

**Town of Franklin**



TOWN OF FRANKLIN  
TOWN CLERK

2019 DEC 17 A 10:03

Planning Board

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**November 4, 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. Limited Site Plan: 750 Union Street – Ramp & Parking**

Ms. Amanda Cavaliere of Guerriere & Halnon, Inc., on behalf of Horace Mann Educational Associates, addressed the Planning Board. She stated that at the October 21, 2019 meeting, the majority of the received comment letters were in a positive favor. The Planning Board had questions regarding transportation and traffic patterns. She read aloud from her letter dated October 24, 2019, which was part of the submission to the Planning Board, regarding the proposed traffic pattern for the student drop off. The letter stated the proposed traffic pattern will be conducted in accordance with the curb-to-curb service required in the transportation contract between HMEA and the transportation provided. The letter outlined the operating hours, pick up and drop off times, and the proposed traffic patterns. She stated members of HMEA are present at tonight's meeting for questions.

Ms. Love reviewed the Planning Board's concern at the last meeting regarding the traffic pattern. She stated the applicant has provided the traffic pattern information on the provided plan.

Planning Board members asked questions.

Ms. Stephanie Guitard, HMEA, stated the facility will be employing 35 to 40 staff members.

Mr. Halligan stated he would like signage installed for the facilities employee parking as there are other businesses in the building.

Planning Board members discussed the loss of parking spaces with the proposed curb cut and bus drop off.

Chairman Padula confirmed with the applicant that the signage and the curb cut would be shown on the plans before endorsement.

***Motion to Approve the Limited Site Plan for 750 Union Street – Ramp & Parking. Halligan. Second: Rondeau.  
Vote: 5-0-0 (5-Yes; 0-No).***

**B. Limited Site Plan: 70 East Central Street – Parking**

***Chairman Padula and Mr. Carroll recused themselves.***

Mr. Brad Chaffee, owner/applicant, said he was before the Planning Board on October 7, 2019 with a plan proposing to eliminate a detached garage to the rear of the site and replace with grass. The Planning Board requested parking be put in that location. He stated he prepared a Limited Site Plan showing the requested parking. He noted a few field changes for which he would like the opinion of the Planning Board. He reviewed proposed concrete pads and a walkway around the building for safety purposes. He discussed the difficulty of installing the required 4 ft. vinyl fence due to the rocky and rough terrain at the top of the ledge; he requested to change the vinyl fencing to chain link. In response, to questions, he reviewed the drainage based on the new impervious parking area.

Vice Chair Halligan asked the applicant to provide the town engineer with calculations regarding the drainage based on the changes in the parking.

Mr. Rondeau requested the applicant plant some trees in the area where the garage was originally proposed as a buffer for the neighbors. He would like to see the vinyl fence installed, especially with the neighbor so close. Planning Board members discussed that if chain link fencing is used, additional trees should be installed for screening.

Mr. Chaffee stated the fence was originally proposed for safety, not screening purposes. He is only requesting a material change due to the terrain and wind.

Ms. Love stated as this is on top of the ledge and rock, she is not sure of the durability of trees there. She suggested a green or black chain link to blend in with the current vegetation.

Vice Chair Halligan requested a drawing/rendition of both the vinyl and chain link fence. He asked about the low drop at the sidewalk when pulling into the driveway.

Mr. Chaffee stated he wants it to look nice. He suggested planting screening and shrubs. He confirmed he would bring some ideas back to the Planning Board. He explained that at the sidewalk the highest peak is about 12 in. The plan is to come up 4 in. to 5 in. with the topcoat to meet the height.

Vice Chair Halligan confirmed there would be vertical granite curbing along the back where the garage had been proposed. He reiterated concern about the drainage without the garage. He does not want to see water sheet flowing and freezing on the driveway for safety reasons.

Mr. Maglio said he will look at it to see if there is an issue.

Mr. Chaffee asked what if the parking situation where the garage was proposed affects the drainage and it cannot be rectified. Could they go back to making it a grassed area?

Vice Chair Halligan said he does not know at this time.

Ms. Love stated the Planning Board requested the applicant come in tonight with a plan to put on file. The Planning Board can condition this regarding if the drainage calculations do not work.

Vice Chair Halligan said the parking spots cannot be eliminated; the Special Permit was granted with the idea that these parking spots would go with this site as this was such a tight site and commercial is involved. He suggested the applicant return to the next meeting to address the fence and bring photos.

Mr. Chaffee confirmed he will address the following at the next meeting: information on the drainage, fencing, and the front right corner of the site.



***Motion to Approve the Limited Site Plan, with the modifications, and with the applicant returning with photometrics for the fencing, for 70 East Central Street – Parking. David. Second: Rondeau. Vote: 3-0-0 (3-Yes; 0-No).***

***Chairman Padula and Mr. Carroll re-entered the meeting.***

**C. Partial Form H: 100 Financial Way - Warehouse**

Mr. Douglas Hartnett, Highpoint Engineering, Inc.; Mr. Joe Grulon, Site Project Manager of CRE Management; and Mr. Brain Poitras, Manager of CRE Management, addressed the Planning Board. Mr. Hartnett discussed the completion of the warehouse project and the requested Partial Form H. He stated they are planning to finish construction in the next 30 to 45 days. They prepared a Site Plan work completion list of outstanding items. He stated that Mr. Crowley, BETA Group, prepared a Site Observation Report that recognized these items along with some others. The building is mostly complete. The situation holding them up is national Grid getting power to the building which is tentatively scheduled for November 22, 2019. As the site is lagging behind in completion, they have two crews on site currently to get it wrapped up in the next 30 days. They have a tenant ready to take the building after a Certificate of Occupancy is issued; it has been fully leased. He stated the other item to discuss is the intersection improvements at King Street and Washington Street. As a condition of approval, the Planning Board required that a signalized intersection be constructed. The intersection design went through many iterations; there were negotiations with property owners on Washington Street for right-of-way. However, they were unable to come to agreement terms with the property owners, so the design had to be modified and put back out to bidding. The contract was finally issued for the construction of the intersection which is ongoing now. It should be completed around the end of November. Things are proceeding; however, the intersection could lag in completion by a few weeks. Under the condition of the approval, it was stated the intersection improvements must be completed prior to occupancy. He stated that if the intersection improvements were not completed, they recommended a surety for the outstanding work. CRE Management would post a bond for the outstanding work.

Ms. Love stated BETA has been out to the site. There are several outstanding items to be completed. The town engineer provided an estimate of \$586,000 to finish the intersection work. She noted there has not been much work completed to date.

Chairman Padula stated he does not care about the electric company or when power is provided to the building. He is concerned about the intersection being completed as the Certificate of Vote indicated. He noted the items that are lagging. He suggested the applicant return for a Partial Form H in 30 to 45 days as the applicant suggested much more work would be completed by then.

Planning Board members asked questions regarding items not completed as shown by the pictures provided by Mr. Crowley which were taken about one week ago. The applicant was asked why they were before the Planning Board at this time as major items still need to be completed.

Mr. Hartnett explained they wanted a temporary Certificate of Occupancy from the building department to allow finalization of the building so they can turn the building over to the tenant. They have two contractors pushing to finish the work. He discussed the intersection schedule and asked if that lags behind the building completion, would the Planning Board consider bonding outstanding work for the intersection.

Chairman Padula stated the traffic lights are a public safety item; the lights are a condition of the approval. Because the applicant is late getting started is not the Planning Board's fault. He requested the applicant get some work done before returning.

**D. Meeting Minutes: October 7, 2019 & October 21, 2019**

***Motion to Approve the Meeting Minutes for October 7, 2019. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

***Motion to Approve the Meeting Minutes for October 21, 2019. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:05 PM

**PUBLIC HEARING** – Continued***Spring Street***

Scenic Road Permit

*Documents presented to the Planning Board are on file.*

Mr. Richard Cornetta, Attorney for the Applicant; Ms. Natasha Bien of Spring Street Renewables, the applicant; and Ms. Kristen LaBrie from Andrews Survey & Engineering addressed the Planning Board. Mr. Cornetta reviewed the proposal for a ground-mounted solar energy project that was approved by Special Permit by the Planning Board in May 2019. Part of the proposal was to improve a portion of Spring Street in order to access the site. He reviewed that Spring Street is a scenic road in Franklin and noted the road is partially undeveloped. The petition before the Planning Board is a Scenic Road work permit pursuant to the Town code. Tree Warden Brutus Cantoreggi and Town Administrator Jamie Hellen attended the site walk in August. He noted Mr. Cantoreggi has an upcoming shade tree public hearing. Mr. Cornetta stated they would like to consolidate that hearing with the Planning Board. So, rather than seeking closure of this proceeding, he asked the Planning Board to continue the hearing so the Tree Warden can join at the next meeting to address all the issues with regard to the proposed improvements on Spring Street. He noted that in reviewing the bylaw for the Scenic Road Permit, he does not think the legislative intent was to address the present unique situation; the intent of the bylaw was to preserve the roadside and rural appearances that are predominant in the scenic roads throughout Franklin.

Chairman Padula confirmed the tree clearing is for the applicant's access.

Ms. LaBrie reviewed the existing conditions on Spring Street as shown in the provided photographs. She reviewed the proposed road improvements including paving and the parking lot for public use.

Ms. Love stated the provided plan shows the trees to be removed and the work to be done in the right of way. It provides more detail than what is in the Site Plan.

Mr. Halligan stated he thought this would include the wires, poles, and electric company work.

Mr. Cornetta stated that would be done through the power company; they will apply to the town and go through their process to put the poles in. The applicant does not have the information from the power company as to where the poles are going to be located. The power company is reluctant to provide that information. He reiterated they are here for the Scenic Road Permit.

***Motion to Continue the public hearing for Spring Street, Scenic Road Permit, to November 18, 2019 at 7:05 PM. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:10 PM

**PUBLIC HEARING** – Initial***14 Ruggles Street***

Special Permit &amp; Site Plan Modification

*Documents presented to the Planning Board are on file.*

Mr. Dana Franco, owner/applicant, addressed the Planning Board. He stated he was applying for a modification to an existing Special Permit regarding special conditions #2 and #3. He reviewed special condition #2 and explained he would like to rearrange the floor plan to accommodate a residential apartment. He supplied a proposed interior floor plan. He stated this does not change anything on the exterior. He reviewed special condition #3 and explained he would like to use an alternative to vertical concrete curb because of the extensive populated tree line. He read from a letter from a certified arborist. He thinks there could be some other curbing that does not require to dig down so deeply.



Chairman Padula stated information, such as the letter from the arborist, must be submitted the Tuesday before the public hearing.

Mr. Maglio stated he reviewed the information submitted for the change; he does not have any comments on the proposed changes.

Ms. Love stated the site is in Commercial I zoning. The parking requirements for that zone were changed. However, the applicant is still in compliance when adding the one residential unit.

Chairman Padula confirmed the change to add a residential unit to the first floor did not need fire department approval.

Mr. Halligan asked that since they want to save the trees and the applicant still has to install the fence, is there a way to give a waiver for the parking spots to be 22 ft. rather than 24 ft. He is trying to save the trees.

Chairman Padula stated the applicant still needs to install a 6 ft. PVC fence. The current trees that are leaning do not allow that. He has no intention of eliminating the 6 ft. fence and the curbing.

Abutter stated she is vehemently opposed to this third proposed apartment as this is directly in her backyard.

Chairman Padula said the Planning Board cannot legally say the applicant cannot have the apartment as it is zoned for it.

Mr. Franco said he was thinking of switching the parking to the other side. Discussion commenced regarding the proposed parking and the possibility of requesting a waiver for shorter parking spaces to be able to keep the trees, install the fence, and install the curbing. Mr. Franco stated he thinks this would work. He said the asphalt curbing would be safer for the trees as it goes on top and no digging is required.

Chairman Padula stated a plow truck will push out the asphalt berm and then push the snow into the fence and trees. He suggested a higher reveal and not to dig down so deep with the vertical concrete.

Discussion commenced about possible alternatives including to stay 2 ft. away from the tree line and pick up the vertical concrete reveal.

Abutter requested more evergreens be planted to block her view. She discussed the porches and stairs on the units that she can see from her property.

Mr. Franco stated he put the fence up and some additional evergreens. He said it is on the Site Plan and he will try to get trees as tall as possible.

Chairman Padula stated they are just moving a parking lot line 2 ft.; no materials have been changed.

Ms. Love stated the applicant came in for a change to two special conditions. Now the Planning Board is requesting a Site Plan change for the 2 ft. It should be changed on the plans as when the As-built is submitted, it will not match with the approved plans. A revised Site Plan should be submitted as there are physical changes to the plans.

Chairman Padula stated the Planning Board wants to see the trees that were promised to the abutter and the curb line moved on the plans. It should indicate more trees and that they will be spruce trees. Discussion commenced about the proposed paving.

***Motion to Continue the public hearing for 14 Ruggles Street, Special Permit & Site Plan Modification to December 2, 2019 at 7:05 PM. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

7:15 PM      **PUBLIC HEARING** – *Initial*  
                 ***Highland Village***  
                 Definitive Subdivision  
                 *Documents presented to the Planning Board are on file.*

***Mr. Halligan recused himself.***

***Chairman Padula activated Mr. Power for this public hearing.***

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

Mr. Joel D'Errico, owner/applicant, and Ms. Amanda Cavaliere of Guerriere & Halnon, Inc. addressed the Planning Board for a Definitive Subdivision Plan at 278, 280 & 300 West Central Street. Ms. Cavaliere stated that in May 2019 they were before the Planning Board with a preliminary plan for review and addressed some questions. The applicant is proposing to construct a four-lot subdivision off West Central Street which is in the General Residential V zoning district. It will have a separate drainage lot. There are no wetlands on the property. It is proposed to be serviced by town water and sewer with a 26 ft. wide paved roadway with sloped granite curbing. It is an approximately three-acre lot. They have received comments back from BETA, DPW, and Planning; they are still waiting for Fire Department comments. They believe the majority of questions will be addressed in their revised plan set. They are looking for additional feedback from the Planning Board. She noted at this time no waivers are being requested; however, they would not be opposed to having one sidewalk rather than the required two as shown on the plans.

Mr. Maglio reviewed some of the comments outlined in his letter dated October 30, 2019 to the Planning Board. He noted approval by the Town Council for water and sewer map amendments is required. For some of the storm events, the post-development runoff rates and volumes are slightly higher than the pre-development rates and volumes. He highlighted his drainage concerns as described in his letter.

Chairman Padula requested the house diagrams be taken off the plans.

Mr. Crowley reviewed his comments as outlined in his letter dated October 30, 2019 to the Planning Board. He highlighted substantial comments including, but not limited to, revising lot A to meet the side yard setbacks, confirmation that the subdivision is to remain private, wheelchair ramps should be relocated to be on West Central Street, a hydrant is required, they should provide the plantings for the shade trees to include at least three species of trees, and revising the stormwater design.

Ms. Love stated most of her comments have been touched on. If the intention is that this four-lot subdivision will remain private, it should be labelled as such on the plans. She noted there were no waivers requested.

Mr. Rondeau confirmed this would be single-family residences. He asked if they were planning to remove any gravel from the location.

Ms. Cavaliere stated they will be applying for an earth removal permit from the ZBA.

Mr. Carroll confirmed the granite will be sloped.

***Motion to Continue the public hearing for Highland Village, Definitive Subdivision, to December 2, 2019 at 7:10 PM. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

7:20 PM      **PUBLIC HEARING** – *Continued*



**186 Grove Street – Change in Use****Site Plan**

*Documents presented to the Planning Board are on file.*

Mr. Tim Power of PVI Site Design representing the applicants of No Shoes on Grove, LLC; and Peter and Christina Kokinda, owners/applicants, addressed the Planning Board. Mr. Power stated since the initial public hearing, they have responded formally to comments from BETA and the town engineer. They have added a number of items to the Site Plan, of which the biggest were the stormwater design and curbing around the new parking lot and the areas of pavement they are altering. They heard the Planning Board's concern about the original plan for low-impact design technique. They have since determined using a water quality inlet unit with the curbing would be better which is proposed on the new plan. He stated there was discussion about line of sight issues at the bottom of the hill; they have proposed to clear some vegetation and do some earth work at the bottom of the driveway to improve this. He reviewed the need for screening for the abutting residence to the south; a board fence was a good option. Erosion controls were added to the plans. He reiterated from the last meeting that the owners are on a very tight schedule; the banks are not letting them have more time. They are hoping that if they have satisfactorily met the items the Planning Board is looking for, there could be conditions placed on approval if there are any remaining minor items.

Mr. Maglio stated his previous drainage-related comments have been addressed. They would like to see vertical curb added to the opposite side of the existing driveway at the radius where it meets Grove Street. He noted the sight distance at the bottom of the driveway was difficult and he discussed ways to improve it. The grade is 18 to 20 percent at its maximum.

Mr. Crowley stated his comments were primarily addressed. The applicant investigated any way to change the grade along the driveway. Some regarding could be done but going from 18 percent to 15 percent would not make a substantial difference; it is still going to be a steep driveway.

Ms. Love stated information from the Fire Chief has been provided. The curbing was added and the driveway was widened to 18 ft. as requested.

Chairman Padula read aloud the letter dated October 21, 2019 from the Fire Department. He requested the applicant make the changes before the plan is endorsed.

***Motion to Close the public hearing for 186 Grove Street – Change in Use, Site Plan. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

***Motion to Approve 186 Grove Street – Change in Use, Site Plan, with the changes discussed before being endorsed. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

**Chair Comments**

Chairman Padula announced that Mr. John Carroll is leaving the Planning Board and thanked him for his eight years of public service to the citizens of this town and to the Planning Board. Planning Board members all thanked Mr. Carroll and wished him luck.

***Motion to Adjourn. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 8:38 PM.***

Respectfully submitted,

  
Judith Lizardi,  
Recording Secretary

