

Town of Franklin



Planning Board

**June 1, 2020
Meeting Minutes**

Chair Anthony Padula called the above-captioned **Remote Access Virtual Zoom 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; Amy Love, Planner; Matthew Crowley, BETA Group, Inc.; Maxine Kinhart, Administrative Assistant.

*As stated on the agenda, due to the growing concerns regarding the COVID-19 virus, the Planning Board will conduct a **Remote Access Virtual Zoom Meeting**. The Massachusetts State of Emergency and the associated state legislation allows towns to hold remote access virtual meetings during the COVID-19 pandemic crisis. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number, or citizens can participate by using the Zoom link also provided on the agenda.*

7:00 PM Commencement/General Business

Chair Padula read aloud the Zoom platform call-in phone number and the Zoom link which were also provided on the meeting agenda.

A. Discussion: MS4 Stormwater Changes

Mr. Maglio stated the DPW has been working with their stormwater consultant on complying with new requirements of the Town's most recent MS4 Stormwater Permit issued by the Environmental Protection Agency. Some of the new requirements involve changes to current bylaws which are to be in place by July 1, 2020. He provided a summary of the proposed bylaw changes, some of which will be presented to the Town Council for approval and some which will require approval from the Planning Board. The actual amendments will be presented to the Planning Board for review and approval in the near future. There are three proposed changes under Stormwater Management-Chapter 153, one proposed change under Zoning-Chapter 185, one proposed change to Subdivision of Land Bylaw-Chapter 300, and one proposed change to the Best Development Guidebook.

Mr. Maglio stated that in general, the low impact design is being promoted. Chair Padula stated he is not interested in putting that into the subdivision regulations; the subdivision rules and regulations are separate. He believes in the closed drainage system for subdivisions. Mr. Maglio stated the Town's MS4 permit applies to the entire Town. Chair Padula stated it normally applies to Water Resource Districts; he stated he would do some research into this.

B. Discussion: Street Light Update

Mr. Maglio stated that Franklin recently upgraded street lighting fixtures throughout Town to new energy efficient LED street lights. However, current requirements under the Subdivision of Land Bylaw-Chapter 300 still call out for sodium vapor street lighting, and the language under this Chapter reflects a time when the Town leased the street lights from the utility company. Today, Franklin owns and maintains the street lighting fixtures that have been accepted by the Town. The language of Section 300-12 (C) which covers street lighting has been reviewed, and recommended changes will soon be presented to the

Planning Board which will require LED fixtures for new installations and update the process for Town accepted lighting.

C. Planning Board Meeting Dates Revised

Mr. Love stated several new meeting dates had been added to the schedule. Starting in July, the Planning Board returns to the regular schedule. This is a housekeeping item.

Motion to Approve the Planning Board Meeting Dates Revised. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

D. Field Change: Mine Brook Estates

Mr. Maglio discussed the field change. He stated at the extension of Margaret's Cove the grades behind the sidewalk have a small slope. There is a tree on the property line. He met with the contractor and the homeowner. The engineer put together a sketch of what is proposed for the corner which includes constructing a small stone wall and a small shifting of a catch basin to save the tree and minimize impact to the property owner.

E. Final Form H: 27 Forge Parkway

Ms. Love stated that the applicant was previously before the Planning Board for a Partial Form H. The Planning Board requested the remaining items be completed. The items have been completed and the applicant is requesting the Final Form H.

Mr. Crowley stated a new review was done, and the applicant completed the outstanding items.

Motion to Approve the Final Form H: 27 Forge Parkway. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

F. Meeting Minutes: May 4, 2020 & May 11, 2020

Motion to Approve the Meeting Minutes for May 4, 2020. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve the Meeting Minutes for May 11, 2020. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – Continued
 122 Chestnut Street
 Site Plan
 Documents presented to the Planning Board are on file.
 To Be Continued

Chair Padula stated this meeting will be continued.

Motion to Continue the public hearing for 122 Chestnut Street, Site Plan, to July 13, 2020. Halligan. Second: Power. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – Continued
 Maple Hill
 Definitive Subdivision
 Documents presented to the Planning Board are on file.
 To Be Continued

Chair Padula stated this meeting will be continued.

***Motion to Continue the public hearing for Maple Hill, Definitive Subdivision, to June 29, 2020.
Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:05 PM **PUBLIC HEARING** – *Continued*
160 Grove Street
Special Permit & Site Plan
Documents presented to the Planning Board are on file.

Mr. Adam Braillard, representing the applicant Hennep Cultivation LLC; Mr. Jim Stukel of the Stukel Group, LLC; Mr. Bill Halsing of Land Planning, Inc.; and Mr. Nate Seward, odor expert of Criterion Environmental Inc., addressed the Planning Board.

Ms. Love stated the applicant submitted an odor review, provided a traffic study, and proposed to add a left-hand turn lane into the site. The applicant still needs to go before Design Review and has not submitted color renderings.

Mr. Maglio stated that he did not have an opportunity to submit a review letter in time for it to be included in the Planning Board's meeting packet; however, he did have comments on the latest submission. He stated that the warehouse is on its own septic system. He would like to see piping from the well to the irrigation system to the building. He stated the design engineer should confirm the quality of soils after excavation begins.

Mr. Halligan asked that as this is a septic system only, is there any chance of chemicals getting into it. Mr. Maglio stated the Board of Health has jurisdiction over the septic system; floor drains would be under the review of the plumbing inspector. Mr. Stukel stated there are no floor drains in the building.

Mr. Crowley said the majority of BETA's comments have been addressed. He reviewed the outstanding comments including, but not limited to, bollards being installed in the parking lot, concrete curb should be precast, clarify if curb is proposed along sidewalk at southeast corner of the building, curb stops may need to be considered, and the photometric plan should include more information regarding spillage. He stated the applicant provided a full traffic analysis; he asked the Planning Board if BETA should review the traffic study. Chair Padula stated that it does not seem like reinforced concrete is continuous on the plan; either it is not there, or it is not labelled. He stated there are residents as well as Franklin Tile and Planet Fitness in the area; he is concerned about odor and noise. He asked where the filter systems would be located.

Mr. Braillard stated they have gone before the Conservation Commission, and they have filed with the Cannabis Control Commission.

Mr. Seward reviewed the specifics of the odor control plan. He explained the location of the carbon filters and how it is exhausted. He noted that the carbon filters run whenever there are odor emitting activities; they will likely run 24/7. Mr. Halligan asked about the chemical being used to disintegrate the odor, how many gallons of the chemical would be stored at the site at one time, and what kind of permit will they need to store these chemicals in a Water Resource area. Mr. Seward said the chemical has been tested by several agencies for hazardous components. He referred to the safety data sheet. He stated that there should be very little residue of the chemical's use. He discussed the number of gallons of chemicals and how long those chemicals would be stored. Mr. Maglio stated it needs to be verified how much of the chemical will be stored at the site at one time. Mr. Stukel stated the head house is not in the Water

Resource District which is the front part of the building; however, it is all on the same floor. He suggested a containment zone could be installed in case of spillage.

Mr. Rondeau asked if this odor mitigation system has been tried and used in this area, and what kind of noise and decibel level is made by the fans. Mr. Seward stated this is the first time this system has been done in Massachusetts; it has been done in the West Coast with success. He stated they use 54 in. fans; he does not have the decibel level. Mr. Braillard stated the system is being used in Freetown, MA. He will get information to the Planning Board.

Mr. Joe Sabato of Epsilon Associates, Inc., stated they are the third-party reviewer for the odor mitigation; they do this type of consulting for noise and odor. He discussed that noise is measured using a decibel scale. Both the Town and MassDEP regulate the amount of noise that can be on a property. He reviewed his PowerPoint presentation and discussed the noise requirements of the MassDEP noise policy and the Town Nuisance Bylaw. Based on this, they evaluated the noise of the fans and the potential noise impacts from the fans. They do not see a concern with the noise generated to the closest residents. He stated that deliveries should be limited to daytime periods, and the facility should avoid nighttime deliveries. He stated that cannabis odor has been described as skunk-like and if left uncontrolled, depending on the magnitude and weather, it can travel over one-half mile. He reviewed the MassDEP odor policy and the Town Nuisance Bylaw. He stated the applicant did a good job describing the Fogco Odor Control System using an odor neutralizer which alters the odor molecule to render it odorless. He recommended the Fogco system be optimized to make it work. The applicant should describe any heat tracing on the system in order to ensure the odor mitigation system remains operational during winter periods. He described a few concerns not yet addressed by the applicant and stated that among other concerns, he is not clear if there is a backup odor mitigation plan.

Mr. Halligan asked questions including how the system works if it freezes. He requested information regarding if anyone in this area has this system. He asked if a wind study was done or if the direction of the prevailing wind was reviewed. He asked if the air could be vented to the back of the building to keep odor away from residents. He noted that there is another facility in Franklin where the odor is very prevalent. He asked if there is an alarm system that can detect the odor to make sure the carbon and fluids are maintained and working properly, or does an employee just have to decide when to maintain the system.

Mr. Seward stated there is a heat trace system that keeps it from freezing. He would find additional information regarding the freezing in the air concern. He stated this is a very simple system. Mr. Sabato stated that the higher the exhaust can be launched into the air, the faster it can be disbursed. Mr. Seward explained the common time period for replacing filters, and stated there is not an alarm or test that can be done. He stated there are different stages of growing and different stages of weather that can change the odor; he confirmed they will be growing 24 hours per day.

Chair Padula stated the applicant has some additional work to do before returning to the Planning Board. Ms. Love asked if the Planning Board wanted BETA to do a review and analysis of the traffic study. Chair Padula confirmed there are no retail sales at the site. Mr. Braillard said they think the average number of employees per shift would be 35 with the possibility of 100 employees combined for all shifts. Mr. Maglio stated his biggest concern was the turn lane; he suggested a cursory review of the traffic study. Chair Padula stated agreement. He stated he does not want to see shipments going in and out at night and trucks backing in and out with beepers going. Mr. Rondeau suggested the traffic study be looked at with regard to public safety.

Mr. Braillard stated they will not do nighttime deliveries. Generally, small vans are used which may have a backup beeping signal.

Motion to Continue the public hearing for 160 Grove Street, Special Permit & Site Plan, to July 13, 2020. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Adjourn the Remote Access Virtual Zoom Planning Board Meeting. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 8:20 PM.

Respectfully submitted,

Judith Lizardi, AL
Recording Secretary

******Approved at the Planning Board meeting on June 1, 2020***