

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



PLANNING BOARD

Phone: (508) 520-4907  
www.franklinma.gov

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TOWN OF FRANKLIN  
TOWN CLERK

February 6, 2024

Nancy Danello, Town Clerk  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038

## CERTIFICATE OF VOTE

### Site Plan

### 0 Upper Union Street

Site Plan: "Site Development Plan for Upper Union Solar Project"

Owner: John Colella  
0 Upper Union Street  
Franklin, MA 02038

Applicant: VS Union Solar Smart, LLC  
24942 Dana Point Harbor  
Dana Point, CA 92629

Prepared By:  
Surveyor/ Engineer: Atlantic Design Engineers, Sandwich, MA  
Dated: June 19, 2023  
Property Location: Map 319 Lot 009

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, February 5, 2024 the Planning Board voted (3-0), upon motion duly made and seconded to **APPROVE, with conditions**, the above referenced Site Plan. The Conditions of Approval are listed on page 2-3, attached hereto. **Both the Certificate of Vote as well as the conditions of approval shall be referenced on the site plan.**

Sincerely,

Gregory Rondeau, Chairman  
Franklin Planning Board

cc: Owner/Applicant/ Applicant's Engineer

**CERTIFICATE OF VOTE**

**Site Plan**

**0 Upper Union Street**

1. The Planning Board will use outside consultant services to complete construction inspections upon the commencement of construction. The Franklin Department of Public Works Director, directly and through employees of the Department of Public Works and outside consultant services shall act as the Planning Board's inspector to assist the Board with inspections necessary to ensure compliance with all relevant laws, regulations and Planning Board approved plan specifications. Such consultants shall be selected and retained upon a majority vote of the Board.
2. **Actual and reasonable costs of inspection consulting services shall be paid by the owner/applicant before or at the time of the pre-construction meeting. Should additional inspections be required beyond the original scope of work, the owner/applicant shall be required to submit fees prior to the issuance of a Final Certificate of Completion by the Planning Board (Form H). Said inspection is further outlined in condition #1.**
3. No alteration of these plans shall be made or affected other than by an affirmative vote of the members of the Board at a duly posted meeting and upon the issuance of a written amended decision.
4. All applicable laws, by-laws, rules, regulations, and codes shall be complied with, and all necessary licenses, permits and approvals shall be obtained by the owner/applicant.
5. Prior to the endorsement of the site plan, the following shall be done:
  - The owner/applicant shall provide the entire list of conditions and this Certificate of Vote on the front page of the plans.
  - A notation shall be made on the plans that all erosion mitigation measures shall be in place prior to major construction or soil disturbance commencing on the site.
  - All outstanding invoices for services rendered by the Town's Engineers and other reviewing Departments of the Town relative to their review of the owner/applicant's application and plans shall have been paid in full.
6. All required improvements specified in this Certificate of Vote shall be constructed within a one-year period unless the Board grants an extension. No final Certificate of Occupancy shall be issued until all requirements of the approved plan have been completed to the satisfaction of the Board unless the applicant has submitted a Partial Certificate of Completion for the remainder of the required improvements. The applicant's engineer or surveyor, upon completion of all required improvements, shall submit a Certificate of Completion. The Board or its agent(s) shall complete a final inspection of the site upon filing of the Certificate of Completion by the applicant. Said inspection is further outlined in condition #1.
7. Prior to any work commencing on the subject property, the owner/applicant shall provide plans to limit construction debris and materials on the site. In the event that debris is carried onto any public way, the owner/applicant and his assigns shall be responsible for all cleanup of the roadway. All cleanups shall occur within twenty-four (24) hours after first written notification to the owner/applicant by the Board or its designee. Failure to complete such cleanup may result in suspension of construction of the site until such public way is clear of debris.
8. The owner/applicant shall install erosion control devices as necessary and as directed by the Town's Construction Inspector.
9. Maintenance and repair of the parking area, water supply system, sewer pipes, electric distribution

system, and stormwater system shall be the responsibility of the owner/applicant and shall never be the responsibility of the Town and the Town shall never be required to perform any service, repair or maintenance with respect to said areas, or any of the aforementioned systems within the subject property. The Town will never be required to provide snow plowing or trash pickup, with respect to the subject property.

10. **Prior to construction activities, there shall be a pre-construction meeting with the owner/applicant, and his contractor(s), the Department of Public Works and the Planning Board's Observation Contractor.**
11. Site Plans must be endorsed by the Planning Board prior to the pre-construction meeting.

**CERTIFICATE OF VOTE**

**Special Conditions**

**0 Upper Union Street**

1. The Applicant will provide a decommissioning surety bond, in an amount agreed by the Planning Board and shall be issued by a surety company acceptable to the Town of Franklin prior to the pre-construction meeting.
2. Applicant shall enter into a tax agreement re: personnel property taxes with the Town of Franklin prior to start of construction.