

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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PLANNING BOARD

November 7, 2022 Meeting Minutes

Chair Gregory Rondeau 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: Gregory Rondeau, Chair; William David, Vice Chair; Beth Wierling, Clerk; Rick Power; Jennifer Williams; Jay Mello, associate member. Members absent: None. Also present: Amy Love, Town Planner; Michael Maglio, Town Engineer; Gary James, BETA Group, Inc.; Matthew Crowley, BETA Group, Inc. (via Zoom).

7:00 PM Commencement/General Business

Chair Rondeau reviewed the Zoom platform call-in phone number and the Zoom link which were provided on the meeting agenda. The meeting was audio and video recorded.

A. Elect Officers

Motion to Elect William David as Vice Chair by Rondeau. Second: Williams. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Elect Beth Wierling as Clerk by David. Second: Williams. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Elect Gregory Rondeau as Chair by Wierling. Second: Williams. Vote: 5-0-0 (5-Yes; 0-No).

B. 2023 Meeting Dates

Motion to Accept 2023 Planning Board Meeting Dates. Rondeau. Second: Williams. Vote: 5-0-0 (5-Yes; 0-No).

C. 81-P ANR Signature

Motion to Approve Chair Rondeau as 81-P ANR Signing Authority. Wierling. Second: Williams. Vote: 5-0-0 (5-Yes; 0-No).

D. Final Form H: Pellegrino Estates – Private Road Subdivision

Ms. Love stated that a few months ago the Planning Board approved a partial release; it is a one-lot private subdivision with a single-family house and a small drainage area. The applicant submitted a Final Form H and Engineer's Certificate of Completion and a final as-built plan. She stated that BETA provided an onsite report with pictures verifying the site work is complete. Mr. Crowley reviewed that the applicant completed all the landscaping items and they are still viable.

Motion to Approve the Final Form H: Pellegrino Estates – Private Road Subdivision. Rondeau. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

E. Endorsement: Schmidt's Farm

Motion to Endorse the Definitive Subdivision Plan, Schmidt's Farm, 215 Prospect Street. Wierling. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

Chair Rondeau stated that the General Business Item Discussion: 121 Grove Street – Friendly Ch40B, would be taken at the conclusion of the public hearings.

7:05 PM **PUBLIC HEARING** – *Initial*
Prospect Hill Estates
Definitive Subdivision Plan
Documents presented to the Planning Board are on file.

Motion to Waive the reading. Wierling. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

Mr. Louis Petrozzi of Wall Street Development Corp., owners of the property, addressed the Planning Board for a subdivision with 19 lots and a roadway; the access to the subdivision is in Franklin, with no buildable lots in Franklin. He explained the location of the Town line of Bellingham/Franklin. He reviewed that the Planning Board has a subdivision regulation indicating that roads shall not provide access to undeveloped land in other towns. He noted that the Planning Board reviewed this plan previously and submitted a letter to the Town of Bellingham. He stated that they are requesting a waiver so they can proceed with Bellingham for the rest of the subdivision.

Ms. Love confirmed that the lots will be developed in Bellingham and that the applicant is requesting access through Franklin. She reviewed that the Planning Board's Subdivision Regulation Section 300-10.B(4)(b) states that roads shall not provide access to undeveloped land in other towns. She confirmed that the Planning Board reviewed this plan in June 2021, and submitted a letter to the Town of Bellingham which is provided in the Planning Board's meeting packet. She stated that if the Planning Board grants the waiver, the Planning Board should review the proposed road. She stated that BETA was not asked to review this.

Mr. Maglio reviewed that the proposed roadway in Franklin will be approximately 150 ft. long from a proposed intersection with Prospect Street to the Bellingham town line. He stated that the proposed roadway will extend into Bellingham and will be a total of 1,600 ft. long, exceeding the 600 ft. maximum roadway length for a cul-de-sac. He stated that while all 10 homes will be located in Bellingham, we feel the overall length of the roadway should still be taken into consideration for safety reasons.

Mr. Petrozzi stated that there will be a homeowner association to maintain the road privately.

A resident of Lincoln Street asked about the wetlands in the area. Mr. Petrozzi said none in the portion that is in Franklin. He stated that they are in front of both the Planning Board and Conservation Commission to review the plans.

Mr. Mello asked for the intent of the bylaw. Ms. Love stated that she thinks at the time the Planning Board had a project in front of them for about 200 ft. of roadway development in Franklin to an adjoining town. She stated that due to the complications of that, including snowplowing and the access, the Planning Board decided to put in this regulation of the subdivision laws.

Ms. Wierling asked that if the waiver is not granted, what is the applicant's plan for alternative access. Mr. Petrozzi reviewed possible options and alternatives. He stated that as there are no lots being

developed in Franklin, it was their position that the subdivision control law does not apply. He thought coming before the Franklin Planning Board was the simplest alternative rather than a complete redesign.

Planning Board members asked questions and made comments. Ms. Williams expressed concerns that the sections of Prospect Street and Lake Street are currently so busy with traffic. She stated that she is not in favor of granting this waiver. Ms. Wierling asked that if access is granted through Franklin, who is providing emergency services and where are the emergency vehicles coming from. Mr. Petrozzi stated that he does not know the answer; he reviewed where the Bellingham station is located. Ms. Wierling stated that as there are no traffic reviews for the Planning Board, if they approve this, Franklin gets all the results of the traffic. Mr. Petrozzi noted this road would be private. He stated that they submitted a traffic report with the application to Bellingham; there were no traffic counts, but there were sight distances. Mr. Maglio explained that there have been other approvals from the Planning Board where in the decision conditions are stated that the road will always remain private.

Motion to Close the public hearing. Rondeau. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

Motion to Deny the Prospect Hill Estates, Definitive Subdivision Plan, based on the Town's bylaw regulation. Rondeau. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

7:10 PM **PUBLIC HEARING** – *Continued*
 700 Union Street
 Site Plan Application
 Documents presented to the Planning Board are on file.

Mr. Joshua Kline, Engineer of Stonefield Engineering, representing the applicant, addressed the Planning Board for the proposal to construct a 13,525 sq. ft. daycare with 50 parking spaces. He stated that they were before the Planning Board a few weeks ago and since then they have updated their plans addressing the latest BETA Group letter and comments from Mr. Maglio. He stated that the biggest item was stormwater design which they updated. He noted some of the changes and the addition of the underground infiltration system in the parking lot.

Ms. Love noted the applicant's four waiver requests. She reviewed some of the Planning Board's concerns from the August 8, 2022, meeting. She stated that the Planning Board was concerned about the 12 percent grade and asked the Fire Department to review; the Fire Department submitted a letter. She stated that the applicant provided an area for snow storage and provided reinforced concrete detail to the plans. She stated that the applicant will need to file an ANR plan to combine the lots prior to construction. She stated that BETA has completed their traffic review and there are no outstanding items.

Mr. Maglio stated that they reviewed the latest set of plans and had three minor comments which he reviewed. Mr. James reviewed BETA's comments including that the applicant is still shy of meeting the stormwater storage requirements in the back basin and show the vertical for the fire truck.

Ms. Williams asked about the waiver for required sidewalk along frontage. She stated that there are no crosswalk connections and no safe way to get across the street. She asked if there is a plan to better connect the sidewalks along the street. Mr. Maglio stated that the Town does not have any immediate plans to connect those sidewalks; he stated that it is kind of patchwork in that area. Chair Rondeau asked about the waiver for foundation wall height. Mr. Kline explained that this is technically due to language in the ordinance. He stated that a letter has been filed with Ms. Love and Building

Commissioner Gus Brown who was okay with this. Mr. James reviewed the stormwater that the applicant still has to fix and explained how that fix would be accomplished. Mr. Kline explained how they would be able to make a minor change to get this fixed as needed; he confirmed it could be done easily as a condition of approval. He stated that if it did require a substantial change to the plan, they would come back to the Planning Board.

Chair Rondeau recommended the applicant get with Mr. Maglio and BETA to make sure everything is 100 percent. He asked that the applicant look into the sidewalk item that Ms. Williams brought up. He stated that the hearing will be continued to the next meeting. Mr. Kline stated that the applicant wants to move this forward. He stated that asking the applicant to make offsite improvements may be unfair; they would address their frontage. Chair Rondeau stated that he wanted to make sure everything was squared away first before closing the public hearing. Ms. Wierling confirmed that the Planning Board would make a decision and vote on this at the next Planning Board meeting in two weeks. Mr. Kline stated that he would review with Mr. Maglio the sidewalk and the curbing; he stated that it is a substantial cost with little benefit to the applicant.

Motion to Continue the public hearing for 700 Union Street, Site Plan Application, to November 21, 2022. Rondeau. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

General Business (continued)

F. Discussion: 121 Grove Street – Friendly Ch40B

Ms. Love discussed that the Planning Board reviewed an application for a Chapter 40B LIP at 121 Grove Street on October 17, 2022. She stated that the Planning Board reviewed and discussed the project with the applicant during the meeting. She stated that based on the Planning Board's comments, she provided in the Planning Board's meeting packet a draft letter to be submitted to the Zoning Board of Appeals and Town Council. She asked that the Planning Board members review the draft letter and discuss it at this Planning Board meeting. She stated that once the Planning Board is in agreement, the letter will be signed by Chair Rondeau and provided to the ZBA and Town Council as well as copied to several others.

Planning Board members discussed the proposed letter. Chair Rondeau stated that it seems that all items and concerns talked about at the previous meeting were addressed in the letter prepared by Ms. Love.

Ms. Love pointed out that the letter indicates that the Planning Board does not recommend the project as currently presented. Planning Board members discussed the meaning of this wording. Ms. Love reviewed the process of how the ZBA takes recommendations from boards and makes their decision. Ms. Wierling suggested the wording state that the Planning Board does not recommend the project, without the words as currently presented. Planning Board members discussed the wording. Chair Rondeau confirmed the percentage of affordable housing currently in Franklin is 11.8 percent. Ms. Williams asked if a joint meeting could occur with Planning Board, Town Council, and ZBA so everyone could talk together. Ms. Love and Planning Board members discussed the wording of the letter that the Planning Board members would like. Ms. Wierling asked about the mention of stormwater in the letter and noted it should be a bulleted item. Chair Rondeau confirmed that when Ms. Love makes the changes to the letter, he should sign it. Planning Board members indicated yes.

General Comments

Chair Rondeau stated that a few weeks ago it was mentioned that they wanted to write up part of a bylaw change for the subdivision landscaping about trees and curbing. Ms. Love stated that she is

working on it. She stated that she would put it on the next meeting or the December meeting. Ms. Wierling asked to look at impervious pavers which is mentioned by the Planning Board often, but is not in the bylaw. Ms. Love stated that is a longer process than subdivision changes as it is in zoning. Ms. Williams asked that the percentage of vehicle charging stations be reviewed and be put in the bylaws when looking at the number of required parking spaces.

Motion to Adjourn the Planning Board Meeting. Rondeau. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

Meeting adjourned at 8:01 PM.

Respectfully submitted,

Judith Lizardi,
Recording Secretary

--Planning Board Approved Minutes at December 5, 2022 Meeting