

JONES & BEACH ENGINEERS INC.

85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885
603.772.4746 - JonesandBeach.com

May 6, 2020

Franklin Planning Board
Attn. Amy Love, Planner
355 East Central Street
Franklin, MA 02038

**RE: Site Plan & Special Permit Application
340 East Central Street, Franklin, MA
Tax Map 285, Lot 9
JBE Project No. 13153.2**

Dear Ms. Love,

On behalf of our client, 340 East Central Street, LLC., Jones & Beach Engineers, Inc., respectfully submits a Site Plan & Special Permit Application for the property referenced above. The intent of this project is to depict the conceptual redevelopment of the City of Franklin, MA Tax Map 285, Lot 9.

Special Permit Criteria – VSC Drive-Thru: See Attached Letter

Special Permit Criteria – 4-Story Apartment: See Attached Letter

The following is provided in support of this application:

1. One (1) Original and One (1) Copy Form P Site Plan Application and Checklist.
2. One (1) Original and One (1) Copy of Completed Special Permit Applications.
3. One (1) Original and One (1) Copy of the Certificate of Ownership Notarized.
4. Special Permit Memo from Attorney Richard Cornetta.
5. Waiver Request Letter.
6. Letter of Authorization.
7. Current Deed.
8. Abutters List with Three Sets of Mailing Labels.
9. Three (3) Drainage Analysis.
10. Four (4) Full-Size (24x36) Plan Sets (folded).
11. Twelve 11x17 Plan Sets (folded).
12. Fee Check in the Amount of \$1,140.00 to the Town of Franklin for Site Plan Application and a Fee Check in the Amount of \$50.00 for the Fire Department Review.
13. Two (2) Fee Checks in the Amount of \$750.00 to the Town of Franklin for the Special Permit Applications.

Thank you very much for your time. If you have any questions, or any additional information, please contact our office.

Very truly yours,

JONES & BEACH ENGINEERS, INC.



Wayne Morrill
President

cc: Jeff Gove, 340 East Central Street, LLC (application and plans via email)
Matthew Crowley, P.E, BETA Group, Inc (application and plans via U.S. Mail)

JONES & BEACH
ENGINEERS INC.

①

FORM P

APPLICATION FOR APPROVAL OF A SITE PLAN

To the Franklin Planning Board:

The undersigned, herewith, submits the accompanying Site Plan entitled "Proposed Development Central Square" for approval under the provisions of the Zoning By-Laws of the Town of Franklin covering Site Plans.

1. Name of Applicant: 340 East Central Street, LLC
Address of Applicant: 7 Swain Drive, Hampton Falls, NH 03844
Phone No.: 508-341-2263 Email: jeffreygove@yahoo.com

2. Name of Owner (if not the Applicant): EPK Properties, LLC
Address of Owner: 579 Avellino Isles U25202, Naples, FL 34119
Phone No.: _____ Email: _____

3. Name of Engineer: Wayne Morrill, Jones & Beach Engineers, Inc.
Address of Engineer: PO Box 219, Stratham, NH 03885
Phone No.: 603-772-4746 Email: wmorrill@jonesandbeach.com

4. Deed of Property recorded with Norfolk Registry of Deeds in Book _____, Page _____, (or Certificate of Title No. _____)
190576

5. Location and Description of Property:
340 East Central Street

Bld "A" - Residential = 19,520 SF Bld "B" - Residential = 22,560 SF
Square Footage of Building(s) Bld "C" - Retail = 9,033 SF Bld "D" - Retail = 8,436 SF
Assessor's Map 285 Lot 009

6. Purpose of Site Plan: The intent of this project is to depict the conceptual redevelopment of the City of Franklin, MA Tax Map 285, Lot 9

7. List of Waivers Requested (if any): Attach Form R for each waiver



Signature of Applicant

Joseph Halligan

Print Name of Applicant

Signature of Owner

Print Name of Owner



9

CERTIFICATE OF OWNERSHIP

I the undersigned Applicant, do hereby certify to the Town of Franklin, through its Planning Board, that all parties of interest to the below-listed plan are identified in Section B: below,

SECTION A:

Title of Plan: Site Plan

Date of Plan: _____ Assessor's Information: 285/009 - 340 East Central Street

Prepared by: Jones & Beach Engineers, Inc.

Type of Plan: 81-P; Prelim.; Def.; Site Plan

SECTION B:

Name of Record Owner(s): EPK Properties, LLC

Address of Record Owner(s): 579 Avellino Isles U25202, Naples, FL 34119

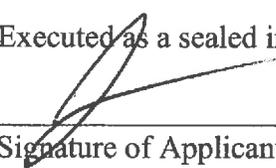
*If in the name of a Trust, Corporation or Partnership, list the names and addresses of all Trustee(s), Corporate Officer(s) or Partner(s):

*If in the name of a Trust or Corporation, list the Beneficiary(ies) of the Trust or the Shareholder(s) of the Corporation: _____

*If in the name of a Trust or Corporation, list the date, county, book and page of recording of the Trust Instrument, or the date and State of incorporation: _____

Executed as a sealed instrument this

day of 20


Signature of Applicant

Joseph Halligan
Print name of Applicant

Signature of Owner

Print name of Owner

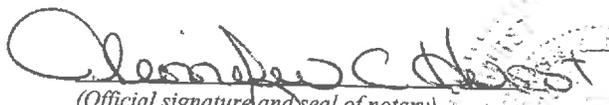


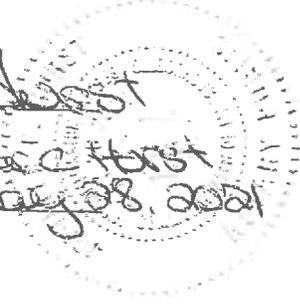
3

Norfolk ss.

2020

On this 6 day of May 2020 before me, the undersigned notary public, personally appeared Joseph F. Halligan (name of Applicant), proved to me through satisfactory evidence of identification, which were valid ma lic to be the person whose name is signed on the preceding document in my presence.


(Official signature and seal of notary)
Notary Public: Jennifer C. Horst
My Commission Expires: May 08, 2021



(A)

FORM P

APPLICATION FOR APPROVAL OF A SITE PLAN

To the Franklin Planning Board:

The undersigned, herewith, submits the accompanying Site Plan entitled "Proposed Development Central Square" for approval under the provisions of the Zoning By-Laws of the Town of Franklin covering Site Plans.

1. Name of Applicant: 340 East Central Street, LLC
Address of Applicant: 7 Swain Drive, Hampton Falls, NH 03844
Phone No.: 508-341-2263 Email: jeffreygove@yahoo.com

2. Name of Owner (if not the Applicant): EPK Properties, LLC
Address of Owner: 579 Avellino Isles U25202, Naples, FL 34119
Phone No.: 508-259-5773 Email: pkeigan@hotmail.com

3. Name of Engineer: Wayne Morrill, Jones & Beach Engineers, Inc.
Address of Engineer: PO Box 219, Stratham, NH 03885
Phone No.: 603-772-4746 Email: wmorrill@jonesandbeach.com

4. Deed of Property recorded with Norfolk Registry of Deeds in Book 190576, Page 190576, (or Certificate of Title No.)

5. Location and Description of Property: 340 East Central Street

Bld "A" - Residential = 19,520 SF Bld "B" - Residential = 22,560 SF
Square Footage of Building(s) Bld "C" - Retail = 9,033 SF Bld "D" - Retail = 8,436 SF
Assessor's Map 285 Lot 009

6. Purpose of Site Plan: The intent of this project is to depict the conceptual redevelopment of the City of Franklin, MA Tax Map 285, Lot 9

7. List of Waivers Requested (if any): Attach Form R for each waiver

Signature of Applicant

Print Name of Applicant

X [Signature]
Signature of Owner

[Signature]
Print Name of Owner

pk.

(B)

CERTIFICATE OF OWNERSHIP

I the undersigned Applicant, do hereby certify to the Town of Franklin, through its Planning Board, that all parties of interest to the below-listed plan are identified in Section B: below,

SECTION A:

Title of Plan: Site Plan

Date of Plan: _____ Assessor's Information: 285/009 - 340 East Central Street

Prepared by: Jones & Beach Engineers, Inc.

Type of Plan: 81-P; Prelim.; Def.; Site Plan

SECTION B:

Name of Record Owner(s): EPK Properties, LLC

Address of Record Owner(s): 579 Avellino Isles U25202, Naples, FL 34119

*If in the name of a Trust, Corporation or Partnership, list the names and addresses of all Trustee(s), Corporate Officer(s) or Partner(s):

*If in the name of a Trust or Corporation, list the Beneficiary(ies) of the Trust or the Shareholder(s) of the Corporation: _____

*If in the name of a Trust or Corporation, list the date, county, book and page of recording of the Trust Instrument, or the date and State of incorporation: _____

Executed as a sealed instrument this _____ day of _____ 20____

Signature of Applicant

Print name of Applicant

Paul K. Keigan
Signature of Owner

Paul K. Keigan PAUL K. KEIGAN
Print name of Owner

P.K

(C)

_____ ss.

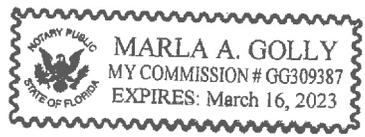
2020

On this 1 day of May 2020, before me, the undersigned notary public, personally appeared PAUL K. Keigan (name of Applicant), proved to me through satisfactory evidence of identification, which were Driver License to be the person whose name is signed on the preceding document in my presence.

Marla A Golly
(Official signature and seal of notary)

Notary Public:

My Commission Expires: 3/16/2023



P.K.

**APPLICATION FOR APPROVAL OF A SITE PLAN
AND SPECIAL PERMIT(S)**

To the Franklin Planning Board:

The undersigned, herewith, submits the accompanying Site Plan entitled "Proposed Development Central Square" and Special Permit(s) for VBC Drive-Thru and requests approval for under the provisions of the Zoning By-Laws of the Town of Franklin covering Site Plans and Special Permits.

1. Name of Applicant: 340 East Central Street, LLC
Address of Applicant: 7 Swain Drive, Hampton Falls, NH 03844
Phone No.: 508-341-2263 Email: jeffreygove@yahoo.com

2. Name of Owner (if not the Applicant): EPK Properties, LLC
Address of Owner: 579 Avellino Isles U25202, Naples, FL 34119
Phone No.: _____ Email: _____

3. Name of Engineer: Wayne Morrill, Jones & Beach Engineers, Inc.
Address of Engineer: PO Box 219, Stratham, NH 03885
Phone No.: 603-772-4746 Email: wmorrill@jonesandbeach.com

1. Deed of Property recorded with Norfolk Registry of Deeds in Book _____, Page 190576, (or Certificate of Title No. _____)

2. Location and Description of Property:
340 East Central Street

Zoning District: Commercial II

Assessor's Map: 285 Lot: 009

Square Footage of Building(s): 9,033

Impervious Coverage of Existing Upland: _____

3. Purpose of Site Plan:

The intent of this project is to depict the conceptual redevelopment of the City of Franklin, MA Tax Map 285, Lot 9.

4. Special Permit(s) Requested:

5. Special Permit Criteria: please provide on a separate document, written findings for special permit criteria a-g for each special permit being requested. Criteria are listed below. Applications will not be accepted until findings are submitted.

Chapter 185, Section 45.E

(3). Findings. 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. This determination shall be in addition to the following specific findings:

- (a) Proposed project addresses or is consistent with neighborhood or Town need.
- (b) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.
- (c) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.
- (d) Neighborhood character and social structure will not be negatively impacted.
- (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.
- (f) Number, height, bulk, location and siting of building(s) and structure(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.
- (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.

6. Other issues requiring Planning Board Consideration: _____

7. A certified list (by Office of the Assessors) of abutters within 300 feet of the site is also submitted with the application.

8. Certificate of Ownership.

Signature of Applicant

Print Name of Applicant

Signature of Owner

Print Name of Owner

[Handwritten Signature]
Joseph Halligan
X Paul K. Keign
Paul K. Keign

1

APPLICATION FOR APPROVAL OF A SITE PLAN AND SPECIAL PERMIT(S)

To the Franklin Planning Board:

The undersigned, herewith, submits the accompanying Site Plan entitled "Proposed Development Central Square" and Special Permit(s) for a Four (4) Story Apartment and requests approval for under the provisions of the Zoning By-Laws of the Town of Franklin covering Site Plans and Special Permits.

1. Name of Applicant: 340 East Central Street, LLC
Address of Applicant: 7 Swain Drive, Hampton Falls, NH 03844
Phone No.: 508-341-2263 Email: jeffrevqove@yahoo.com

2. Name of Owner (if not the Applicant): EPK Properties, LLC
Address of Owner: 579 Avellino Isles U25202, Naples, FL 34119
Phone No.: _____ Email: _____

3. Name of Engineer: Wayne Morrill, Jones & Beach Engineers, Inc.
Address of Engineer: PO Box 219, Stratham, NH 03885
Phone No.: 603-772-4746 Email: wmorrill@jonesandbeach.com

1. Deed of Property recorded with Norfolk Registry of Deeds in Book _____, Page 190576, (or Certificate of Title No. _____)

2. Location and Description of Property:
340 East Central Street

Zoning District: Commercial II
Assessor's Map: 285 Lot: 009
Square Footage of Building(s): 19,250 & 22,560
Impervious Coverage of Existing Upland: _____

3. Purpose of Site Plan:
The intent of this project is to depict the conceptual redevelopment of the City of Franklin, MA Tax Map 285, Lot 9.

4. Special Permit(s) Requested:

5. Special Permit Criteria: please provide on a separate document, written findings for special permit criteria a-g for each special permit being requested. Criteria are listed below. Applications will not be accepted until findings are submitted.

Chapter 185, Section 45.E

(3). Findings. 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. This determination shall be in addition to the following specific findings:

- (a) Proposed project addresses or is consistent with neighborhood or Town need.
- (b) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.
- (c) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.
- (d) Neighborhood character and social structure will not be negatively impacted.
- (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.
- (f) Number, height, bulk, location and siting of building(s) and structure(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.
- (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.

6. Other issues requiring Planning Board Consideration: _____

7. A certified list (by Office of the Assessors) of abutters within 300 feet of the site is also submitted with the application.

8. Certificate of Ownership.

Signature of Applicant

Joseph Halligan
Print Name of Applicant

X Signature of Owner

X Paul K. Keigan
Print Name of Owner

COMMONWEALTH OF MASSACHUSETTS
TOWN OF FRANKLIN
PLANNING BOARD

NORFOLK, ss.

IN RE: Special Permit to Allow Building Height of up to Fifty (50.00') Feet within the Commercial II District

LOCUS: 340 East Central Street, Franklin, Massachusetts 02038

MEMORANDUM IN SUPPORT OF APPLICATION FOR SPECIAL PERMITS TO ALLOW BUILDING HEIGHT OF UP TO FIFTY (50.00') FEET AND TO ALLOW ESTABLISHMENT OF A VEHICLE SERVICE ESTABLISHMENT WITHIN THE COMMERCIAL II DISTRICT

LOCUS HISTORY

1. **Relevant District.** The subject real property is located wholly within the Commercial II (CII) zoning district and within the Franklin DEP Approved Zone II.

2. **Location.** The Locus consists of a parcel of land located along the southern boundary of East Central Street in Franklin, Massachusetts, with a physical address of 340 East Central Street (Franklin Assessor's Map 285, Parcel 009) with an approximate area of $\pm 283,394$ square feet (referred to herein as the "Locus").

3. **Current Use.** The Locus is a developed parcel which consists of 6.5 acres containing an unoccupied one and one half story concrete block structure, approximately 16,475 square feet in size with a bituminous paved parking area. This building was constructed around 1960, and served as the former location of a motor vehicle dealership which has since ceased operation.

4. **Proposed Use/Construction.** The petitioner proposes the redevelopment of the Locus in the establishment of a mixed use development consisting of $\pm 42,080$ square feet of residential, $\pm 15,219$ of retail, and a $\pm 2,250$ square foot coffee shop with associated vehicle service establishment. Also included with the redevelopment would be the construction of new parking areas, motor vehicle travel aisles, two (2) new driveways that will intersect the south side of East Central Street/Route 140, new utility services, natural gas, telephone, electrical and data services. Also planned for the development would be the introduction of a contemporary sub-surface drainage system serving the Locus designed to attenuate peak flows that would

exceed the 100-year storm event which would include appropriate treatment of post construction storm water runoff and storm water recharge, along with associated contemporary landscaping and lighting all as shown on the site plan set entitled, "PROPOSED DEVELOPMENT CENTRAL SQUARE TAX MAP 285 AND LOT NUMBER 009 340 EAST CENTRAL STREET, FRANKLIN, MA", prepared by Jones & Beach Engineers, Inc., (collectively referred to herein as the "Plan") copies of which have been filed along herewith.

5. Zoning Tabulation CBD District: Commercial II - Required/Proposed.

OVERALL LOT INFORMATION	Required	Proposed
Required Lot Area (sq.ft.)	40,000 s.f.	+283,394 s.f.
Required Lot Frontage (feet)	175.00'	+448.00'
Max. Lot Coverage by Structures/Paving	80%	73.50%*
Max Building Height	4 stories/50'**	4 stories/<50'
Lot Width	157.50'	448.00'
Lot Depth	200.00'	631.00'
Front Setback	40.00'	40.00'
Side Setback	30.00'	31.07'
Rear Setback	30.00'	26.00'***
Parking (spaces)	301	268****

*Impervious coverage within the Water Resource District of up to 80% is allowed provided in a non-residential zone and an application for site plan approval have been filed pursuant to §185-36 and §185-40.

**Within the CII zone building height of four stories and up to 50 feet is allowed by special permit of the Franklin P.B. pursuant to §185-Attachment 9.

*** Variance Decision of Franklin Zoning Board of Appeals dated January 9, 2020 to allow the minimum rear yard setback of 26 feet where 30 feet is required (Schedule of Lot, Area, Frontage, Yard and Height Requirements, 185 Attachment 9).

****The number of required parking spaces may be reduced below that determined by the Bylaw by the Planning Board in the course of site plan review pursuant to §185-21A(4).

PRESENT PETITIONER/APPLICATION

6. Petitioner/Owner. The present petitioner 340 East Central Street, LLC, a Massachusetts limited liability company with a usual place of business at 7 Swain Drive, Hampton Falls, New Hampshire 03844. The present owner of the Locus is EPK Properties, LLC, a Massachusetts limited liability company with a usual place of business at 579 Avellino Isles U25202, Naples, Florida 34119.

7. Requested Action. The present application before the Board requests approval of the following:

a. SPECIAL PERMIT under Attachment 9, of §185 of the Code of the Town of Franklin to allow building height up to four (4) stories and fifty (50') feet within the Commercial II (CII) zoning district as shown on the Plan, as may be amended (hereinafter referred to as the "HEIGHT SP").

b. SPECIAL PERMIT under Attachment 3, Use Regulations Schedule, Part II, 2.16 of the §185 of Code of the Town of Franklin to allow the establishment of a Vehicle Service Establishment within the Commercial II (CII) zoning district as shown on the Plan, as may be amended (hereinafter referred to as the "VSE SP")

8. **Local Permits and Approvals.** In addition to the aforementioned SPECIAL PERMITS, the petitioner has also received, or is contemporaneously seeking the following permits and approvals in connection with the present development proposal of the Locus:

(a) ACQUIRED on January 9, 2020 – Variance from the Town of Franklin Zoning Board of Appeals to allow the minimum rear yard setback of 26 feet where 30 feet is required (Schedule of Lot, Area, Frontage, Yard and Height Requirements, 185 Attachment 9).

(b) ACQUIRED on January 9, 2020 – Variance from the Town of Franklin Zoning Board of Appeals to allow for multi-family or apartment residential use in the Commercial II (CII) district which is otherwise prohibited (Use Regulations Schedule Part VI, 6.1, 185 Attachment 7).

(c) APPLIED FOR – Site Plan approval in conjunction with Special Permit applications set forth heretofore.

(d) TO BE APPLIED FOR - Notice of Intent filed seeking an Order of Conditions from the Franklin Conservation Commission.

SPECIAL PERMIT APPROVAL

9. **Special Permit Approval Requirements under Section 185-45(E)(3).** Section 185 45(E)(3) of the Zoning By-Laws, states in part:

Findings. 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 be in addition to the following: [Amended 3-25-1987 by Bylaw Amendment 87-91; 3-21-2012 by Bylaw Amendment 12-669]

- (a) *Proposed project addresses or is consistent with neighborhood or Town need.*
- (b) *Vehicle traffic flow, access and parking and pedestrian safety are properly addressed.*
- (c) *Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.*
- (d) *Neighborhood character and social structure will not be negatively impacted.*
- (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.*
- (f) *Number, height, bulk, location and siting of building(s) and structure(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.*
- (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.*

CONDITIONS FOR APPROVAL UNDER SECTION 185-45(E)(3)

10. Satisfaction of Condition for Approval 185-45(E)(3)(a).

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

The proposed redevelopment is located in a critical commercial area within the town and would be consistent with the commercial land that is predominant in this area. The proposed redevelopment will not be detrimental or otherwise offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, visual or other nuisances. The location of the commercial and retail uses at this Locus would provide such products and services to residents in the eastern part of the community and those individuals patronizing the existing commercial uses in this area thus alleviating the possible vehicular traffic into the town's commercial centers located in the western part of the community. The introduction of additional commercial and retail uses into the community will provide the residents with consumer options and convenience while promoting competition in the marketplace which generally results in benefits to the consumer in the form of decreased prices and increased services.

HEIGHT SP: The proposed redevelopment would not result in abutting properties being deprived of light or fresh air circulation or subject to excessive shading due to the additional height of the proposed structures. Further, that abutting properties will not be exposed to flooding or subjected to excessive noise, odor, light, vibrations or airborne particulates. Additionally, the height of the building proposed by the petitioner would be consistent with the 2018 decision of the Franklin Town Council to amend the Zoning Bylaw of the property to allow for increase in building height up to four (4) stories and fifty (50') feet by special permit of the Planning Board for properties being developed within the Commercial II Zoning District (See

11. Satisfaction of Condition for Approval 185-45(E)(3)(b).

(b) Vehicle traffic flow, access and parking and pedestrian safety are properly addressed.

The Locus is located along the commercial/business corridor of East Central Street where there are numerous curb cuts that provide access for the predominantly commercial land use in this area of the town. The proposed redevelopment includes the construction of new parking areas, motor vehicle travel aisles, including a new pedestrian sidewalk and crosswalk connecting the storefront with the sidewalk from East Central Street, along with a design to encourage alternative means of transportation. Proposed motor vehicle access to the proposed redevelopment is to be provided by way of two (2) reconstructed driveways that will intersect the south side of East Central Street/Route 140 consisting of a full access driveway and a right-in only driveway that will accommodate traffic to the residential properties. There is also a planned interconnecting access drive to the neighboring shopping center (Big Y Supermarket) located to the east. According to the Transportation Impact Assessment completed by Vanasse & Associates, Inc., May 2020 (hereinafter referred to as the “May 2020 TIA”), the sight distances at each driveway exceed the minimum and desirable requirements for safe operation of the proposed driveways and the intersections adjacent to the Locus. Two-way traffic flow within the Locus shall be accommodated by paved travel corridors of varied widths. The May 2020 TIA concludes that the proposed project, in conjunction with the ancillary improvements as detailed in the May 2020 TIA, will provide safe and efficient access to the Locus and the proposed redevelopment can be accommodated within the confines of the existing and improved transportation system.

VSE SP: There planned access drive for the Vehicle Service Establishment (hereinafter referred to as “VSE”) is twenty (20’) feet in width which includes a separate ten (10’) foot bypass lane, along the north, east and west sides of building which promotes one way travel servicing the VSE. According to the May 2020 TIA, the allowable queuing area for up to fourteen (14) vehicles as shown on the Plan exceeds the maximum expected queuing demand for the VSE during peak hours of inclement weather conditions, and will not impede access to the VSE lane, or other parking and travel aisles within the site.

12. Satisfaction of Condition for Approval 185-45(E)(3)(c).

(c) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.

The layout of the driveways within the Locus have been designed to accommodate all emergency and service vehicles. The full access driveway entering the Locus would be a minimum of forty-four (44.00') feet in width and the internal travel aisle widths would range from of twenty (20.00') feet to forty-four (44.00') feet. The layout of the pavement and the access driveways around the proposed project would allow vehicle access to all sides of the buildings (excepting the southern facade of retail Building D). The Locus has access to the public water service and sewer service, natural gas and telephone. New water and sewer services being proposed shall be constructed according to current standards thereby reducing the chance of infiltration and contamination. The proposed drainage serving the proposed redevelopment has been designed to attenuate peak flows for up to the 100-year storm event and infiltrate, at a minimum, the 1-inch water quality volume after appropriate water quality pre-treatment, and shall handle the post construction storm water runoff and storm water recharge. See Drainage Analysis, Sediment and Erosion Control Plan prepared by Jones & Beach Engineers, Inc., filed along herewith.

13. Satisfaction of Condition for Approval 185-45(E)(3)(d).

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

The redevelopment of the Locus as proposed by the applicants will not have any detrimental effect to the neighborhood character or social structure. The proposed redevelopment would be consistent with the commercial land that is predominant in this area. The proposed redevelopment will not be detrimental or otherwise offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, visual or other nuisances. The proposed redevelopment would not result in abutting properties being deprived of light or fresh air circulation. The planned improvements to the Locus, including removal of existing structures along with the construction of new structures at the Locus. The proposed redevelopment of the Locus for apartment style residential development as proposed would foster a symbiotic relationship between the newly established residences and the available goods, services and amenities offered within the immediate adjacent commercial uses.

14. Satisfaction of Condition for Approval 185-45(E)(3)(e).

(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.

The redevelopment of the Locus as proposed by the applicant will not have an adverse effect on the quality of the natural environment. The Applicant has proposed the redevelopment of the Locus located in a critical commercial area within the Town of Franklin. The buildings will be served by municipal sewer to minimize the degradation of the groundwater by nitrates and phosphates. According to Drainage Analysis, Sediment and Erosion Control Plan prepared by Jones & Beach Engineers, Inc., the project will result in an increase in the amount of impervious coverage on Locus. The present paved areas at the location and surrounding property have become somewhat dilapidated. Aside from a new connection to the municipal sewer system to minimize the degradation of the groundwater by nitrates and phosphates, the redevelopment project would improve water quality by (a) including the construction of a closed drainage system, which will include deep sump hooded catch basins, water quality inlets and a new stormwater infiltration basin; and (b) improving the water quality that discharges to the existing Wetland Resource Areas or buffers by collecting and directing the runoff from the parking areas, and roofs through a stormwater treatment train meeting the requirements of full stormwater treatment as described by the State of Massachusetts DEP Stormwater Standards. The applicant shall incorporate Best Management Practices (BMP's) into this project to meet the Department of Environmental Protection Stormwater Management runoff quality requirements. The proposed landscaping improvements both within and surrounding the parking field shall be a significant improvement to the existing condition of the Locus, and further enhance the natural environment. The stormwater management system has been designed to meet or exceed the requirements established in the Massachusetts Stormwater Handbook and by the Town of Franklin.

15. Satisfaction of Condition for Approval 185-45(E)(3)(f).

(f) Number, height, bulk, location and siting of building(s) and structure(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.

The Applicants submit that the redevelopment will not result in abutting properties being deprived of light or fresh air circulation. Further, that abutting properties will not be exposed to flooding or subjected to excessive noise, odor, light, vibrations or airborne particulates. The applicants have incorporated Best Management Practices (BMP's) into this project to meet the Department of Environmental Protection Stormwater Management runoff quality requirements. The proposed drainage serving the proposed redevelopment has been designed to attenuate peak flows for up to the 100-year storm event and infiltrate, at a

minimum, the 1-inch water quality volume after appropriate water quality pre-treatment, and shall handle the post construction storm water runoff and storm water recharge. See Drainage Analysis, Sediment and Erosion Control Plan prepared by Jones & Beach Engineers, Inc. All exterior lighting for the proposed Locus has been designed so as to comply with all regulations restricting the projection of light off of the premises. As the planned use of the Locus is for general commercial retail and residential use, there are no anticipated odors or airborne particulates that would be ancillary to such expected uses. As all mechanical equipment servicing the building are to be located on the roof of the building, with the use of proper shielding and insulating materials so as to minimize, or in some cases, eliminate any visual appearance or associated sound from the use of such equipment.

VSE SP: The proposed location, enclosure and use of ‘Automatic Volume Control’ (used to reduce outbound sound pressure based upon ambient noise level) shall contribute to the reasonable reduction of the sound levels generated by the VSE so as to minimize any impacts to the adjacent properties.

16. Satisfaction of Condition for Approval 185-45(E)(3)(g).

(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.

The town of Franklin water system pumps 3-4 million gallons of water each day. The estimated peak usage for a 59,549 SF mixed use retail and commercial redevelopment which is planned would be 93,915 GPD. According to information and belief, the water demand for this proposed Locus would be less than .0235% of the pumping capacity to the Town’s water system, and thus this proposed water flow would not adversely affect the Town’s water supply.

WHEREFORE, the Petitioner respectfully requests that the Board grant (1) SPECIAL PERMIT to allow building height up to four (4) stories and fifty (50') feet and (2) SPECIAL PERMIT to allow establishment of a Vehicle Service Establishment within the Commercial II (CII) zoning district as shown on the Plan, as may be amended.

Dated: May 11, 2020

Respectfully submitted,
340 East Central Street, LLC
By its Attorneys,

Richard R. Cornetta, Jr.

Richard R. Cornetta, Jr., Esquire
Cornetta, Ficco & Simmler, PC
Four West Street
Franklin, MA 02038
Tel: (508)528-5300
Fax: (508)528-5555
Email: richard@cornettalaw.com

JONES & BEACH ENGINEERS INC.

85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885
603.772.4746 - JonesandBeach.com

May 6, 2020

Franklin Planning Board
Attn. Amy Love, Planner
355 East Central Street
Franklin, MA 02038

RE: Waiver Request Letter
340 East Central Street, Franklin, MA
Tax Map 285, Lot 9
JBE Project No. 13153.2

Dear Ms. Love,

On behalf of project applicant, 340 East Central Street LLC, Jones & Beach Engineers, Inc. respectfully requests a waiver from the following requirements from the Franklin By Laws:

Chapter 300 - Subdivision of Land, Section 11 - Stormwater Management (B) Construction (2) Piping (a) "... 42" minimum cover over drain pipe.

Reason the waiver is requested:

RESPONSE: We request a waiver to allow minimum cover of 1.5' over drainage pipe, rather than the required minimum of 42". Given the flat nature of the site it is difficult to maintain the required cover and still discharge the proposed drainage system. Per the American Concrete Pipe Association recommendations, a minimum of 12" of cover is acceptable for Class 5 RCP. The site observes a minimum cover of 1.5'.

Alternatives to granting the waiver:

RESPONSE: In order to provide the required cover additional fill would be required over the majority of the site.

Impact of the waiver denial on the project:

RESPONSE: A regarding and design of the drainage would need to take place. This would require an increase in elevation of the site, and would cause a large increase of fill needed for the site.

Reason this waiver is in the best interests of the town and consistence with the intent and purpose of the subdivision control law:

RESPONSE: Per ACPA standards, sufficient cover is being provided so to not adversely affect he lifespan or safety of the drainage system.

Chapter 185, Section 21 (B)... Parking Schedule

Reason the waiver is requested:

RESPONSE: We request a waiver to allow for 268 parking spaces when a minimum of 301 spaces are required. The site has multiple uses which have varying peak traffic times which will allow for shared parking. In addition, it is our opinion a residential requirement of 1.5 spaces per unit will be adequate for an apartment complex of this size. This requirement is used within two other zones in town (Downtown Commercial Zoning District and Commercial I Zoning District), and it is reasonable to assume that this parking density would also be sufficient for this site. This modification to the parking requirement would lower the total spaces required to 249 spaces.

Alternatives to granting the waiver:

RESPONSE: Reduce the parking need on site by either reducing retail space or the number of residential units.

Impact of the waiver denial on the project:

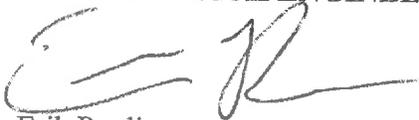
RESPONSE: The lose of retail space or residential units on site would jeopardize the financial viability of the project.

Reason this waiver is in the best interests of the town and consistence with the intent and purpose of the subdivision control law:

RESPONSE: It is our opinion the proposed development will be a benefit to the community, and the parking on site is sufficient to adequately service the site.

Thank you very much for your time. If you have any questions, or any additional information, please contact our office.

Very truly yours,
JONES & BEACH ENGINEERS, INC.



Erik Poulin
Project Engineer

cc: Jeff Gove, 340 East Central Street, LLC (application and plans via email)
Matthew Crowley, P.E, BETA Group, Inc (application and plans via U.S. Mail)

JONES & BEACH |
ENGINEERS INC. |

**Form R:
Franklin Planning Board
Subdivision Waiver Request**

Prepared by: Erik Poulin Project Engineer
Jones and Beach Engineers

Signed: *Erik Poulin*

Subdivision: NA
Project Title: Proposed Central Square Development

Date: 05/06/20

Nature of Waiver:

See attached letter.

Subdivision Rules and Regulation Reference:

Chapter 185, Section 21 (B) - Parking Schedule

Reason the waiver is requested:

See attached letter.

Alternatives to granting the waiver:

See attached letter.

Impact of waiver denial on the project:

See attached letter.

Reasons this waiver is in the best interests of the Town and consistent with the intent and purpose of the Subdivision Control Law:

See attached letter.

**Form R:
Franklin Planning Board
Subdivision Waiver Request**

Prepared by: Erik Poulin Project Engineer
Jones and Beach Engineers

Signed: *Erik Poulin*

Subdivision: NA

Project Title: Proposed Central Square Development

Date: 05/06/20

Nature of Waiver:

See attached letter.

Subdivision Rules and Regulation Reference:

Chapter 300, Section 11 (B)(2)(a) - Piping ... The minimum cover is 42 inches above the top of pipe.

Reason the waiver is requested:

See attached letter.

Alternatives to granting the waiver:

See attached letter.

Impact of waiver denial on the project:

See attached letter.

Reasons this waiver is in the best interests of the Town and consistent with the intent and purpose of the Subdivision Control Law:

See attached letter.

Letter of Authorization

I, Jeffrey Gove, 340 East Central Street, LLC, 7 Swain Drive, Hampton Falls, NH 03844, developer of property located in Franklin, MA, known as Tax Map 285, Lot 9, do hereby authorize Jones & Beach Engineers, Inc., PO Box 219, Stratham, NH, to act on my behalf concerning the previously-mentioned property. The parcel is located on ~~340~~ East Central Street in Franklin, MA.

I hereby appoint Jones & Beach Engineers, Inc., as my agent to act on my behalf in the review process, to include any required signatures.



Witness



Jeffrey Gove
340 East Central Street, LLC

2-20-2020
Date



8/15/885

This Instrument Prepared
Without Opinion or the Issuance
of Title Insurance By and Return to:
Scott M. Grant, Esquire
GRANTLAW, P.A.
3400 Tamiami Trail North, Suite 201
Naples, Florida 34103

QUITCLAIM DEED
(340 East Central Street, Franklin, Massachusetts)

We, Paul K. Keigan and Evelyn L. Keigan, General Partners of Keigan Family Trust Limited Liability Partnership, a Massachusetts Limited Liability Partnership, for consideration paid of Ten Dollars, (\$10.00), grant to EPK Properties, LLC, a Massachusetts Limited Liability Company, which post office address is 5 Beechwood Lane, Franklin, MA 02038.

WITH QUITCLAIM COVENANTS

the land in Franklin, Norfolk, County, Massachusetts, together with any improvements thereon, described as follows:

Lot 5 shown on a plan drawn by Guerriere & Halnon, Inc., Surveyors, dated March 4, 1996, as approved by the Land Court, filed in the Land Registration Office said County as No. 11932G, a copy of a portion of which is filed in Norfolk Registry District with Certificate No. 149187, Book 746.

The Premises are conveyed subject to and with the benefit of all easements, restrictions, rights of way, takings, reservations, exceptions and covenants contained in the Certificate of Title of the Grantor herein and in all other instruments of record, to the extent now in force and applicable, but not intending hereby to recreate or extend restrictions, reservations, exceptions and covenants previously terminated or expired.

For Grantor's title, see Certificate of Title No. 153856, filed with the Norfolk County Registry District in Book 770, Page 56.

Property Address: 340 East Central Street, Franklin, MA 02035

IN WITNESS WHEREOF, Grantors has hereunder set Grantors' hand and seal the 10th day of December, 2014.

340 East Central Street
Franklin, Massachusetts

340 East Central Street
Franklin, Massachusetts

Signed, sealed, and delivered
in our presence:

KEIGAN FAMILY TRUST LIMITED
LIABILITY PARTNERSHIP, a
Massachusetts Limited Liability
Partnership.

Devon Raemei
Witness Signature

Paul K. Keigan
By: Paul K. Keigan, General Partner

Devon Raemei
Print Name

Judith A. Dyehouse
Witness Signature

Judith A. Dyehouse
Print Name

Devon Raemei
Witness Signature

Evelyn L. Keigan
Evelyn L. Keigan, General Partner

Devon Raemei
Print Name

Judith A. Dyehouse
Witness Signature

Judith A. Dyehouse
Print Name

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me on this 10th day of Dec., 2014 by Paul K. Keigan, General Partner, Keigan Family Trust Limited Liability Partnership, as his free act and deed, who is known to me or who has produced _____ as identification and who did (did not) take an oath, and by Evelyn L. Keigan, General Partner, Keigan Family Trust Limited Liability Partnership, as her free act and deed, who is known to me or who has produced _____ as identification and who did (did not) take an oath.

(SEAL)



Debra A. Seymour
Notary Public, State of Florida

Debra A. Seymour _____
Notary Public Print Name
My Commission Expires: 10/21/2016
Z:\WPDOCS LEGAL\Client Documents\96159\DRAP\Quit Claim Deed to EPK Properties.doc

340 East Central Street
Franklin, Massachusetts



300 foot Abutters List Report

Franklin, MA
April 16, 2020

Subject Property:

Parcel Number: 285-009-000
CAMA Number: 285-009-000-000
Property Address: 340 EAST CENTRAL ST

Mailing Address: EPK PROPERTIES LLC
579 AVELLINO ISLES U25202
NAPLES, FL 34119

Abutters:

Parcel Number: 280-079-000
CAMA Number: 280-079-000-000
Property Address: GLEN MEADOW RD

Mailing Address: GLEN MEADOW OWNER LLC
536 GRANITE ST SUITE 301
BRAintree, MA 02184

Parcel Number: 285-001-000
CAMA Number: 285-001-000-000
Property Address: 355 EAST CENTRAL ST

Mailing Address: FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

Parcel Number: 285-008-000
CAMA Number: 285-008-000-000
Property Address: 348 EAST CENTRAL ST

Mailing Address: HALLIGAN JOSEPH TR C/O BIG Y
FOODS INC
2145 ROOSEVELT AVE PO BOX 7840
SPRINGFIELD, MA 01104

Parcel Number: 285-010-000
CAMA Number: 285-010-000-000
Property Address: 300 EAST CENTRAL ST

Mailing Address: NEW ENGLAND CHAPEL
PO BOX A
FRANKLIN, MA 02038

Parcel Number: 285-011-000
CAMA Number: 285-011-000-000
Property Address: 272 EAST CENTRAL ST

Mailing Address: FRASER, ROBERT B TR CURRIER, D
C/O CVS# 00929 STO ACCTG 272 E
1 CVS DRIVE, MC 2820
WOONSOCKET, RI 02895

Parcel Number: 285-107-000
CAMA Number: 285-107-000-000
Property Address: 265-303 EAST CENTRAL ST

Mailing Address: FRANKLIN SHOPPERS FAIR C/O JOHN
ALEVIZOS
396 WASHINGTON ST,#325
WELLESLEY, MA 02481

Parcel Number: 285-108-000
CAMA Number: 285-108-000-000
Property Address: EAST CENTRAL ST

Mailing Address: FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

Parcel Number: 285-109-000
CAMA Number: 285-109-000-000
Property Address: 333 EAST CENTRAL ST

Mailing Address: LENZI JOSEPH LENZI RACHEL
860 KING ST
FRANKLIN, MA 02038

Parcel Number: 285-112-000
CAMA Number: 285-112-000-000
Property Address: 345 EAST CENTRAL ST

Mailing Address: MCDONALDS CORP C/O HOGAN
COMPANY
10 OCEANA WAY SUITE #2
NORWOOD, MA 02062

Parcel Number: 285-113-000
CAMA Number: 285-113-000-000
Property Address: 349 EAST CENTRAL ST

Mailing Address: FRENCH LEONARD S ETALS,TRS C/O
MARC WINTERS
349 EAST CENTRAL ST
FRANKLIN, MA 02038



www.cai-tech.com

This information is believed to be correct but is subject to change and is not warranted.



300 foot Abutters List Report

Franklin, MA

April 16, 2020

Parcel Number: 298-004-000
CAMA Number: 298-004-000-000
Property Address: EAST CENTRAL ST

Mailing Address: FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

Jones & Beach Engineers, Inc., Attn. Wayne Morrill, PO Box 219, Stratham, NH 03885

340 East Central Street, LLC, Attn. Jeff Gore, 7 Swain Drive, Hampton Falls, NH 03844



www.cai-tech.com

This information is believed to be correct but is subject to change and is not warranted.

4/16/2020

Page 2 of 2

FRANKLIN SHOPPERS FAIR
C/O JOHN ALEVIZOS
396 WASHINGTON ST,#325
WELLESLEY, MA 02481

NEW ENGLAND CHAPEL
PO BOX A
FRANKLIN, MA 02038

FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

JONES & BEACH ENGINEERS INC
ATTN. WAYNE MORRILL
PO BOX 219
STRATHAM, NH 03885

FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

340 EAST CENTRAL STREET, LLC
ATTN. JEFF GOVE
7 SWAIN DRIVE
HAMPTON FALLS, NH 03844

FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

FRASER, ROBERT B TR CURRI
C/O CVS# 00929 STO ACCTG
1 CVS DRIVE, MC 2820
WOONSOCKET, RI 02895

FRENCH LEONARD S ETALS,TR
C/O MARC WINTERS
349 EAST CENTRAL ST
FRANKLIN, MA 02038

GLEN MEADOW OWNER LLC
536 GRANITE ST SUITE 301
BRAintree, MA 02184

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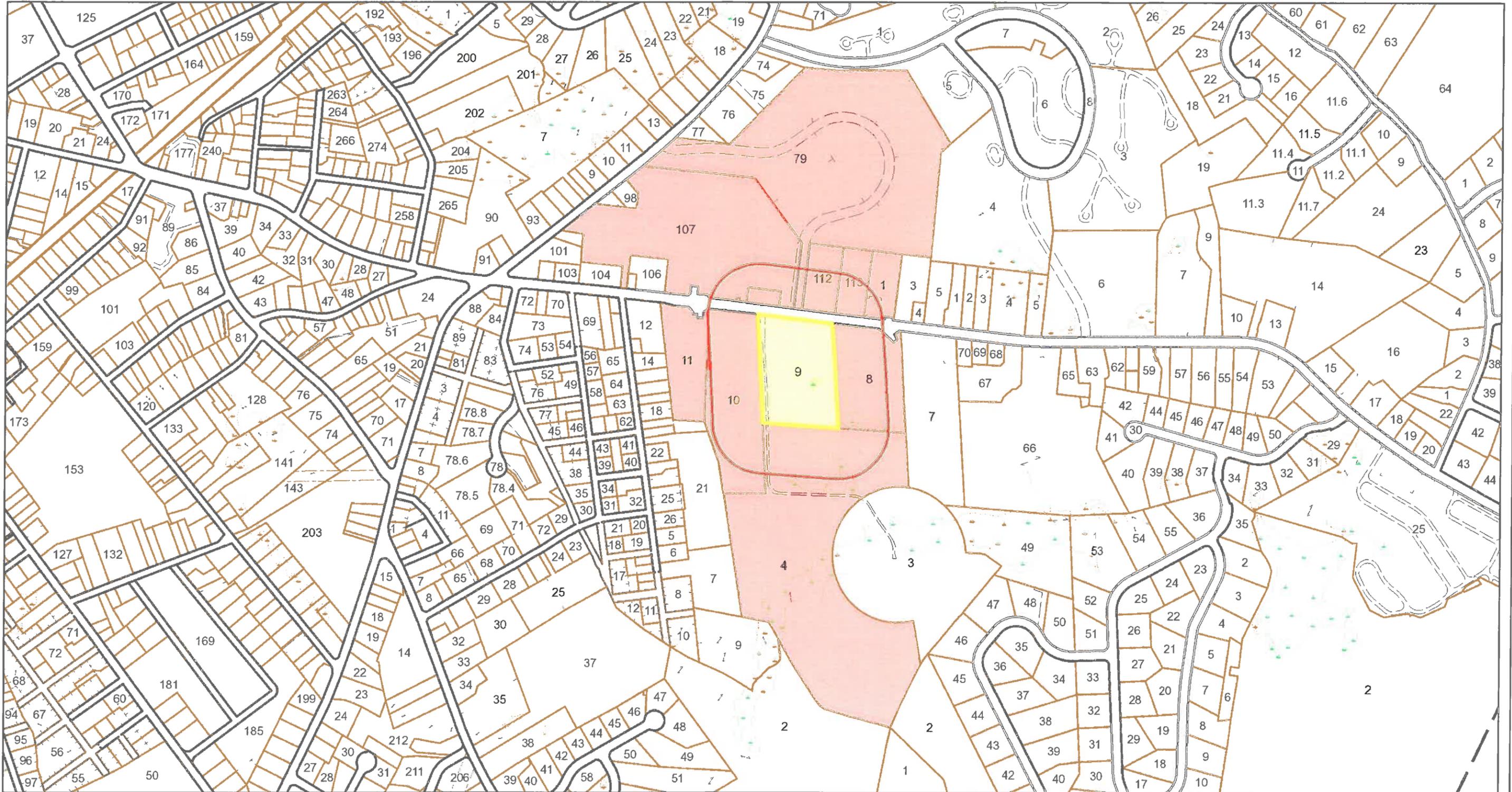


Franklin, MA

1 inch = 559 Feet



April 16, 2020



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