

## Town of Franklin



### Planning Board

**February 10, 2020  
Meeting Minutes**

Chair Anthony Padula called the above-captioned meeting to order this date at 7:00 PM. Members in attendance: Joseph Halligan, William David, Gregory Rondeau, Rick Power. Members absent: None. Also present: Michael Maglio, Town Engineer; Bryan Taberner, Director Planning and Community Development; Amy Love, Planner; Matthew Crowley, BETA Group, Inc.

#### 7:00 PM Commencement/General Business

Chair Padula announced the meeting would be video and audio recorded for the public's information.

#### **A. Discussion: 725 Union Street – Change in Design/Colors**

Ms. Love stated the Planning Board approved a Special Permit which included the color renderings for the hotel. The applicant has since requested to make some minor changes to the colors. The applicant has been before the Design Review Commission which has recommended the changes. The applicant is here tonight for discussion.

The Project Supervisor at Eastern Companies, addressed the Planning Board. He showed and discussed the new design colors.

Chair Padula asked if the materials had changed.

The Hotel Representative stated he does not know if the materials were indicated on the original color rendering; mainly the color schemes have changed.

Planning Board members informally agreed they liked the new colors.

Mr. Halligan requested a materials list and new color renderings be attached to the Site Plan and Special Permit.

Ms. Love stated she will put that information on file with the Town Clerk.

***Motion to Accept the changes that Design Review Commission recommended for 725 Union Street, Changes in Design/Colors. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

#### 7:05 PM PUBLIC HEARING – Initial

##### Zoning Bylaw Amendments

20-849: Ground Mounted Solar & Use Schedule Changes

20-850 & 20-851: Zoning Map Amendments

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

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

Mr. Taberner reviewed Zoning Bylaw Amendment 20-849: Ground Mounted Solar & Use Schedule Changes. He stated there have been several large-scale ground-mounted solar projects in the past. Some of them have been creating problems in and around residential areas. He stated that the administration asked him to develop a bylaw amendment which would limit the areas in Town where large-scale ground-mounted solar projects would be allowed. He stated that the proposal is to change the Use Regulation Schedule; however, several issues currently in the Use Regulation Schedule were identified that need to be updated, as well. The Zoning Bylaw Amendment will change the "Large-scale Ground-mounted Solar Energy System" use from may be allowed by Planning Board Special Permit to not allowed in three zoning district categories. If these changes are approved, the Large-Scale Solar use would only be allowed in the Industrial zoning district. The above-mentioned changes would substantially limit the areas in Town that can be developed by Large-Scale Solar projects, but there would still be a chance that adjacent residential properties or Scenic Roadways could be negatively impacted by Large-Scale Solar projects. For that reason, DPCD recommends additional regulation by adding specific wording, which he read aloud, to the Use Regulation Schedule Part III. He stated this would require a 75 ft. setback to a residential lot line. He stated there are currently several small revisions/updates needed to Parts I, III, and VII of the Use Regulation Schedule. These changes are housekeeping-type issues and do not change the Zoning Bylaw's use regulations. He reviewed the proposed minor changes as outlined in his memorandum to the Town Council dated January 14, 2020.

Mr. Halligan stated he agrees with the changes Mr. Taberner indicated.

Mr. Taberner, in response to a question, stated that the determination for small, medium, or large-scale ground-mounted solar projects is based on the size of the display.

***Motion to Recommend to Town Council Zoning Bylaw Amendment 20-849: Ground Mounted Solar & Use Schedule Changes. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

Mr. Taberner stated Zoning Bylaw Amendments 20-850 & 20-851 are zoning map changes that are being done to better define the Town's zoning districts. The DPCD and other Town staff are undergoing a multi-year project to better define the Town's zoning districts by following parcel lines. He stated that where parcels are within two or more zoning districts, the zoning district line is moved so each parcel is only in one zoning district, in most cases based on the current land use. He reviewed the documents provided to the Planning Board members for the two Zoning Map Amendments which include the amendment document, a list of parcels proposed for rezoning, and a diagram with two maps: one showing the current zoning, and one showing the zoning map changes. He discussed the proposed zoning map changes as outlined in his memorandum to the Town Council dated January 14, 2020.

Mr. Halligan reiterated that this is just a clean up of lot lines.

***Motion to Recommend to Town Council Zoning Bylaw Amendments 20-850 & 20-851: Zoning Map Amendments. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

7:10 PM      **PUBLIC HEARING** – Initial  
                  ***94 East Central Street – Multifamily***  
                  Special Permit & Site Plan  
                  *Documents presented to the Planning Board are on file.*

***Chair Padula recused himself.***

Mr. Brad Chaffee, owner/applicant, and Mr. Rick Goodreau, United Consultants, Inc., addressed the Planning Board. Mr. Goodreau stated this is a Site Plan for the properties located at 70, 72 & 94 East Central Street. He noted that the applicant had come to the Planning Board a few years ago for the Site Plan and Special Permit process for the properties located at 70 & 72 East Central Street. Now the applicant has



purchased the property at 94 East Central Street. The proposal is to combine the properties into one project. He reviewed the provided diagram. He discussed the two buildings currently at 70 & 72 East Central Street and the location of the proposed building at 94 East Central Street. He reviewed the proposed plans to construct a four (4) story, mixed-used building with thirteen (13) residential apartments with retail/office on the first floor. He discussed current and proposed parking, proposed driveway to connect the properties, stormwater, sewer connections, and drainage. He stated the plans have been reviewed by BETA and the Town Engineer. As well, comment letters have been received from BETA, Town Engineer, DPCD, Conservation Commission, and Fire Department.

Mr. Chaffee stated the project at 70 & 72 East Central Street is completed and everyone has moved in. They are still doing some site cleanup. People are excited to be living there; the project has been a big success. He stated this current proposed project is an extension of the project at 70 & 72 East Central Street. He stated that essentially, they took the size of the two completed buildings and put it into the proposed building. It is basically the same project with a few design changes. He stated there will be 13 units; the last project had 12 units. They do not have a tenant for the first-floor office/retail space. He noted they still have to go to Design Review for the colors; they hope to tie it together with the first project.

**Citizen Comments:** ► Resident, 39 Cross Street, stated her view currently is forest and trees and she would like to know how this project will affect her view. ► Mr. Chaffee stated they are not clearing any more of the lot except for a few dead trees. He explained the location of the property where the new building will be. He stated the new building will be the same height as the buildings at 70 & 72 East Central Street which are four (4) stories. ► Resident, 29 Cross Street, expressed concern about the view she will have with the new proposed building which is taller and wider than the current buildings. She stated the proposed driveway for the project will allow vehicle headlights to beam directly into the windows in the back of her house. She would like something to be installed along the driveway to prevent that. She expressed concern about possible flooding in her yard as she is down-grade from the proposed building.

Mr. Maglio reviewed some of the items identified in his letter to the Planning Board dated February 5, 2020. He stated that the proposed number of bedrooms for the residential units should be identified. Depending on the proposed commercial use, an exterior grease trap may be required. The disposition of the existing retainage wall at the back of the sidewalk should be called out on the plans. He stated that due to the amount of trenching within East Central Street and the amount of traffic, it is recommended that the roadway be overlaid from curb to curb within the trench limits. He stated he also had a few questions on the drainage design, and watershed maps for the pre- and post-conditions need to be submitted to accompany the drainage analysis.

Ms. Love confirmed this project is not in the jurisdiction of Conservation. She stated the applicant has requested two waivers. She noted that landscaping and lighting plans are required. The applicant will need at some point an ANR to merge this property with 70 & 72 East Central Street.

Mr. Crowley highlighted some of the items identified in his letter to the Planning Board dated February 5, 2020. He stated that the property must be combined with 70 & 72 East Central Street as they do not have the necessary frontage to build the proposed development. He recommended the proposed easement be revised. The applicant should also confirm the number of parking spaces as they may need a Special Permit as the driveway is less than 150 ft. away. The applicant will need to meet screening requirements for the parking spaces. He discussed recommendations for the stormwater flow, and he requested additional test pit data.

In response to Planning Board members' questions, Mr. Chaffee stated the building footprint was approximately 8,000 sq. ft. and four stories.

Mr. Rondeau stated he did not like the proposed building height at that location; it is too big for the site. He stated that whether the Fire Department requests it or not, he would like access around the building as the

Planning Board has requested other developments provide such access. He noted the first site has a Special Permit; the applicant will need to get that adjusted to tie the projects together.

Mr. David stated he agrees with Mr. Rondeau that the building is too tall for the site. He requested there be access around the building. He asked if any blasting would be done.

Mr. Chaffee stated minimal blasting will be done and he explained the area of ledge on the site.

Vice Chair Halligan asked about the lot lines and the easement.

Mr. Goodreau stated the land in the back is already part of the lot; it is not shown correctly on the tax assessor's maps. He explained the lot lines as shown on the plans. He stated all the deeds will be provided.

Vice Chair Halligan stated that as of today, 94 East Central Street is a non-conforming lot; it does not have the correct frontage. How can the Planning Board approve something that is not conforming? The plan that is being proposed is only for 94 East Central Street as indicated on the application. He noted that the Special Permit on 70 & 72 East Central Street would have to be modified as this new project would involve both properties; the legality must be looked into. He does not have any ownership certificates for the property in his document packet.

Ms. Love stated she has the ownership certificates.

Mr. Goodreau discussed the easement as referenced in BETA's letter. He stated he was hoping the Planning Board would consider, as a condition of approval prior to endorsement, to allow for the combination of the lots, but they can look into that with the attorneys. He reviewed the two requested waivers and discussed the proposed use of HPDE pipe.

Vice Chair Halligan asked questions about the trench drain and stated he had great concerns about them filling up and freezing. He asked how close the proposed building will be from the current residential homes.

Mr. Maglio explained the use and workings of the proposed trench drain. Regarding runoff, he stated the proposed project cannot increase the amount of runoff coming from the site currently; in the drainage analysis provided, it shows there is not an increase after construction.

Mr. Goodreau stated he can provide the distances from the proposed building to the current residential homes.

Mr. David stated concern that if the abutting neighbor has current flooding issues in the backyard, will this increase the flooding.

Vice Chair Halligan stated he does not think this project will affect the water situation. He summarized that Planning Board members have indicated concerns with the height and size of the building, the trench drain, the lack of curbing along the driveway easement, and the elimination of two parking spots.

Mr. Goodreau explained that there is no net reduction of parking spots. He reviewed the required and proposed parking spaces.

Vice Chair Halligan reiterated that the applicant is changing a current Special Permit. Therefore, the applicant would have to return to the Planning Board for a modification. He confirmed 1.5 parking spots per residential unit in the Downtown and C1 district is required.

Mr. Chaffee discussed his conversations with the Fire Department regarding assess for emergency vehicles.



Mr. Rondeau stated that other applicants have been required to add an access road.

Vice Chair Halligan asked if the applicant would consider three stories for the building as the Planning Board members have expressed concern about the proposed building height as the location is on a hill.

Mr. Chaffee stated he would work on addressing the concerns.

***Motion to Continue the public hearing for 94 East Central Street – Multifamily, Special Permit & Site Plan, to March 23, 2020, at 7:10 PM. Rondeau. Second: David. Vote: 4-0-0 (4-Yes; 0-No).***

7:15 PM      **PUBLIC HEARING** – Continued  
                 ***160 Grove Street – Marijuana Cultivation***  
                 Special Permit & Site Plan  
                 *Documents presented to the Planning Board are on file.*

Vice Chair Halligan stated the applicant requested a continuance.

***Motion to Continue the public hearing for 160 Grove Street – Marijuana Cultivation, Special Permit & Site Plan, to February 24, 2020, at 7:10 PM. Rondeau. Second: David. Vote: 4-0-0 (4-Yes; 0-No).***

7:20 PM      **PUBLIC HEARING** – Continued  
                 ***300 East Central Street***  
                 Site Plan – Change in Use  
                 *Documents presented to the Planning Board are on file.*

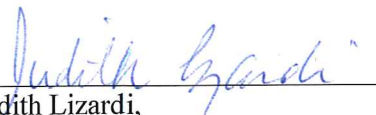
Vice Chair Halligan stated the applicant requested a continuance.

***Motion to Continue the public hearing for 300 East Central Street, Site Plan, Change in Use, to February 24, 2020, at 7:15 PM. Rondeau. Second: David. Vote: 4-0-0 (4-Yes; 0-No).***

***Motion to Adjourn. Rondeau. Second: David. Vote: 4-0-0 (4-Yes; 0-No).***

***Meeting adjourned at 8:12 PM.***

Respectfully submitted,

  
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Judith Lizardi,  
Recording Secretary

