

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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

## PLANNING BOARD

April 23, 2024

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

RECEIVED  
2024 MAY -3 A 10:10  
TOWN OF FRANKLIN  
TOWN CLERK

**CERTIFICATE OF VOTE**  
**SPECIAL PERMIT/SITE PLAN N**  
**100-110 East Central Street**

**Applicant:** 110 East Central St LLC  
37 East Central St  
Franklin, MA 02038

**Owner:** Same

Prepared By;  
Surveyor/Engineer: United Consultants, 850 Franklin Street #11D, Wrentham, MA 02093  
Plan Date: January 5, 2024  
Property Location: 100-110 East Central Street  
Map 286 Lots 030 & 031

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, April 22, 2024 the Planning Board upon motion duly made and seconded, voted (5-0) to **approve** the Special Permit and Site Plan at 100-110 East Central Street for §185 Attachment 7 Part VI 6.1.a to allow additional units. The Project Description, Public Hearing Presentation, Findings of Fact, Conditions and the Decision, are listed on pages 2 -8, attached hereto.

Sincerely,

Gregory Rondeau, Chairman  
Franklin Planning Board

cc: Owners/Applicant/Applicant's Engineer/  
Building Commissioner/DPW/Engineering/BETA Group, Inc.

**PROJECT DESCRIPTION**  
**SPECIAL PERMIT/SITE PLAN**  
**100-110 East Central Street**

The existing sites consists of two parcels with a multi-family house on one parcel and a single family house on the other parcel. The site is located in the Commercial I Zoning District. The applicant proposed to construct a 5,500+ sq/ft multi-family, 3 story building, a site driveway and parking areas for tenants. There will be one commercial space within the multi-family building. The Site Plans include landscaping, municipal utilities and stormwater management.

**PUBLIC HEARING**  
**SPECIAL PERMIT/SITE PLAN**  
**100-110 East Central Street**

A proper and complete notice of the February 5, 2024 public hearing was posted in the Franklin Municipal Building and in the appropriate local newspaper in accordance with the Franklin Zoning Code and Massachusetts General Laws. A proper and complete notice was also sent to all persons and parties required by law to receive such notice. The Planning Board continued to hold public hearings on March 11, 2024 and April 8, 2024.

Incorporated as part of the record are the following:

The Planning Board reviewed (1) the applicant's detailed written application including answers to Special Permit Findings (a) through (g), and (2) comments and review letters from various Town Departments, including but not limited to, Department of Planning & Community Development, Department of Public Works/ Engineering and Franklin Fire Department. The Planning Board also reviewed engineering reports from their peer review Consultant.

The Planning Board upon motion duly made and seconded, voted (4-0) to close the public hearing on April 8, 2024 for the Site Plan Modification and Special Permits for §185 Attachment 7 Part VI 6.1.a to allow additional units in Commercial I Zoning District.

**PRESENTATION**  
**SPECIAL PERMIT/SITE PLAN**  
**100-110 East Central Street**

Mr. Rick Goodreau of United Consultants and Mr. Brad Chaffee, owner/applicant, addressed the Planning Board to construct a mixed-use three-story building with 20 residential units and 1 commercial unit. He said that the current properties have a brick 10-unit apartment building at 100 East Central Street and a single-family residence at 110 East Central Street. The proposal is to continue to have the brick apartment building at 100 East Central Street and then a demolition and reconstruction of approximately 5,500 sq. ft. at 110 East Central Street for 20-unit apartment building with some commercial space on the first floor. He explained the plans included utilities and grading, town water and sewer, proposed stormwater system, tree planting plan, erosion control plan, construction details for the site, stormwater report, and photometric plan. He explained the two waivers that have been requested: use of PVC and HDPE pipe and some minimal light spillage. He said the two lots together are 56,329 sq. ft. He said they are two separately deeded properties that comprise this project. He said they hope to do cross-easement agreements for utilities and parking configuration. He explained that with this property there are density requirements. He said the lots have approximately 33,000 sq. ft. for the 100 East Central Street. There are 10 units which would require 22,500 sq. ft. by right. So, there is about 10,000 sq. ft. additional land. The 110 East Central Street property has approximately 22,000 sq. ft., and they are proposing 20 units there which

could be allowed with a special permit from the Planning Board to increase that density. That would allow for approximately 10 units by right; we are requesting 20 units. He said we have 10,000 sq. ft. to transfer from 100 East Central Street to 110 East Central Street which would allow the density to go up from 10 units to 15 units by right on the newly proposed building. He said they did not do that because the 110 property is registered in Land Court and the 100 property is not. He said they looked at this at the global level for the entirety of the property.

Ms. Love said Mr. Goodreau gave a good overview of the site. She said the applicant requested two waivers. She said the Planning Board should note that the Town changed the zoning so that it is one unit per 2,250 sq. ft.; the lot they are proposing to add the 20 units currently allows for 10 units. The zoning says that by special permit the applicant can have additional units, and there is not a limit. She said the applicant will need to do cross easements. She said the applicant's attorney has reached out to her regarding the shared parking. She said the Planning Board must consider if 20 units is feasible under special permit.

Mr. Stickney asked about the three-story height and how it compares to the four-story building regarding the grade of the street. Mr. Chaffee explained the road has a bend, and the actual building steps down with the grade. He said he can bring pictures for the next meeting. He said he thinks height-wise it will fit in with what is there. He said the commercial space will be under 500 sq. ft.

Mr. Stickney asked about the tree replacement plan and noted abutters. Mr. Chaffee explained the back is a lot of rock with a big drop off. He said they can look at that further. Mr. Stickney said he would be okay with the five bonus units if they put a deed restriction or a covenant on the lot that it is not going to be improved and that it cannot be improved further beyond the existing density. Mr. Chaffee said he would be okay with that.

Ms. Wierling said she appreciated the change of pace from the large square buildings that have no character. She said she appreciates this in the downtown. She reviewed the complexity of the lot and the request for the special permit for 10 additional units to increase the density to a total of 20 units. She confirmed they have two affordable units. She asked that the outlines of the abutting houses be shown on the site plans. She noted a typographical error on the plans regarding the address. She said she thinks it is a good project and a good area of town for it. She asked if the applicant was going to provide anything traffic related. Mr. Chaffee said he would provide that.

Ms. Williams said she thinks it looks great. She would like to see site sections latitude and longitude to understand the relationship of the proposed combined buildings in relationship to abutters and existing apartment building on the site. She asked about the curb cuts on the plans as to what is existing and what is new. Mr. Chaffee reviewed the curb cuts. Ms. Williams asked for the parking information on the existing apartment. Mr. Chaffee said about 12 or 14 depending on what they count. He explained that they want to clean up that parking. Ms. Williams confirmed there would be two affordable units. She said that overall, she echoes everything everyone else has said.

Chair Rondeau asked for the reference of the peak of the existing white house at 100 East Central Street. He asked about snow storage. He confirmed the proposed building is a footprint of just over 5,500 sq. ft. and three floors. He asked about the retaining walls and said he could not find top of walls on the renderings. He said they want the retaining walls built to design and overseen by BETA and the applicant's structural engineer. Mr. Chaffee said there would be 11 two-bedroom units, 6 one-bedroom units, and 3 three-bedroom units.

Chair Rondeau asked if there could be more commercial space than 500 sq. ft. to help the downtown. He asked about the retention basin and said that is where people are parking right now.

Mr. Stickney said that 1.5 ratio is great for multi-family only, but because there is a commercial unit, he thinks having a touch over 1.5 is important.

The applicant submitted updated information at the March 11, 2024 hearing. Comments were reviewed from that meeting which included the following: 1. Show on the plans compared height of new building to the existing buildings west of the site. Information was provided 2. Provide current house peak to new house peak. Information was provided 3. Provide latitude and longitude site views. She said she is not sure if that was included in the plans that were submitted. 4. Increase the size of the commercial unit. The size has been increased. 5. Provide height of retaining walls. Information was provided on sheet 10. Ms. Love noted the requested waivers: to allow the use of PVC and HPDE pipe for the roof drains and underground stormwater storage area; and to allow site lighting to extend past the property line. She said a letter has been received from the fire department that all the fire requirements have been met.

Mr. Chaffee said they received letters from various departments and BETA Group with no further comments. He said they closed with the Conservation Commission the other night. He noted the rendering and said they added a little patio to the front and increased the commercial size. He discussed the elevations of the building. He said they will be under the three-story threshold. He reviewed other requests from the Planning Board. He said he provided a traffic assessment letter. He said he met with a few abutters about drainage and their concerns.

After a complete presentation and discussion of the project, Planning Board members closed the Public Hearing on April 8, 2024.

**FINDINGS OF FACTS**  
**SPECIAL PERMIT/SITE PLAN**  
**100-110 East Central Street**

The applicant submitted their proposed findings with the original application on January 16, 2024 and are on record.

**DECISION**  
**SPECIAL PERMIT/SITE PLAN**  
**100-110 East Central Street**

**Special Permit:** (1)To allow multi-family with additional housing units under §185 Attachment 7 Part VI 6.1.a

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

Gregory Rondeau	YES	Jennifer Williams	YES
Jay Mello	YES	Beth Wierling	YES
Chris Stickney	YES		

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

Gregory Rondeau	YES	Jennifer Williams	YES
Jay Mello	YES	Beth Wierling	YES
Chris Stickney	YES		

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

Gregory Rondeau	YES	Jennifer Williams	YES
Jay Mello	YES	Beth Wierling	YES
Chris Stickney	YES		

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

Gregory Rondeau	YES	Jennifer Williams	YES
Jay Mello	YES	Beth Wierling	YES
Chris Stickney	YES		

(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.

Gregory Rondeau	YES	Jennifer Williams	YES
Jay Mello	YES	Beth Wierling	YES
Chris Stickney	YES		

(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.

Gregory Rondeau	YES	Jennifer Williams	YES
Jay Mello	YES	Beth Wierling	YES
Chris Stickney	YES		

(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.

Gregory Rondeau	YES	Jennifer Williams	YES
Jay Mello	YES	Beth Wierling	YES
Chris Stickney	YES		

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.

Gregory Rondeau	YES	Jennifer Williams	YES
Jay Mello	YES	Beth Wierling	YES
Chris Stickney	YES		

Based upon the information submitted during the public hearings, Planning Board's specific findings, the Planning Board specifically determines that allowing Site Plan and Special multi-family with additional housing units under §185 Attachment 7 Part VI 6.1.a, 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.

Accordingly, at the Planning Board meeting on April 22, 2024 the Planning Board, upon motion duly made and seconded, voted (5-0) to *approve* the applicant's request to allow the Site Plan and Special Permit at 100-110 East Central Street.

The following members of the Planning Board were present at the hearing and voted as follows:

Gregory Rondeau	YES	Jennifer Williams	YES
Jay Mello	YES	Beth Wierling	YES
Chris Stickney	YES		

Any person aggrieved by the above decision of the Franklin Planning Board may file an appeal pursuant to Massachusetts General Laws Chapter 40A, Section 17. Such appeal must be filed within twenty (20) days after the filing of the notice of the Board's decision with the Town Clerk.

This Certificate of Vote shall become effective only upon the recording of a copy certified by the Town Clerk with the Norfolk County Registry of Deeds. A copy of the recorded Certificate of Vote shall be submitted to the Board within thirty (30) days of recording.

**STANDARD CONDITIONS OF APPROVAL**  
**100-110 East Central Street**

1. This Special Permit shall not be construed to run with the land and shall run with the Site Plan as endorsed by the Planning Board. A new Special Permit shall be required from the Planning Board if any major change of use or major change to the site plan is proposed.
2. This Special Permit shall lapse if a substantial use or construction has not begun, except for good cause, within twenty four (24) months of approval, unless the Board grants an extension. No final Certificate of Occupancy shall be issued until all requirements of the Special Permit 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 and received approval by the Planning Board. 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 #4.
3. Construction or operations under this Special Permit shall conform to any subsequent amendment of the Town of Franklin Zoning Bylaw (§185) unless the use or construction is commenced within a period of six (6) months after the issuance of this Special Permit and, in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.
4. **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.
5. 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 #4.
6. No alteration of the Special Permit and the plans associated with it 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.
7. 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.
8. Prior to the endorsement of the site plan, the following shall be done:
  - The owner/applicant shall make a notation on the site plan that references the Special Permit and the conditions and dates of this Certificate of Vote.
  - 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.

- The owner/applicant shall submit a minimum of six copies of the approved version of the plan.
9. 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.
  10. The owner/applicant shall install erosion control devices as necessary and as directed by the Town's Construction Inspector.
  11. **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 Inspector.**
  12. Any signage requires the Applicant to file with the Design Review Commission.
  13. Prior to the endorsement, the Certificate of Vote and Order of Conditions shall be added to the Site Plans.

**WAIVERS**  
**SPECIAL PERMIT/SITE PLAN**  
**100-110 East Central Street**

- To allow the use of PVC and HPDE pipe for the roof drains and underground stormwater storage area.
- To allow site lighting to extend past the property line.

**SPECIAL CONDITIONS OF APPROVAL**  
**SPECIAL PERMIT/SITE PLAN**  
**100-110 East Central Street**

- BETA will observe construction of the retaining wall.
- Applicant will provide a parking overview for the residents at 100 East Central Street during construction.