

**DRAFT FOR REVIEW****Town of Franklin**TOWN OF FRANKLIN  
TOWN CLERK

2018 FEB -6 A 10:47

RECEIVED

**Planning Board****January 22, 2018  
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, Gregory Rondeau, Alternate Rick Power. Members absent: William David. Also present: 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.   81-P ANR: 511 East Central Street**

*Mr. Halligan recused himself.*

Ms. Love stated this is an 81-P ANR lot at 511 East Central Street. They are combining two lots to make one conforming lot in the Commercial II Zoning District. By combining the lots, they remain in accordance with the zoning bylaws.

***Motion to Endorse the 81-P ANR, 511 East Central Street. Carroll. Second: Rondeau. Vote: 3-0-0 (3-Yes; 0-No).***

*Mr. Halligan re-entered the meeting.*

**7:05 PM        PUBLIC HEARING – Continued**  
**278, 280, & 300 West Central Street**  
**Special Permit & Site Plan**

*Documents presented to the Planning Board:*

1. Letter dated January 17, 2018 from Michael Maglio, Town Engineer, to Franklin Planning Board
2. Memorandum dated January 18, 2018 from DPCD to Franklin Planning Board
3. Letter dated January 12, 2018 from Guerriere & Halnon, Inc. to Franklin Planning Board, Ref: Town of Franklin Comments
4. Letter dated January 12, 2018 from Guerriere & Halnon, Inc. to Franklin Planning Board, Ref: BETA Group Comments from letter dated October 16, 2017
5. Letter dated January 12, 2018 from Guerriere & Halnon, Inc. to Franklin Planning Board, Ref: BETA Group Comments from letter dated October 27, 2017
6. Letter dated January 12, 2018 from Guerriere & Halnon, Inc. to Franklin Planning Board, Ref: Planning Board Comments

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7. *Site Plan, Highland Village, 278-300 West Central Street, Franklin, MA, Plan Sheets, Prepared by Guerriere & Halnon, Inc. dated September 26, 2017, with Revision date January 11, 2018, with Received by Planning date January 12, 2018*
8. *Memorandum dated January 17, 2018 from G. B. McCarraher, Fire Chief, to DPCD*
9. *Documents from BETA Group, Inc.: Sweetbriar Housing, Barrington, Rhode Island*
10. *Document from BETA Group, Inc.: Harrisville Village, Burrillville, Rhode Island*
11. *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*
12. *Memorandum dated November 22, 2017 from G. B. McCarraher, Fire Chief, to DPCD*
13. *Memorandum dated October 10, 2017 from George Russell, Conservation Agent, to Franklin Planning Board*
14. *Memorandum dated October 10, 2017 from Franklin Board of Health to Franklin Planning Board*
15. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date October 11, 2017*
16. *Narrative Highland Village Condominiums, 278-280, 300 West Central Street, Franklin, MA*
17. *Application for Approval of a Site Plan and Special Permit(s)-Two, for impervious Coverage and 30/2-bedroom units, with applicant listed as Joel D'Errico, and name of owner listed as Joel D'Errico and applicant, with Received by Planning date October 6, 2017*
18. *Application for Approval of a Site Plan and Special Permit(s)-Two, for impervious Coverage and 30/2-bedroom units, with applicant listed as Joel D'Errico, and name of owner listed as Foley Family Trust, Dennis Foley Trustee, with Received by Planning date October 6, 2017*
19. *Application for Approval of a Site Plan and Special Permit(s)-Two, for impervious Coverage and 30/2-bedroom units, with applicant listed as Joel D'Errico, and name of owner listed as John Marguerite, John Mucciarone, with Received by Planning date October 6, 2017*
20. *Certificates of Ownership (3) with Received by Planning date October 6, 2017*
21. *Special Permit Criteria Narrative with Received by Planning date October 6, 2017*
22. *Town of Franklin Board of Assessors Abutters List Request Form for Property Street Address listed as 300 West Central Street, dated September 12, 2017, with Received by Planning date October 6, 2017*
23. *Abutters List Report dated September 18, 2017*
24. *Town of Franklin Board of Assessors Abutters List Request Form for Property Street Address listed as 278 West Central Street, dated September 12, 2017, with Received by Planning date October 6, 2017*
25. *Abutters List Report dated September 18, 2017*
26. *Council Advisory Committee Letter dated September 18, 2017*
27. *Zoning Change Map*
28. *MassDOT Comment Emails (2) from Erin Kinahan, District Traffic Engineer, District 3, dated August 8, 2016 and August 19, 2016*
29. *Traffic Study from Ron Muller & Associates, prepared for Joel D'Errico, dated January 12, 2016*
30. *Fire Truck Turning Radius*
31. *Site Plan for Highland Village, 278-300 West Central Street, Franklin, MA, Plan Sheets, Landscaping, Prepared by Guerriere & Halnon, Inc. dated June 21, 2017, with No Received by Planning date*

**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.**

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*Mr. Halligan recused himself.*

Chairman Padula stated there was a request for continuance of this hearing.

***Motion to Continue the public hearing for 278, 280, & 300 West Central Street, Special Permit & Site Plan, to February 5, 2018 at 7:20 PM. Carroll. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No).***

*Mr. Halligan re-engaged in the meeting.*

*Chairman Padula called a five-minute recess.*

7:10 PM      **PUBLIC HEARING** – Initial  
70 East Central Street  
Special Permit & Site Plan

*Documents presented to the Planning Board:*

1. Letter dated January 18, 2018 from Michael Maglio, Town Engineer, to Franklin Planning Board
2. Letter dated January 18, 2018 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board
3. Memorandum dated January 18, 2018 from DPCD to Franklin Planning Board
4. Memorandum dated January 19, 2018 from G. B. McCarraher, Fire Chief, to DPCD
5. Memorandum dated January 2, 2018 from George Russell, Conservation Agent, to Franklin Planning Board
6. Site Plan, 70 East Central Street, Franklin, MA, Plan Sheets, Prepared by United Consultants, Inc., dated December 15, 2017, with Received by Planning date January 2, 2018
7. Application for Approval of a Site Plan and Special Permit(s) from 37-41 East Central Street, LLC, applicant, with Received by Planning date January 2, 2018
8. Special Permit Criteria document with Received by Planning date January 2, 2018
9. Form P: Application for Approval of a Site Plan from 37-41 East Central Street, LLC, applicant, with Received by Planning date January 2, 2018
10. Certificate of Ownership with Received by Planning date January 2, 2018
11. Abutters List Request Form dated December 19, 2017, with Received by Planning date January 2, 2018
12. Abutters List Report dated December 19, 2017
13. Franklin Planning Board Public Hearing Notice with Received by Town Clerk date January 2, 2018

*Chairman Padula recused himself.*

***Note: Vice Chairman Halligan activated alternate Planning Board member, Mr. Power, at this Planning Board meeting, as this public hearing is for a special permit.***

Mr. Brad Chaffee, Applicant, and Mr. Rick Goodreau of United Consultants, Inc., project design engineers, addressed the Planning Board. Mr. Chaffee provided an overview of the proposal for a mixed-use building for 16 residential units as well as two commercial units and parking. The commercial units and parking will be at the street level; the residential will be on the upper three floors. They are applying for a special permit for height only. They have had many meetings with Tech Review and discussed many designs. They also had many meetings with the fire chief regarding the height.

Ms. Love stated that the Conservation Agent's letter indicated the lot is not in jurisdiction. The fire chief's letter stated that the 15 ft. access around the building was sufficient to get their equipment in. She

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reviewed the Downtown Commercial Zoning District's parking requirement of 1.5 spaces per residential unit which the applicant has provided. There is no required parking for the retail and office use in the Downtown Commercial Zoning District. She noted that page 3 of the plans indicated 18 residential units. The applicant indicated 16 residential units; 16 is the maximum allowed at this site. If there are any retaining walls of 4 ft. in elevation, it is recommended that a fence be on top of those walls for safety. A full landscaping plan should be submitted with the plans. A traffic study was not provided; the Planning Board can determine if one is necessary. The applicant will be before Design Review tomorrow night. It is a historical building; therefore, they will have to go through the Historical Commission for a demolition permit for the existing house.

Mr. Crowley, BETA Group, stated they reviewed the plans and comments have been issued in his letter of January 18, 2018. He requested clarification on the plans as 18 residential units were indicated; if applicant exceeds 16 residential units it would require a special permit. He would like to see turning movements for waste collection and other vehicles. Earth removal may exceed 1,000 cu. yds. which would require a special permit from ZBA. He would like to see wheel chair ramps and concrete apron across access drive. Proposed berm should be revised to vertical curb. Screening should be provided along the entirety of the property lines that abut residential uses. He discussed stormwater issues including that the Planning Board must consider if they will allow the use of HDPE pipe. He requested additional information on the infiltration testing.

Mr. Carroll stated that the Cape Cod berm must be changed; it must be granite.

Mr. Crowley stated that the plastic pipe in the back goes behind the building across a grassed area.

Mr. Halligan asked about plastic manholes. He noted that Mr. Maglio was not present at this meeting to discuss this; he would be at the next meeting.

Mr. Goodreau explained the plastic yard drains catching some of the stormwater from the abutting property.

Mr. Rondeau stated that he could not find the snow storage on the plans. He questioned the slope of the driveway going up the hill. He asked about the sheet flow and that no runoff would go onto Rt. 140. He noted there was ledge and asked what they were proposing for blasting. He asked if the applicant would be installing retaining walls on the right side of the building.

Mr. Goodreau explained the snow storage and dumpster pad locations on the plans. He stated the slope was about five percent and then levels off. He reviewed the plans for the drainage and runoff.

Mr. Chaffee stated that right now they are planning to drill and hammer. He is hoping that they do not have to blast, and if they do, it will be just a little bit of surface blasting. He stated he hopes they do not have to go near the wall that is already there, but if so, they would replace whatever needed to be replaced to make it structurally sound. He discussed the percentage of retail and parking on the first floor.

Mr. Halligan discussed the outdoor and underneath parking spaces. He questioned the snow storage on the diagram as it looked as it was on a hill. He asked about the possible retail uses.

Mr. Goodreau confirmed there will be 16 residential and two commercial units requiring 24 parking spaces. He reviewed the location of the parking spaces.

Mr. Chaffee stated that the retail tenant would have to be a good fit considering the parking. He discussed with Mr. Halligan possible additional parking spaces.

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Mr. Goodreau stated they wanted to maximize the parking and he would lay it out to show the Planning Board before they voted.

Mr. Chaffee agreed they would not use Cape Cod berm and agreed to use vinyl rather than wooden stockade fence. He agreed to use chain link with vinyl around the dumpster.

Mr. Halligan, Mr. Chaffee and Mr. Goodreau further discussed the plans including the stairs and walkway. It was noted that the displayed building rendering was not correct. Discussion included the retaining wall, traffic, turnaround area, loading area, delivery trucks, RCP pipe, lighting, and height of the building.

Planning Board members informally agreed that a traffic study was needed.

Ms. Love confirmed the special permit was for the height only.

Mr. Chaffee confirmed they would all be two-bedroom units.

***Mr. Halligan stated that the public hearing for 70 East Central Street, Special Permit & Site Plan, would be continued to February 26, 2018 at 7:05 PM. (No motion made/No vote taken.)***

7:15 PM      **PUBLIC HEARING** – *Continued*  
                 ***14 Ruggles Street***  
                 Special Permit & Site Plan

*Documents presented to the Planning Board:*

- 1. Memorandum dated January 18, 2018 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board*
- 2. Memorandum dated January 18, 2018 from DPCD to Franklin Planning Board*
- 3. Letter regarding hearing date of February 25, 2014, from Mark Fitzgerald, Chair, Design Review Commission, to Franklin Planning Board*

***Chairman Padula recused himself.***

***Note: Vice Chairman Halligan activated alternate Planning Board member, Mr. Power, at the January 8, 2018, Planning Board meeting, as this public hearing is for a special permit.***

Mr. Dana Franco addressed the Planning Board for mixed-use apartments. He stated he had the notes regarding the Planning Board's concerns and he saw no problem with making the correct changes to appease the Planning Board. He is working with the engineering company to make all the changes on a revised site plan. Some of the issues are very simple fixes. He stated there was no problem in making a few tie-ins in the road before the town was going to do over Ruggles Street. He stated that snow storage would be moved back and put on the plans. He stated that BETA needed a little more time to review and those concerns would be addressed. He stated he had a letter from Design Review from a few years ago when he had applied; he stated that Ms. Love was not sure if it would be acceptable. He stated the plans for the building and the actual structure did not change at all; the parking area changed a little. He stated that originally, he had gone to the Zoning Board to see if he could be in strictly Residential because he did not think Commercial was going to work in this location. But, the Zoning Board stated this was zoned for mixed-use. He stated that the building has a residential look to it.

Mr. Halligan requested the applicant go back to Design Review for this.

Mr. Franco stated that was not a problem.

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Ms. Love stated that she received notification from Conservation that this was out of jurisdiction. A letter from the fire chief was received. Mr. Maglio's comments included having a space for waste disposal. A separate landscaping plan is needed. The Planning Board must decide if a traffic study is needed. She recommended that per zoning regulations that only office or retail use be on the first floor be a condition should the Planning Board decide to approve it.

Mr. Franco questioned the requirements for trees in parking lots per number of spaces.

Mr. Halligan stated he believes when abutting a residential zone, there must be a buffer between the residential and the parking. It appears the proposed curbs are against the property line. He discussed Commercial and Residential parking space requirements and required buffer; it needs to be looked into.

Ms. Love confirmed there are no parking requirements in Commercial I Zoning District.

Mr. Crowley stated that BETA is still in the process of completing the full review. A few initial comments included that applicant will need a sewer easement on the abutting property, clarification of the parking requirements is needed, coordination with DPW regarding 6 ft. concrete sidewalk will be required along frontage of property per bylaw, revision of proposed Cape Cod berm to vertical curb, clarification if any dumpsters provided on site, and additional drainage information must be provided.

Mr. Franco stated there is no granite curbing on Ruggles Street.

Mr. Halligan stated that applicant will need granite curbing internally surrounding the parking lot.

Mr. Franco discussed the granite curbing/concrete requirement and stated he had no problem. He stated he was going to move the proposed snow storage.

Mr. Halligan stated a special permit cannot be approved showing snow being removed off the property. He noted the need for trash removal for the Commercial use. He stated it should be wrapped with chain link fence with vinyl straps in it.

Mr. Franco, in response to Planning Board members' questions, stated that there will be two apartments, that the building will be 2 ½ stories, built on a pad, no basement, first floor would have office space, walk upstairs to two residential units side-by-side, both two-bedroom units, with total height of the peak off the pavement is approximately 36 ft. He stated the entire property will be wrapped in 6 ft. vinyl fence, so he does not see a problem with vehicle headlights pulling into the parking on the right side, but he can switch the location around to the left side on the revised plan.

Ms. Christine Symmes, 20 Ruggles Street, stated that on sheet 2 of 6 of the plan sheets, not much is shown of her abutting property. The back corner of her garage is not shown, nor is the fence, and this is where the applicant is showing the sewer easement will be going. Also, the back corner of her lot is about 1 ft. higher near the proposed parking lot and there is nothing shown to contain that higher area. She stated that there are many mature trees along her property line on the side and back. She believes they are her trees. She would like information as to which trees applicant plans to cut down.

Mr. Franco stated his property was staked out four years ago. He does not know where the stakes went. He thinks all the trees are Ms. Symmes.

Mr. Halligan requested the applicant have the property staked again so Ms. Symmes can see it.

Mr. Franco stated he would do that; it was not a problem.

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Ms. Symmes stated she had issues with the utility plan and she emailed the town engineer as well.

Mr. Halligan stated the applicant would not go on her property; he is only replacing on his property.

Ms. Symmes stated the sewer easement goes under her garage.

Mr. Franco reviewed the sewer details on the plans.

Mr. Halligan stated this is not a Planning Board issue; it must be worked out with the DPW. The Planning Board will want to see that the applicant has an easement before it can be approved.

***Motion to Continue the public hearing for 14 Ruggles Street, Special Permit & Site Plan, to February 26, 2018 at 7:10 PM. Carroll. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No).***

***Chairman Padula re-entered the meeting.***

7:20 PM      **PUBLIC HEARING** – Continued  
345 East Central Street – McDonald's  
Site Plan Modification

*Documents presented to the Planning Board:*

1. Letter dated January 16, 2018 from Michael Maglio, Town Engineer, to Franklin Planning Board
2. Memorandum dated January 17, 2018 from DPCD to Franklin Planning Board
3. Letter dated November 28, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board
4. Memorandum dated December 13, 2017 from DPCD to Franklin Planning Board
5. Memorandum dated December 5, 2017 from Franklin Board of Health to Franklin Planning Board
6. Memorandum dated November 27, 2017 from George Russell, Conservation Agent, to Franklin Planning Board
7. Memorandum dated December 8, 2017 from G. B. McCarraher, Fire Chief, to DPCD
8. Letter regarding hearing date of January 9, 2018, from Mark Fitzgerald, Chair, Design Review Commission, to Franklin Planning Board
9. 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 Revision Date January 10, 2018, with Received by Planning date January 11, 2018
10. Site Development Plans for Proposed McDonald's with Drive-Thru, 345 East Central Street, Franklin, MA, Plan Sheets for Proposed Stacking/Queue Length and WB-50 Truck Turn Exhibit, Prepared by Bohler Engineering, dated January 10, 2018, with Received by Planning date January 11, 2018
11. Form P: Application for Approval of a Site Plan with McDonald's USA, LLC, applicant, with Received by Planning date November 22, 2017
12. Certificate of Ownership with Received by Planning date November 22, 2017
13. Abutters List Report dated November 14, 2017 with Received by Planning date November 22, 2017
14. Franklin Planning Board Public Hearing Notice with Received by Town Clerk date November 27, 2017

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

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Mr. Bill Lucas of Bohler Engineering addressed the Planning Board for renovating McDonald's.

Ms. Love stated that most of the issues have been addressed. The applicant submitted revised plans with the concerns of the Planning Board expressed at the last meeting including the stacking lanes, truck traffic and dumpster truck. DPCD has no further comments on the project. She stated that Mr. Maglio stated that all his comments had been addressed.

Chairman Padula confirmed that on the right side of the bypass lane there will be no parking. He asked about the change in direction of the opening for the dumpster. He stated that on the approved plan it faced toward the two parking spaces. How will a front loader truck access the dumpster?

Mr. Lucas stated the front loader truck goes in the opposite direction.

Chairman Padula stated that is not very good for the truck to be going in reverse direction against the arrows. How does the truck leave?

Mr. Lucas stated his application does not address that issue.

Chairman Padula asked for a copy of the existing approved plan; he and Mr. Lucas discussed the direction of the dumpster truck. Chairman Padula stated it was never constructed as approved on the 2012 plan. Other than this issue, he does not have a problem with the plan. He stated applicant must eliminate the two parking spaces, flip it around the way it is supposed to be facing and it will be all set, and put no parking in front of the dumpster doors.

Mr. Lucas stated he would make the changes. He asked for a conditional approval.

***Motion to Approve 345 East Central Street – McDonald's, Site Plan Modification, with the acknowledgement that applicant is going to change the direction of the dumpster pad and eliminate the two parking spaces. Carroll. Second: Rondeau. Vote: 3-0-0 (3-Yes; 0-No).***

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

**General Business**

Mr. Rondeau asked Ms. Love about the subdivision going in on Maple Street. He stated there had been discussion about cutting the trees along the drainage easement. He thought it was the Planning Board's intention that a row of trees along the edge of the road would be kept. They have now clear-cut all the trees along the road for the drainage easement. He stated Tree Tech was there last week cutting them.

Ms. Love stated she would look into it.

***Motion to Adjourn. Halligan. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No). Meeting adjourned at 8:32 PM.***

Respectfully submitted,

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Judith Lizardi  
Recording Secretary



# Town of Franklin

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## Planning Board

355 East Central Street  
Franklin, Massachusetts 02038-1352

### Missed Meeting Certification

I, William Damm member of the Franklin Planning Board, do hereby certify that I have examined all evidence, including a video recording thereto, of the Planning Board meeting held on (date) January 22, 2018 for the following project:

Project name: 70 East Central St

Applicant: 3741 East Central St LLC

Application type: Special Permit + Site Plan

This certification is pursuant to G.L. Chapter 39, Section 23D accepted by the Town Council by Resolution 09-40 dated June 10, 2009.

Signature: William Damm

# Town of Franklin

Tel: (508) 520-4907

Fax: (508) 520-4906



## Planning Board

355 East Central Street  
Franklin, Massachusetts 02038-1352

### Missed Meeting Certification

I, William Dando member of the Franklin Planning Board, do hereby certify that I have examined all evidence, including a video recording thereto, of the Planning Board meeting held on (date) January 22, 2018 for the following project:

Project name: 14 Ruggles Street  
Applicant: Dana Franco  
Application type: Special Permit + Site Plan

This certification is pursuant to G.L. Chapter 39, Section 23D accepted by the Town Council by Resolution 09-40 dated June 10, 2009.

Signature: William Dando