

**DRAFT FOR REVIEW****Town of Franklin****Planning Board****July 9, 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, William David, Gregory Rondeau, Alternate Rick Power. Members absent: None. Also present: Michael Maglio, Town Engineer; Bryan Taberner, Director, Department of Planning and Community Development; Amy Love, Planner.

**7:00 PM    Commencement/General Business**

Chairman Padula announced the meeting would be video and audio recorded for the public's information.

**A.   Endorsement: 122 Grove Street – Site Plan Modification**

Ms. Love stated the Planning Board approved 122 Grove Street Site Plan Modification at the last meeting. The only change requested prior to endorsement is that the plans must show reinforced concrete around the outside of the island; the applicant has made these changes to the plans. They have added the Certificate of Vote and the Conditions of Approval on the plans.

Chairman Padula confirmed they already voted on this pending the change; all that is needed is to take a vote on endorsement.

***Motion to Endorse 122 Grove Street – Site Plan Modification. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

**B.   Discussion & Possible Vote: 278, 280 & 300 West Central Street  
*Mr. Halligan recused himself.***

Chairman Padula referenced letter dated April 26, 2018, from Mr. Mark Lanza, Attorney at Law, to Anthony Padula, Chairman, requesting the public hearing be reopened and he would make changes to the plans including number of housing units. Chairman Padula asked if any member of the Planning Board wished to take a vote on this. Mr. Carroll suggested it be recognized but take no action.

***Motion to Take No Action - 278, 280 & 300 West Central Street. Carroll. Second: David. Vote: 4-0-0 (4-Yes; 0-No).***

Chairman Padula stated this public hearing was already closed. There are two special permits to vote on: Multifamily - Chapter 185, Attachment 7, Use Regulation Schedule: Section 6.1, and Impervious Coverage - Chapter 185-36. He stated he has a request from the Town Attorney that if there are any No votes on any items, it needs to be explained why they are voting No.

Ms. Love stated she had no further comments on the project.

**DRAFT FOR REVIEW****(1) ROLL CALL VOTE to approve the Special Permit to allow multi-family residential use within the General Residential V zoning district as shown on the Plan.**

- a) Proposed project addresses or is consistent with neighborhood or Town need.  
**Padula-NO; Rondeau-NO; Power-NO; David-NO; Carroll-NO. Vote: 0-5 (0-Yes; 5-No)**  
Chairman Padula stated he voted No under density. He does not feel the density fits in with the abutting neighborhood. It is too dense for the surrounding neighborhood. The neighborhood is not one unit per 1,000 sq. ft. Mr. Rondeau stated he voted No as it was too dense for the area. Mr. Power stated he voted No due to the density of the project. Mr. David stated he voted No for the same reason; it is too dense.
- b) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.  
**Padula-NO; Rondeau-NO; Power-NO; David-NO; Carroll-NO. Vote: 0-5 (0-Yes; 5-No)**  
Chairman Padula stated he voted No as he feels the traffic internally, especially with the trash pickup and delivery, the one-way versus trying to back the truck up, the parking within the site, and the traffic flow does not fit with the density. Mr. Rondeau stated No for the same conditions as the Chairman. Mr. Power voted No for the same concerns with the traffic flow internally and externally. Mr. David voted No for the same concerns with traffic. Mr. Carroll stated that in the applicant's own statements he said they would be parking on the street and not using their own driveways; he thinks there is a problem with that.
- c) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.  
**Padula-YES; Rondeau-YES; Power-YES; David-YES; Carroll-YES. Vote: 5-0 (5-Yes; 0-No)**  
Chairman Padula stated on the public roadways the traffic study says it will work; he cannot vote No on this one.
- d) Neighborhood character and social structure will not be negatively impacted.  
**Padula-NO; Rondeau-NO; Power-NO; David-NO; Carroll-NO. Vote: 0-5 (0-Yes; 5-No)**  
Chairman Padula stated he does not feel the project fits in with the neighborhood character.
- e) Project will not destroy or cause substantial damage to any environmentally-significant natural resource, habitat, or feature or, if it will, proposed mitigation, remediation, replication or compensatory measures are adequate.  
**Padula-NO; Rondeau-NO; Power-NO; David-NO; Carroll-NO. Vote: 0-5 (0-Yes; 5-No)**  
Chairman Padula stated the significant resource that he believes this project will negatively impact will be the grading. The grading is going to subject the neighborhood to more noise from surrounding businesses. The sound and noise from abutting properties will increase because of the change in grade. Mr. Rondeau stated No with the same concerns as the Chairman. Mr. Power voted No with the same concerns the Chairman outlined. Mr. David voted No with the same concerns as the Chairman.
- f) Number, height, bulk, location and siting of building(s) and structures(s) will not result in abutting properties being deprived of light or fresh air circulation or being exposed to flooding or subjected to excessive noise, odor, light, vibrations, or airborne particulates.  
**Padula-NO; Rondeau-NO; Power-NO; David-NO; Carroll-NO. Vote: 0-5 (0-Yes; 5-No)**  
Chairman Padula stated abutting properties will be subjected to excessive noise, being the train or any other noise in the area that it has close proximity to.

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- g) Water consumption and sewer use taking into consideration current and projected future local water supply and demand and wastewater treatment capacity, will not be excessive.  
**Padula-YES; Rondeau-YES; Power-YES; David-YES; Carroll-YES. Vote: 5-0 (5-Yes; 0-No)**

The proposed use will not have adverse effects which overbalance its beneficial effects on either the neighborhood or the Town, in view of the particular characteristics of the site and of the proposal in relation to that site.

**Padula-NO; Rondeau-NO; Power-NO; David-NO; Carroll-NO. Vote: 0-5 (0-Yes; 5-No)**

Mr. Rondeau stated he voted No because it is just too much for that small area/piece of property. Mr. Power stated he voted No for the same reason. Mr. David stated he voted No for the same reason.

**(2) ROLL CALL VOTE: §185-36. Impervious Surface.**

The proposed impervious surface will not increase the stormwater runoff from the site and will not exceed 57% of the entire site.

**Padula-NO; Rondeau-NO; Power-NO; David-NO; Carroll-NO. Vote: 0-5 (0-Yes; 5-No)**

Chairman Padula stated he voted No because the impervious surface has to increase stormwater runoff. The proposed impervious surface of this project is an increase to what is there right now.

*Mr. Halligan re-entered the meeting.*

**C. Meeting Minutes: June 4, 2018 & June 18, 2018**

*Motion to Approve the June 4, 2018, Meeting Minutes. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve the June 18, 2018, Meeting Minutes. Rondeau. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).*

7:05 PM      **PUBLIC HEARING – Continued**  
                  *Senior Village Overlay District Chestnut Street*  
                  *Special Permit & Site Plan Modification*

*Documents presented to the Planning Board:*

1. *Memorandum dated July 3, 2018 from Jeffrey Nutting, Town Administrator, to Franklin Planning Board*
2. *Memorandum dated July 3, 2018 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board*
3. *Memorandum dated June 28, 2018 from DPCD to Franklin Planning Board*
2. *Letter dated July 2, 2018 from Michael Maglio, Town Engineer, to Franklin Planning Board*
3. *Memorandum dated June 26, 2018 from G. B. George Russell, Conservation Agent, to Franklin Planning Board*
4. *Project Narrative for Site Plan Modification and Special Permit for Senior Village Overlay & Impervious Coverage, Chestnut Senior Village, Franklin, MA, prepared by Guerriere & Halnon, Inc., with Received by Planning date June 22, 2018*
5. *Special Permit Application (2), Senior Village Overlay District for Chestnut Street Senior Village, March 30, 2018, Revised June 15, 2018, prepared by Guerriere & Halnon, Inc., with Received by Planning date June 22, 2018*
6. *Site Plan Modification, Chestnut Senior Village, Chestnut Street, Franklin, MA, Plan Sheets, Prepared by Guerriere & Halnon, Inc., dated March 30, 2018, with Revision date June 15, 2018, with Received by Planning date June 22, 2018*

*Chairman Padula recused himself.*

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*Note: Vice Chairman Halligan activated alternate Planning Board member, Mr. Power, at the April 23, 2018, Planning Board meeting, as this public hearing is for a special permit.*

Mr. Whittington of Whitman Homes, Mr. Donald Nielsen of Guerriere & Halnon, Inc., and Michael Hassett of Guerriere & Halnon, Inc. addressed the Planning Board. Mr. Nielsen noted he provided Planning Board members with a spreadsheet showing the progression of reducing the number of units from 33 to 27 units. He reviewed some of the items of concern to some Planning Board members. He addressed the changes to the plan. He stated they now have 31 ft. instead of 15 ft. around the back area; there is more room for fire access to get by the retaining wall. There were some changes to the end of the building to reduce the number of units. He stated the internal workings of the buildings did change. He reviewed changes including the proposed raised garden area in place of the bocce court, eliminated parking, and options for additional parking as suggested by the Housing Authority.

Vice Chairman Halligan stated the original approved plan was 5.1 acres, then the front house was added to the plan, and now they have lost .1 acres. A lot more land was added to the site so why is it still at 5 acres?

Mr. Nielsen stated some of the project was added to the front and they took out some of the wetland in the back; it is still the same number. There are 9 acres on the whole site; 5 acres are required as a minimum for the overlay portion. They still have the same five waivers. He discussed that one of the waivers involving impervious coverage pertains to the Conservation Commission. He requested Planning Board members look at Sheet 3 of 11 of the Plans, in the lower right-hand corner, regarding open space and passive recreation. He discussed the ratio of the 5 acres and wetlands is 63.3 percent; the open space for the senior village ratio is 61.0 percent. The town would like to see those numbers the other way; they would like to see 61 percent on the 5 acres. Because it is not this way or equal, the Conservation Commission has to agree that the area of wetland plus the other 4 acres meets the standard. He stated it is a little confusing. The minimum open space is 30 percent of the 5 acres which is 1.5 acres. Of that 1.5 acres, 40 percent must be passive or active recreation. He stated they have more than that; they have 1.5 acres. The passive recreation is in the wetlands. Looking at the regulations for the senior village, they have a very high opinion of leaving and using the wetlands as part of this. There will be times the wetland can be walked in and times it cannot be walked in. He stated there is some water there; it is not a dry wetland.

Mr. Whittington stated the bylaw considers wetlands to be primary open space.

Mr. Nielsen stated the dark green area on the plan is the wetland, the undisturbed area. He reviewed and explained the required 5 acres on the plan. He stated 1.5 acres of open space is required within the 5 acres. He pointed out the 39,000 sq. ft. of passive recreation open space area. He stated there can be percentages of wetlands within the open space. There are 25,000 sq. ft. of active recreation.

Mr. Rondeau stated the new plan brings up the structures and paving to a much higher percentage.

Mr. Nielsen explained there is a cap on the parking. They do not require a number of parking spaces per unit, but they do cap the maximum number of parking spaces. The maximum number of spaces on this site is 50; the original approved plan was 20. The plan done in May was 42; we are now down to 33 and if the Planning Board wants to add back four spaces, it could be done to go up to 37 spaces. He confirmed the house is part of the application; it will become part of the condo. There are 26 units plus the single-family home. There are two existing spaces in the driveway off Chestnut Street for the home. He stated if the Planning Board wants 1.5 parking spaces per unit, they have to remove some of the recreation area.

Vice Chairman Halligan stated the Housing Authority voted to recommend this, but they recommended six more parking spots.

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Mr. Whittington stated he had the meeting with the Housing Trust; they did not think the bocce court would ever be used. They thought that would be a good area to add more parking. He noted the size of the building and the parking were reduced; therefore, the impervious area should have gone down.

Mr. Nielsen agreed and stated it was a typo; he does not have a correct number. He stated he will update the number when the plans are submitted on Friday. If they are going to add parking, they will further adjust the number. He asked if the Planning Board wanted the parking added as recommended by the Housing Authority.

Ms. Love stated the Planning Board typically likes to see reinforced concrete or granite curbing; the type of curbing going to be used should be clearly labelled throughout the site. The applicant has not provided a lighting plan; they are showing lights along the driveways and there are houses that abut on both sides. BETA is still reviewing the traffic study the applicant provided. BETA was unable to make the meeting tonight; they provided a preliminary overview. The plans also show a retaining wall blocking the fire entrance and going along the side of the parking lot; that should be clarified. She confirmed there are 26 units with one single-family house.

Mr. Nielsen stated that is not a retaining wall. He confirmed there are two bedrooms in the single-family house.

Mr. Hassett explained where the retaining wall is located; there is no retaining wall blocking the fire access.

Mr. Maglio stated Ms. Love touched on many of the comments. He pointed out the fire lane around the back of the building is 12 ft. wide. He stated they are proposing to construct that with grass pavers. He has concerns with the 15 percent slope on either end; he would like to get some feedback from the fire chief of that. He would like to see some elevations listed on the plans for the retaining wall.

Vice Chairman Halligan asked the applicant how they feel about the suggested pricing.

Mr. Whittington stated the affordable prices were difficult to swallow; he does understand how they obtained those prices. They have not reached a conclusion, but they will be close.

Vice Chairman Halligan stated he respects that the applicant went from 33 to 27 units. He does not count the home as part of this product. So, they are down to 26 units. He asked how the Planning Board members feel about this project.

Mr. Rondeau stated he would like to see a few less units if possible. Give the fire access road a little more space. It seems wedged in there. It is a very dense project for a small parcel.

Mr. Carroll questioned and discussed the active and passive open space, where the parking spaces were lost, and where the units were eliminated.

Planning Board members discussed the need for parking versus the bocce court and horseshoe pit.

Mr. Nielsen stated they could use the 1.5 parking spaces per unit.

Vice Chairman Halligan reminded the Planning Board members this is for a special permit and he wanted to give some direction to the applicant.

Mr. Carroll stated that other than the parking, he is okay with the plan.

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Mr. Rondeau stated he thinks it is a lot of units for a little piece of land wedged in there; it is a tight sight.

Mr. Nielsen discussed snow storage.

Vice Chairman Halligan asked the applicant if there was any possibility to reduce the number of units.

Mr. Whittington stated financially it would be difficult.

Mr. Power stated that based on the need for senior housing, he thought this was a good tradeoff.

Mr. Whittington stated if they could go to a fourth story, they could reduce the footprint size.

Mr. Nielsen stated that would require a variance through the Zoning Board of Appeals. There are only a few four-story buildings in town. He discussed where additional parking spaces could be added.

Mr. Carroll stated he would like to see the parking instead of the bocce court.

Vice Chairman Halligan asked if it would be possible to do a prototype of reducing the project by a couple of units.

Mr. Whittington stated the Conservation Commission is scheduled for Thursday.

***Motion to Continue the public hearing for Senior Village Overlay District Chestnut Street, Special Permit & Site Plan Modification, to July 23, 2018, at 7:20 PM. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

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

**Chair and Member Comments**

Chairman Padula stated that in regard to General Business Item B. Discussion & Possible Vote: 278, 280 & 300 West Central Street he wanted to mention and add to the meeting minutes in reference to the No vote that in the Planning Department concerns and also the Planning Board concerns a grading easement was never submitted to the town for that site which was supposed to be submitted before the close of the hearing.

7:10 PM      **PUBLIC HEARING** – *Initial*  
                  **Zoning Bylaw Amendments**  
                  18-810 Solar and Accessory Definitions  
                  18-811 Accessory Building and Structures  
                  18-812 Use Regulation – Ground Mounted Solar

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

1. *Franklin Planning Board Public Hearing Notice for Zoning Bylaw Amendment 18-810 with Received by Town Clerk date June 11, 2018*
2. *Franklin Planning Board Public Hearing Notice for Zoning Bylaw Amendment 18-811 with Received by Town Clerk date June 11, 2018*
3. *Franklin Planning Board Public Hearing Notice for Zoning Bylaw Amendment 18-812 with Received by Town Clerk date June 11, 2018*
4. *Memorandum dated May 15, 2018 from Bryan Taberner, AICP, Director, to Jeffrey Nutting, Town Administrator, RE: Zoning Bylaw Amendments for Ground-Mounted Solar Energy Systems and Related Issues*

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***Motion to Waive the Readings for Zoning Bylaw Amendments 18-810 Solar and Accessory Definitions, 18-811 Accessory Building and Structures, and 18-812 Use Regulation – Ground Mounted Solar. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

Mr. Bryan Taberner stated the Department of Planning and Community Development was asked to develop regulations for ground-mounted solar systems. He stated they went through what was currently available for accessory use and things of that nature. They realized they really needed to rewrite some sections of 185-19, Accessory Uses and Structures, add definitions into the zoning bylaw, and add into the Zoning Use Tables for the different sized solar panels. As a result, there are three zoning bylaw amendments. He reviewed each amendment. Regarding Zoning Bylaw Amendment 18-810 Solar and Accessory Definitions, he stated they made wording changes including adding three solar-related definitions for small, medium and large-scale systems. Regarding Zoning Bylaw Amendment 18-811 Accessory Building and Structures, he stated it is really a complete rewrite of 185-19. He discussed setbacks and height regulations, and a change to the section on signs. He explained the differences between accessory and primary uses. Regarding Zoning Bylaw Amendment 18-812 Use Regulation – Ground Mounted Solar, he reviewed the uses added into the Use Regulation Schedule.

Mr. Carroll asked about the actual sizes referred to as small, medium and large-scale.

Mr. Taberner reviewed the definitions for each size. He stated these definitions came from the state.

***Motion to Recommend to the Town Council Zoning Bylaw Amendments 18-810 Solar and Accessory Definitions, 18-811 Accessory Building and Structures, and 18-812 Use Regulation – Ground Mounted Solar. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:15 PM      **PUBLIC HEARING** – *Continued*  
                  **45 Forge Parkway - YMCA**  
                  Site Plan Modification

*Documents presented to the Planning Board:*

1. *None.*

Chairman Padula stated the applicant requested continuance to July 23, 2018.

***Motion to Continue the public hearing for 45 Forge Parkway – YMCA, Site Plan Modification, to July 23, 2018, at 7:25 PM. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:20 PM      **PUBLIC HEARING** – *Continued*  
                  **Zoning Bylaw Amendments**  
                  18-805 Commercial I Parking Requirements

*Documents presented to the Planning Board:*

1. *Memorandum dated April 23, 2018 from Bryan Taberner, AICP, Director, to Jeffrey Nutting, Town Administrator, RE: Zoning Bylaw Amendment 18-805*

Mr. Taberner stated the Economic Development Committee approved what was in front of them and sent to the full Town Council. At the next meeting, the Planning Board will have that bylaw in front of them. Town Council did put off a decision on this one. Mr. Taberner stated the Planning Board can wait for that to come back, or he can provide an overview of the actual height regulations that are being proposed. Right now, the amendment being drafted and sent to the Town Council relates to four different zoning districts: Downtown Commercial, CI, CII, and Business for heights of buildings. He reviewed the changes for each zoning district and when a special permit would be required. He also reviewed related

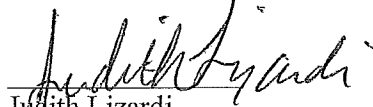
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parking requirements for these zoning districts. He stated there would also be changes in the wording to improve readability.

*Motion to Recommend to the Town Council Zoning Bylaw Amendment 18-805, Commercial I Parking Requirements. Carroll. Second: Rondeau. Vote: 4-0-1 (4-Yes; 0-No; Abstain-1). Mr. Halligan abstained.*

*Motion to Adjourn. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 8:24 PM.*

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Judith Lizardi", written over a horizontal line.

Judith Lizardi

Recording Secretary