Planning Board approved a Site Plan Modification for a change in use; they are doing additional landscaping as well. They are looking for the plans to be endorsed.

Motion to Endorse 750 Union Street – Change of Use. Halligan. Second: David. Vote: 4-0-0 (4-Yes; 0-No).

D. Endorsement: 471 West Central Street – Site Plan

Ms. Love stated that on June 12, 2017 the Planning Board approved a Site Plan for 471 West Central Street; they are looking for endorsement.

Motion to Endorse 471 West Central Street – Site Plan. Halligan. Second: David. Vote: 4-0-0 (4-Yes; 0-No).

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Chairman Padula stated this item is to be continued.

F. Bond Reduction: Union Meadows

Ms. Love stated that on May 22, 2017 the Planning Board voted to enter a tripartite agreement with the applicant for bond in releasing their lots. They had done a lot of the work, but did not get their bond estimate in time. Since then, more work has been done. They are looking for a reduction from \$246,201 to \$174,469.

Motion to Approve the Bond Reduction to \$174,469. Halligan. Second: David. Vote: 4-0-0 (4-Yes; 0-No).

7:05 PM **PUBLIC HEARING – Continued**
115, 119, 125 & 129 Dean Avenue
Special Permit & Site Plan

Documents presented to the Planning Board:

- 1. Letter dated July 17, 2017 from Richard Cornetta, Jr., Esquire of Cornetta, Ficco & Simmler, PC, to Franklin Planning Board*

Note: Chairman Padula, at the April 24, 2017 Planning Board meeting, activated alternate Planning Board member, Mr. Power, as this public hearing is for a special permit.

Chairman Padula stated applicant requested to continue the public hearing to August 7, 2017.

Motion to Continue the public hearing for 115, 119, 125 & 129 Dean Avenue, Special Permit & Site Plan, to August 7, 2017. Carroll. Second: David. Vote: 4-0-1 (4-Yes; 0-No; 1-Abstain). (Mr. Halligan abstained).

General Business (continued)**G. Informational: Re-Zoning at Union Street, Cottage Street, & Saxon Street**

Mr. Halligan recused himself.

Ms. Love stated this was something presented at the Town Council meeting last week. It is to clean up the zoning in that area where some of the parcels have two zones. This will be in front of Town Council in August and they will probably move it forward to a public hearing for the Planning Board. This is just the beginning; it is informational.

Chairman Padula questioned Residential IV up against Commercial I; it seems like a sharp contrast.

Ms. Love stated they are residential lots on the Saxon Street side; this would make their lots conforming.

Mr. Carroll asked Ms. Love to clarify some zoning questions.

Chairman Padula requested a five-minute recess.

Motion to Recess for five minutes. Carroll. Second: David. Vote: 3-0-0 (3-Yes; 0-No).

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Mr. Halligan re-entered the meeting.

7:15 PM **PUBLIC HEARING** – *Initial*
The Villages at Oak Hill
 Special Permit & Limited Site Plan Modification

Documents presented to the Planning Board:

1. Letter dated July 3, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board
2. Memorandum dated July 2, 2017 from DPCD to Franklin Planning Board
3. Memorandum dated July 5, 2017 from George Russell, Conservation Agent, to Franklin Planning Board
4. Memorandum dated July 7, 2017 from G.B. McCarraher, Fire Chief, to DPCD
5. Memorandum dated July 12, 2017 from Franklin Board of Health to Franklin Planning Board
6. Letter dated June 29, 2017 from Eric Bazzett of Heritage Design Group to Franklin Planning Board
7. Application for Approval of a Site Plan (Limited) and Special Permit(s) from Franklin MEWS, LLC, applicant, with Received by Planning date June 30, 2017
8. The Villages at Oak Hill Limited Site Plan Modification, Special Permit Criteria – June 21, 2017 with Received by Planning date June 30, 2017
9. Limited Site Plan Modification at The Villages at Oak Hill Plan Sheets Prepared by Heritage Design Group dated June 21, 2017, with Received by Planning date June 30, 2017
10. Certificate of Ownership dated June 29, 2017 with No Received by Planning date
11. Form R: Franklin Planning Board Senior Village Waiver Request Form to eliminate sidewalk construction dated June 30, 2017 with No Received by Planning date
12. Town of Franklin Board of Assessors Abutters List Request Form dated May 30, 2017, with Received by Planning date June 30, 2017
13. Abutters List Report dated May 31, 2017
14. Franklin Planning Board Public Hearing Notice with Received by Town Clerk date July 3, 2017

Motion to Waive the reading. Carroll. Second: David. Vote: 4-0-0 (4-Yes; 0-No).

Mr. Maglio stated the submitted materials have been reviewed. The proposed modification is to eliminate construction of sidewalks as originally approved. This change will result in a reduction of almost half an acre of impervious area. He stated that this site is a private development and we do not have any objection to this request, especially if it has the backing of the residents who live there.

Ms. Love stated a letter has been received from the Conservation Agent, and a letter from the Fire Chief stating no comments for the plans. They are looking to eliminate a sidewalk; it was filed under special permit and site plan.

Mr. Lance Anderson of Heritage Design Group addressed the Planning Board. He stated the application is to eliminate the construction of the sidewalk. They are eliminating .46 acres of impervious material. The base coat is on the road; the finish coat is not down.

Chairman Padula stated that the applicant was before the Planning Board previously and requested a waiver for one sidewalk on the other side of the road. They also came for waiver on curbing, but did not get it. How come the second sidewalk is not in; it is a public safety issue.

Mr. Anderson stated it is a private development. He stated that Bruce Wheeler from Franklin MEWS LLC, their client, was supposed to be here; he is not sure of the answer to Chairman Padula's question.

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Chairman Padula took citizen's comments while waiting for Mr. Wheeler to arrive.

Toni Smit, Resident at the Villages at Oak Hill and President of the Board of Trustees stated she was here along with a great many members of the Villages at Oak Hill community to support this application to waive the sidewalks. The development is private. The traffic that goes through is mostly the residents. She stated that putting sidewalks in would not be desired by us as it would take away green space, would be burdensome to maintain, and sidewalks would be less safe for special needs.

Chairman Padula stated he did not understand how sidewalks would make it less safe for special needs.

Mr. John Cyr, 24 Cassandra Avenue, stated they purchased their property at the Villages for the serenity. There are very few cars that travel on the roads in the Villages development. He has never seen a safety issue there. He invited the Planning Board to visit the Villages community before they render a decision.

Mr. Robert Gilstein, 2 Cassandra Avenue, stated he has seen many presentations based on traffic studies. He referenced studies on over 55 communities and suggested it would be one car every two to three minutes. From a pedestrian safety viewpoint, there is very little traffic. Everyone that uses the roads lives there; there are only 114 units. Adding 23 percent more impervious is likely to cause some flooding. Most dwelling units have only a 20-ft. setback; a 5-ft. setback for sidewalks takes a lot of the front yard. He requested the Planning Board exempt the Villages at Oak Hill from the sidewalk requirement.

Chairman Padula stated all the engineering calculations were based on the sidewalks being in, so there would be no flooding.

Mr. Peter Borowiec, 28 Tuscany Drive, showed the Planning Board members a drawing he prepared showing what putting in the 5-ft. sidewalk would do to the front of his unit; he would only have 9 ft. from his garage doors to the edge of the sidewalk layout. His cars would stick out into the sidewalk area.

Planning Board members said that residents must have seen plans with sidewalks before they bought their units.

Residents in the audience stated they did not see plans showing sidewalks before purchasing their units and when they looked at the property before buying they did not see sidewalks in the older built section either.

Mr. Halligan stated that the Planning Board has never waived all sidewalks even for smaller developments.

Mr. Carroll stated he was there recently and a person was walking a dog in the middle of the street and did not hear Mr. Carroll's vehicle approaching; that is a problem. Someone could fly through there with a vehicle. Why was the person walking in the street? Because there was no sidewalk to walk on.

Mr. Robert Pielech, 2 Clubhouse Drive, stated he only owns the walls; no one owns the outside. The community is not brand new; it has been around for 12 years. So, why would someone think that there would be sidewalks when there are none at this time. No one seems to want the sidewalks.

Mr. Brian D'Amico, 8 Innsbruck Way, stated the Villages at Oak Hill need a sidewalk as it is a safety issue. He stated that if the developer does not have to put in sidewalks, the developer should have to pay back money to the Town for not putting in the sidewalks.

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Chairman Padula confirmed the waiver for the elimination of one sidewalk. He asked Mr. Wheeler why there are occupancy permits and lot releases and the sidewalk currently being discussed has not already been put in.

Mr. Bruce Wheeler, Franklin MEWS, LLC, developer, stated the previous developer did not install the sidewalks in the first part of the development. Then, he has discussions with the Villages community and they indicated they did not want the sidewalks.

Chairman Padula stated that the community does not make the bylaw. They were supposed to put in the sidewalk; they were supposed to call for inspections.

Mr. Matthew Crowley, BETA Group, Inc., stated there were a limited number of inspections when the base coat was going in. The last time they were there was September 2015.

Chairman Padula stated if they received a waiver for one sidewalk, they did not receive a waiver for cape cod berm. He asked if any work has been done since the 2015 inspection.

Mr. Wheeler stated he did not call for a sidewalk inspection because they did not have the sidewalks; but, they did call for the other inspections.

Chairman Padula stated he would continue the hearing until the applicant gets everything straightened out. He stated this project has gone through three owners. He summarized what was originally supposed to be done and some of the modifications to the project. All rules and regulations say there must be sidewalks. All public safety issues are supposed to be in before occupancy. The Planning Board has never waived all sidewalks in a project; if we waived the sidewalks, we would be setting precedent.

Motion to Continue the public hearing for The Villages at Oak Hill Special Permit & Limited Site Plan Modification to August 7, 2017 at 7:15 PM. Carroll. Second: David. Vote: 4-0-0 (4-Yes; 0-No).

7:25 PM **PUBLIC HEARING** – Initial
 800 Chestnut Street – Adirondack Club
 Site Plan Modification

Documents presented to the Planning Board:

1. Letter dated July 3, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board
2. Letter dated July 20, 2017 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board
3. Memorandum dated July 19, 2017 from DPCD to Franklin Planning Board
4. Memorandum dated July 5, 2017 from George Russell, Conservation Agent, to Franklin Planning Board
5. Memorandum dated July 7, 2017 from G.B. McCarraher, Fire Chief, to DPCD
6. Memorandum dated July 12, 2017 from Franklin Board of Health to Franklin Planning Board
7. Letter dated June 30, 2017 from Gary DeBlois of Pare Corporation to Franklin Planning Board
8. Form P: Application for Approval of a Site Plan from SRA Realty Group, LLC, applicant, with Received by Planning date June 30, 2017
9. Adirondack Club Modification Drawing Sheets, Prepared by Pare Corporation dated June 30, 2017 with Received by Planning date June 30, 2017
10. Certificate of Ownership with Received by Planning date June 30, 2017
11. Town of Franklin Board of Assessors Abutters List Request Form dated June 27, 2017, with Received by Board of Assessors date June 27, 2017

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12. *Abutters List Report dated June 28, 2017*

13. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date July 3, 2017*

Motion to Waive the reading. Halligan. Second: David. Vote: 4-0-0 (4-Yes; 0-No).

Mr. Craig Ciechanowski, attorney representing SRA Realty Group, LLC, which owns and operates the Adirondack Club, and Mr. Robert Henrichs, representative of the ownership, as well as the project architect/engineer addressed the Planning Board. Mr. Ciechanowski provided an overview of the site stating it was originally approved in 1999, and built and opened in 2000 as a private, member-only recreational facility; it presently serves approximately 2,000 private memberships. The proposal is to remove one of the bubbles over the tennis courts and over that build a new more permanent structure. One of the tennis courts would remain, so there would be three tennis courts on site. The other half of the structure would be used for existing programs and uses that currently are being provided in the main building allowing more efficient use of space. He stated they have already been to Design Review; they recommended approval.

Mr. Gary DeBlois, project engineer, reviewed the drainage for the existing bubble. He stated that no major changes to the site were needed to facilitate this change with one exception. There are three areas where the existing piping for drainage cross underneath the tennis court; the drainage was re-routed around the building. All stormwater runoff in the area infiltrates through the detention basin and through a bottomless catch basin within the detention basin. There is roughly 1 percent decrease in impervious. He also reviewed the grading.

Mr. Maglio stated the proposed change results in a slight decrease in impervious. Drainage modifications are limited to re-routing several drain lines. Some of the new drains lines are called out as corrugated plastic as opposed to reinforced concrete although they are under landscape and walkway areas.

Mr. Crowley, BETA Group, Inc., stated relatively minor-in-nature comments were provided. BETA would like confirmation that there is adequate parking on the site for any increase in membership. There is some woody vegetation around the perimeter and in the existing detention basin; applicant should do clearing and maintenance for the existing basin. Architectural plans indicate roof is to be made of metal; if it is galvanized steel or copper it will require additional stormwater treatment. Information was requested on proposed HVAC equipment.

Ms. Love stated Design Review recommendation approval. Letters from Board of Health, Conservation Agent, and Fire Chief were received; all had no concerns/comments. There was no detailed landscaping regarding removal of trees and replanting.

Mr. Henrichs stated there were renderings of current and proposed views of the proposed project in the Planning Boards packets.

Chairman Padula questioned the drainage regarding changes made when the domes were put in.

Applicant reviewed the drainage installed when the second dome was installed.

Chairman Padula asked BETA to check all the drainage calculations.

Mr. Crowley stated that it can be reviewed.

Chairman Padula asked about the physical therapy space, if any food was prepared onsite, and if parking has been figured for this new space.

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Applicant stated the physical therapy is for the members. We lease the space to a physical therapy company. It is a separate business, but is not open to the public. He stated they have a snack bar/cafe licensed and permitted by the town; it is not open to the public.

Mr. Crowley stated there was no statement about parking only that membership was not anticipated to increase.

Applicant stated they do not have a formal cap on membership. To keep up with the industry, they need to use space creatively to better serve and maximize efficiency of the space; they want to reallocate space. He discussed parking for the patrons; they make sure they have parking. He stated that they went through a review for their 15-year permit; he discussed their septic system flow and capacity.

Mr. Halligan asked about the occupancy number for the facility and if they are amenable to keeping the occupancy number the same even with the reallocation of the space; then he could support this as the parking would not be an issue.

Applicant indicated they are just reallocating space; they will be keeping the same occupancy which he thinks is 650.

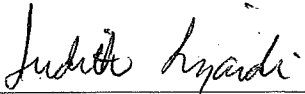
Chairman Padula stated he was not for putting in corrugated plastic; stay with the Town bylaws, RCP.

Motion to Close the public hearing for 800 Chestnut Street – Adirondack Club Site Plan Modification. Halligan. Second: Carroll. Vote: 4-0-0 (4-Yes; 0-No).

Motion to Approve 800 Chestnut Street – Adirondack Club Site Plan Modification with the conditions that the occupancy for the full facility remains as is existing and that all the facilities such as physical therapy, restaurant, etc., are for members only. Carroll. Second: David. Vote: 4-0-0 (4-Yes; 0-No).

Motion to Adjourn. Halligan. Second: Carroll. Vote: 4-0-0 (4-Yes; 0-No). Meeting adjourned at 8:30 PM.

Respectfully submitted,



Judith Lizardi
Recording Secretary

