

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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## PLANNING BOARD

### November 6, 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; Matthew Crowley, 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.

Chair Rondeau thanked Mr. David and Mr. Power for the time and effort they put in over the years. Mr. David was on the Planning Board for 12 years and Mr. Power for 6 years. Planning Board members wished them well.

#### **A. 81-P ANR: Beaver Street Interchange**

Ms. Love said this is an application with the Town and the State exchanging some land by the Recycling Center. She said they are looking to move some lot lines. She said she does not see any issues with it.

Mr. Maglio stated that the Town and the State have been working on this for a number of years; there is a land transfer. He said this is the first of a few steps.

***Motion to Approve the 81-P ANR for Beaver Street Interchange. Rondeau. Second: Williams. Vote: 5-0 (5-Yes; 0-No).***

#### **B. Partial Form H: 341 Union Street**

Ms. Love said the Planning Board approved a Site Plan and Special Permit on June 6, 2022. BETA performed a site walk and submitted a comment letter. She said most of the curbing and safety concerns have been addressed.

Mr. Crowley said they have been to the site a number of times. He said it is pretty straightforward regarding the status of construction as mostly what you would expect for a Partial Form H. He noted that they installed the car stops everywhere except the two spaces on the north side of the building. He said it does not appear as an eminent safety concern. He reviewed a few minor items of concern.

Ms. Wierling asked that the list of work to be completed is consistent with what BETA reported. She said it looked like the form was not signed by Town Engineer Michael Maglio.

Mr. Maglio said he does not have any issues with it.

Chair Rondeau asked if between the two buildings there was a guardrail between the two sites. Mr. David said he thought it was brought up as a safety issue. Mr. Maglio said he does not recollect. Discussion commenced on the final outcome of the guardrail. Chair Rondeau asked if there was enough space near the dumpster spot. Mr. Crowley said that was a good question. He said he thinks they can schedule trash pick up during a time of not main use of the site which would help. Chair Rondeau asked that those items be checked on before the applicant comes back for a final.

***Motion to Approve the Partial Form H for 341 Union Street, as long as the schedule is consistent with BETA review. Rondeau. Second: Williams. Vote: 5-0 (5-Yes; 0-No).***

### **C. Partial Form H: 275 Washington Street – Flex Space**

Ms. Love stated that the Planning Board approved the Site Plan on February 28, 2022. BETA reviewed the as-built plans and submitted a comment letter. She reviewed that the applicant completed most of the outstanding items from October 16, 2023. She said the Fire Department provided a letter regarding the propane tank, and BETA provided an updated observation report.

Mr. Crowley said this was before the Planning Board a few weeks ago, and they provided quite an extensive list of outstanding items to be addressed for the Partial Form H. BETA went to the site a number of times, and the applicant has addressed the overwhelming majority of items. He said there are about three items worthy of discussion. He discussed the number of parking spaces since the propane tank was being installed in two of the spaces. He said BETA looked at the parking. He reviewed the number of spaces required based on the bylaw. It appears the applicant needs 26 spaces for the seven occupants that they currently have. He said it looks like the parking should be sufficient for the seven known tenants. He discussed the relocated dumpster area and the relocated electrical transformer. He discussed the construction fencing and the storage materials located to the side of building #1 which makes the site not fully usable. He said the proponent said that once occupancy is granted, a lot of that equipment will get moved inside the building.

Mr. David asked about the site pictures shown on page 5 of 10. He noted it was asphalt curb and not granite curbing at the entrance. Mr. Crowley said that for the Partial Form H they have installed the berm as a temporary measure.

Chair Rondeau asked about fencing around the propane tank for safety purposes. He asked the building commissioner to review the storage containers and have everything moved prior to occupancy and check the means of egress.

Mr. Peter Genta, with the owner's group, stated that the containers are being used by the respective tenants, and it is just about moving them in the same day. He said he would coordinate it with Building Commissioner Gus Brown.

***Motion to Approve the Partial Form H for 275 Washington Street – Flex Space. Rondeau. Second: Williams. Vote: 5-0 (5-Yes; 0-No).***

### **D. Final Form H: 120 Constitution Boulevard**

Ms. Love reviewed that the applicant submitted a Final Form H and 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 stated this goes back to the spring of this year. He said BETA went out and noticed deficiencies such as with the grading of the top course. He said the applicant did some reworking, and it

works as supposed to. He said for some turning areas at the rear of the site there were some restrictions which did not allow pavement to go in 10 ft. which are outstanding.

Mr. Maglio said the grade is much better now.

***Motion to Approve the Final Form H for 120 Constitution Boulevard. Rondeau. Second: Williams. Vote: 5-0 (5-Yes; 0-No).***

**E. Endorsement: 25 Forge Parkway**

Ms. Love said the Planning Board voted to approve the Site Plan for 25 Forge Parkway on May 22, 2023. The Site Plan includes a 16,000 sq. ft. addition. She said as a condition, they were to show the bay doors on the plan which they have done. She said they are looking for endorsement.

***Motion to Endorse 25 Forge Parkway. Rondeau. Second: Williams. Vote: 5-0 (5-Yes; 0-No).***

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

Ms. Love stated that the applicant requested a continuance. She recommended continuing to December 4, 2023.

***Motion to Continue Kimberlee Avenue, Preliminary Subdivision, to December 4, 2023. Wierling. Second: Williams. Vote: 5-0 (5-Yes; 0-No).***

7:00 PM      **PUBLIC HEARING** – *Continued*  
***0 Upper Union Street Solar Project***  
Site Plan Application  
*Documents presented to the Planning Board are on file.*  
***TO BE CONTINUED***

Ms. Love stated that the applicant was working through a lot of the Conservation Commission comments. She recommended a continuance to December 4, 2023.

***Motion to Continue 0 Upper Union Street Solar Project, Site Plan Application, to December 4, 2023. Wierling. Second: Williams. Vote: 5-0 (5-Yes; 0-No).***

7:00 PM      **PUBLIC HEARING** – *Continued*  
***15 Liberty Way***  
Site Plan Application  
*Documents presented to the Planning Board are on file.*

Ms. Love noted that the applicant is not in attendance in person or on Zoom. Ms. Wierling suggested the applicant may be running late. Chair Rondeau said they will come back to this item later in the meeting.

7:00 PM      **PUBLIC HEARING** – *Continued*  
***3 Fisher Street***  
Site Plan Modification  
*Documents presented to the Planning Board are on file.*

## ***TO BE CONTINUED***

Chair Rondeau stated that the applicant requested a continuance. Ms. Love recommended continuing to November 20, 2023.

***Motion to Continue 3 Fisher Street, Site Plan Modification, to November 20, 2023. 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.*

Mr. Doug Hartnett of Highpoint Engineering representing the applicant Berkeley Partners; Mr. Daniel Mills, principal MDM Transportation; Ms. Connie Lu, project manager of Highpoint Engineering (via Zoom); and Mr. Andy Ramirez of Berkeley Partners (via Zoom) addressed the Planning Board.

Mr. Hartnett reviewed what has been done since the last meeting. He said they worked to resolve outstanding items. He said he submitted a letter dated October 26, 2023, that summarized where they were going to be by tonight's Planning Board hearing. He reviewed the items as listed in the letter which was provided in the meeting packet. He stated that there are no outstanding comments regarding the site plan. He said there is consensus between Mr. Mills and BETA regarding recommendations for roadway improvements at the intersection. He reviewed that as requested by the Planning Board, the applicant has contacted the owners of 553 Washington Street and 881 King Street, respectively, to determine if there is interest in granting right of way or construction easements to increase available roadway/intersection width for potential intersection improvements. The property owners have declined this request. He said as a result, Option A is the proposed mitigation solution for the intersection. He said the Conservation Commission closed the hearing and approved. He said he felt the letter of October 26, 2023, restates the applicant's commitment to mitigation for the project which is stated in page two of the letter. He discussed the Planning Board members' concerns for sidewalks. He noted a grant has been filed by the DPW regarding design services. He said in being a good neighbor, the applicant would like to make a \$50,000 grant donation to the follow-on construction upon issuance of the building permit for the first building. He said the applicant commits to working with the owners of 300 Financial Park as well as with the Charter School to develop an operation and maintenance plan for the entire park for all three entities and submit that to DPW regarding maintenance and reporting of the shared stormwater controls.

Ms. Love said that Mr. Hartnett touch on many items that were in her letter. She said if the Planning Board were to approve the plan, there would be two waivers: parking waiver to reduce from the required 413 spaces to 262 spaces, and use of HDPE pipes for the three roof drain collectors. She noted a list of suggested conditions from her letter to the Planning Board dated October 31, 2023.

Mr. Maglio stated that he did not have anything outstanding. Mr. James said they only had a couple of comments remaining which he reviewed and were addressed. He said from BETA's standpoint, they have no further comments.

Ms. Jaklyn Centracchio, traffic consultant of BETA Group (via Zoom), said that all options were explored regarding the right of way. She said the proposed mitigation she finds reasonable since they were not able to work outside of their right of way limits. She said they were asked to include crash data in their monitoring study.

Chair Rondeau said he wanted to state hours of operation from 6 AM to 9 PM based on the review of the traffic. He said it can be adjusted later if necessary. He said prior to a tenant moving in, they need to come back to the Planning Board for approval of who it is. He said no hazardous waste storage at the site. He said the \$50,000 should be bumped up to \$100,000 to help the upgrades in the area including sidewalks and making it safer. Mr. David said he would like to hold the applicant responsible and not the Town for the signage on the island for signs that get destroyed.

Ms. Wierling said they all worked together on this process which she appreciates. Ms. Williams said she appreciates the clarification on the traffic issues and working together.

Mr. Hartnett said he would speak on behalf of the applicant. He said he does not foresee the applicant objecting to meeting in the middle at \$75,000; he said asking for double of the grant amount seems a bit much. He said they assumed they would be operating under the bylaw requirements as overseen by the Building Department for the hours of operation. He said restricting hours to 9 PM is very restrictive in terms of being able to market the facility; 24/7 is the typical. He asked the Planning Board to reconsider that request.

Chair Rondeau said this is like a test run. He said he wants to hold it tight to make sure they are doing the right thing for the town. He said there are residents in the area. Mr. David asked for the bylaw hours. Chair Rondeau said they did this similarly to a business on King Street. He said they would like to institute this so it will not be out of control. Ms. Wierling asked about the hours of the previous businesses at the building. Ms. Love said the previous businesses had no restrictions on hours. She said that for the most recent warehouse on King Street, the restrictions were 11 PM to 5 AM for no truck traffic. Ms. Wierling said she was not a huge fan of restricting hours of operation. She said if there were restrictions, it should be 11 PM or midnight. Mr. David asked what a reasonable time would be to market this. Mr. Hartnett explained it would be per tenant. He said they do not want to restrict hours as they would not want to close the facility. Chair Rondeau said the hours would be for restricting truck traffic entering and existing the site like for King Street, not closing the facility for employees. Discussion commenced on the usual time of truck traffic. Mr. Hartnett said the 11 PM to 5 AM would be appropriate, and he asked that a tenant could come back to the Planning Board for an adjustment of the hours. Chair Rondeau said they would be amenable to that. Ms. Williams said she does not want trucks idling on Washington Street if they cannot enter the site until 5 AM. Chair Rondeau said they really do not have any place to idle on that narrow area. Discussion commenced on why trucks cannot turn onto Grove Street regarding the wells and the Charter School. Chair Rondeau confirmed 11 PM to 5 AM for no truck traffic.

Mr. Mills explained the capture of the peak times on the intersection for maximum volume. He noted the loop detection is not functioning properly at this time. He noted they wanted to look at the timing adjustments and optimizing the signal during the peak hours which is why they were looking at the monitoring.

Ms. Love asked if they need future monitoring from 5 AM to 11 PM, and to see how many trucks are going through each hour rather than setting the hours. She said that regarding the donation, the Town received a \$175,000 grant to design the study for the sidewalk; there are no funds for construction. She said the \$100,000 would go toward the construction of a potential sidewalk. She requested another condition regarding that the applicant offered to put together a new island and they work with DPW to finalize what the material will be for the island at King Street and Washington Street.

Ms. Maureen Sullivan said she was the abutting neighbor, and this is an absolute no for her. She said they have been abused as neighbors. She said there has been so many untruths with this starting with the first night when Mr. Hartnett said someone from Berkeley Partners went around and knocked on the door of

every neighbor and everyone was excited for this plan. She said they did not even know about any plan, never mind a knock on the door. She said this is an absolute no. She discussed the trucks and said the Planning Board is breaking its own bylaws regarding the truck traffic. She discussed that neighbors include small children. She said this is a bad situation. She said she was going to fight this as hard as she can. She said the trucks start at 3:30 AM which may even be a little better. She said it is a treacherous corner to get around for a truck. She discussed the trucking situation as it affects her driveway. She said this is a bad plan; they should come back with another plan.

Mr. Mello discussed that the cost to put in sidewalks in that section would be about \$112,000. Ms. Sullivan discussed about where the sidewalk would be on Washington Street.

Mr. Hartnett said in light of Mr. Mello's calculations, the applicant will agree to \$100,000.

***Motion to Close the public hearing for 100-200 Financial Way, Site Plan Modification Application. Wierling. Second: Williams. Vote: 5-0 (5-Yes; 0-No).***

***Motion to Approve the following waivers for 100-200 Financial Way, Site Plan Modification Application:***

***Parking waiver to reduce from the required 413 spaces to 262 spaces and waive RCP pipe and allow the use of HDPE pipes under the three roof drain collectors. Wierling. Second: Williams. Vote: 5-0 (5-Yes; 0-No).***

***Motion to Approve the following special conditions for 100-200 Financial Way, Site Plan Modification Application: no hazardous waste storage; increase the sidewalk construction funds to \$100,000 as referenced on the applicant's letter dated October 26, 2023; no truck traffic 11 PM to 5 AM with the option to approach the Planning Board for an amendment at a later date once the tenant is selected; work with DPW to finalize materials for the island; all conditions apply as written in a letter from Douglas Harnett, Highpoint Engineering, dated October 26, 2023, as listed on page two (2) with the modification to allow the sidewalk allowance to \$100,000; transportation monitoring for two periods: within 6 months of initial occupancy and with 6 months of full occupancy of the project to include traffic data collection to identify potential traffic signal timing adjustments, and monitoring shall include hours as a whole for truck traffic hours and crash data analysis will be included in both traffic studies as mentioned above; provide the results of these monitoring studies to the Department of Planning and Community Development and Town Engineer, and if applicable, the Proponent will design and implement an optimized traffic signal timing plan; no idling on Washington Street; no trucks allowed on Ivy Lane; and the signage on the island will be maintained by the applicant. Wierling. Second: Williams. Vote: 5-0 (5-Yes; 0-No).***

***Motion to Approve the warehouse industrial development at 100-200 Financial Park. Wierling. Second: Rondeau. Vote: 5-0 (5-Yes; 0-No).***

**This Item Continued from Earlier in the Meeting**

7:00 PM      **PUBLIC HEARING** – Continued  
                  **15 Liberty Way**  
                  Site Plan Application  
                  Documents presented to the Planning Board are on file.

Chair Rondeau noted that the applicant was still not present via Zoom.

***Motion to Continue 15 Liberty Way, Site Plan Application, to December 4, 2023. Rondeau. Second: Williams. Vote: 5-0 (5-Yes; 0-No).***

Mr. David said this is his last meeting. He said it has been an honor, and he thanked the voters of Franklin for supporting him all these years. He thanked all past and present members, Mr. Maglio, Ms. Love, and BETA Group members. He congratulated Mr. Mello and Mr. Christopher Stickney. Chair Rondeau thanked Mr. David for his time and effort. Mr. Power thanked all. He said it has been a learning experience, and he got a lot of support from the Town. He said it has been a privilege serving the town.

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

***Meeting adjourned at 8:06 PM.***

Respectfully submitted,

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Judith Lizardi,  
Recording Secretary

***--Planning Board approved minutes at January 8, 2024 meeting***