

Town of Franklin



Planning Board

**April 10, 2017
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 (items taken out of order from agenda)

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

A. Endorsement: 5 Forge Parkway

Ms. Love stated this was approved a few months ago for an addition. They are here to have the plans endorsed. They have put the Certificate of Vote and the Conditions of Approval on the front page.

Motion to Endorse Site Plan Modification for 5 Forge Parkway. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

B. Endorsement: 90 Hayward Street

Ms. Love stated this was a change of use moving to a dance studio from an existing furniture storage restoration facility. They added the Certificate of Vote and the Conditions of Approval on the front page.

Motion to Endorse Site Plan Modification and Change of Use for 90 Hayward Street. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

C. Subdivision By-Law Discussion: Ch. 300 10.D.5 – Right-of-Way Grade

Chairman Padula stated he had requested a change of wording and read the new wording of the amendment. He said that with the change of wording it will now definitely require a waiver from the Planning Board; the rest of it is the same. He stated this does not have to go before the Town Council.

Mr. Halligan asked for clarification of "below the existing grades."

Ms. Love stated she believed that for what was existing there you could go 5 ft. above or below.

Chairman Padula stated that 5 ft. is not really going to change the runoff or drainage that much, but when getting to 10 ft. or more it will.

Mr. Maglio stated that 5 ft. above or below would not change the site that much. This is just for the proposed right-of-way.

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Motion to Approve the Amendment to Planning Board's Subdivision Regulations, Chapter 300, Section 10.D (5) Right-of-Way Grade. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

D. Meeting Minutes: March 13, 2017

Motion to Approve the March 13, 2017 Meeting Minutes. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

E. Discussion: 4 Mount Street

Ms. Love stated this has been on the agenda for about one month due to some Chapter land coming up for sale. Town Administration is indicating that it is not priority property to acquire. The Town Council has it on their agenda to discuss on Wednesday of this week; they have not discussed it yet. It is her understanding that it is going to be recommended not to pursue this piece of property.

Mr. Halligan stated the did a *Google* and it looks like there is a stream and some old buildings on it.

Ms. Love stated there are some old barns, cars, and junk on the property. There is no water or sewer access.

Chairman Padula stated it would make a nice open space piece of property.

Ms. Love stated the potential buyer is planning to build a single-family and leave 8 to 9 acres.

Chairman Padula stated that as the Town Council has not yet done a first reading, let it go back to the Town Council.

Note: Public Hearings taken out of order from agenda.

7:15 PM **PUBLIC HEARING** – *continued*
Acorn Hill Estates – 27 Acorn Place
Definitive Subdivision

Documents presented to the Planning Board:

1. *Letter dated March 29, 2017 from Thomas Haynes to Franklin Planning Board*

Chairman Padula stated there was a request for this hearing to be continued to April 24, 2017.

Motion to Continue the public hearing for Acorn Hill Estates, 27 Acorn Place, Definitive Subdivision, to April 24, 2017 at 7:15 PM. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

7:20 PM **PUBLIC HEARING** – *continued*
Maple Preserves – 469 Maple Street
Definitive Subdivision

Documents presented to the Planning Board:

1. *Email dated March 30, 2017 from William Buckley, Jr., Bay Colony Group, Inc., to Amy Love, Town Planner*

Chairman Padula stated there was a request for this hearing to be continued to April 24, 2017.

Motion to Continue the public hearing for Maple Preserves, 469 Maple Street, Definitive Subdivision, to April 24, 2017 at 7:20 PM. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

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7:05 PM **PUBLIC HEARING** – *continued*
511 & 515 East Central Street
Special Permit & Site Plan Modification

Documents presented to the Planning Board:

1. *Site Plan Modification Sheets, with date issued February 10, 2017, and latest issued date March 20, 2017, for Site Plan Modification, 511 – 515 East Central Street, Franklin, Massachusetts, Prepared by MidPoint Engineering & Consulting, with Received by Planning date March 31, 2017*
2. *Site Plan Modification Sheets for Grading, Drainage & Utility Plan, with date issued February 10, 2017, and response to comments revision date April 6, 2017, for Site Plan Modification, 511 – 515 East Central Street, Franklin, Massachusetts, Prepared by MidPoint Engineering & Consulting, with no Received by Planning date*
3. *Letter dated April 4, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board*
4. *Letter dated April 5, 2017 from Matthew Crowley of BETA Engineering to Franklin Planning Board*
5. *Memorandum dated April 6, 2017 from DPCD to Franklin Planning Board*
6. *Letter dated March 30, 2017 from Patrick Doherty, MidPoint Engineering & Consulting, LLC to Amy Love, Town Planner, RE: Planning & DPW Comments*
7. *Letter dated March 30, 2017 from Patrick Doherty, MidPoint Engineering & Consulting, LLC to Amy Love, Town Planner, RE: BETA Comments*
8. *Memorandum dated April 4, 2017 from George Russell, Conservation Agent, to Franklin Planning Board*
9. *Design Review Commission Document with date of hearing March 28, 2017, from Mark Fitzgerald, Chair*
10. *Email dated March 7, 2017 from Patrick Doherty, MidPoint Engineering & Consulting, LLC to Amy Love, Town Planner*
11. *Memorandum dated February 24, 2017 from G.B. McCarraher, Fire Chief, to DPCD*
12. *Letter with no date from George Russell, Conservation Agent, to Patrick Doherty of MidPoint Engineering & Consulting, LLC*
13. *Letter dated February 17, 2017 from Patrick Doherty, MidPoint Engineering & Consulting, LLC to Amy Love, Town Planner*
14. *Document dated February 17, 2017 from MidPoint Engineering & Consulting, LLC, RE: Special Permit Criteria – Site Plan Modification 511 – 515 East Central Street*
15. *Application for Approval of a Site Plan and Special Permit(s) from Cadillac Properties, LLC c/o Joseph Halligan, Manager, applicant, with Received by Planning date February 21, 2017*
16. *Certificate of Ownership with Received by Planning date February 21, 2017*
17. *Town of Franklin Board of Assessors Abutters List Request Form with Received by Planning date February 21, 2017*
18. *Abutters List Report dated February 15, 2017*
19. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date February 21, 2017*

Mr. Halligan recused himself.

Note: Chairman Padula, at the March 13, 2017 Planning Board meeting, activated alternate Planning Board member, Mr. Power, as this public hearing is for a special permit.

Mr. Patrick Doherty, professional engineer with MidPoint Engineering & Consulting, on behalf of the applicant Cadillac Properties, LLC, stated this is a continuation of a previous public hearing. He provided an overview of the project stating that the 511 and 515 East Central Street properties would be combined. Since the last Planning Board public hearing he stated they have filed with the Design Review Committee

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and received a negative determination from the Conservation Commission. They have no further action with the Conservation Commission and received unanimous approval last week from Design Review Committee on site plan, landscape plan, lighting plan, and building elevations. He stated they received comments from BETA Group; they responded to those comments and filed revised site plans. He noted most of those revisions were discussed at the last Planning Board hearing (see letters dated March 30, 2017 for detailed responses). He stated they have formally requested three waivers: HDP drainage pipe be allowed instead of RCP pipe; use of Cape Cod berm within the site instead of Vertical Granite Curbing; submission of a Traffic Impact Report not be required. He further discussed the plan for 100-year storm for underground system #1 which includes adding 12 in. of stone on top of the chambers rather than 6 in. of stone. For underground system #2, he will add one chamber to each of the five rows which would make it a 5 x 7 configuration rather than a 5 x 6 configuration. He would change the way the outlet was controlled. He understands the changes have not been fully reviewed. He is sure the calculations are correct. He believes these could be addressed in a final plan submission before endorsement.

Chairman Padula asked if the 8 in. storm drains will have cleanouts brought to the surface.

Mr. Doherty stated Yes.

Mr. Maglio, in response to Chairman Padula's question, stated the Cultec systems are designed to take the weight of the 12 in. of stone. He noted he had only a chance to look through the comments briefly and has not done a full review. He would want to see final plans before endorsement.

Mr. Crowley stated he had looked at the review, not thoroughly, but at a level of more than a glance; everything seemed to be in order with the calculations and design.

Motion to Close the public hearing for 511 & 515 East Central Street, Special Permit & Site Plan Modification. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Ms. Love stated there are three requested waivers: HDP drainage pipe be allowed instead of RCP pipe; use of Cape Cod berm within the site instead of Vertical Granite Curbing; submission of a Traffic Impact Report not be required.

Motion to Approve waiver to allow HDP drainage pipe instead of RCP pipe. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve waiver to use Cape Cod berm within the site instead of Vertical Granite Curbing. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve waiver that submission of a Traffic Impact Report not be required. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Chairman Padula read the following: Special Permit Findings: Criteria. Special permits shall be granted by the special permit granting authority only upon its written determination that the proposed use will not have adverse effects which overbalance its beneficial effects on either the neighborhood or the Town, in view of the particular characteristics of the site and of the proposal in relation to that site. The determination shall indicate consideration of each of the following specific findings.

ROLL CALL VOTE to approve the Special Permit: To allow Motor Vehicle Sales, Service and Repair in the Commercial II (CII) zoning district as shown on the Plan.

- a) Proposed project addresses or is consistent with neighborhood or Town need.

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Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0 (5-Yes; 0-No)

- b) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.

Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-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; Carroll-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0 (5-Yes; 0-No)

- d) Neighborhood character and social structure will not be negatively impacted.

Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-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; Carroll-YES; David-YES; Rondeau-YES; Power-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; Carroll-YES; David-YES; Rondeau-YES; Power-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; Carroll-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0 (5-Yes; 0-No)

The proposed use will not have adverse effects which overbalance its beneficial effects on either the neighborhood or the Town, in view of the particular characteristics of the site and of the proposal in relation to that site.

Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0 (5-Yes; 0-No)

ROLL CALL VOTE to approve the Special Permit: To allow Light Manufacturing in the Commercial II (CHII) Zoning District as shown on the Plan.

- a) Proposed project addresses or is consistent with neighborhood or Town need.

Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0 (5-Yes; 0-No)

- b) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.

Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-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.

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Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0 (5-Yes; 0-No)

- d) Neighborhood character and social structure will not be negatively impacted.

Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-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; Carroll-YES; David-YES; Rondeau-YES; Power-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; Carroll-YES; David-YES; Rondeau-YES; Power-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; Carroll-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0 (5-Yes; 0-No)

The proposed use will not have adverse effects which overbalance its beneficial effects on either the neighborhood or the Town, in view of the particular characteristics of the site and of the proposal in relation to that site.

Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0 (5-Yes; 0-No)

Motion to Approve the Site Plan Modification and (2) Special Permits for 511 & 515 East Central Street. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Mr. Halligan re-entered the meeting.

Chair and Citizen Comments

Chairman Padula stated the Planning Board requested it and they do have a follow-up sheet from the DPW for 656 King Street stormwater basins. The packet was turned in tonight so there was not time to read it; it can be read before the next Planning Board meeting.

Mr. Dale McKinnon addressed the Planning Board. He stated he just started as the office manager at Guerriere & Halnon, Inc. and wanted to introduce himself.

Motion to Adjourn. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 8:37 PM.

Respectfully submitted,


Judith Lizardi

Recording Secretary