

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

2018 OCT 16 A 9:29

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Planning Board**September 10, 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; 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. Limited Site Plan Modification: 620 Old West Central Street

Chairman Padula stated the applicant is requesting continuance to September 24, 2018.

Motion to Continue Limited Site Plan Modification, 620 Old West Central Street, to September 24, 2018. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

B. Limited Site Plan Modification: 60 Earl's Way

Ms. Love stated the applicant does not appear to be in the attendance. She stated applicant did submit plans to be on the agenda. If the Planning Board would like to discuss it, she could relay any concerns to the applicant. Or, the Planning Board could vote on it. Ms. Love stated applicant was before the Planning Board several months ago to add a 22' x 79' addition where the loading docks are currently. This abuts residential use land which requires a variance from the ZBA; ZBA granted the variance on July 19, 2018. Applicant has requested two waivers for parking spaces and dumpsters. She noted the applicant will be closing in the current loading dock area.

Mr. Halligan requested additional information.

Chairman Padula stated he thinks it is for granite storage. He stated they added the addition but took away the snow storage area. He asked if any slurry traps were added and what they were going to do with the slurry. He confirmed the proposed dumpster is open and it does not have any proposed fencing. It would be nice to have someone here to answer these questions.

Mr. Halligan asked if any garage doors were proposed for the addition.

Mr. Maglio questioned what would happen to the drainage trench in the loading dock area and how they were going to treat the rooftop runoff. The impervious area did not increase.

Chairman Padula asked Ms. Love to confirm the actual use; he thinks it is for granite.

Mr. Carroll requested a fence be put around the dumpster.

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Chairman Padula agreed and noted it is abutting residential property.

Motion to Continue Limited Site Plan Modification, 60 Earl's Way, to September 24, 2018. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

C. 81-P ANR: September Drive – Countryside Estates

Ms. Love stated the applicant submitted a Form A application for 81-P ANR Plan Review to create a non-buildable lot. The accurate amount of frontage still remains for the buildable lot.

Chairman Padula asked what happens to Parcel A after it gets deeded to the Town.

Mr. Joel D'Errico stated it will get deeded to the Town or it will go to the people who abut it.

Motion to Approve 81-P ANR, September Drive – Countryside Estates. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

D. Discussion: 278-300 West Central Street

Mr. Halligan recused himself.

Mr. Joel D'Errico, owner/applicant, and Mr. Mark Lanza, attorney representing the applicant, addressed the Planning Board.

Ms. Love stated the applicant has submitted a conceptual plan reducing the number of units, increasing the snow storage, and reducing the amount of visitor parking. This is based off a special permit that was denied by the Planning Board. She stated she provided the Planning Board with a letter from the Town Attorney that no action or decision should be taken on the conceptual plan without a public hearing; the Planning Board may have discussion on it tonight.

Mr. Lanza stated the applicant is not seeking a decision. He described the changes which included a reduction in the number of dwelling units from 30 to 25; this is a 17 percent reduction. He stated impervious coverage was reduced from 55 percent to 48 percent; this is a 13 percent reduction. He noted the application can only be acted upon again if the Planning Board votes approval by four-fifths vote that there have been material and significant changes. He stated the above noted changes are significant. He noted the snow storage area has been increased. He would like feedback from the Planning Board.

Chairman Padula stated he is not going to give any feedback tonight; he is going to table this so the Planning Board members have a chance to look at it and decide what they are going to do and if it is a significant change or not. He noted the applicant added chain link fences and asked if those are existing or proposed. He stated this will be tabled until September 24, 2018 and put back on the agenda under General Business, Item C. Planning Board members informally agreed.

Mr. Halligan re-entered the meeting.

E. Endorsement: 471 West Central Street – Limited Site Plan Modification

Ms. Love stated on August 8, 2018, the Planning Board approved a change of use removing an approved restaurant and adding a nail salon and medical office. They are here for endorsement.

Chairman Padula stated there are still two more places to occupy.

Ms. Love confirmed the applicant would have to return to the Planning Board for those.

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Motion to Endorse 471 West Central Street, Limited Site Plan Modification. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

F. Endorsement: 116 Alpine Place - Site Plan

Ms. Love stated the applicant was before the Planning Board at the last meeting. The Planning Board approved the Site Plan Modification and Special Permit on August 20, 2018. The applicant had removed two units based on an appeal from the abutter. The applicant has added the Certificate of Vote and Special Conditions of Approval to the plans. They are requesting endorsement.

Chairman Padula confirmed the applicant is removing the sidewalk as one was put on the other side of the street.

Motion to Endorse 116 Alpine Place, Site Plan. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

G. Endorsement: Timberline Estates – Subdivision Modification

Ms. Love stated the Planning Board approved the Subdivision Modification on August 6, 2018; the applicant is requesting endorsement.

Chairman Padula asked if the two parcels to be conveyed were noted on the plans.

Ms. Love stated it was not that they were to be conveyed, rather a restriction as noted on the second page of the plans.

Chairman Padula, after reviewing, confirmed it was taken care of.

Motion to Endorse Timberline Estates, Subdivision Modification. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

H. 81-P ANR: 100 Financial Park

Ms. Love stated the applicant is breaking off Lot 4B that was part of the original outlined area and is proposing to create a non-buildable lot.

Mr. Halligan asked what the purpose of cutting out five acres and making it a non-buildable lot was.

Ms. Love stated as she understood it the original intention was to give it to the Town. She guessed that at this time they really do not have use for it.

Planning Board members discussed the proposed non-buildable lot and the location.

Motion to Authorize the signing of the 81-P ANR, 100 Financial Park. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – Initial
 90 Hayward Street
 Site Plan Modification – Change in Use

Documents presented to the Planning Board:

1. Memorandum dated August 30, 2018 from DPCD to Franklin Planning Board
2. Letter dated August 13, 2018 from Michael Maglio, Town Engineer, to Franklin Planning Board
3. Memorandum dated August 14, 2018 from George Russell, Conservation Agent, to Franklin Planning Board

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4. *Memorandum dated August 17, 2018 from G. B McCarraher, Fire Chief, to DPCD*
5. *Site Plan Modification & Change of Use Plot Plan, Franklin, MA, Plan Sheet, prepared by Guerriere & Halnon, Inc., dated August 16, 2018, with Received by Planning date August 16, 2018*
6. *Form P: Application for Approval of a Site Plan with applicant listed as Mary Catherine Alexander, Timeless CrossFit and Fitness Inspiration, LLC with Received by Planning date August 10, 2018*
7. *Certificate of Ownership with Received by Planning date August 10, 2018*
8. *Abutters List with no date*
9. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date August 20, 2018*

Motion to Waive the Reading. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Mr. Halligan recused himself.

Ms. Amanda Cavaliere, Guerriere & Halnon, Inc., and two applicants associated with Timeless CrossFit addressed the Planning Board. Ms. Cavaliere stated they are proposing a change in use. It is an existing approximately 90,000 sq. ft. area that was previously a manufacturing building. They would like to turn it into a CrossFit recreational area. The hours of operation would be typically 5:30 AM to 7:30 PM. The maximum would be 10 people at any one time during the day. The required parking is 11 spaces; they currently have 17 spaces onsite. No exterior changes are proposed to the property itself.

Ms. Love confirmed the applicants are proposing a change of use for the building. She stated she recommends restriping the parking spots along the building as they are faded. The applicants have not proposed any signage; if they do, they would need to go to Design Review.

Mr. Maglio stated this is just a change of use; he has no comments.

Chairman Padula stated the parking requirements are based on occupancy; applicant indicated maximum occupancy of 10 people which would require 8 spots.

Ms. Cavaliere discussed the parking spots and the type of establishment CrossFit is.

Applicants discussed the maximum number of people in their classes at any one time.

Chairman Padula discussed the possible overlap of vehicles when one class ends and another begins.

Applicant explained there are gaps between classes.

Chairman Padula stated that right now there is a problem there with people parking on the street from the dance studio. He noted it is one site and they are trying to separate the parking; in reality, it is not going to happen.

Applicant stated there is a fence that works to separate the two facilities' parking. They will use the back parking lot.

Chairman Padula and Planning Board members discussed parking, signage, cars parked on the street, and that Gus Brown should investigate the dance studio's parking. Chairman Padula stated he wants to make sure there is enough parking; he would prefer to talk to the owner rather than the applicants about the parking. He suggested signage to indicate CrossFit parking in the rear; there should be some kind of control over the parking.

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Motion to Close the public hearing for 90 Hayward Street, Site Plan Modification, Change in Use. Carroll. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No).

Motion to Approve 90 Hayward Street, Site Plan Modification, Change in Use. Carroll. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No).

Mr. Halligan re-entered the meeting.

Chairman Padula requested a note go to Gus Brown indicating a problem with parking on the street for the dance studio.

7:10 PM **PUBLIC HEARING** – *Initial*
 162 Grove Street
 Site Plan Modification – Change in Use

Documents presented to the Planning Board:

1. Memorandum dated September 5, 2018 from DPCD to Franklin Planning Board
2. Letter dated September 5, 2018 from Michael Maglio, Town Engineer, to Franklin Planning Board
3. Memorandum dated August 21, 2018 from George Russell, Conservation Agent, to Franklin Planning Board
4. Letter with no date from Linda Waters and Linda Noel, Terrapin Holistic Cooperative, to Amy Love, Town Planner
5. Letter dated August 16, 2018 from Amanda Cavaliere, Guerriere & Halnon, Inc., to Amy Love, Town Planner
6. Site Plan Modification & Change of Use Site Plan, 162 Grove Street, Franklin, MA, Plan Sheet, prepared by Guerriere & Halnon, Inc., dated August 16, 2018, with Received by Planning date August 16, 2018
7. "Doering Equipment Co." Site Plan of Land in Franklin, MA, dated April 8, 1987, with No Received by Planning date
8. Form P: Application for Approval of a Site Plan with applicant listed as Terrapin Holistic Cooperative, LLC with Received by Planning date August 16, 2018
9. Certificate of Ownership with Received by Planning date August 16, 2018
10. Abutters List with no date
11. Franklin Planning Board Public Hearing Notice with Received by Town Clerk date August 20, 2018

Motion to Waive the Reading. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Ms. Amanda Cavaliere, Guerriere & Halnon, Inc., and Linda Noel and Linda Waters of Terrapin Holistic Cooperative addressed the Planning Board. Ms. Cavaliere stated they are proposing a change in use to construct three (3) 48' x 30' greenhouses that will be seasonal to grow hemp, and a 50' x 100' open, raised bed garden in the Water Resource District of the property to be utilized to grow miscellaneous organic vegetables and herbs. She described these locations on the plans. Currently, the property has a wood framed two-story house and steel framed warehouse on approximately four acres. It is zoned Industrial and the back area is part of the Water Resource District. They are proposing to start up a hemp growing facility; everything will be grown onsite.

Ms. Waters stated it will all be wholesale; medical dispensaries would be purchasing it.

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Ms. Love stated letters were received from Conservation Commission and Town Engineer. Applicants are providing 28 parking spaces; they only need 14. They have not shown any handicapped parking on the Limited Site Plan; she recommended the applicants add that. If they are going to do signage, they need to go to Design Review.

Mr. Maglio stated there is no proposed increase in impervious area on the site. He also noted the lack of handicapped parking spaces.

Ms. Waters stated they did three Tech Reviews to prepare for this. Because the building is not opened to the general public, handicapped parking was dismissed. But, if it is a concern, they would be happy to address it as they have plenty of parking spaces.

Chairman Padula stated there is handicapped parking on every site; it is the law. A person who is handicapped may, for instance, be hired to work there.

Ms. Waters stated they would add two handicapped spaces and described the location.

Mr. Halligan stated anytime there are garage overhead doors, floor drains must be installed. Or, steel bollards must be installed in front of the door so no trucks would ever be able to back a truck into it. He asked to have the process of growing and taking away product from the facility explained.

Ms. Cavaliere stated there were bollards on the plans.

Ms. Noel explained that after the material is grown and processed, it will be packed for the customer and walked out to the customer's vehicle.

Ms. Waters explained the difference between hemp and marijuana. Using the plan shown on the easel, she explained the growing and delivery process of the product, as well as the location of each activity in the facility and on the site. She stated the total number of employees for the coop is 18. She stated there will probably be five employees in the offices and five in the grow space. She stated there would be onsite 24-hour security.

Mr. Halligan reiterated he wants to make sure this applicant is following the same requirements that other applicants have been made to do including floor drains in open bays that can be driven into and handicapped bathrooms. His questions included, but were not limited to, the odor of the plants, building sprinklers and waste water.

Ms. Waters and Ms. Noel responded to the questions/concerns. Ms. Waters said the hemp plant does not smell; an odor scrubber would not be needed. She said the grow houses would be sealed and secured. Ms. Noel said each grow house will have a charcoal filtered air exhaust system. Ms. Waters stated all facilities have sprinklers and fire protection has just been updated. She gave a review of the health benefits of hemp. She stated they wanted so much security because there is a marijuana dispensary close by; they do not want any trouble. Ms. Noel said they are using organic soil; no fertilizers will be used.

Chairman Padula confirmed Ms. Noel currently had a growing area on Lincoln Street and she has a growing license. He expressed concern about the seeds and the process of how they are to be issued to the licensed person.

Ms. Noel said she has four locations on one license; she reviewed her locations and square footage. She explained where she obtains the seeds and that the seeds have to be certified.

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Chairman Padula and Ms. Noel discussed the law and the size of the plants to be considered hemp versus marijuana.

Mr. Halligan stated this sounds like it is a controlled substance in some manner; he asked if there is any licensing required by the Town of Franklin for this.

Chairman Padula stated it is under the agriculture resource; if they can farm tomatoes, they can farm hemp.

Ms. Love stated they cannot grow within 200 ft. of residential; there is no residential within 200 ft. of the Marijuana Overlay District.

Chairman Padula requested bollards around the green houses so trucks do not back into them. He noted the onsite drainage eventually flows into the water resource area. He said they are required to post a sign that it is a grow area with a license.

Motion to Close the public hearing for 162 Grove Street, Site Plan Modification, Change in Use. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve 162 Grove Street, Site Plan Modification, Change in Use. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:15 PM **PUBLIC HEARING** – Continued
Chestnut Senior Village
 Special Permit & Site Plan Modification

Documents presented to the Planning Board:

1. *Letter dated September 6, 2018 from Michael Maglio, Town Engineer, to Franklin Planning Board*
2. *Memorandum dated September 4, 2018 from Matthew Crowley, BETA Group, Inc., to Anthony Padula, Chairman Franklin Planning Board*
3. *Letter dated September 4, 2018 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board*
4. *Memorandum dated September 4, 2018 from George Russell, Conservation Agent, to Franklin Planning Board*
5. *Memorandum dated September 5, 2018 from DPCD to Franklin Planning Board*
6. *Open Space Management Plan, Exhibit "A" prepared by Guerriere & Halnon, Inc., with Received by Planning date April 2, 2018*
7. *Letter dated August 23, 2018 from Amanda Cavaliere, Guerriere & Halnon, Inc., to BETA Group, Inc., Ref: BETA Group Inc. Comments*
8. *F-3183-5, 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 Revised date July 26, 2018; with Received by Planning date July 26, 2018*
9. *Letter dated July 16, 2018 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board*
10. *Memorandum dated July 3, 2018 from Jeffrey Nutting, Town Administrator, to Franklin Planning Board*
11. *Memorandum dated July 3, 2018 from Matthew Crowley, BETA Group, Inc., to Amy Love, Town Planner*
12. *Memorandum dated June 28, 2018 from DPCD to Franklin Planning Board*
13. *Letter dated July 2, 2018 from Michael Maglio, Town Engineer, to Franklin Planning Board*

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14. *Memorandum dated June 26, 2018 from George Russell, Conservation Agent, to Franklin Planning Board*
15. *F-3183-5, Project Narrative prepared by Guerriere & Halnon, Inc., with No date, with Received by Planning date June 22, 2018*
16. *F-3183-5, Special Permit Application for Senior Village Overlay District for Chestnut Street Senior Village, to allow construction of 27-units for senior housing, dated March 30, 2018, Revised June 15, 2018, prepared by Guerriere & Halnon, Inc., with Received by Planning date June 22, 2018*
17. *Open Space Management Plan, Exhibit "A" prepared by Guerriere & Halnon, Inc., with No date, with Received by Planning date June 22, 2018*
18. *Site Plan Modification, Chestnut Senior Village, Chestnut Street, Franklin, MA, Plan Sheets, prepared by Guerriere & Halnon, Inc., with Revised date August 23, 2018, with Received by Planning date August 27, 2018*

Chairman Padula recused himself.

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.

Ms. Amanda Cavaliere, Guerriere & Halnon, Inc., representing Whitman Homes, addressed the Planning Board. She stated they have been in front of the Planning Board several times. They have received final comments from the Town as well as BETA. They understand this meeting will be continued to the next meeting because they still need to go to ZBA for a waiver request for the impervious area in the Water Resource District. She reviewed some of the outstanding issues/concerns in the comment letter from BETA and requested feedback from the Planning Board on the requested waivers.

Ms. Love reviewed some of the items the applicant has completed and some of the outstanding items the Planning Board had requested which included color renderings which have not been submitted, final letter from fire chief which is not yet submitted, a plan without waivers, and a long-term maintenance plan for the open space management. She stated she listed several special conditions the Planning Board may want to consider when they are ready to make a decision, especially the price of the affordable units.

Mr. Maglio stated all their previous comments have been addressed. He noted on the latest stormwater calculations there is a slight difference on pre and post-construction; it may easily be corrected. He requested clarification on the sidewalk material.

Ms. Cavaliere responded to Mr. Maglio's sidewalk material concern.

Mr. Matthew Crowley, BETA, stated the majority of their comments have been addressed. He brought a few items to the attention of the Planning Board including that some portions of the southeast parking area are unlit, the granite curb radius proposed at the entrance to the site makes it difficult to tie in their proposed sidewalk to the Town's sidewalk, the zoning bylaw requires easement documents for the proposed open space, Conservation Commission must determine the adequacy of the open space management plan, and the zoning bylaw requires shade trees to be provided in the parking lot—applicant has proposed nine where 26 are required.

Ms. Cavaliere responded to Mr. Crowley's comments. She stated they anticipate a color rendering by the end of the week. They received a letter this afternoon from the fire chief. They made a change to the fire access to have a grade no greater than 8 percent. They have discussed the open space management plan with the Conservation Commission and they have special conditions. Regarding DPW comments, the drainage calculation increase was insignificant in terms of the tolerance rate of the adequacy of the program. They will deal with the granite curbing concern in the field. They understand the tree

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requirements; they did not want to add additional trees to create additional leaves in the fall season to the abutting neighbors.

Mr. Carroll stated the Planning Board has asked from day one for a plan as to what can be put on this property without waivers. He wants to see this.

Mr. Rondeau stated he agreed with Mr. Carroll.

Ms. Cavaliere said this must have been missed; they will take a look at this. She stated this is costly. She asked how this benefits the Planning Board and the client.

Vice Chairman Halligan explained that the first two waivers seem to be already taken care of. He stated Mr. Nutting provided a letter indicating there is a need for the affordable component. The second waiver regards the frontage requirement. This product was already approved by the Planning Board; now the applicant has more frontage than the existing permitting. He stated these units are for seniors only; they will be definitely needed. He reviewed the remaining two waivers. They have to look at how much the project would change on those two waivers. He discussed waivers in general. He noted there was a lot of talk about concrete curbing.

Ms. Cavaliere confirmed there is no cape cod berm.

Mr. Rondeau asked about the trees and site distance.

Mr. Crowley stated the applicant meets site distance.

Vice Chairman Halligan noted the ZBA decision has a 20-day appeal period.

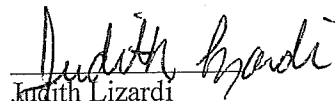
Ms. Love stated the Planning Board can close the public hearing at the next meeting; new information could not be accepted after the hearing is closed.

Vice Chairman Halligan reviewed what is needed by the applicant at the next hearing.

Motion to Continue the public hearing for Chestnut Senior Village, Special Permit & Site Plan Modification, to September 24, 2018, at 7:05 PM. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Adjourn. Carroll. Second: David. Vote: 4-0-0 (4-Yes; 0-No). Meeting adjourned at 8:41 PM.

Respectfully submitted,


Judith Lizardi
Recording Secretary

