

Town of Franklin



TOWN OF FRANKLIN
TOWN CLERK

2019 APR 23 P 2:48

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Planning Board

March 11, 2019
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. Endorsement: Franklin Country Club

Ms. Love stated that the Planning Board approved the Limited Site Plan on February 11, 2019. The applicant has included the Certificate of Vote on the plans and they are ready for endorsement.

Motion to Endorse Franklin Country Club. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

B. Meeting Minutes: February 11, 2019 & February 25, 2019

Motion to Approve the Meeting Minutes for February 11, 2019. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve the Meeting Minutes for February 25, 2019. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Chairman Padula stated the meeting would resume in four minutes.

7:05 PM PUBLIC HEARING – Initial
Washington Street - Amego
Site Plan

Documents presented to the Planning Board:

1. *List of Phase I, II, and III for Construction and Sketch of Buildings for Amego School Campus, Washington Street, Franklin, MA, dated January 23, 2019, with No Received by Planning date*
2. *Memorandum dated March 6, 2019 from DPCD to Franklin Planning Board*
3. *Letter dated March 6, 2019 from Michael Maglio, Town Engineer, to Franklin Planning Board*
4. *Letter dated February 27, 2019 from George Russell, Conservation Agent, to Franklin Planning Board*
5. *Memorandum dated February 15, 2019 from G. B. McCarraher, Fire Chief, to DPCD*
6. *Form P: Application for Approval of a Site Plan with applicant listed as Amego, Inc. with Received by Town Clerk date March 4, 2019*
7. *Certificate of Ownership with Received by Town Clerk date March 4, 2019*
8. *Abutters List Report dated January 26, 2019*
9. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date February 14, 2019*

10. Site Plan of Land in Franklin, MA, Washington Street, prepared by Quinn Engineering, Inc., dated February 1, 2019, with Received by Planning date February 4, 2019

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

Mr. Edward Cannon, Attorney on behalf of the Amego School, Mr. Bill Masciello, Architect, and Mr. Chris Keenan of Quinn Engineering addressed the Planning Board. Mr. Cannon noted that Ms. Alice Webb, Landscape Architect of Earth Design, was also present. Mr. Cannon provided an overview of the project. He stated that Amego Schools are a leader in the education of those with autism spectrum disorder and other developmental disabilities. They are here tonight for a companion facility to the Amego School on 122 Grove Street to provide residential facilities for the students.

Mr. Keenan stated the project proposes six new residences with six to seven bedrooms each, along with a small maintenance facility for the building, and an agriculture building that is a multi-purpose space for the students to use in their studies. The site is proposed to be accessed by a loop road off Washington Street with two access points. He reviewed the access and parking as shown on the provided diagram. The parking for the facility is 24 spaces; the business needs of the Amego School dictate a higher parking load. They have proposed 44 parking spaces for staff and residents which includes 13 handicap accessible spaces along with six additional spaces for guests and six additional overflow spaces. All utilities would be serviced from Washington Street. Water would service the site via a looped water main. There would be an onsite community septic system. The stormwater design is a full low-impact design with no curbs, no catch basins, and no manholes, with the exception of one manhole for the transfer of water from one basin to another.

Mr. Maglio stated he reviewed the plans and had some comments on drainage and utilities. He discussed some of the key comments from his letter dated March 6, 2019, including that in addition to evaluating the runoff rates, the volumes also need to be evaluated to verify no increase for the post-development conditions. Proposed invert elevations for drainage pipe and structures should be labeled on the plans. All water main and service materials and methods of construction shall be in accordance with DPW standards.

Ms. Love stated that the applicant will need to go through Design Review Commission and file with them. A traffic study has not been provided if the Planning Board is going to require one. She is still waiting for the advertising and legal fee to be paid to the Town. BETA's fees were received today.

Chairman Padula asked if this would have a conventional drainage system and where the snow storage was.

Mr. Maglio explained the proposed drainage. He noted it is a private site so the Town will not be maintaining any of it.

Mr. Keenan reviewed the areas on the plan designated for snow storage.

Chairman Padula stated the Planning Board has never approved an all swale drainage system. They always want to see a conventional system before showing anything that is going to waive the conventional system.

Mr. Crowley, BETA, stated they have only looked at this plan in a scoping phase as they just received the notice to proceed today.

Chairman Padula asked if the sewer treatment was going to be monitored 24 hours by a licensed individual.

Mr. Keenan stated it is a simple community septic system with a pump station. So, the pump station would have monitored alarm controls, but it would not be a licensed individual. He noted this had not yet been submitted to the Board of Health. He said there are downspouts and gutters on the buildings and explained the overall drainage system; Amego will be responsible to maintain the swales.

Citizen Comments and Responses: ► Mr. Kevin Smith, 18 Stanford Road, stated that in the zoning regulations it appears that dormitory residences are prohibited in Rural Residential I. He asked for the capacity and number of residents. ► Chairman Padula stated that because this is part of a school, it is exempt from zoning. ► Mr. Cannon explained this is a companion facility to the school as they need to have places for the students to stay. ► Mr. Masciello stated there would be six residences for a total capacity of 39 residents. He showed an image of what the facility would look like and described the units. ► Mr. James Sbordon, 16 Jefferson Road, asked for the total square footage of the development for all the phases. He noted that there are wetlands that filter into the town wells. He asked about the lighting and if there were any future plans for the remaining 45 acres. ► Mr. Masciello stated about 19,000 sq. ft. for the residences and a few more thousand square feet for the other buildings. The entire parcel is 51 acres. This proposal will be on under five acres of it. He said there would not be any light filtering into the neighborhood. ► Chairman Padula noted there is a photometric plan for this. ► Ms. Nicole Wetmore, 9 Gwynne Road, asked where the students will be living until the residences open. She asked if any of the individuals would be prone to violence or anything that would be a concern for the neighboring community. She requested the staff to student ratio. ► Mr. Masciello stated the school should be opening in June. Students will be living in a scattered arrangement until they can be brought together at this location. It will not be dormitory living; it is more like a home environment. ► Mr. Cannon stated the dangerousness would not be more than in the general population. ► Mr. Masciello stated the student ratio could be one-to-one or three-to-one. He noted that students will live there year-round. ► Ms. Karen Dexter, 1 Stanford Road, asked how the students would be transferred to the school. She noted the traffic in the area already. What is the traffic plan? What is the age range of the students? How many staff will there be? ► Mr. Cannon stated the students would be transported to the school by van with approximately six students per van. He stated if the Planning Board requires a traffic study, they will do one. ► Chairman Padula confirmed there is a traffic problem on Grove Street. He explained the lights and the state's involvement. ► Mr. Masciello stated the age ranges are from 5 to 22 years old. ► Mr. Michael DaSilva, 22 Jefferson Road, confirmed there would be both children and adults on the property and there would be overnight staff. He stated the educational component is down the street, so this is really like a dormitory as the educational services will not be provided at the residential facility. He voiced his opposition to the plan as it will diminish the property values for the neighborhood and it will add to the services needed in the town. ► Mr. Masciello stated this is followed by the Department of Education. The facility is licensed as a school under the DOE. ► Mr. Joseph Aiken, 23 Jackson Circle, asked about the septic system and runoff. ► Chairman Padula stated the town sewer system does not go up to this property and explained the proposed sewer treatment. ► Ms. Jennifer Dolinski, 5 Gwynne Road, asked about the other 46 acres that were not part of the Site Plan and the wetland area, and if the remaining land could be sub-divided and developed on. ► Mr. Cannon stated the wetlands have a 100 ft. buffer zone. ► Chairman Padula stated this plan will be going to Conservation Commission for a public hearing this Thursday. ► Mr. Chris Wetmore, 9 Gwynne Road, asked about the long-term viability of the proposed structures regarding the funding. Could Amego ever sell this? ► Mr. Masciello stated Amego has been around for 45 years and they plan to be around long-term. ► Resident asked about traffic concerns. ► Chairman Padula stated that if the people in the community feel there is a need for a traffic study, a traffic study will be requested. He feels this proposal is more low-impact than a gas station or a subdivision. ► Ms. Maria Laurence, 15 Stanford Road, stated she has worked in the field of intellectual disabilities. She talked to the executive director from Amego. She stated they have a good reputation. She thinks this is a good use of the land. She supports this proposal. ► Ms. Wendy Mollo, 13 Jefferson Road, stated her property is close to this proposed development. She noted there is some buildable property near her and asked if it would be built on. ► Mr. Masciello stated the town owns land along Jefferson Road, so it is not accessible via Jefferson Road. He showed the location on the map. ► Mr. Tony Rogers, 1 Gwynne Road, asked if anyone could make predictions about the water being captured in the wetlands. Will it increase? ► Mr. Keenan stated they must mimic current stormwater flows on site. ► Mr. Steven Morgante, 717 Washington Street, stated he lives directly across the street. He requested the duration of the construction project and noted it should be made known to the public. He noted that the recently paved road would have to be dug up, and he asked about the community septic and leaching field. ► Mr. Keenan stated it would be a phased project, but he does not have a timeline. ► Mr. Cannon stated they will have a timeline for the next meeting. ► Mr. Maglio stated they would only be working on the road for water and gas installation. They would need to contact DPW for permits. ► Ms. Karen Dexter, 1 Stanford Road, asked what the plan to keep the neighbors informed of progress and changes is. She asked is there is a plan for a traffic study and to fix

the traffic situation. She stated she is confused as there must be a school onsite to be deemed a school. Why are the residences not built next to the school? ► Mr. Cannon stated they would work with the Planning Board on some method of communication. ► Chairman Padula stated fixing the current traffic situation is up to the Town Council. The Planning Board can ask for a traffic study for this proposal. ► Mr. Cannon said there was not enough room next to the school so this location was very close by. ► Resident, direct abutter on Stanford Road, stated he has never had water in his basement. What can they do to ensure that it will not happen? He asked about the digging and possible blasting. Also, what if they sold this site, what could it become? He does not want it to become a prison or halfway house. ► Chairman Padula stated they have to come before the Planning Board to change the use. ► Mr. Keenan stated testing was done on the soil and they do not believe water will migrate laterally toward the abutting properties. ► Ms. Kimberly Martel, 4 Grant Circle, asked if the residential homes will be on lockdown or secured. She asked what other behavioral issues the residents may have. Would they be dangerous? ► Mr. Masciello stated each home has a small fenced playground in the back. All of the doorways are secure. The supervision is intensive. The houses are set back from Washington Street. There are many medical issues within the spectrum. ► Mr. Cannon stated they can get an updated list of some of the behavioral issues that the residents may have. The dangerousness would be no more than the general population.

Mr. Halligan asked if they can guarantee that there will be no residents there with a criminal history.

Mr. Cannon said he would get answers to that for the next meeting.

Chairman Padula asked the audience if it was their feeling that they would like the Planning Board to formally request a traffic study.

Members of the audience stated yes.

Chairman Padula stated his concern is the drainage swale. He wants to see a conventional-type drainage system. He would like the town attorney to make a determination of whether or not this is considered a school. He asked if the applicant is looking to donate the remainder of the land as open space to the Town. If they do, could they make that part of the project; this would ease the neighbors' feelings about the future.

Mr. Keenan stated he would look at a conventional design.

Planning Board members stated that they recommended a traffic study.

Mr. Halligan asked if through BETA Group a study could be done to see that projects like this do not put a burden on public facilities, infrastructure, and water, and that they are a safe environment. He does not know what this entails and would like someone to enlighten them.

Mr. Crowley stated he would have to check on this. He does not know if BETA has specific experience as it relates to this type of school/residence.

Mr. Masciello stated this is unique. There are several around the country, but not one like this in Massachusetts. The other locations have residential facilities, but not all on one piece of property.

Citizen Comments and Responses (continued): ► Ms. Janet Turner, 17 Colt Road, stated that on Amego's website, they have four locations in Massachusetts and one in Florida. ► Mr. Masciello stated Amego does have residences, but clustered like this is a unique design. He stated he can provide history from these locations.

Mr. Rondeau asked for a phasing plan and duration of time.

Mr. Carroll asked if the vans going back and forth to the school would be staggered as they leave for the school at 8:00 AM. He noted his traffic concerns. He stated there are a dozen of these homes throughout Franklin; it is not brand new to Franklin.

Mr. Masciello confirmed the vans would leave for the school at 8:00 AM, most likely staggered.

Mr. David asked if there will be deliveries.

Mr. Masciello stated there will be some grocery deliveries, but not large tractor-trailers. Each residence has their own kitchen.

Motion to Continue the public hearing for Washington Street-Amego, Site Plan, to April 8, 2019, at 7:10 PM. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion for a five-minute recess. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:10 PM **PUBLIC HEARING** – *Continued*
 27 Forge Parkway
 Site Plan Modification

Documents presented to the Planning Board:

1. Letter dated March 7, 2019 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board
2. Memorandum dated March 7, 2019 from DPCD to Franklin Planning Board
3. Letter dated March 6, 2019 from Michael Maglio, Town Engineer, to Franklin Planning Board
4. Letter dated February 27, 2019 from Amanda Cavaliere, Guerriere & Halnon, Inc., to Franklin Planning Board, RE: BETA Group Comments
5. Letter dated February 27, 2019 from Amanda Cavaliere, Guerriere & Halnon, Inc., to Franklin Planning Board, RE: DPW Group Comments
6. Letter dated February 27, 2019 from Amanda Cavaliere, Guerriere & Halnon, Inc., to Franklin Planning Board, RE: DPCD Group Comments
7. Memorandum dated February 7, 2019 from G. B. McCarraher, Fire Chief, to DPCD
8. Memorandum dated January 10, 2019 from George Russell, Conservation Agent, to Franklin Planning Board
9. Form P: Application for Approval of a Site Plan Modification with applicant listed as PIDC Construction, Bento Castro, with Received by Planning date December 20, 2018
10. Certificate of Ownership with Received by Planning date December 20, 2018
11. Franklin Planning Board Public Hearing Notice with Received by Town Clerk date January 22, 2019
12. F-3527-3 Project Narrative, Limited Site Plan Modification, Thermo Fisher Scientific, Franklin, MA, with no date
13. Abutters List Request Form with Received by Board of Assessors date November 19, 2018
14. Abutter List Report dated November 19, 2018
15. Plan Sheets for Thermo Fisher Scientific, Inc., Site Plan Modification, 27 Forge Parkway, Franklin, MA, prepared by Guerriere & Halnon, Inc., dated November 27, 2018, with Revision date February 27, 2019, with Received by Planning date March 1, 2019
16. Plan Sheet for Proposed Truck turning Movement Detail for 27 Forge Parkway, Franklin, MA, prepared by Guerriere & Halnon, Inc., dated February 25, 2019, with Received by Planning date March 1, 2019

Ms. Amanda Cavaliere, Guerriere & Halnon, Inc., representing the applicant, addressed the Planning Board. She stated she was there to provide an update. She stated they received comments back from the Town and peer review; those comments have been addressed. They have since received a second round of comments back which are all minor. She believes all the Town comments have been addressed: they still have a few minor comments they are working out with BETA. They are not ready to finalize the plans yet. She asked if the Town or Planning Board had any further questions.

Mr. Maglio stated his previous comments have been addressed and he is satisfied.

Ms. Love stated her comments have also been addressed.

Mr. Crowley stated that BETA has two outstanding concerns regarding the drainage that they are following up on.

Chairman Padula stated the Planning Board must determine if a traffic study is required.

Planning Board members stated they did not think a traffic study was necessary.

Motion to Continue the public hearing for 27 Forge Parkway, Site Plan Modification, to March 25, 2019, at 7:20 PM. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

7:15 PM **PUBLIC HEARING** – *Continued*
Upper Union Street Solar
Special Permit & Site Plan

Documents presented to the Planning Board:

1. *Memorandum dated March 6, 2019 from DPCD to Franklin Planning Board*
2. *Letter dated January 31, 2019 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board*
3. *Letter dated February 6, 2019 from Michael Maglio, Town Engineer, to Franklin Planning Board*
4. *Memorandum dated February 5, 2019 from DPCD to Franklin Planning Board*
5. *Memorandum dated January 10, 2019 from George Russell, Conservation Agent, to Franklin Planning Board*
6. *Memorandum dated February 7, 2019 from G. B. McCarraher, Fire Chief, to DPCD*
7. *Letter dated December 28, 2018 from Michael Lotti, Industria Engineering, to Franklin Planning Board*
8. *Application for Approval of a Site Plan and Special Permit(s) with applicant listed as Kearsarge Upper Union LLC, with Received by Planning date January 4, 2019*
9. *Certificate of Ownership with Name of Record Owner listed as Cistercian Nuns of Strict Observance, with Received by Planning date January 4, 2019*
10. *Abutters List Request Form with Received by Board of Assessors date December 7, 2018*
11. *Abutter List Report dated December 10, 2018*
12. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date January 22, 2019*

Chairman Padula stated the applicant requested a continuance.

Ms. Love stated she received an email late last Thursday afternoon indicating the applicant was looking to adjust their site design. They requested a continuance to March 25, 2019. She is not sure if BETA will have enough time to get the materials reviewed by then because as of today revised plans are not yet available.

Motion to Continue the public hearing for Upper Union Street Solar, Special Permit & Site Plan, to April 8, 2019, at 7:15 PM. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

7:20 PM **PUBLIC HEARING** – *Initial*
860 West Central Street - Distillery
Special Permit & Site Plan

Documents presented to the Planning Board:

1. *Plan Sheet for Proposed Site Conditions for GlenPharmer Distillery in Franklin, MA, prepared by Luckett & Farley, dated November 27, 2018, with Revision date January 31, 2019, with Received by Planning date February 4, 2019*
2. *Memorandum dated March 6, 2019 from DPCD to Franklin Planning Board*
3. *Letter dated February 15, 2019 from Michael Maglio, Town Engineer, to Franklin Planning Board*
4. *Memorandum dated February 12, 2019 from George Russell, Conservation Agent, to Franklin Planning Board*
5. *Application for Approval of a Site Plan and Special Permit(s) with applicant listed as GlenPharmer Distillery, LLC, with Received by Town Clerk date February 15, 2019*
6. *Commercial Lease with Received by Planning date February 21, 2019*
7. *Memorandum in Support of GlenPharmer Distillery, LLC's Application for Special Permit to Allow Distillery with Tasting Room dated February 13, 2019, from Jon Aieta, Esquire, McDermott, Quilty & Miller LLP, to Franklin Planning Board with Received by Planning date February 4, 2019*
8. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date February 15, 2019*

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

Mr. Jon Aieta, Attorney, McDermott, Quilty & Miller LLP; Mr. Patrick Downing, GlenPharmer Distillery, LLC, Manager and prospective purchaser of the property; and Mr. John Cusack, Engineer, Bohler Engineering, addressed the Planning Board. Mr. Aieta stated this would be a change of use/additional use for this location to include a distillery with a tasting room. This is the former Incontro restaurant location. They propose to put the distillery in the entire first floor premises and a portion of the second floor, with approximately 4,000 sq. ft. for a restaurant and bar. He stated that Mr. Downing is in the process of purchasing the property. It is his distillery and he is looking for a special permit to operate this distillery. There would be no external renovations in the building; everything would be done internally with the bulk of the change on the first floor.

Mr. Downing stated that he and his wife are looking to purchase the former Incontro property. They would like to put in a distillery. There is a back portion of the current restaurant that was used for offices; that space would be appropriate for distillation equipment. They would continue to offer food services at the property. They would be looking to renovate the inside of the building. There is a modification of three parking spaces. He addressed an ongoing concern regarding a grease trap and said they are proposing to modify that.

Mr. Cusack confirmed the majority of the work is inside. He noted from a use standpoint, it would operate similarly to how the former restaurant did. He referenced the grease trap issue. He said they would construct a compliant grease trap which is shown on the plan. They will be removing some parking spaces to access the loading dock.

Ms. Love stated the applicant was here for the special permit for the use of the distillery. They have provided a plan which meets the parking requirements and includes an agreement with the abutter for overflow parking.

Chairman Padula discussed the parking spaces and the overflow parking plan. He noted the abutter has other uses and he does not know if the abutter can still give those parking spaces to the applicant.

Mr. Aieta said they meet the parking requirements without the additional spaces. He confirmed Mr. Downing would be operating the distillery. The intention is to have a restaurant, but Mr. Downing would not be the operator; it would be separate.

Chairman Padula asked about having two different owners, liquor licenses, and different entrances.

Mr. Aieta responded and said he has worked on cases like this with different ownership.

Mr. Halligan explained that there can be a common area, but a person could not take a drink from the distillery, walk over the common area, and enjoy the drink in the restaurant. He asked if there would be entertainment licenses on the property. If so, he would like to see the occupancy and parking. He asked for the hours of the distillery and the restaurant. He expressed concern about the parking especially on Friday and Saturday nights. He questioned the proposed size of the tasting room.

Mr. Downing stated the distillery would likely be opened from 9 to 5 PM, and the tasting room would have extended hours. They also plan to have tours. He stated his primary goal is to operate a distillery. He explained the difference between a distillery and a brewery.

Mr. Rondeau asked about the discharges into the sewer system. The fire department should know about the alcohol on the premises.

Mr. Carroll confirmed the samples will be hard liquor and not beer. Would it be a hardship to not open a restaurant if they had a problem with parking? He stated he is concerned with the parking.

Mr. Aieta stated he believes the Town wanted to have food on premises.

Mr. Downing stated that he had first considered putting in food trucks but came to understand that was not allowed in Franklin. So, they thought about having the restaurant for the food service.

Mr. Halligan asked about the federal, state, and local licenses required.

Mr. Aieta stated they have already applied for the federal license.

Ms. Love stated this is a special permit for the use. With this permit, they do not need to see Conservation; that is when they actually decide to dig a grease trap or disturb anything. This is just strictly in front to the Planning Board.

Chairman Padula reiterated that he still wanted a determination from the town attorney on the use.

Mr. Aieta stated this is only for the use, not a site plan modification.

Ms. Love stated that all special permits must have a site plan submitted with it; it is the permitting process. We called it a modification because the site already existed. However, they are really just modifying the use.

Planning Board members and applicant discussed the egresses for the uses and the common areas.

Chairman Padula noted that Conservation stated that almost the entire area is jurisdictional. He stated they would have to go to Design Review for any signage.

Mr. Downing stated he recognizes the other boards he must go to, but as the real estate transaction is pending, he wanted to make sure he could go forward with the proposal.

Ms. Leslie Atlas, a 33-year resident, stated she endorses this proposal as it is a wonderful use of the building.

Motion to Close the public hearing for 860 West Central Street – Distillery, Special Permit & Site Plan. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Chairman Padula stated they will vote on the Special Permit at the next meeting.

Mr. Downing asked that the Planning Board vote on the Special Permit at tonight's meeting as he has a closing deadline for a transaction.

Mr. Halligan stated as this is only to allow a use, he would like to see it voted on at tonight's meeting.

Ms. Love stated that the roll call vote documents required are not in the Planning Board members' packets.

Planning Board members agreed to vote tonight.

Chairman Padula read aloud the following.

Roll Call Vote. Special Permit VOTE for USE:

- a) Proposed project addresses or is consistent with neighbor or Town need.
Padula-YES; Halligan-YES; Rondeau-YES; Carroll-YES; David-YES. Vote: 5-0 (5-Yes; 0-No)
- b) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.
Padula-YES; Halligan-YES; Rondeau-YES; Carroll-YES; David-YES. Vote: 5-0 (5-Yes; 0-No)
- c) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.
Padula-YES; Halligan-YES; Rondeau-YES; Carroll-YES; David-YES. Vote: 5-0 (5-Yes; 0-No)
- d) Neighborhood character and social structure will not be negatively impacted.
Padula-YES; Halligan-YES; Rondeau-YES; Carroll-YES; David-YES. Vote: 5-0 (5-Yes; 0-No)
- 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-YES; Halligan-YES; Rondeau-YES; Carroll-YES; David-YES. Vote: 5-0 (5-Yes; 0-No)
- 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-YES; Halligan-YES; Rondeau-YES; Carroll-YES; David-YES. Vote: 5-0 (5-Yes; 0-No)
- 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; Halligan-YES; Rondeau-YES; Carroll-YES; David-YES. Vote: 5-0 (5-Yes; 0-No)

7:30 PM **PUBLIC HEARING** – *Initial*
38 Pond Street
Site Plan Modification

Documents presented to the Planning Board:

1. Letter dated February 15, 2019 from Amanda Cavalier, Guerriere & Halnon, Inc., to Franklin Planning Board, with attachment
2. Memorandum dated March 5, 2019 from DPCD to Franklin Planning Board
3. Letter dated March 6, 2019 from Michael Maglio, Town Engineer, to Franklin Planning Board

4. *Memorandum dated March 5, 2019 from J.S. Barbieri, Deputy Fire Chief, to DPCD, with attachment*
5. *Memorandum dated February 19, 2019 from George Russell, Conservation Agent, to Franklin Planning Board*
6. *Form P: Application for Approval of a Site Plan Modification with applicant listed as Fino Realty, LLC with Received by Planning date February 15, 2019*
7. *Certificate of Ownership with Received by Planning date February 15, 2019*
8. *F-3272-1, Project Narrative, Site Plan Modification, 38 Pond Street, Franklin, MA, with No date and No Received by Planning date*
9. *Abutters List Request Form with Received by Town Clerk date December 26, 2018*
10. *Abutters List Report dated December 27, 2018*
11. *Site Plan Modification of 38 Pond Street, Office Park West, in Franklin, MA, prepared by Guerriere & Halnon, Inc., dated January 17, 2019, with Received by Planning date February 15, 2019*

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

Ms. Amanda Cavaliere, Guerriere & Halnon, Inc., representing the applicant, addressed the Planning Board. She provided an overview of the proposed project. She stated she received comments from the Town and the fee for BETA's peer review was received by their office today. It will be given to the Town tomorrow so BETA can begin their review. She stated that 38 Pond Street is an existing building currently being used for medical and dental offices. The parking can be a challenge. The owner of the building is looking to improve the parking, improve the drainage, and add approximately 40 new parking spaces. With the increase in impervious area, they are proposing to treat the stormwater and install some Cultec chambers. She stated the drainage report was part of the package to BETA and the town planner, but it was mistakenly omitted from the town engineer. It will be submitted. She confirmed they are addressing comments from the fire department. All the comments will be taken into consideration before doing a revised set of plans.

Mr. Maglio stated they had some initial comments as outlined in his letter of March 6, 2019. He discussed the area elevation drop off after the parking lot.

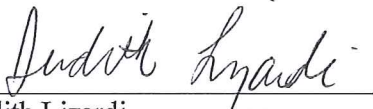
Ms. Love stated that on the far-right corner of the plans where they are looking to grade, some of the pavement is on the abutting property. They are looking to remove that pavement and bring it to their own property. Any work would need to be worked out with the abutting property owner.

Ms. Cavaliere stated they have spoken with the abutting property owners about this and they are waiting for something from their attorney in writing indicating they are in favor of the work. This will be submitted with the next submissions.

Motion to Continue the public hearing for 38 Pond Street, Site Plan Modification, to April 8, 2019, at 7:20 PM. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Adjourn. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 9:20 PM.

Respectfully submitted,



Judith Lizardi,
Recording Secretary