

Town of Franklin



Planning Board

**June 3, 2019
Meeting Minutes**

TOWN OF FRANKLIN
TOWN CLERK
2019 JUL -9 P 2:25
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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; Philip Paradis, 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: Glen Meadows Leasing Office

Representatives of Glen Meadows Leasing Office, who did not identify themselves, stated they were back before the Planning Board to present the requested revisions related to the surface for the six parking spaces for the Leasing Office. They changed from pervious pavers to asphalt and also included a drain and related drainage calculations that are all compliant with the Town's requirements.

Mr. Maglio stated he reviewed the stormwater calculations for the parking area and it all checked out. He explained they have a water quality manhole to treat the water. He had no further comments.

Ms. Love stated if the Planning Board were to approve this, her recommendation is to have the dumpsters on concrete slabs and enclosed with a fence.

Mr. Halligan confirmed BETA is not involved in this as it is a Limited Site Plan.

Chairman Padula stated he would like the applicants to put the dumpsters on concrete pads and fence them in for sanitary reasons, but as this is a Limited Site Plan, he does not see how the Planning Board can make them do that.

Applicant stated they have been studying the dumpster situation to have fewer and more strategically located. He takes the Planning Board's point. This is next in line to help beautify the place.

Motion to Approve the Limited Site Plan for Glen Meadows Leasing Office. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

B. Limited Site Plan: 16 Forge Parkway

Mr. Mark Dibb of Condyne Engineering Group and Mr. Jeff O'Neill of Condyne Engineering Group addressed the Planning Board. Mr. Dibb stated they have acquired the building and are proposing new entranceways to make the building more marketable, to connect the new entrances with sidewalks, and restripe a few spaces.

Mr. Maglio stated it was about 1,100 sq. ft. of additional impervious. He recommended some mitigation for the increase in runoff such as a shallow grassed swale or depression to promote infiltration. He stated he did not believe there was a chance for offsite runoff.

Mr. Halligan asked about their proposal to make the building more marketable.

Mr. O'Neill stated eventually they would be looking at multi-tenants. He stated they would be marketing for manufacturing and warehouse use.

Ms. Love stated she had no comments on this.

Chairman Padula stated that before endorsement he would like to see some sort of swale and asked the applicants to meet with the Town Engineer on this.

Motion to Approve the Limited Site Plan for 16 Forge Parkway, with the swale changes. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

C. Field Change Discussion: Cook's Farm

Ms. Love stated this is a request by the applicant to change the impervious pavers to asphalt pavement.

Mr. Maglio stated the original approved plans called for a grass paver shoulder along the main driveway going through the site in order to reduce some of the proposed impervious area. The applicant is now proposing to pave the grass shoulder. He stated he requested updated stormwater calculations and the system that is in place can handle the additional impervious area except for one section along the bridge along the culvert that goes along the back six units. In that area, they are proposing to keep the grass pavers. He thought this was a little more than a simple field change.

Chairman Padula asked if between the buildings was supposed to be cape cod berm in the alleyways.

Mr. Maglio explained the plans and the catch basins.

Applicant, who did not identify himself, stated there was no berm in the design.

Ms. Amanda Cavaliere, Guerriere & Halnon, Inc., stated there are several reasons that they are requesting the change. They want to increase the lane width which is currently 21 ft. This way they will have a 24 ft. wide drive through. Also, there would be increased operational and maintenance costs in the long-term for the homeowner's association. She stated the grass pavers have a potential for lifting if they get caught by snowplows at the corners, and over time, the homeowners will have to replace them more often.

Chairman Padula reviewed the approved submittal and noted that the applicant indicated they did not need more than the 21 ft. Now they are telling him that for the normal traffic they need 24 ft.

Applicant explained the issue with the pavers and his reasoning for wanting to use asphalt. He explained with the changes in temperature, the pavers are more likely to break and will not work well. The pavers usually have to be replaced. He explained the plastic ones would hold up better.

Mr. Halligan asked the applicant what if they got minimal relief just for the edges where they make the turns which would be about 5 ft. to 6 ft. on each side. Then, leave the pavers going over the bridge.

Ms. Cavaliere showed on the map what is to be changed. This is an increase in .156 acres. They worked with BETA and the Town Engineer on the stormwater calculations to determine whether the existing system is capable of handling the additional impervious area.

Applicant described the road and stated it is high on the side they are discussing and pitches down.

Mr. Halligan and the applicant reviewed where the roads, the parking, and the pavers would be.

Chairman Padula stated he would review this and continue until the next meeting.

Ms. Cavaliere stated they provided this information to the Planning Board on May 16, 2019. The new calculations were provided with the field change information.

Chairman Padula asked if the Planning Board members wanted to vote on the field change from pervious to asphalt.

Motion to Leave the plan as is. Padula. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Mr. Halligan requested time to study this until the next meeting.

Applicant stated they were also before the Planning Board for paint, and he handed information to the Planning Board members.

Chairman Padula stated they do not receive information the night of the meeting; but the applicant could pass out the information.

Mr. Halligan stated these colors were supposed to be submitted prior to approval and attached to the Site Plan so the Planning Board would have an idea of what the colors would be. It was not done. What the applicant is now submitting is what is already there.

Chairman Padula said Design Review looks at the project and makes recommendations. The Planning Board approves or disapproves their recommendations. The applicant was required to bring in a color chart which was part of the Special Permit criteria. The color renderings were supposed to be submitted as part of the Site Plan.

Mr. Halligan stated there are a few colors that do not fit in with the character of the neighborhood. Color renderings of the original agreement are needed.

Chairman Padula told Ms. Cavaliere that when they determine what they are going to do, return to the next meeting under General Business. He expected concrete pavers; he did not expect plastic pavers. He does not really care what it is as long as grass is growing in between. The Planning Board will vote at the next meeting.

D. Skyline Drive Discussion

Chairman Padula stated there is a letter in the Planning Board members' packets from Kathleen Mehler, 4 Glenn Drive, dated May 20, 2019, requesting a simple letter stating the current work on Skyline Estates was not approved by the Planning Board, changes to subdivision plan dated December 12, 1960, at the Norfolk Registry of Deeds.

Mr. Maglio stated last year they replaced the water main in the original neighborhood, mainly Skyline Drive, Grandview Drive, a section of Charles Drive, Glenn Drive and a few cul de sacs up there. It costs about \$900,000 for the water line work. This year we are doing the roadways over spending about another \$1.5 million and doing some drainage improvements as part of it. Some of the roads were about 38 ft. wide. They are being narrowed down to 26 ft. for the main roads and 24 ft. for the small roads and cul de sacs. This is consistent with the Town's policy since he has been here. He stated they are also replacing the roads with one sidewalk on the main roads, no sidewalks on the cul de sacs, and one sidewalk on the cut through roads to keep it consistent. Also, as part of this project they are adding a section of sidewalk on Lincoln Street at Daniels and Elm Streets to go up one block to tie in this neighborhood with the rest of Lincoln Street.

Chairman Padula stated that sounds pretty good. The problem is that the Planning Board was in charge of roadways and subdivisions. The past administration passed a law with the Town Council that made them exempt from zoning. They thought that gave them a free pass to do whatever they wanted with the roadways, passageways, and subdivisions and to change them anyway they wanted to when they were restructured. He

does not believe that. He believes the Town or whoever needs to come back to the Planning Board for a modification and the people who bought those houses in those subdivisions need to agree with the changes. He does not believe the Town has free reign to go into someone's neighborhood and change it. And, he does not believe the Town is exempt from their own bylaws.

Mr. Maglio stated when they had their neighborhood sidewalk meeting about 20 to 30 people showed up and it went really well. He stated that both sidewalks were taken out of Glenn Road, but one sidewalk is being added back in. No sidewalks are being added to the cul de sacs.

Ms. Kathy Mehler, 4 Glenn Drive, stated she has a signed petition of 80 people who are against the work that the Town is doing. She reviewed which sidewalks were going to be removed. She noted there is a disabled person on Charles Drive and that sidewalk is being removed. She said the sidewalk on her road is being put back probably because she complained. She is here to stand up for the neighborhood.

Planning Board members commented on the Planning Board's responsibilities and said this should have been brought before them.

Chairman Padula stated this should have come to the Planning Board. The Town is eliminating sidewalks, narrowing roads, and changing people's subdivision. We are requiring current developers to put their subdivisions in with the rules and regulations, and then the Town is changing them in a few years. Are we sitting here for nothing?

7:05 PM **PUBLIC HEARING** – *Initial*
60 Corporate Drive – BJ's Gas Station
Special Permit & Site Plan
Documents presented to the Planning Board are on file.

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

Mr. Daniel Vieira, attorney representing BJ's Wholesale Club, said they are seeking a modification to the Special Permit to change the hours of operation for the gas station. The Site Plan remains the same as approved on November 7, 2011. He noted there is a Stop & Shop gas station located close by and it operates on earlier hours. They would like to be on par with that gas station for hours of operation. They have received interest from Club members regarding hours of operation; they are trying to respond to that. They do not generate drive by traffic to the neighborhood as a person must be a member to use the gas station. He discussed that there would be no impact on noise as Rt. 495 is located so closely.

Ms. Love stated the applicant still owes the Town of Franklin \$314.58 for advertising and legal fees. She confirmed all neighbors within 300 ft. were notified via certified mail.

Mr. Vieira stated he could deliver the payment tomorrow.

Chairman Padula stated the difference between the BJ's gas station and the Stop & Shop gas station is that BJ's gas station abuts people's homes on Conlyn Avenue. He noted no abutters were present to speak at the meeting.

Mr. Vieira stated there are already restrictions on the fuel delivery times; it is after 8:00 AM. He confirmed diesel is not sold at this location.

Mr. Patrick Natreba, BJ's Real Estate, stated they have no plans to sell diesel at this time.

Planning Board members discussed the proposed hours. They expressed concern about the proposed Sunday hours.

Motion to Approve the new hours requested by the applicant with the limitation of no diesel. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

Chairman Padula stated he is not voting on the Special Permit tonight; he is only closing the public hearing.

Motion to Close the public hearing for 60 Corporate Drive – BJ's Gas Station, Special Permit & Site Plan. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Ms. Love stated that as the public hearing has been closed, this item will be put under General Business for the June 17, 2019 meeting.

7:10 PM **PUBLIC HEARING** – *Continued*
Washington Street - Amego
Site Plan
Documents presented to the Planning Board are on file.

Mr. Edward Cannon, Attorney on behalf of the Amego School; Mr. Chris Keenan of Quinn Engineering; Mr. John Randall, President and CEO of Amego Schools; and Mr. Bill Masciello, Architect, addressed the Planning Board. Mr. Keenan stated the Planning Board had BETA review the drainage design and evaluate a traffic report submitted by MDM Transportation. He stated he has received two comment letters from BETA. The Traffic Peer Review letter from BETA dated May 22, 2019, had four comments which he reviewed. He noted he does not have traffic data from additional locations with similar type facilities.

Ms. Jaklyn Centracchio, BETA Group, stated her review letter comment was for the Planning Board regarding if they wanted additional data. She stated that she concurs with the applicant's data; she does not see a need to collect more data.

Mr. Keenan reviewed the comments from the Site Plan Application Peer Review Update letter from BETA dated May 29, 2019.

Chairman Padula confirmed the apron would be concrete.

Mr. Paradis, BETA Group, discussed the size of the existing driveway entrances.

Mr. Maglio discussed the required width of the driveway.

Chairman Padula asked if the applicant would be going with conventional drainage with RCP pipe.

Mr. Keenan confirmed RCP pipe. He discussed the three outstanding issues related to stormwater, specifically comments SW26, SW27, and SW28 in BETA's letter dated May 29, 2019.

Mr. Maglio stated the applicant has addressed all previous comments.

Mr. Paradis reviewed comments P4A and WR2 from their letter dated May 29, 2019.

Mr. Keenan responded to BETA's comments. He stated they would submit a septic plan to the Board of Health.

Ms. Love stated this is a condition the Planning Board can set prior to a building permit, but it is a condition already in the bylaws.

Citizen Comments and Responses: ► Resident stated at other Planning Board meetings there had been questions about the types of facilities that are allowed to be there. He asked if there would be drug rehabilitation at the facility. ► Mr. Randall stated Amego has been around for 40 years and primarily serves people with

autism and intellectual disabilities. They have no plans to get into any other type of programs or services. ► Chairman Padula stated that upon approval, they can make a stipulation that there can never be a drug or alcohol rehab facility at this site. ► Resident stated he wanted to make sure there would not be any sexual predators living there in any of the six individual homes. He is worried they may expand into that area. ► Mr. Chris Wetmore, 9 Gwynne Road, asked about the septic system being used. How is the wastewater treated and will it affect any of the wetlands in the area? Where is the leaching field on the site located? He asked if any of the other land was planned to be developed. ► Mr. Keenan stated the 5,000 gal/day is based on the number of users per the site and DEP requirements. The wastewater goes through a tank to remove solids and the water portion is pumped to the leach field. Water flows through a sand matrix and after it passes through 5 ft. of sand, DEP determines that the water is clean. He showed on the map where the leaching field was proposed. ► Mr. Cannon stated they could make as a condition that the land Mr. Wetmore mentioned would remain undeveloped and be used for passive recreation. ► Resident asked about the wetlands and the community meeting they had with Mr. Randall. Is there any way to use some of the space to give back to the community areas this project will impact? Could we create a walking path or bike path for the children? She also asked about the proposed septic system and why they could not connect to town sewerage. She asked if something can be added to stipulate no substance abuse treatment. ► Mr. Halligan stated he remembers early conversations about the applicant possibly donating some land to the Town. Has there been any more thought to that? ► Mr. Cannon stated they can guarantee there would be no future building with a permit restriction. ► Chairman Padula stated it is mostly all wet and cannot be developed. He stated that someday the septic systems will fail. He would like an agreement with the Town so the Town in the future could pass through the property with a 35 ft. easement to gain sewer to Diana Estates. ► Mr. Cannon stated in concept that would be fine. He would be happy to work with Town Counsel to figure out where and how. ► Chairman Padula stated the chance of septic system failure or backing up into people's basements is minimalistic at best. ► Mr. Cannon stated there would be no problem putting in the stipulation that the back land would not be developed and it would be reserved for passive recreation. He agreed to the stipulation of allowing the sewer access in an agreed location. He confirmed they were in agreement to adding the stipulation of no sexual, drug, or alcohol rehabilitation at the site. ► Resident asked about the mission of Amego and about security for behavioral issues. ► Mr. Randall provided the mission of Amego. He noted he does not ever recall calling public safety regarding a behavioral issue.

Mr. Rondeau asked for a build-out schedule for Phases I, II, and III.

Mr. Keenan stated two years from groundbreaking to completion of Phase III. He reviewed the proposed fencing. He stated a lighting plan was submitted; there is no overflow lighting. He addressed the two comments BETA had regarding lighting.

Mr. Masciello added that each residence has a small fenced-in area for a small playground.

Mr. Rondeau asked about snow storage.

Mr. Keenan reviewed proposed snow storage.

Chairman Padula asked the applicant to clearly designate the snow storage before the endorsed plan.

Motion to Close the public hearing for Washington Street - Amego, Site Plan. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Chairman Padula stated he would put this item on the June 17, 2019 agenda for a vote under General Business.

7:15 PM

PUBLIC HEARING – *Initial*

25 Grove Street

Site Plan Modification – Change in Use

Documents presented to the Planning Board are on file.

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

Attorney, representing Unified Ventures, LLC; Mr. Paul Garcia, Managing Partner Unified Ventures, LLC; and Mr. Rick Goodreau of United Consultants, Inc. addressed the Planning Board. The attorney stated the applicant has been operating as America's Best Defense in Franklin for seven years and also operates in other towns. They are currently located on Chestnut Street and are looking to change the use at 25 Grove Street which they bought in February 2018. Plans have been submitted for interior renovations only along with a parking plan. There will be no changes to the outside. She explained that this is a karate school. She stated they generally operate during afternoons and evenings, people drop off their children, and there are approximately 20 people per class. There are 16 parking spaces at the current Chestnut Street location; there are 39 parking spaces at the 25 Grove Street location.

Mr. Maglio stated as the applicant had no proposed changes to the exterior, they had no comments.

Ms. Love stated they have received letters from the Deputy Fire Chief, Town Engineer, and Conservation. She stated she received reimbursement of the legal fees. Of the 39 parking spaces, the applicant has requested to not stripe three of them.

Chairman Padula stated the parking spaces in the front of the facility look rather narrow. He discussed the parking spaces the applicant wanted to eliminate.

Mr. Goodreau stated the parking spaces will be restriped to legal size of 9 ft. x 19 ft. He said there was a Site Plan on this property dated May 6, 2003.

Ms. Love stated it was a trucking company and the change of use is to recreation.

Chairman Padula questioned the handicap access to the building if they parked in the front of the building in the handicap space.

Mr. Goodreau explained the site was relatively flat, the entrance is from the parking lot, there is no sidewalk, and the doorway is handicap accessible.

Motion to Approve 25 Grove Street, Site Plan Modification – Change in Use. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:20 PM **PUBLIC HEARING** – *Continued*
Upper Union Street Solar
Special Permit & Site Plan
Documents presented to the Planning Board are on file.

Mr. Andrew Bernstein, Kearsarge Energy, addressed the Planning Board for a ground-mounted solar system. He stated that Mr. Michael Lotti, Industria Engineering, who has done the previous presentations would be unable to attend tonight's meeting due to an emergency; Mr. Jonathan Salsman will be sitting in. He stated it was left with three conditions at the last meeting. The changes requested by BETA for putting in stormwater, adding more trees to the landscaping, and putting on the plan they were moving the inverter to the west side are done.

Mr. Salsman described the stormwater changes. He stated the landscaping changes requested were added and are on the plans.

Mr. Maglio stated his previous comments have been addressed. He noted BETA had some outstanding stormwater comments.

Ms. Love stated on the detail sheet the applicant needs to show the plants at 4 ft. to 6 ft. as agreed. And, the trees going along the abutter's property were going to be staggered in two rows, and it currently shows one row. She stated Mr. Halligan was concerned about the fence surrounding the property and requested slats be put in the fence so it was not see through. As well, the decommissioning plan has been included in the packets; the Planning Board may want to add that as a condition as it did with the previous solar applicant. The future plans should show the inverter as moved. There are a few special conditions listed in her memorandum that the Planning Board may want to consider: the applicant still needs to enter into an agreement with the Town for the Pilot Program, the bond for the decommissioning plan, and no trees or telephone poles may be removed from Mount or Upper Union Streets.

Mr. Bernstein stated there was no problem with the special conditions.

Mr. Paradis, BETA Group, stated many of the issues were already discussed. He wanted to realign the stone berms to better trap water. He thought he saw a sketch showing they had done that. He wanted to make sure there is adequate ground cover and the soil is prepared properly.

Mr. Bernstein stated they have a low-growth grass seed for this.

Chairman Padula asked if there would be stone in front of the panels for runoff.

Mr. Bernstein stated no. He stated there would be no water running off the panels.

Mr. Paradis stated establishing good grass growth is significant to not have mud.

Mr. Bernstein stated on the 32 facilities they have in New England, they have never had a problem.

Mr. Salsman stated he has never seen stone installed there; growing the grass is very important.

Mr. Maglio stated they could put in a type of erosion control while the grass gets established.

Chairman Padula stated he does not want this to end up as all mud.

Citizen Comments and Responses: ► Mr. Sean Lanagan, 1 Mount Street, stated he was at the last meeting a few weeks ago and had expressed a few concerns about hydrants. His house burnt down a few days later. He read quotes from fire chiefs about the difficulty they had putting out the fire due to lack of hydrants. Mr. Lanagan stated he had requested hydrants coming up to the solar panels. You do not want a fire to break out and spread to many homes. ► Mr. Seth Sienkiewicz, 8 Mount Street, stated in February he brought up the issue of installing a solar array with a lack of a fire protection plan. This was realized at the 3 Mount Street fire. The fire department was bringing in tankers from all surrounding communities. He requested an update from the fire department. He asked if there would be an energy storage system on site as that is where all the fire hazard is. ► Chairman Padula stated that the fire hydrants were a concern. ► Resident discussed the fire at 3 Mount Street. She stated she asked the fire department if there was a fire at the solar array site, how would they get out there as the road is only 16 ft. wide. She noted that when the fire trucks and cars were trying to get out from the 3 Mount Street fire, they were driving across her property. She wanted to confirm that maintenance will take place between 8 AM to 4 PM, such as when they need to cut grass; she would like to have this written down. Also, she would like to confirm and have in writing that they would install black fence to make it look better, as Andrew said they would, and that it would not be chain link fence. Her concern is if the owners sell it to new owners, she would like the bond to be able to be used to take care of the line of trees. ► Chairman Padula discussed the bonds that will be in place. He stated another letter from the Fire Department will be needed. He read from the Fire Department's letter of February 7, 2019, indicating adequate access around the site for emergency response. This was before the fire. He asked if this is plowed all winter. ► Mr. Bernstein stated they are required to keep the access open. He stated that in the solar facility there is nothing to burn. There are no trees close to the facility. There has not been a fire at any solar facility as it is steel and glass. ► Mr. Salsman stated the only thing

that could burn is the grass around it. He explained the way the solar facility works. ► Mr. Bernstein discussed the energy storage system onsite and stated it is all UL listed. ► Chairman Padula read from another letter from the Fire Department dated May 1, 2019, stating the plans had been reviewed and they had no additional comments. ► Mr. Salsman stated that Mr. Keenan met with the Fire Chief. He reviewed the fire suppression plan. ► Resident said she thinks there should be a fire plan in place just in case. ► Mr. Gary Robinson, 9 Mount Street, reviewed the Mount Street solar project. ► Chairman Padula stated if the Fire Chief says they can get in and out, then they can. ► Resident stated the Fire Chief should be asked again since the fire happened, he may think differently now. When would be the best time to talk about expanding the fire hydrants in that area? ► Chairman Padula asked Ms. Love if she can get a representative from the fire department at the next meeting.

Mr. Halligan asked if there is a formal tax agreement in place with the Town. He would not want to close the hearing until that agreement is in place.

Ms. Love stated it is still in discussion and she listed it as one of the special conditions.

Mr. Bernstein stated that Mr. Nutting stated the same terms have been agreed to as with the prior solar project. He stated they are under tight time constraints to get into the program so they want to not continue this hearing out until July.

Mr. Halligan requested to confirm with Mr. Hellen if this agreement has been done and is in writing. He asked Mr. Bernstein to have that agreement for the next meeting.

Chairman Padula asked for Mark Cerel to be at the continued public hearing.

Mr. Rondeau wanted to confirm the entryway will be paved about 20 ft. in for erosion control.

Chairman Padula confirmed this would be a good way to get the truck tires cleaned when they drive over the stone.

Mr. Maglio stated he would not recommend going in more than 3 ft. with the pavement.

Motion to Continue the public hearing for Upper Union Street Solar, Special Permit & Site Plan, to June 17, 2019, at 7:35 PM. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

7:30 PM **PUBLIC HEARING** – Continued

38 Pond Street

Site Plan Modification

Documents presented to the Planning Board are on file.

Ms. Amanda Cavaliere, Guerriere & Halnon, Inc., representing the applicant, addressed the Planning Board. She stated they have gone through several rounds of comments with BETA. The last round of comments received was on May 29, 2019. They have not had a chance to address all of them. She stated they are seeking further discussion with the Planning Board on a few comments. She reviewed BETA's comment regarding impacts to the parking during construction activities. She noted this is a parking improvement compared to what is there now. There is a lot of coordination involved with the construction. She noted a pre-construction meeting is required. Parking arrangements would be discussed and made prior to starting. She stated they find it premature to present to the Planning Board a plan put in place prior to selecting a contractor to do the work.

Chairman Padula stated there is currently a non-conforming driveway. That would be a Special Permit not just a waiver. He reviewed the current driveway and entryways to the parking lot. There is no way to accommodate the 150 ft. for the new bylaw. He stated he will be looking for signage that there will be no on-street parking on Pond Street while this is being done.

Ms. Cavaliere agreed there would be no on-street parking during construction. She said a letter was submitted confirming permissions from the abutting property.

Mr. Maglio stated all their comments have been addressed.

Mr. Paradis stated besides the parking during construction issue, there is also parking in excess of 300 ft. of a building. He does not think that can be avoided.

Ms. Cavaliere explained the parking areas and access to the building.

Ms. Love stated all their comments have been addressed. She stated the applicant will be going to Conservation.

Ms. Cavaliere stated they have been going in circles with Conservation. At the last public hearing two weeks ago, they would not hear us due to not receiving all the comments; however, all the comments had been addressed and received. So, we reached out to Conservation Commission and they indicated they would provide something stating that they had no further issues based on the outstanding comments, it did not impact anything with Conservation Commission of those that were left, and all drainage issues had been addressed and taken care of. She stated they were in hopes of getting that approval from Conservation Commission which is why they took four weeks to return to the Planning Board from the last Planning Board meeting. Now, we are back to where we started. We have to go to Conservation Commission this Thursday, get their approval, and come back here again.

Ms. Love stated she is aware Conservation is satisfied with the plans. There has been a little lack of communication due to not having a conservation agent; now there is an agent onboard.

Chairman Padula asked why the Planning Board members did not have a letter in their packets from the new Conservation Agent stating that.

Ms. Love stated if this public hearing were closed, it could be put in as a condition.

Planning Board members discussed whether to close the public hearing before receiving the letter from Conservation Commission.

Chairman Padula stated he is not changing policy for the Planning Board just because Conservation Commission is not getting their stuff together. He suggested at least three Planning Board members come back on Friday at 10:30 AM for a special public hearing meeting for this applicant after the applicant meets with Conservation Commission on Thursday night.

Ms. Love noted that she has to advertise 48 hours in advance.

Motion to Continue the public hearing for 38 Pond Street, Site Plan Modification, to June 17, 2019, at 7:35 PM. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Chairman and Planning Board Member Comments


Ms. Kathleen Mehler stated she needs a letter from the Planning Board.

Chairman Padula asked if the Planning Board was okay with providing a letter. He stated she just wants a letter stating that the Planning Board did not approve the changes to what is being done to Skyline Estates. He stated it was true; they did not approve it. He asked Ms. Love to draft a letter that the Planning Board was not involved in the changes and did not approve them.

Ms. Love stated she would call Ms. Mehler when the letter was ready.

Motion to Adjourn. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 9:37 PM.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Judith Lizardi", is written over a horizontal line.

Judith Lizardi,
Recording Secretary

