

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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## PLANNING BOARD

### March 27, 2023 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: Michael Maglio, Town Engineer; Amy Love, Town Planner; Gary James, BETA Group, Inc.

#### 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. 81-P ANR: 585 King Street**

Ms. Love reviewed that the applicant submitted a Form A application for an 81-P Plan review. The site is located in the Industrial zoning district. The applicant is proposing to combine five lots into one parcel. She stated that DPCD provided a map that outlines the parcels to be combined. The applicant meets all requirements for an 81-P approval not required.

*Motion to Approve the 81-P ANR for 585 King Street. Power. Second: Wierling. Vote: 5-0 (5-Yes; 0-No).*

#### **B. Limited Site Plan: 461 West Central Street**

Ms. Amanda Cavaliere of Guerriere & Halnon Inc. on behalf of the applicant “Three” restaurant stated that they are requesting authorization to construct a trench drain that would go around the backside of the patio to improve the drainage. She reviewed the construction of the patio and stated that when it rains it adds to much water to the area and the trees do not grow. She stated that the applicant is looking to add seven light posts to the area to improve safety in the parking lot.

Mr. Maglio stated that they do not see any issues with adding lighting to the parking lot. He discussed that the proposed trench drain is shown connecting directly to a nearby existing manhole. He recommended installing a deep sump catch basin with hood after the proposed trench drain to provide water quality benefits prior to discharging to the existing manhole. He noted that all proposed drain pipes should be reinforced concrete pipe; HDPE or PVC is typically allowed for some connections such as the trench drain to catch basin connection, but their use should be limited under paved areas.

Chair Rondeau asked about lighting spillage onto adjacent lots. Ms. Cavaliere stated that the restaurant is located higher than the business below, so they do not see the little bit of spillage as excessive lighting. Ms. Wierling discussed the lighting and stated that even though it is not residential, it still seems too much and it could be brought down. Ms. Cavaliere stated that they could put some shields on some of the lights. She stated that it was more for the safety. Chair Rondeau stated that if they could cut back on the spillage, it would be appreciated. Ms. Cavaliere stated they could do that.

Ms. Love stated concern about the light spillage. She stated that the applicant is not required to file with the Conservation Commission, and BETA was not asked to review the plan.

***Motion to Approve the Limited Site Plan for 461 West Central Street with the condition that light spillage is brought down to close to zero at the property line with some shielding, and the use of concrete pipe. Wierling. Second: Williams. Vote: 5-0 (5-Yes; 0-No).***

7:05 PM      **PUBLIC HEARING** – *Initial*  
***15 Liberty Way***  
Site Plan Application  
*Documents presented to the Planning Board are on file.*

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

Ms. Love reviewed that this site plan modification is for 15 Liberty Way located in the Industrial zoning district. The proposed project includes the construction of new pavement to expand the existing driveway and truck parking areas for the existing warehouse. The applicant is required to file an NOI with the Conservation Commission. She noted that review letters have been received from BETA, DPW and Fire. She reviewed her following comments: 1. Include the entire building with existing parking spaces on the site plan, 2. Provide on the Site Plan the curbing details, 3. Provide parking lot details, such as travel ways and spaces on the new proposed lot, 4. Provide snow storage, 5. Provide the square footage of the new parking area and striping on the plans, and 6. Provide a diagram showing fire truck access.

Mr. Maglio reviewed his letter to the Planning Board dated March 22, 2023, and noted that in addition to the MADEP Stormwater Standards, the project must also comply with the standards under the Town’s Stormwater Management bylaw. He reviewed that in addition to not increasing the peak rate of stormwater runoff from the site, the proposal must also not increase the peak volume of runoff from a site. The applicant should include a table in the stormwater report comparing the pre- vs. post-runoff volumes to go along with the comparison of runoff flow rates. He reviewed that the proposed underground infiltration system appears to be designed to sit below the seasonal high groundwater based on the test pit data. While the design includes an impervious liner surrounding the system, he is concerned with the long-term water tightness of such a large system and its ability to safely separate the stored runoff from groundwater. He reviewed that the designer indicates that no recharge is being proposed due to poor soil conditions, but also indicates that the test pits indicate sand loam soils which correspond to an infiltration rate of 1.02” per hour. MADEP Stormwater Standards require recharge unless the infiltration rate is lower than 0.17” per hour.

Mr. Daniel Campbell of Level Design Group stated that they are proposing a parking lot at the rear of the 15 Liberty Way building, and they have addressed some of Ms. Love’s comments. He stated that they have also provided a photometric plan and a landscape plan which addressed some of the questions. He stated that he has met with the conservation agent on site; the conservation agent feels that the existing detention basin is a wetland under Town jurisdiction. He stated that it is a drain basin inside of an existing drainage easement and is fully lined with riprap, but we are going to go through the steps. He stated that they have retained Goddard Consulting to evaluate the basin as well as the tributary swale to the basin, and they are going to file with the Conservation Commission and get that determination prior to making any modifications. He stated that the reason they do not have responses to BETA’s comments is exactly that; they do not want to respond and have to start the process over again knowing the conservation agent has asked us to do that filing. He stated that he would address some of the comments made regarding the existing landscape buffer. He showed and reviewed the landscaping plan adjacent to the parking lot. He reviewed the DPW’s sewer easement along the back of the site. He stated that they are intending to

expand truck parking. He stated that they will address all comments after they are done with the conservation process.

Ms. Wierling asked what is required when submitting a site plan. She stated that she is not seeing the entirety of the site. Ms. Love stated that it requires that the entire site is shown on the plans. Mr. Campbell stated that it requires that the entire site is shown on the plans, but it does not require a detailed existing conditions plan of the entire property. He stated that they surveyed the area that they plan to work in. He reviewed the impervious is 57.8 percent of the total site area, so they are still well below the 80 percent. Ms. Williams stated that she would like to see the full site in its entirety so they can get a better understanding of overall impervious existing to proposed. Mr. Campbell stated they will have an existing conditions plan, but they are not providing topography for the entire property. He touched upon lighting and stated that they prepared a photometric plan based on fire department comments. He reviewed that it took time to meet with the conservation agent on site. He confirmed that this is for trailer storage for approximately 50 additional trailers. He stated that there would be no modifications to the building.

Ms. Love asked if May 8, 2023, would work for continuing the hearing.

***Motion to Continue the public hearing for 15 Liberty Way, Site Plan Application, to May 8, 2023. Wierling. Second: Williams. Vote: 5-0 (5-Yes; 0-No).***

7:05 PM            **PUBLIC HEARING** – *Initial*  
                          ***25 Forge Parkway***  
                          Site Plan Application  
                          *Documents presented to the Planning Board are on file.*

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

Mr. Philip Cordeiro of Allen & Major Associates and Mr. Matt Clark, owner of TMC Holdings and the applicant on the project, addressed the Planning Board. Mr. Cordeiro stated that the owner is the existing occupant of the building at 25 Forge Parkway. He reviewed that the application is for the construction of a 16,000 sq. ft. warehouse addition to the project and 17 parking spaces to support the warehouse use. He showed and explained the plans. He stated that they know who they want to market this toward, but they do not have tenants at this time. He stated that everything on the plans meets with industrial zone standards. He stated that they could talk about the required landscaping at an upcoming hearing. He noted that all stormwater will be in compliance. He stated that they have a conservation component and have started the NOI process and peer review process with Conservation Commission. He stated that they will address fire department concerns prior to the next meeting, and they look forward to working with Mr. James of BETA regarding his comments.

Ms. Love stated that the applicant is proposing the construction of a 16,000 sq. ft. bay building addition, 17 additional parking spaces, and a contractor yard. She stated that the applicant is required to file with the Conservation Commission. She noted that the applicant is providing cape cod berm which in the past the Planning Board has looked for concrete. She stated that the applicant should submit a landscaping plan and address the concerns of the fire department as they requested an access road north of the building addition. She stated that if they do not have a tenant, she does not know how that would affect parking such as office versus warehouse.

Mr. Maglio stated that regarding the stormwater, not to increase the peak rate of runoff. He stated that he had a concern with the location of the discharge point from the infiltration system right at the property line, and he wants to make sure it is not causing any problems on the adjacent property. He stated that the plans call for plastic drainage pipe and it requires reinforced concrete. He stated that there is one hydrant

proposed to be removed, and the applicant should coordinate with the fire department to see if there is an additional hydrant needed.

Mr. James reviewed his letter to the Planning Board dated March 13, 2023, regarding BETA's review comments which was provided in the meeting packet. He noted his primary/major points. He discussed that one issue is that currently there is quite a bit of cape cod berm, and they were going to continue that across; however, he recommended that on the backside where they have the 2:1 slope, they should have a 7 in. reveal associated with the vertical curb just for safety's sake. He noted his concern regarding the impervious. He recommended TSS/treatment prior to discharge coming out onto Forge Parkway. Mr. Cordeiro stated that they will look at those comments and noted the curbing safety aspect.

Mr. Mello stated that he looked at the infiltration chambers and relative to the test pit data it is getting close to groundwater depth. He noted hydraulic grading analysis and asked that in lieu of a further analysis, would they be amenable to raising the bottom of the stone. Mr. Cordeiro stated BETA raised this concern also, and they are looking to determine if a deeper test pit is warranted.

Planning Board members asked questions and made comments. Mr. David asked if there is going to be a contractor's yard. Mr. Cordeiro stated that it would be equipment and palletized materials, on-the-ground storage, and during business hours. Chair Rondeau stated that this should not interfere with parking. He confirmed that there would not be any contaminants or hazardous waste in the three dumpsters. He noted that this is a change of use. He stated that at the connection point at the front of the building to keep it cape cod berm, but he recommended granite and/or reinforced concrete for the balance of the parking lot. He asked if there would be any gravel removal. Mr. Cordeiro said there will be export of the material but not gravel removal for saleable purpose. Chair Rondeau stated that if it was going to be more than 1,500 removed, the applicant would have to go to ZBA.

Ms. Wierling asked about the equipment and storage area and if they can stripe a line to mark the area. Mr. Cordeiro stated yes. He stated that they will talk through the fire department's comments with the fire department.

Discussion commenced regarding the meeting date that this item should be continued.

***Motion to Continue the public hearing for 25 Forge Parkway, Site Plan Application, to April 24, 2023. Wierling. Second: Williams. Vote: 5-0 (5-Yes; 0-No).***

#### **Chair and Member Comments**

Ms. Williams stated that our zoning bylaws say that they can have up to 80 percent impervious coverage by right. She stated that we just saw two projects that are clear cutting forests for parking lots, but they are allowed to do it by right. She asked can we propose a change to our bylaws that requires some sort of planting or additional way to make up for all of that impervious coverage or make up for all the clear cutting that is happening. She stated that it feels like it is not in the spirit of what our town is trying to get to being a Green Community by allowing this type of clear cutting to happened in various developments.

Chair Rondeau asked if Ms. Williams was thinking about a tree-to-tree situation or beef up the landscaping. Mr. Mello stated that he was being devil's advocate. He stated that we have to allow for use within the industrial zone and that is where the impervious number comes from; it is what is required for the full use of the property to make it economically feasible. He stated that secondary to that, in making a decision like that, he would want to see some data. He asked how much industrial property is left in Franklin that has not been developed to the full 80 percent and how is that relative to other undeveloped property in Franklin.

Discussion commenced on Ms. Williams's idea and how the impervious could be reduced or a requirement of tree replication. Mr. James stated that he could speak with BETA's climate resiliency officer and see what she thinks. Ms. Wierling suggested looking at the landscape requirements/planting schedule. Mr. Mello asked Mr. James if he has any experience with a forest replication bylaw, and he asked Mr. Maglio what type of effort it would be to overlay the industrial districts on a map. Ms. Wierling described a situation in another town that she was aware of where they had an arborist come in and count trees over a certain caliper size which then had to be replaced or the project had to pay into a fund to provide the trees elsewhere. Discussion commenced on where the trees were required to be replaced in this town, and suggestions were made as to ways to do carbon credits beyond tree-for-tree. Ms. Williams stated that the town, as a Green Community, should consider the impact. Mr. James said that he knows a community that has a tree bylaw, and he will copy it and send it to Amy so she can distribute it.

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

***Meeting adjourned at 7:59 PM.***

Respectfully submitted,

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Judith Lizardi,  
Recording Secretary

***--Planning Board approved minutes at April 24, 2023 Meeting***