

## Town of Franklin



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## Planning Board

**December 18, 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; Bryan Taberner, Director, Planning and Community Development; Amy Love, Planner; Matthew Crowley, BETA Group, Inc.; Greg Lucas, 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. Endorsements: 31 Hayward Street – Site Plan Modification**

Ms. Love stated the applicant submitted these plans at the last Planning Board meeting on December 4, 2017. The applicant had not updated the plans to include the vertical granite curbing along the playground area. The Planning Board voted to endorse the plans once this was added. The applicant has since added this to the plans.

***Motion to Endorse 31 Hayward Street – Site Plan Modification. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

#### **B. 81-P ANR: 577 Pleasant Street**

Ms. Love stated the applicant presented a plan to split the lot into two lots. There is currently a house on one lot; the other lot would become a buildable lot. All zoning requirements have been met.

***Motion to Endorse the 81-P ANR, 577 Pleasant Street. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

### 7:05 PM **PUBLIC HEARING – Continued** **116 Alpine Place – Alpine Green** **Special Permit & Site Plan**

#### *Documents presented to the Planning Board:*

- 1. Letter dated December 14, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board*
- 2. Letter dated December 14, 2017 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board*
- 3. Memorandum dated December 13, 2017 from DPCD to Franklin Planning Board*
- 4. Letter dated December 9, 2017 from Daniel Campbell of Level Design Group, LLC to Franklin Planning Board*

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5. *Letter and attachments dated November 13, 2017 from Paul DeBaggis, resident, to Franklin Planning Board, RE: The Proposed Plan at Alpine Green, 116 Alpine Place, with Received by Planning date November 13, 2017*
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*
9. *Letter dated November 2, 2017 from Daniel Campbell of Level Design Group, LLC to Franklin Planning Board*
10. *Letter dated September 22, 2017 from Daniel Campbell of Level Design Group, LLC to Franklin Planning Board*
11. *Alpine Green Multi-Family Housing, 116 Alpine Place, Franklin, MA, Plan Sheets, Prepared by Level Design Group, with Revision date December 9, 2017, with Received by Planning date December 11, 2017*
12. *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*
13. *Form P: Application for Approval of a Site Plan from NE Premier Properties, LLC, applicant, with Received by Planning date September 26, 2017*
14. *Certificate of Ownership with Received by Planning date September 26, 2017*
15. *CAI Property Card for 116 Alpine Place*
16. *Abutters List Request Form dated September 18, 2017, with Received by Planning date September 26, 2017*
17. *Abutters List Report dated September 19, 2017*
18. *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 they have been out to the site and performed the test pit which was the last outstanding item. They did not hit any large rocks or ledge; the soil was a type of sand which is a fairly good material for infiltration. This does not indicate that there will not be rock other places on the site; where this system is planned to be located has decent soil. They added the large trees along the rear property line to the site plan. He noted that regarding the drainage system, the rain garden could be moved as a condition of approval.

Mr. Maglio stated that his previous comments have been addressed. His last concern is the outfall for the infiltration system. Currently, it is designed with an 8-in. pipe with a drainage grate at the rear of the property which is located 10 ft. from the adjacent property line. This creates a point source discharge that does not currently exist, and which will flow onto adjacent property. Moving the rain garden would help, but there would still be runoff during rain events.

Mr. Campbell noted there will be discharge from a rain event, but they are looking at 20-30 gals. of water in a major rain event, not 1,000-5,000 gals. of water coming from this outfall.

Mr. Maglio stated that currently there is no overflow. Whatever falls on the ground, sheet flows off the property onto adjacent properties; it flows downhill. He stated the applicant's plan has less runoff coming off the site than as exists currently.

Chairman Padula, Planning Board members, Mr. Maglio, and Mr. Campbell discussed the current overflow, possible ways to take care of the overflow, the current roof area, and increased roof area.

Mr. Campbell discussed the benefit of the rain garden versus a stone trench.

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Chairman Padula requested the calculations for the current and proposed overflow and runoff.

Mr. Campbell read aloud the calculations.

Mr. Maglio confirmed the calculations were verified.

Mr. Crowley, BETA Group, stated his comments have been primarily addressed. He noted a few outstanding minor issues including, but not limited to, that he would like to see detail for the pavers proposed for the walkways, it is recommended that an arborist be consulted regarding the mature trees to make sure they will survive the installation of the wall, and revise the rain garden detail to be consistent with Massachusetts stormwater handbook.

Ms. Love stated that most of her comments have been addressed. The applicant is scheduled for Design Review tomorrow night; so, there is no recommendation from Design Review at this time. A lighting plan was not submitted. She stated she has listed her recommendations for special conditions when the Planning Board makes a decision on the project.

Mr. Campbell said there will only be lights on the physical units, no light poles.

Mr. Michael Laird, 110 Alpine Place, stated that he appreciates the overall reduction in runoff water; however, the concentration point where the new runoff will occur is at his house. A good portion of his living area is below grade. He wants to make sure his house does not flood during a heavy rain. He has never had any problem with flooding; the home is completely dry. He appreciates the addition of the two trees in the plans and that they will try to save the trees and the hedges; it will help with privacy. He asked if the residential lighting fixtures could disperse downward rather than outward so they will not shine on his house.

Mr. Campbell reviewed the proposed grading. He stated he could put a foot or so berm along that property line. Regarding the lighting, he stated it would be residential fixtures, not floodlights.

Mr. Nick DeBaggis, 115 Alpine Place, stated that many houses in Alpine Place have been purchased and remodeled and they maintain the character of the neighborhood. These plans absolutely do not match the character of Alpine Place and Milliken Avenue; occupancy load, parking, trash and privacy are great concerns.

Mr. Paul DeBaggis, stated he has looked at the current plans and most of the items he noted at the last Planning Board meeting have not been reconciled. He discussed line of sight issues; the traffic engineer he consulted stated there is still problem. He stated that the front rain gardens are now going to be used for snow storage. He would like to see something done professionally with this plan. For example, the rain garden in Unit #3 is 3 ft. into the driveway; these items keep piling up. This shows a lack of attention to detail. The plans submitted to Design Review show a door to the sprinkler room facing the street; there is a 7-ft. drop. The door should be in the rear. There are many problems. Speaking on behalf of his neighbor, Ms. Forosisky, 4 Josephine Street, who could not attend tonight's meeting, he stated that she just installed an inground pool and the water from this project is going to end up in her new pool based on the terrain. There are many items that he spoke about at the last meeting and he hopes the Planning Board will address these issues as it seems the plan is being done piecemeal.

Mr. Campbell stated the rain garden does overlap slightly and he will move it to the side. He stated the only questions from Design Review were related to the colors of the structure and where utilities entered the structure.

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Mr. Halligan stated the Planning Board's responsibility is for safety. He is concerned about drainage. The individual that lives behind this is going to be the most impacted. At the applicant's expense, he asked if they would be willing to have a home inspector inspect that home to determine that there are no sump pumps and no water issues now. So, in the event there is a problem, it will be documented.

Mr. Campbell stated that if the homeowner would allow it, they will have it done. He noted that the fire department is aware of where the fire sprinkler door is currently proposed.

Mr. Halligan noted that the homeowner was nodding his head that he would approve a home inspection of his house.

Mr. Campbell stated they are hoping for at least conditional approval from the Planning Board as per required documentation for the closing which is in the beginning of January or the sellers have the option to back out.

Chairman Padula stated that unless he has Design Review's recommendation, he does not close the public hearing, especially for a special permit. He can provide a verbal about how the Planning Board feels about the project. He will not set precedent for this.

Mr. Campbell stated a straw poll would be of some assistance.

Mr. Carroll stated he has no problems with the project as long as Design Review approves.

Mr. Halligan stated he already stated his concerns.

Mr. David stated he feels the same.

Mr. Rondeau asked when the arborist will look at the trees.

Chairman Padula stated that Mr. Campbell has received a positive nod from the Planning Board.

***Motion to Continue the public hearing for 116 Alpine Place – Alpine Green, Special Permit & Site Plan, to January 8, 2018 at 7:20 PM. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

7:10 PM      **PUBLIC HEARING** – Initial  
345 East Central Street – McDonald's  
Site Plan Modification

*Documents presented to the Planning Board:*

1. Letter dated November 28, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board
2. Memorandum dated December 13, 2017 from DPCD to Franklin Planning Board
3. Memorandum dated December 5, 2017 from Franklin Board of Health to Franklin Planning Board
4. Memorandum dated November 27, 2017 from George Russell, Conservation Agent, to Franklin Planning Board
5. Memorandum dated December 8, 2017 from G. B. McCarraher, Fire Chief, to DPCD
6. Site Development Plans for Proposed McDonald's with Drive-Thru, 345 East Central Street, Franklin, MA, Plan Sheets, Prepared by Bohler Engineering, dated November 21, 2017, with Received by Planning date November 22, 2017
7. Form P: Application for Approval of a Site Plan with McDonald's USA, LLC, applicant, with Received by Planning date November 22, 2017

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8. *Certificate of Ownership with Received by Planning date November 22, 2017*
9. *Abutters List Report dated November 14, 2017 with Received by Planning date November 22, 2017*
10. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date November 27, 2017*

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

*Mr. Halligan recused himself.*

Mr. Bill Lucas of Bohler Engineering, on behalf of McDonald's, addressed the Planning Board for renovating the McDonald's restaurant. He stated they will go before Design Review tomorrow night. He is before the Planning Board for an initial presentation to receive feedback on the proposed project. He noted it is a 1 ½ acre lot with an existing 6,000 sq. ft. building. He described the proposed exterior and interior renovations as part of McDonald's overall northeastern re-model program. This will be a clean, modern look with earth tones. There will be no changes to the access on East Central Street and minimal changes to the current parking; the current 84 spaces will be reduced to 75 spaces. Traffic flow will be maintained. Improvement will be a side-by-side drive-thru ordering to provide more efficient customer service. Interior renovations include ADA compliance items including entryways and bathrooms. He noted that signs on the building will be changed and will be slightly smaller. He stated that he believes a traffic study was not necessary for this renovation.

Mr. Maglio stated there is no increase in impervious area, so it should not affect drainage. He noted that the town bylaw requires 19 ft. deep parking spaces.

Chairman Padula stated that all parking spaces must have the stripes extended to be 19 ft. deep.

Ms. Love noted that Conservation stated it is not in their jurisdiction. The applicant has not requested any variances from the ZBA. She stated that per site plan regulations, a traffic study and lighting plan detail are required.

Mr. Rondeau noted that with the new configuration, the last parking space will require backing into the drive-thru lane.

Mr. Campbell stated that he estimates six vehicles could be queued before blocking the last parking stall.

Ms. Love stated she did not have the original approved site plan parking. She stated that 40 spaces would be required.

Chairman Padula questioned the required parking calculations. He stated that where the new ordering station is, the queueing line from Rt. 140 will be shortened and will back traffic up into the angled parking area. He does not want to see cars parked on Rt. 140 waiting to get in or have vehicles blocking the parking spaces. He expressed concern regarding the split drive-thru and the number of cars.

Mr. Lucas explained the proposed queueing area and ordering stations.

Mr. Crowley stated that BETA was not requested to review this.

Chairman Padula requested the applicant show a diagram of how six vehicles can enter the ordering/queueing area. He does not think a traffic study is needed.

Mr. David asked if there is enough room for a trailer delivery to swing through the parking area.

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Mr. Lucas stated he believes so. He said he would add no parking signs in that area.

Chairman Padula requested an exhibit showing how a trailer truck can turn on that radius and how the dumpster truck can access the dumpster site.

Mr. Lucas said this will be ready for the January 8, 2018 meeting.

***Motion to Continue the public hearing for 345 East Central Street – McDonald's, Site Plan Modification, to January 8, 2018, at 7:25 PM. Carroll. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No).***

7:15 PM      **PUBLIC HEARING** – Continued  
278, 280, & 300 West Central Street  
Special Permit & Site Plan

*Documents presented to the Planning Board:*

1. Letter dated December 6, 2017 from Ronald Muller, Ron Muller & Associates, to Franklin Planning Board
2. Letter dated November 27, 2017 from Greg Lucas, BETA Group, Inc., to Franklin Planning Board
3. Letter dated November 9, 2017 from Ronald Muller, Ron Muller & Associates, to Greg Lucas and Matt Crowley, BETA Group, Inc.
4. Documents from BETA Group, Inc.: Sweetbriar Housing, Barrington, Rhode Island
5. Document from BETA Group, Inc.: Harrisville Village, Burrillville, Rhode Island
6. Site Plan, Highland Village, 278-300 West Central Street, Franklin, MA, Plan Sheets, Landscaping, and Auto-Turn Fire Truck, Prepared by Guerriere & Halnon, Inc. dated September 26, 2017, with Revision date November 20, 2017, with No Received by Planning date

***Mr. Halligan recused himself.***

***Note: Chairman Padula activated alternate Planning Board member, Mr. Power, at the October 30, 2017, Planning Board meeting, as this public hearing is for a special permit.***

Mr. Joel D'Errico, Owner/Applicant, Mr. Ron Muller, Principal of Ron Muller & Associates Traffic Engineering and Consulting Services, and Zoning Attorney Mark Lanza addressed the Planning Board. Mr. D'Errico stated that Mr. Muller performed a traffic study of the site and has over 30 years of experience.

Mr. Muller stated the traffic study was based on 32 units; the project has since been reduced to 30 units. He reviewed the traffic study including trips during peak hours and noted the increase in traffic onto Rt. 140 is very small. The most significant recommendation regards line of sight at the driveways. He noted sight distance limitations at the western driveway, notably a stone retaining wall on the abutter's property. He recommended that said driveway be made into an entrance only driveway and all site traffic exit via the eastern driveway. He reviewed accident information.

Mr. Carroll noted that there are more accidents there than get reported.

Mr. Greg Lucas, engineer of BETA Group, stated he did the traffic review for this project. His primary points of concern were the age of the data from the original January 2016 study. The applicant provided updated data from November 2017 which showed lower traffic. The sight distance of the western driveway was also a concern; an entrance only restriction is an engineering solution. Must have

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enforcement of this condition. Along Rt. 140 the traffic would be 12-14 vehicles added. He noted that in general the study was accurately conducted. He reviewed the disruption of a vehicle blocking a lane while waiting to take a left turn.

Mr. Muller explained how the peak hours for the traffic study are determined.

Mr. Rondeau discussed traffic concerns and possible accidents.

Mr. D'Errico stated he submitted these plans to the state about one year ago and they approved.

Mr. Power asked what volume of cars would not be acceptable.

Mr. Lucas stated that it relates to the volume of Rt. 140 to determine the tipping point; it would be a significantly higher number.

Chairman Padula stated the entrance only would be on state highway and the exit would be on Franklin property. He confirmed both driveways are the same width. Has any thought been made so that no one could exit from the entrance point? He would like to find a way to make it safer.

Mr. Lucas stated this would have to be deferred to the fire department.

Mr. Edward Cannon, attorney of Doherty, Ciechanowski, Dugan & Cannon, representing JNJ Industries at 290 Beaver Street, reviewed his observation regarding the traffic study and his concerns about traffic and safety. He noted enforcement is always a problem. He urged the Planning Board to review his concerns as they evaluate the project.

Ms. Mary Lyons, 285 West Central Street, across the street from this project, noted that if there are 30 units with couples that both go to work, that is 60 cars. She does not understand how the traffic study indicates only 7 cars going in and out. The traffic situation on that street is horrendous. In 30 units there will most likely be children walking along. She has a concern about the traffic.

Chairman Padula mentioned that fire department and trash pickup for 30 units has to get in there. Everyone shops online so there will be numerous delivery trucks, FedEx, UPS, Peapod, daily. There will be vehicles entering and existing the site all day. Has all this been considered in the traffic study?

Mr. Lucas said he does not know if it was considered. Numbers used are based on typical sites with same usage. However, it may not reflect current day concerns such as shopping online deliveries. He stated the manual he used for trip generation was updated this year. He noted the trip numbers did not change overall. There is traffic throughout the day. People do not all leave for work at the same time.

Chairman Padula confirmed the only information he is getting from the traffic studies is traffic entering and existing the site during those two peak hours noted.

Mr. Rondeau asked what happens with traffic when it is being built with trucks and contractors.

Mr. D'Errico stated that they would be able to address all BETA's outstanding questions at the second Planning Board meeting in January 2018.

***Motion to Continue the public hearing for 278, 280, & 300 West Central Street, Special Permit & Site Plan, to January 22, 2018 at 7:05 PM. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

***Mr. Halligan re-entered the meeting.***



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7:20 PM      **PUBLIC HEARING** – *Continued*  
                 **9 Forge Parkway**  
                 Site Plan Modification

*Documents presented to the Planning Board:*

1. Letter dated December 14, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board
2. Memorandum dated December 14, 2017 from DPCD to Franklin Planning Board
3. Parking Improvement Plan, 9 Forge Parkway, Franklin, MA, Plan Sheets, Prepared by Condyne Engineering Group, dated December 8, 2017, with Received by Planning date December 12, 2017
4. Letter dated December 13, 2017 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board

Mr. Mark Dibb of Condyne Engineering Group, representing the owner of 9 Forge Parkway, stated that at the last meeting it was determined they needed to manage the stormwater for the site. They did some test pits and found soils to be adequate for infiltration and recharge for the project. They revised the plans and provided stormwater management calculations and submitted to BETA. BETA reviewed the plans and provided comments. Comments were also received from town planner and town engineer. He stated the applicant then revised plans to address the new comments.

Mr. Maglio stated they have not done a full review of the revised plans. He reviewed some of his comments from the original set of plans.

Mr. Crowley highlighted some of the comments from his December 13, 2017 letter. He noted that a full review of the revised plans has not been completed.

Ms. Love stated that most of her comments were addressed in the most current plan revision. They added two new lighting packs to the plan.

*Motion to Continue the public hearing for 9 Forge Parkway, Site Plan Modification, to January 8, 2018, at 7:30 PM. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Adjourn. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 8:37 PM.*

Respectfully submitted,

  
Judith Lizardi  
Recording Secretary