

**Town of Franklin**



**Planning Board**

**August 5, 2019  
Meeting Minutes**

**TOWN OF FRANKLIN  
TOWN CLERK**

**2019 SEP 10 A 8:18**

**RECEIVED**

Chairman Anthony Padula called the above-captioned meeting to order this date at 7:00 PM. Members in attendance: Joseph Halligan, John Carroll, Gregory Rondeau. Members absent: William David, Alternate Rick Power. Also present: Amy Love, Planner; Jaklyn Centracchio, 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. Partial Form H: 122 Grove Street – Amego, Inc.**

Mr. Kevin Quinn, Quinn Engineering, Inc.; Mr. John Randall, CEO of Amego, Inc.; and Mr. William Masiello, Masiello Architect, Inc., addressed the Planning Board.

Ms. Love stated BETA visited the site and provided a review. The original submittal for the Partial Form H showed the dumpster located in a non-approved spot; however, BETA went there and it has been indicated the dumpster will be put where it was approved on the Site Plans.

Mr. Quinn stated the dumpster has been put where originally approved and on a concrete pad; the enclosure is being constructed.

Chairman Padula confirmed safety issues and stripping have been completed and signage is in place.

***Motion to Approve Partial Form H for 122 Grove Street, Amego, Inc. Halligan. Second: Carroll. Vote: 4-0-0 (4-Yes; 0-No).***

**B. Discussion: Letter from Resident at 491 West Central Street**

Chairman Padula stated when Mr. Calarese came in for a final, the white vinyl fence was changed to a chain link fence. Chairman Padula specifically told Mr. Calarese he wanted the white vinyl fence back. Mr. Calarese convinced the Planning Board he would put slats in the chain link fence and provide extra screening. Obviously, it is not done.

Ms. Love stated the Planning Board has only accepted a Partial Form H; the applicant has to return for the Final Form H. She confirmed the extra plantings and screening was agreed to. She stated there is one vacant retail spot in the building which the applicant will need to come to the Planning Board for a Limited Site Plan.

Chairman Padula asked that the applicant be notified that he will not be renting the last spot until completing the slats in the fence and screening. He stated the applicant cut down trees that he was not supposed to, so he promised more trees and more screening.

Ms. Karen Kelly, 491 West Central Street, stated some arborvitaes were planted, but they do not screen where the building is. Regarding the slats for the fence, she spoke to the building management company who spoke to the

builder who said he was not going to do anything more. She stated she requested white vinyl fencing at the original public hearing and the builder said yes.

Chairman Padula stated they will be notified.

**C. Endorsement: 864 Upper Union Street (formerly 0) Front Page**

Ms. Love stated the applicant submitted the top page to sign referencing the new street address as stated in her memo dated July 30, 2019 to the Planning Board.

*Motion to Endorse 864 Upper Union Street (formerly 0). Halligan. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No).*

**D. Endorsement: 158 Grove Street**

Ms. Love stated the Planning Board approved the Special Permit and Site Plan Modification on July 8, 2019. The appeal period has passed; there have been no appeals. The Certificate of Vote and Conditions of Approval are referenced on the front page of the plans.

*Motion to Endorse 158 Grove Street. Rondeau. Second: Carroll. Vote: 4-0-0 (4-Yes; 0-No).*

**E. Endorsement: 5 Forge Parkway – Parking and Odor**

Ms. Love stated the Planning Board approved the Site Plan Modification on July 22, 2019 including additional parking and odor mitigation. The Certificate of Vote and Conditions of Approval are referenced on the front page of the plans.

*Motion to Endorse 5 Forge Parkway, Parking and Odor. Rondeau. Second: Carroll. Vote: 4-0-0 (4-Yes; 0-No).*

**F. Bond Release: Rolling Brook Estates**

Ms. Love stated it was recently found out after accepting the roadway that the streetlights, either one or all of them, are not working. It is believed to be under the original applicant's name. The DPW is working with them to determine the problem and get it fixed. DPCD recommends not to release the final bond at this time.

Chairman Padula stated the Planning Board will decline this.

**G. Discussion: Cranberry Meadows Subdivision**

Ms. Love stated there has been a recent filing in Bellingham for a Chapter 40B. This development would be accessed through Sunken Meadow Road. A resident of Sunken Meadow Road submitted a letter to the Planning Board requesting that the Planning Board provide a letter, similar to the letter provided for Skyline Drive, stating the Planning Board had not approved any access or changes to the subdivision.

Chairman Padula stated he would approve a letter.

*Motion to Recommend the Planning Board provide said letter to Bellingham. Rondeau. Second: Carroll. Vote: 4-0-0 (4-Yes; 0-No).*

Mr. Paul Griffith, 11 Sunken Meadow Road, thanked the Planning Board for the letter.

**H. Meeting Minutes: June 17, 2019 & July 8, 2019**

*Motion to Approve the Meeting Minutes for June 17, 2019. Carroll. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No).*

*Motion to Approve the Meeting Minutes for July 8, 2019. Halligan. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No).*



7:05 PM

**PUBLIC HEARING** – *Continued****1256 West Central Street*****Special Permit & Site Plan Modification*****Documents presented to the Planning Board are on file.***

Mr. Patrick Sullivan, Attorney for the applicant, and Mr. Rick Goodreau, Engineer, United Consultants, Inc., addressed the Planning Board. Mr. Sullivan stated since the last hearing they have gone before the Conservation Commission; they need to return to work out the stormwater. He stated the traffic report was received last week. Their traffic engineer developed revised plans to address some of the report's traffic concerns. He stated they will be requesting to continue this hearing.

Ms. Jaklyn Centracchio, BETA Group, reviewed the traffic study that they conducted to determine the suitability of the site to accommodate the proposed addition of a marijuana dispensary. She provided highlights from her letter dated July 31, 2019 to the Franklin Planning Board. She explained the data collection methods for the study and noted that data was also collected from two similar recreational marijuana sites. It was determined the maximum number of parking spaces utilized at the site was 46, and 23 weekday trips were generated during the highest peak during their observations. Based on conversations with staff at the two existing dispensaries, Fridays tend to be their busiest time, specifically from 3:30 to 4:30 PM. The maximum number of parking spaces utilized during that time was 47. Based on the data, she determined that 158 trips are generated during the weekday peak hour at those facilities.

Chairman Padula asked if the two existing dispensaries from which they collected data were on main routes like Rt. 140. He stated if there will be six cash registers, there will be six employees. Did she take that into account?

Ms. Centracchio stated the facility in Uxbridge was on a more rural road; the Marlborough facility is located in a shopping plaza and is a very busy area. She stated she did add in for six or seven employees.

Mr. Halligan asked if there were statistics on the number of trip generations for the adjacent gas station, Garelick Farms across the street, and the housing complex. He stated at the last meeting the applicant explained this dispensary is supposed to be by appointment only and there would not be a lot of people coming at one time.

Ms. Centracchio stated she did the traffic study for the medical facility next door and their peak trip generation was 150.

Applicant, who did not identify himself, stated initially it would be by appointment only and when more dispensaries open in neighboring towns or close by and less traffic is seen, they would open it up to the public.

**Citizens' Comments:** ► Ms. Jeanne Monahan, 10 Anthony Street, expressed concern about the traffic and thinks the dispensary will cause a traffic problem. She does not see a retail marijuana facility as being good for the community. ► Mr. Peter Deluca, 99 Summer Street, asked how much revenue that number of cars would generate. ► Mr. Jamie Hellen, Town Administrator, said in terms of the revenue source, overall the town administration supports this project. He stated there are two different sources of funding for the Town. One is the host community agreement that the proponent signed with the administration which brings in an impact fee set at \$300,000 per year for five years; the agreement would be renegotiated after five years. Those monies are designated under State law; they have to be used to mitigate the impacts. He stated most people seem concerned about the effects on children, so he and the superintendent of schools have discussed how to use a large portion of the impact fee money to augment health programs in the school system. The second source of money is from the local sales tax which is three percent of all sales. ► Mr. John Mitchell asked when at the ballot did the people vote for this; the community did not have a voice. ► Chairman Padula stated it was a State ballot question and the majority of people in Franklin voted for it. ► Mr. Hellen confirmed there was no local ballot initiative required for this because the law does not require a local vote to have a store in the Town. He reviewed the State ballot initiative process; there is a different path for a community that voted overall yes on the State ballot in 2016 and a community that voted overall no. ► Chairman Padula stated it could be put on the Town ballot if five percent of



the people petitioned for it. ► Mr. Hellen stated he could not confirm that was correct; he would have to check. ► Audience member expressed concern for children's safety with a pot shop opening in town. She asked for studies done about property values in towns with these shops. ► Mr. Halligan asked Police Chief Lynch if there are children ages 12 to 18 years old obtaining marijuana now without the store being here. ► Chief Lynch stated they come in contact with this occasionally, but not on a regular basis. He said the security setup for this store would not make it possible for a child to buy it there. ► Ms. Caitlin McMahon, 454 Union Street, stated she supports this business coming to town. ► Mr. Halligan asked what the closest residential home to the facility is. ► Mr. Sullivan stated it was the Westerly Apartments. ► Mr. Craig Dumas, 24 A Street, stated a strip mall in that location would create the same traffic, and it will not be a problem. ► Mr. Mike Davis mentioned how much money was put back into the city when a dispensary opened in Rhode Island. He supports this; it will put money into this city. ► Ms. Jeanne Monahan, 10 Anthony Street, expressed concern about property values and if it would be a strain on the police force; this is as a negative for the Town. She asked if a permit stipulation could be that if it is a traffic nightmare or causing harm to the community the permit could be revoked. ► Mr. Sullivan stated he would try to find information on the effect on property values; however, it is a new industry in Massachusetts. ► Ms. Kathleen Mehler, 4 Glenn Drive, stated she is against the store and is concerned for the children.

Mr. Goodreau addressed comments from the BETA review regarding site circulation. He discussed the proposed entry from the street and turning left into the parking lot. He stated they are making the first left a one-way exit only. He explained the site circulation, the employee parking, customer parking, and the signage. Regarding the parking impact on the other tenants, he stated he would assume certain spaces would be designated for the yoga studio, possibly through signage. He noted they have excess parking spaces from what is required.

Mr. Rondeau stated there is a mechanic shop there. It must be considered if a tow truck or flatbed comes to drop off a vehicle; there are multi uses there.

Mr. Sullivan stated the applicant is also the owner of the building. It is in their interest that the tenants have a functioning parking lot.

Mr. Halligan stated that since the applicant had said this would be appointment only, the applicant can control the amount of parking needed. He confirmed the person without an appointment would be told to come back and would circulate through the parking lot and leave.

Applicant stated there will always be someone who enters without an appointment; so, they are going to have a parking attendant to make sure everything is circulating properly.

Chairman Padula confirmed with the applicant that the by appointment only can be a special condition.

Applicant stated he would do that for the first six months but would then like to have that lifted. They could come back to the Planning Board and ask for permission.

Mr. Sullivan stated they could propose some language that may satisfy the Planning Board and have the opportunity to come back to request the appointment condition be lifted.

***Motion to Continue the public hearing for 1256 West Central Street, Special Permit & Site Plan Modification, to September 9, 2019 at 7:10 PM. Rondeau. Second: Carroll. Vote: 4-0-0 (4-Yes; 0-No).***

#### **Planning Board Member Comments**


Mr. Rondeau mentioned that at the Enterprise rental facility next to the Dunkin' Donuts the parking lot was full and part of a truck was parked on Rt. 140. He asked if the Building Commissioner can look into that. Mr. Halligan stated that from Keigan's to Enterprise there is always car tractor trailers unloading. Police Chief Lynch stated no one can block a sidewalk at any hour or have a car stick out into a road. He told the Planning Board members to call the station if they see that occur. Chairman Padula stated there is a Town ordinance that trailer trucks cannot back in to do a delivery, they have to pull in. He sees this broken all the time.

Chairman Padula discussed the subdivision on Maple Street and future subdivisions that are approved. It seems like the sub-dividers/builders are selling off lots once the subdivision is approved. The Town has been releasing lots to different builders once the subdivision is approved and only the base coat is completed, blasting is still going on, there are no sidewalks, there is no public safety for the people occupying houses, cellar holes are dug and left without fencing, and it is dangerous for children. He would like to put into the subdivision rules and regulations that once a subdivision has occupancy, other builders must have their preliminary grading and blasting done in the subdivision before occupancy within the subdivision. And, if a house lot within that subdivision has heavy equipment working, the site will be fenced off. He stated he asked Mr. Taberner to draft a bylaw to address this as it is a public safety issue. Planning Board members discussed how lots are being sold and completed at different times, and rules in other towns for completing subdivisions.

Ms. Love stated one way to regulate this is to not release the lots.

***Motion to Adjourn. Rondeau. Second: Carroll. Vote: 4-0-0 (4-Yes; 0-No). Meeting adjourned at 8:14 PM.***

Respectfully submitted,

  
Judith Lizardi,  
Recording Secretary





## Planning Board

355 East Central Street  
Franklin, Massachusetts 02038-1352

### Missed Meeting Certification

I, William David, member of the Franklin Planning Board, do hereby certify that I have examined all evidence, including a video recording thereto, of the Planning Board meeting held on (date) Aug- 5, 2019 for the following project:

Project name: 1256 West Central St.

Applicant: GTE Franklin LLC

Application type: Special Permit

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

Signature: William David

