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Town of Franklin



Planning Board

November 13, 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, Gregory Rondeau, Alternate Rick Power. Members absent: None. 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. Appointment of Officers

Motion to Elect Anthony Padula for Chairman by Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Elect Joseph Halligan for Vice Chairman by Padula. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Elect John Carroll for Clerk by Padula. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Chairman Padula thanked the citizens who voted for the Planning Board members.

B. Approval of 81-P Signing Authority

Motion to Approve 81-P Signing Authority. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

C. Acceptance of 2018 Planning Board Meeting Dates

Motion to Accept 2018 Planning Board Meeting Dates. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

D. 81-P ANR: 883-877 Washington Street

Ms. Love stated that this plan was submitted to the Planning Department on October 31, 2017. Applicant is carving out a side piece of the lot to apparently put on an addition. They conform to the lot area. They were issued building permits for both lots. There are existing houses on each lot.

Mr. Maglio stated that he had no comments.

Chairman Padula stated he did not understand how the second lot got approved in 1992 without frontage on Washington Street.

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Ms. Love stated that from the record she found, they divided under the ANR two lots. The only indication on the ANR is a 25-ft. private driveway which gave them access to the second lot. At the time, a building permit was issued.

Chairman Padula asked the parties present at the meeting if there would be any problem if he put in a stipulation that there could not be a lot 2A, the back lot, they could not subdivide. He stated that this is a land taking from one to the other, so both parties must agree on this.

Audience member provided information on the original intent of lot line by the Planning Board in 1992.

Ms. Love stated that to subdivide, they would have to file a subdivision plan and they do not have enough width to create a roadway.

Chairman Padula stated he could approve as written rather than changing everything.

Motion to Allow the 81-P to be signed for 883-877 Washington Street. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

E. Form H: 272 East Central Street – CVS

Ms. Love stated that on June 26, 2017, the Planning Board approved a Limited Site Plan Modification. The intent of the site plan was to bring the handicapped parking spaces up to current ADA regulations. Applicant has since redone the handicapped parking spaces along with a walkway. BETA conducted their observations and their report is included.

Mr. Crowley, BETA Group, stated they have reviewed the plans and visited the site. The only deviation found was that the inside concrete curb was not installed adjacent to the existing building; however, it does not appear necessary.

Motion to Sign the Form H: 272 East Central Street–CVS. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

F. Endorsement: 860 Upper Union Street

Ms. Love stated that on October 30, 2017, the Planning Board approved the Site Plan for the construction yard at 860 Upper Union Street. The applicant has submitted the plans for endorsement.

Mr. Maglio stated that he was all set.

Motion to Endorse 860 Upper Union Street. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

G. Meeting Minutes: September 25, 2017 & October 16, 2017

Motion to Approve the September 25, 2017 Meeting Minutes. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve the October 16, 2017 Meeting Minutes. Rondeau. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – Continued
 31 Hayward Street
 Site Plan Modification

Documents presented to the Planning Board:

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1. *Franklin Innovation Center, Site Plan Modification Additional Southeast Parking at 31 Hayward Street in Franklin, MA, Plan Sheets, Prepared by Guerriere & Halnon, Inc. dated July 5, 2017, with Revision date October 21, 2017, with Received by Planning date October 25, 2017*
2. *Memorandum dated November 9, 2017 from DPCD to Franklin Planning Board*
3. *Letter dated October 12, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board*
4. *Memorandum dated November 7, 2017 from George Russell, Conservation Agent, to Franklin Planning Board*
5. *Memorandum dated October 11, 2017 from DPCD to Franklin Planning Board*
6. *Memorandum dated October 10, 2017 from George Russell, Conservation Agent, to Franklin Planning Board*
7. *Memorandum dated September 12, 2017 from Franklin Board of Health to Franklin Planning Board*
8. *Letter dated October 11, 2017 from Matthew Crowley, BETA Group, Inc., to George Russell, Conservation Agent*
9. *Letter dated October 10, 2017 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board*
10. *Franklin Innovation Center, Site Plan Modification Additional Southeast Parking at 31 Hayward Street in Franklin, MA, Plan Sheets, Prepared by Guerriere & Halnon, Inc. dated July 5, 2017, with Revision date September 18, 2017, with Received by Planning date October 3, 2017*
11. *Letter dated October 3, 2017 from George Mihov, Guerriere & Halnon, Inc., to Matthew Crowley, BETA Group, Inc.*
12. *Form P: Application for Approval of a Site Plan, with applicant listed as Moseley Realty, LLC, with Received by Town Clerk date July 25, 2017*
13. *Certificate of Ownership with Received by Planning date July 25, 2017*
14. *Town of Franklin Board of Assessors Abutters List Request Form dated April 18, 2017, with Received by Planning date July 25, 2017*
15. *Abutters List Report dated July 25, 2017*
16. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date July 25, 2017*

Mr. Donald Nielsen of Guerriere & Halnon, Inc., representing the Moseley company, stated he is stepping in for Mr. George Mihov of Guerriere & Halnon, Inc. as he is unavailable for this meeting. He stated the Conservation Commission has issued an Order of Conditions which was a requirement of the Planning Board before they could approve the plan. He stated he has correspondence from BETA and Mr. Maglio that the conditions have been met relative to their comments.

Ms. Love stated that at the October 16, 2017, meeting, the Planning Board was waiting on the Order of Conditions from the Conservation Commission; it was received on November 2, 2017. The Planning Board asked that the handicapped parking be increased by two spaces which has been done. Arrows have been added to show the traffic patterns on the plans and will be drawn on the pavement. A flood light by the street along where the new parking spaces are located will be added.

Chairman Padula stated that screening on the 10-ft. street line still has not been provided.

Mr. Nielsen stated there was discussion on that; this is where the snow will be placed. One of the Conservation Commission conditions was to push all the snow away from the wetland. Part of the discussions included that there were several large trees that they were trying to save. There is a trade off in trying to save the trees and bypass the screening if that could be done. Currently, there is a big building across the street. If trees were planted there, they would not survive as snow will be pushed there. In

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response to Chairman Padula's question regarding curbing in front of the daycare, he stated there was granite curbing at the two entrances adjacent to the DPW easement. He stated bollards in lieu of the granite could be put in front of the daycare.

Chairman Padula stated bollards would be great.

Mr. Crowley commented on BETA's letter to the Planning Board dated October 11, 2017. He stated there were many reviews with the design team. He stated BETA provided an email to DPCD stating BETA's outstanding issues had been addressed.

Chairman Padula read aloud sections SW3, SW4, and SW13 from letter dated October 13, 2017, from Matthew Crowley, BETA Group, to George Russell, Conservation Agent. He confirmed with Mr. Crowley that these issues have been done.

Mr. Crowley stated a full report could be provided.

Chairman Padula read aloud sections SW17, SW23, and SW24 from letter dated October 13, 2017, from Matthew Crowley, BETA Group, to George Russell, Conservation Agent.

Mr. Nielsen confirmed these items were done.

Motion to Close the public hearing for 31 Hayward Street, Site Plan Modification. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve 31 Hayward Street, Site Plan Modification, with a condition that granite curbing or bollards be added to parking area that abuts the Playground. Carroll. Second: Rondeau. Discussion:

■Mr. Nielsen stated they have cape cod berm on the plan now, and they will replace bollards in front of each of the adjacent parking spaces. ■Carl Reed, Tenant and property Manager, stated that for the aesthetics of the property, as he must install some guardrails along the retention basin, he would prefer to do nice wooden guardrails. ■Chairman Padula stated that those are not going to stop a car like a bollard would; he is concerned about the daycare. They must put the bollards or granite or reinforced concrete curb; no slant granite. ***Vote: 5-0-0 (5-Yes; 0-No).***

7:10 PM **PUBLIC HEARING** – Continued
 116 Alpine Place
 Special Permit & Site Plan

Documents presented to the Planning Board:

1. *Letter dated November 9, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board*
2. *Letter dated November 8, 2017 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board*
3. *Memorandum dated November 9, 2017 from DPCD to Franklin Planning Board*
4. *Letter dated November 2, 2017 from Daniel Campbell of Level Design Group, LLC to Franklin Planning Board*
5. *Letter dated October 4, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board*
6. *Memorandum dated October 12, 2017 from G. B. McCarraher, Fire Chief, to DPCD*
7. *Memorandum dated September 27, 2017 from George Russell, Conservation Agent, to Franklin Planning Board*
8. *Memorandum dated October 10, 2017 from Franklin Board of Health to Franklin Planning Board*

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9. *Letter dated September 22, 2017 from Daniel Campbell of Level Design Group, LLC to Franklin Planning Board*
10. *Alpine Green Multi-Family Housing, 116 Alpine Place, Franklin, MA, Plan Sheets, Prepared by Level Design Group, with Revision date November 3, 2017, with Received by Planning date November 6, 2017*
11. *Application for Approval of a Site Plan and Special Permit(s) from NE Premier Properties, LLC, applicant, with Received by Planning date September 26, 2017*
12. *Form P: Application for Approval of a Site Plan from NE Premier Properties, LLC, applicant, with Received by Planning date September 26, 2017*
13. *Certificate of Ownership with Received by Planning date September 26, 2017*
14. *CAI Property Card for 116 Alpine Place*
15. *Abutters List Request Form dated September 18, 2017, with Received by Planning date September 26, 2017*
16. *Abutters List Report dated September 19, 2017*
17. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date September 27, 2017*

Mr. Daniel Campbell of Level Design Group, on behalf of the applicant, stated that since the last time they were before the Planning Board they made the modifications in accordance with the letters provided by the Town. He stated the response letter in the Planning Board members' packets is not the most up-to-date letter as they have been having discussions with BETA Group to resolve all those comments on this set of plans. They received a few comments from Mr. Maglio this afternoon which they will respond to; they are minor or have already been resolved.

Mr. Maglio reviewed his comments from his letter to the Planning Board dated November 9, 2017. He noted the proposed wall at the rear property line is shown at almost 6 ft. high. The applicant should verify with the Building Commissioner whether a fence at the top of the wall will be required. He reviewed the requirement of test pits performed during design phase. He stated that more detail was requested on the rain gardens, and proposed concrete sidewalk should be a minimum of 5 ft.; details show it at 4.5 ft.

Mr. Campbell confirmed they will show a detail of the fence on the plans.

Chairman Padula stated that roundings on the driveway entrances are required, and they must have the driveway continuous with the back of the sidewalk height.

Mr. Campbell stated he is amendable to that.

Mr. Maglio stated the Town will be reconstructing roadways and sidewalks in that neighborhood next year. Preliminary plans are to put sidewalks on the opposite side of the street. If so, he recommended working with the developer so there will not be two sidewalks in that one section.

Mr. Crowley stated there are several comments on the last design submitted. Current design exceeds impervious coverage allowances. He wants to see the disposition of the existing mature trees along the easterly property line at the back. He and Mr. Maglio are reviewing a slow drain. He recommended a test pit be conducted prior to construction. There is a sight distance issue with the most northerly driveway; however, vegetation is being removed.

Chairman Padula discussed aspects of the plans including the retaining wall and rain gardens. He noted applicant still must go to Design Review. In response to a citizen's request, he stated that the Planning Board cannot take any information the night of a meeting; information must be submitted the Tuesday before the meeting. But, the citizen may read aloud his prepared information.

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Mr. Paul DeBaggis, 100 Milliken Avenue, on behalf of himself and numerous family members, read a prepared letter to the Planning Board. He stated he lives directly across the street from this proposal. As well, many family members live at various locations on Milliken Avenue and Alpine Place and they are present at tonight's meeting. Of the eight direct abutters, five were/are employed in the construction industry. They are not anti-building and appreciate a well-done project. However, this project designer has failed to provide a complete plan, accurate plan, and plan that complies with zoning. He reviewed the problems with the plan and had attachments and photographs depicting said concerns. He stated that regarding the neighborhood character, the front facade of the proposed building is 3 ½ times the neighborhood average. He discussed the ledge and hard bedrock concerns. Blasting will involve drilling holes in the bedrock. He requested the Planning Board write in specific language to protect the abutters properties and lungs. He discussed impervious coverage compliance; this proposal does not meet zoning. He stated the garage floors average 1 ft. to 2 ft. below the crown of Alpine Place; this is contrary to building and zoning laws. He discussed the proposed swales, snow storage areas, and rain gardens. He requested the Planning Board place a condition on the plan that all town maintenance services to these driveways be charged to the condo owners. He discussed concerns with the following: the lack of lighting plan as required by zoning bylaw, height of the building and how it may affect abutters, lack of sight distance for the proposed most northerly driveway, test pits should be performed in the design stage prior to plan approval, applicant must show all existing trees per bylaw and they are not shown, any retaining wall built within 10 ft. of the seven to eight 70 ft. to 90 ft. mature trees located on the rear property line will kill the trees and the neighbors will lose 90 percent of their screening, the length of the façade, the setback of proposed building, impervious coverage, density, redirection of drainage, grading, and lot depth. He stated the Planning Board should not grant a special permit when the size of the parcel has not been resolved. He stated he hopes the Planning Board will look seriously at these major problems with this plan.

Mr. Campbell stated that if Mr. DeBaggis's questions and concerns get submitted, he will be happy to answer them in writing.

Mr. Halligan stated he does not think it is fair to compare the Milliken apartments to this project; this parcel is Residential V and has the right to do what they are doing. He agrees with and feels strongly about doing test pits prior to approval to make sure drainage works and does not affect the neighborhood.

Mr. Maglio stated that the current design is based on an assumption of D soils which are the worst.

Mr. Campbell stated he anticipates there will not be any blasting. They anticipate doing rock hammering.

Chairman Padula stated that as an Order of Conditions, the Planning Board can include that will be no blasting under the special permit. So, that will kill the permit if it cannot be done with a hammer.

Mr. Halligan stated that it takes days/weeks/months of consistent banging with a hammer. The noise is horrendous all day.

Chairman Padula stated he would rather have hammering all day. Blasting would require a survey of everyone's house in that area; there are many old foundations.

Mr. Maglio stated that last summer the water and section of sewer pipes were replaced in that area.

Mr. Campbell discussed the height of the existing and proposed buildings. He confirmed they needed to go to Design Review. He would like to return to the Planning Board in about one month. He thinks they will get permission to do the test pits within that time. He reviewed snow storage and stated that the rain gardens only service the driveways. He reviewed the existing and proposed buildings and conditions regarding drainage and grading.

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Mr. Crowley reviewed the existing and proposed conditions and drainage.

Chairman Padula stated the project cannot have any water flowing off the site from existing to post-development.

Mr. Maglio stated there is no increase in runoff.

Chairman Padula stated the new information from the applicant was submitted too late for this meeting; this new information will be present and questions on that material will be answered at the next meeting.

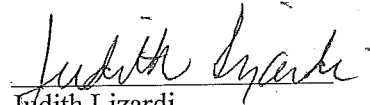
Mr. DeBaggis confirmed that he would be allowed to provide his information to the Planning Department.

Mr. Maglio asked Mr. Campbell to call him when they are going to do the test pits.

Motion to Continue the public hearing for 116 Alpine Place, Special Permit & Site Plan, to December 18, 2017 at 7:05 PM. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Adjourn. Halligan. Rondeau: David. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 8:04 PM.

Respectfully submitted,



Judith Lizardi
Recording Secretary

