

Town of Franklin

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PLANNING BOARD

September 25, 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 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, Planner; Gary James, BETA Group (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. Limited Site Plan: 230 Grove Street

Ms. Love reviewed that the site is located in the Industrial Zoning District. She said the proposed project includes the construction of drainage improvements and additional material storage areas. She stated that the Zoning Officer requested that the applicant file a Limited Site Plan for improvements that were made to the site. She reviewed that two waivers are requested: To allow the use of HDPE drain pipe, and to allow less than 42 in. cover over drainpipes.

Mr. Maglio reviewed his comments. He discussed that the proposed project involves reconfiguring some of the operational aspects of the site within the previous disturbed footprint of the existing and making some stormwater improvements. No new impervious areas are proposed on the site. He noted that the two bins shown on the second plan sheet as proposed are an existing condition. He said the plans should include a detail of the crushed stone pad aprons around the catch basin grates. These crushed stone aprons should also be noted on the Operation and Maintenance Plan as being continuously monitored and cleaned on an as needed basis as they are located within the main operational area and will be clearly visible to site personnel.

Mr. Rick Goodreau of United Consultants confirmed the items Ms. Love and Mr. Maglio covered. He reviewed the proposed additional bin areas and stormwater improvements as shown on the plans.

Ms. Wierling asked about the materials to be stored in the bins. Mr. Goodreau stated the materials would be similar to what was already being stored on site.

Chair Rondeau asked about the waiver for the 42 in. cover over drainpipes. Mr. Goodreau stated that they did soil testing and hit groundwater; they are trying to maintain a 4 ft. separation of groundwater. Mr. Maglio stated that the materials they are using should support that.

Motion to Approve the waivers requested to allow the use of HDPE drain pipe, and to allow less than 42 in. cover over drainpipes, for Limited Site Plan, 230 Grove Street. Wierling. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

Motion to Approve Limited Site Plan, 230 Grove Street, with the conditions listed in Town Engineer Michael Maglio's memo to the Planning Board dated September 20, 2023. Wierling. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

B. Street Acceptance: Farrington Street

Ms. Love reviewed that the Town has put together as-built plans to accept the roadways listed above. She said the vote to accept the roadways is a recommendation to Town Council. She noted that Department of Planning and Community Development recommends that the Planning Board vote to recommend to Town Council.

Motion to Recommend to Town Council the Street Acceptance for Farrington Street. Wierling. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

C. Field Change: 341 Union Street

Mr. Rich Goodreau of United Consultants on behalf of Mr. Robert Vozzella, property owner, reviewed that earlier in the year they were before the Planning Board for a site plan. He stated that during construction some field changes were identified which he pointed out on the plan. He reviewed the stormwater connections to the roof system and underground infiltration system. He reviewed that the applicant is proposing to extend the sidewalk along the front of the building. The current proposed sidewalk is 5 ft. wide and the extended sidewalk will be 4 ft. wide based on the separation to the parking spaces. He discussed the elevated sidewalk and curb reveal between 4 in. and 6 in. for some parking spaces. He said they have proposed a ramp for handicapped accessibility up to the concrete sidewalk area.

Mr. Maglio stated that he has been working with the site contractor and with Mr. Goodreau. He stated there are no issues with the drainage changes. He stated that he has no issues with the sidewalk extension or modification. He stated that he knows the Planning Board likes to be aware of when such changes to a plan are proposed which is why the applicant was asked to discuss with the Planning Board.

Motion to Accept the Field Changes for 341 Union Street. Rondeau. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

7:00 PM **PUBLIC HEARING** – Initial
 Kimberlee Avenue
 Preliminary Subdivision
 Documents presented to the Planning Board are on file.

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

Ms. Love reviewed that the applicant has submitted a Preliminary Subdivision Plan to create four lots and a roadway located at the end of Kimberlee Avenue. She noted the application was submitted on September 5, 2023, and the Planning Board has 45 days to render a decision. She reviewed five waivers requested: 1. Section 300-10 (D) grades (1)(2)(3) cut/fill-fill to exceed 5 ft. maximum where a maximum of 5 ft. is required. 2. Section 300-10 (C)(1) Streets-to reduce pavement width to 22 ft. where 26 ft. is required. 3. Section 300-10 (E) Dead end Streets-to extend the roadway 446 ft. beyond existing Kimberlee Avenue having a length of 1,400 ft. where 600 ft. maximum is required. 4. Section 300-13-other Improvements, Sidewalk-to install no sidewalks where two sidewalks are required. 5. Section 300-10 Streets-Curbing-to allow modified cape cod berm where slant granite curb is required. She commented that the Planning Board typically requests to see a plan without any waivers. She noted it was brought to her attention that this is the same plan that was submitted to the Planning Board in 2005 that was denied due to the extension of the roadway which exceeds 600 ft. She said the Planning Board will need to make a decision by October 20, 2023.

Chair Rondeau said he wants to make sure he has the subdivision set of drawings that shows it fits within the confines of the rules and regulations. He said so we are just going to have a quick conversation on this and not discuss very much on it because a full set of drawings has to be in place before the waivers can be asked for.

Mr. Joel D’Errico, 72 Deer View Way, applicant, and Ms. Amanda Cavaliere of Guerriere & Halnon addressed the Planning Board. Mr. D’Errico stated that this was a leftover 4-acre parcel zoned Residential II from the Maple Crest development from the late 60s or 70s. He said the parcel has no wetlands; these can be 30,000 sq. ft. lots. He stated that in Franklin there are no single-family developments currently going on except for three isolated street lots near the Bellingham line. He stated that he can go back 18 years ago and it was a straight subdivision application. He said he wanted to connect to his 56 ft. strip that he owns on High Ridge Circle. He stated that there were questions about the length. He stated that there were concerns from the neighbors that it was going to be a 70-lot house development, so the process did not go anywhere and was not approved. He said that as time went on, the Town bought the Labastie land, and this 4-acres sits all by itself and is buildable. He said the plans submitted are for a private roadway with 22 ft. of pavement, completely private with no municipal responsibility to the maintenance and upkeep; there would be a homeowner’s association almost like a condo project in a way. He stated that he came in with that, but he can come in with a straight subdivision rather than private roadway. He noted that Overlook Drive off Pond Street is 1,200 ft. long. He said that Bridle Path is over 3,000 ft. long. He said there is some precedent if the Planning Board approves this. He stated that he would leave a 10 ft. pedestrian easement to the Town land from Parcel A to the north so the neighbors can get to the Town-owned land.

Chair Rondeau said he wanted to make sure the drawings fit as the rules and regulations call out. He said he is not going to take comment from the audience yet because the Planning Board does not have all the information in front of them. He said this will be continued.

Ms. Wierling confirmed that Chair Rondeau was asking the applicant to provide a plan that meets today’s rules and regulations with no waivers. Chair Rondeau said yes. Mr. Mello confirmed it was for a private road, but the applicant needs to show it can meet the standards.

Motion to Continue Kimberlee Avenue, Preliminary Subdivision, to October 16, 2023. Rondeau. No Second Made. Vote: 5-0 (5-Yes; 0-No).

7:00 PM **PUBLIC HEARING** – *Continued*
 Maplegate Solar South
 Site Plan Application
 Documents presented to the Planning Board are on file.

Ms. Love stated that she received an email today requesting a continuance.

Mr. Greg DiBona of Bohler Engineering on behalf of the applicant stated that he wanted to make sure he had all the information for the Planning Board.

Motion to Continue the public hearing for Maplegate Solar South, Site Plan Application, to October 23, 2023. Rondeau. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

7:00 PM **PUBLIC HEARING** – *Continued*
 Maplegate North Solar
 Site Plan Application
 Documents presented to the Planning Board are on file.

Mr. Greg DiBona of Bohler Engineering on behalf of the applicant and Ms. Allison Finnell, attorney of Brown Legal, addressed the Planning Board. Mr. DiBona stated that Mr. Daniel Serber of NextGrid (via Zoom) is in attendance.

Ms. Love reviewed comments from the August 21, 2023, Planning Board meeting including that the applicant is to provide a decommission bond that includes line items for tree replacement, which the applicant has supplied. She suggested two potential conditions: the applicant shall enter into a monetary agreement (PILOT) at the sole discretion of Administration and the Town of Franklin prior to commencement of construction, and a surety bond in an amount to be determined shall be issued by a surety company acceptable to the Town of Franklin prior to commencement of construction.

Mr. Maglio stated that all their previous comments on the plans have been addressed. He stated that any drainage issued would be addressed by Mr. James.

Mr. James stated that most all of BETA's comments have been addressed. He stated there was one correction to be made on the gravel road. He stated that test pits were done and everything is fine with the detention basin.

Mr. DiBona said Conservation Commission has approved.

Ms. Williams asked who put together the decommissioning costs. Mr. Serber stated that the numbers were extrapolated from a decommissioning plan that he received for a similar project put together by Atlantic Design Associates. He said that so, they essentially had a calculation that they used showing the number of panels and the acreage, so he used that information and took those numbers and applied them to this project. Ms. Williams asked about the 1.5 percent inflation over 20 years and stated that seems low to her. She asked how that number was derived. She asked what if it is more than 20 years as it may end up costing more. Mr. Serber said that they came up with the 1.5 percent number a couple of years ago, and it was based on historical data. He said this has been a common comment about decommissioning plans because of recent inflation. He said he does not want this to be a sticking point, so they can raise that to 2.5 percent.

Chair Rondeau said that will work for them. He asked how many trees per acre. Mr. Serber reviewed the replacement is 500 trees at a 4 ft. height and 10 lbs. per acre of seed. Mr. DiBona confirmed the tree bond was for \$50,000 and there was a landscape kicker for seeding and stabilization. Mr. Serber stated that before inflation the cost for trees and seed was \$75,000. Chair Rondeau stated the estimate of 20 trees per acre seemed a little low to him and asked for a few more trees. Mr. DiBona discussed the current trees at the golf course and noted that there are thin bands of trees in some areas. He stated that a person went in there and counted the trees, and they gave a 2.5 replacement rate. He said if the Planning Board wanted a few more, they could probably do that. Planning Board members agreed. Mr. DiBona said it is based on a height of 4 ft. to 6 ft. so it is about a 1.5 in. caliper for 500 trees proposed. Discussion commenced on the number of trees.

Mr. James said he thought about 40 trees per acre. He said he is looking at 2.5 in. caliper which would comply with the requirements under the subdivision regulations. Chair Rondeau suggested replacing at 30 per acre rather than 20 per acre. Mr. DiBona explained that they were proposing replacing 50 per acre putting back 500 trees. He said they were planning to put back 50 for taking of 20. He explained why they wanted to do 1.5 caliper rather than the larger caliper. Chair Rondeau said he was comfortable with that. Mr. James said he was good with that. Mr. Mello asked about the species. Mr. DiBona said it is currently a combination of pines and oaks and that is what they are planning to replace. Mr. Mello said mixed forest is the way to go with maybe heavy on the hardwoods over pines. Chair Rondeau suggested 75/25. Ms. Wierling suggested working with the tree warden on the percentages. Mr. DiBona said it works for them.

Ms. Finnell stated that they spoke with the Town Assessor Kevin Doyle who said he did not think a PILOT would be appropriate for this project. He suggested a tax agreement would be more applicable which she

explained. She stated the tax assessor directed them to the Town Administrator who would be taking the lead on any discussions going forward. She stated the Town Administrator looped in the Town Attorney and Mr. Doyle. She stated they will work toward working out a tax agreement.

Ms. Love stated that she would touch base with the Town Administrator and Mr. Doyle as to how to set this in as a condition. She asked where the applicant was with Lot 2 for the public access.

Ms. Finnell stated that they spoke with the Town Administrator on that as well. She explained the easement discussion and about working with the Town on this. Ms. Love said she would follow up with the Town Administrator on this.

Ms. Wierling asked if the easement access can be worked out as a condition.

Motion to Make the following conditions to the plan for Maplegate North Solar, Site Plan Application: the Town Administrator will work with the applicant to establish a tax agreement prior to construction, the surety bond will be adjusted to reflect the 2.5 percent escalation adjusted, work with the tree warden to appropriately disburse the number of trees on the plan, and provide a plan for Lot 2 public access and recreation, and the applicant will work with the Town to complete needed access and come back to the Planning Board when appropriate to discuss recreation opportunities. Wierling. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

Motion to Close the public hearing for Maplegate North Solar, Site Plan Application. Rondeau. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

Motion to Approve the Site Plan for Maplegate North Solar, Site Plan Application. Wierling. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

7:00 PM **PUBLIC HEARING** – Continued
100-200 Financial Way
Site Plan Modification Application
Documents presented to the Planning Board are on file.

Chair Rondeau stated this meeting is for traffic only tonight; they would like to get the traffic squared away.

Ms. Love reviewed that the Planning Board expressed concern for trucks turning at the Washington Street and King Street intersection. Trucks pulling out of the site are currently crossing two lanes of traffic. She reviewed that she, BETA, Mr. Maglio, and MDM, the applicant's consultant, met and discussed options for the intersection and egress onto Washington Street. She stated that the applicant has come up with proposed changes shown on the plan.

Mr. Doug Hartnett of Highpoint Engineering, Mr. Brendan Pellerin, asset management director of Berkeley Partners, Mr. Daniel Mills, principal MDM Transportation, and Ms. Connie Lu, project manager of Highpoint Engineering (via Zoom), addressed the Planning Board.

Mr. Mills narrated a slideshow presentation titled Supplemental Traffic Analysis, 100/200 Financial Park Expansion Proposed Warehouse Facilities, dated September 25, 2023. He noted comment letters which they have responded to. He noted the meeting held last week. He discussed that they have focused on two intersections: the signalized intersection of Washington Street and King Street, and the site driveway at Washington Street and Financial Park Drive. He discussed the concerns of the Washington Street and King Street traffic light that trucks are going over the raised island when turning. He stated that 98 percent of trucks navigate that without instance. He said a small percentage get caught up. He said they wanted to better facilitate that movement. He said they suggested removing the raised island and putting in a rumble strip. He

stated that was not acceptable to the Town, so they developed another concept. He said they propose to maintain the island but put a feature in at the nose of the island that would allow trucks to mount over it. He showed and explained the bevel-edged proposed curb to make it a mountable curb. He stated that previously committed to the intersection was to replace the current vehicle traffic signal system to a video detection system. He reviewed the truck traffic movement as shown on the plans. He reviewed the proposal for the work at Financial Park Drive and Washington Street. He said they are proposing to shift the driveway to the north, widen the driveway, and realign it a bit. He said this will provide a more maneuverable area for trucks without encroaching on other traffic.

Mr. Maglio discussed the site driveway and said it appears that it will work. He discussed the raised-up area for turning room for the truck access. He discussed that the proposed improvements for the King Street and Washington Street intersection would be an improvement over what is there today. He said that with the addition of two warehouses, he is concerned that there will be much more truck traffic than what is currently there now. He stated that he had an initial conversation with an adjacent property owner, and they did not seem too enthused about the project and possible taking of private property to make the truck turning better.

Ms. Jaklyn Centracchio, BETA Group's traffic consultant, stated that she echoes Mr. Maglio's comments. She stated that they had talked about a mountable area. She stated that she has not formally addressed the comments that were received last week. She stated that maybe there could be some flushed scored concrete there. Chair Rondeau asked about the King Street and Washington Streets intersection. Ms. Centracchio stated that one of her comments for the last round was for the applicant to show what the impacts would be to accommodate the necessary vehicles that do and continue to maneuver around the intersection, and they did provide that. Chair Rondeau asked about the available right of way. Mr. Maglio stated that about all of the right of way area has been used up and it could not be expanded anymore. Mr. Hartnett stated they are focusing on what they can control in the right of way. He noted factors such as the sidewalk, a grade drop, and the single-family residence in close proximity to where the widening would have to be.

Planning Board members made comments and asked questions. Discussion commenced on the current and the proposed. Mr. Mello stated that he wanted to voice his strong objection to anything mountable. Mr. Mills explained the encroachment into the private property with regards to widening. Mr. Maglio noted that there is no more existing right of way on the right-hand side. He stated that on the left-hand side there is a driveway, but it cannot be modified anymore than it was modified the last time. He explained the location and the angles of the turn. Ms. Williams asked about the current sidewalks. She asked what is the long-term plan for the sidewalks on Washington Street and if there is only going to be sidewalks on one side of the street. Mr. Maglio reviewed that the long-term plan is for one sidewalk on the right-hand side. Ms. Williams asked if we should focus on the one sidewalk and take advantage of eliminating it on one side. Mr. Mello said he agreed and eliminating the sidewalk on the one side and gaining the 5 ft. on that side for the right of way may help the applicants with their work on this.

Chair Rondeau asked to look at the A4 drawing and asked if something is being changed. Mr. Mills explained that the movement encroaches into the right-turn lane. He stated that the question was to provide a plan to show the truck does not encroach into the right-turn lane. He discussed it would require shifting the island over, but that would encroach on the private property. Mr. Mello confirmed there is about 180 trucks per day, which is about 10 trucks per hour, which is one truck per six minutes. He said he thinks they should try to accommodate all the movements as they should be. Ms. Centracchio said she asked them to show what it would take to accommodate all the trucks.

Mr. Mills discussed the widening within the available right of way and eliminating the sidewalk. He noted that trucks need to start aligning themselves into the lane further back in the intersection and that would require the widening to take place back further. Mr. David discussed his concerns about the trucks turning. He stated that the mountable island is good but not good because where is the protection. He asked is there

going to be any signage on the mountable island. He said that if so, the signage will get wiped out every week. He suggested the only way to prevent all that is to widen the road fully on both sides.

Mr. Maglio discussed the crosswalk and where the sidewalk could be eliminated. Mr. Hartnett discussed maintaining the crosswalk position but eliminating the sidewalk. He said you still maintain the curb line position at the crosswalk, so you will still have the same issue of not being able to have a dedicated right turn lane because of the crosswalk. Discussion commenced where the sidewalk would have to be eliminated. Mr. Hartnett discussed the steepness of the slope for the driveway. He stated that if they are going to stay within the right of way, this plan being proposed is what works. He pointed out that when they did the study, there was a de minimis number of trucks that rolled over the curb. Mr. David asked who would be responsible to replace any signage that was knocked over. Ms. Wierling discussed mountable curb and noted her concern about this area and the number of trucks. She asked for elaboration by Ms. Centracchio on her T8 comment. Ms. Centracchio discussed her analysis. She said MDM responded to item T8. Ms. Williams asked for additional information on the comment. Mr. Mills explained that the way they need to analyze it is to do a staged model and under one set of models they need to put a stop sign there. He discussed that it will not operate at level service F as it does not have a stop sign, and it is free flow. He explained that for the island previously discussed the majority would be raised with signs mounted on it, and it is really the nose part on either side that would be flush.

Planning Board members asked questions. Mr. Maglio stated that he would be reluctant to put in bollards on the side of the road as it would be a hazard, but even a guardrail could be a hazard as it is fixed. He stated maybe they should start with signs and police enforcement.

Chair Rondeau said it sounds as if there is still more work to be done. He said Ms. Centracchio still needs to review the most updated information provided. He suggested the applicant speak with the abutting neighbor about some entrance work on her property.

Ms. Maureen Sullivan, abutting property owner, said she is the resident at 871 King Street which is a property that has an easement onto Washington Street. She passed out some copies of work done by the Town in the 1980s. She said it is very informative. She explained the location. She said that none of what the traffic studies say is actually true. She said the studies are going to favor what they want the studies to say. She said the people who did the report are not going to live there. She explained how difficult it is to use her driveway. She said this project is an absolute no. Mr. Serber stated that he would like to have a conversation with Ms. Sullivan. He stated that he thinks there will be a solution.

Mr. Hartnett stated that the engineering should not be as time consuming as the traffic. He said he would like to cover both items at the October 23, 2023, meeting.

Motion to Continue the public hearing for 100-200 Financial Way, Site Plan Modification Application, to October 23, 2023. Rondeau. Second: Williams. Vote: 5-0 (5-Yes; 0-No).

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

Meeting adjourned at 8:43 PM.

Respectfully submitted,

Judith Lizardi,
Recording Secretary

--Planning Board approved minutes at December 4, 2023 meeting