

Town of Franklin



Zoning Board of Appeals

**Thursday, December 4, 2025
Meeting Minutes**

Chair Bruce Hunchard called the above-captioned Zoom Platform Only meeting to order this date at 6:00 PM. Members in attendance: Bruce Hunchard, Chair; Ginelle Lang, Clerk; Robert Acevedo; Meghan Whitmore, Associate; Joseph Halligan, Associate. Members absent: None. Also in attendance: Gus Brown, Building Commissioner.

The following was provided on the agenda. A Note to Residents: To view the live meeting remotely, citizens are encouraged to watch the live stream on the Franklin Town Hall TV YouTube channel or the live broadcast on Comcast Channel 9 and Verizon Channel 29. To listen to the meeting remotely citizens may call-in using this number: 1-929-205-6099. There will be no public participation during the meeting allowed. Meetings are recorded and archived by Franklin TV on the Franklin Town Hall TV YouTube channel and shown on repeat on Comcast Channel 9 and Verizon Channel 29.

ANNOUNCEMENTS FROM THE CHAIR: None.

CITIZEN COMMENTS: None.

APPROVAL OF MINUTES: November 20, 2025

Motion made by Joseph Halligan to approve the Meeting Minutes as presented for November 20, 2025.

Motion seconded by Robert Acevedo. Roll Call Vote: Acevedo-YES; Lang-YES; Hunchard-YES.

Unanimous by the Board.

TOPIC: 444 East Central Street – TAG Central LLC

Abutters: All abutters' names/addresses are listed within the meeting minutes below.

Mr. Halligan recused himself.

6:00 p.m. Applicant is seeking a building permit to construct a 264-unit multi-family development. The building permit is denied without a Comprehensive Permit from the ZBA. Applicants present: Mr. A.J. Alevizos of TAG Central LLC; Mr. Peter Freeman, attorney; Mr. Carlton Quinn, Civil Engineer of Allen & Major Associates.

Attorney Mark Bobrowski said he prepared an approval with conditions. He said they would go through the conditions one by one from the document titled "Decision on Application for Comprehensive Permit." He said what they are essentially doing here is trying to make the development of the 40B orderly and safe and consistent with public health and safety. He noted the Housing Appeals rules. He noted they are not dealing with definitive drawings, and consistent with the rules they received preliminary drawings, and we want to make sure we get a final drawing worthy of a building permit. He noted you have to add instructions to the applicant to get them from preliminary to definitive. For this 40B, 25 percent of the units will be deemed moderate income. He said he spoke to and sent a copy of the draft to Attorney

Freeman. He said Mr. Freeman sent him back a track-changed version of it. He said remember, you are looking at a partial decision as the ZBA is not going to talk about waivers tonight. They will be going through the 80 to 100 conditions. He said he was going to review the 24 Regulatory Conditions from section A which starts on page three.

Ms. Lang asked if the conditions were developed with input from town departments. Mr. Bobrowski said no because the ZBA closed the public hearing at the end of the last meeting and anything that the departments would offer would be outside the record of the public hearing. He said there were contributions from the departments during the tenure of the public hearings. Ms. Lang said it was not clear at all to her; she said it was a misunderstanding on her part that they were closing the public hearing to the public but thought town departments and town staff were still able to be referenced and communicated with. Mr. Bobrowski said that is not the way it works. Closing the public hearing means no one can talk at the meeting other than the members of this board. He said this is an open meeting, not a public hearing anymore. The deliberations of the members have to be in a place where it can be viewed by the public, and the public is welcome to view it, but the public does not any longer have a right to speak and that includes members of town departments. Ms. Lang said input from town departments was very early on. She said she asked at the last meeting how they get input on the final waivers which was November 3; we have no input on the final list of waivers from the town departments except just from the Conservation Commission. Chair Hunchard explained it is not unusual to get no comment from the town boards.

Building Commissioner Gus Brown said at the beginning of the process the proponent provided booklets for town departments and town staff; there was a chance to make comments. Mr. Bobrowski reminded all that in March when the hearing was about to open, the chairman wrote a letter to the Town Council, Conservation Commission, and Planning Board saying we know what you thought about the project months ago, but we are in a 15-day window where we could invoke the safe harbor, and would you like to advise us again. We did not hear from anyone except Conservation. Mr. Bobrowski said the time to close the hearing was by November 30, 2025, and the ZBA met on November 20.

Mr. Bobrowski reviewed aloud the regulatory conditions starting on page three of the document. Mr. Peznola questioned if the town is also a signatory to the regulatory agreement. Mr. Bobrowski said he thinks that is right. He continued reading aloud the conditions. Mr. Peznola said he was getting text messages from the applicant's attorney, Mr. Freeman, and the applicant's engineer, Mr. Quinn, that they are in the waiting room for the Zoom meeting. Mr. Brown said that if they want to speak, they have to let him know what number they are under regarding the administration process of letting people into the Zoom meeting. Mr. Brown said he found the number reference and let Mr. Freeman into the meeting. He said Mr. Quinn's name was not showing. Discussion commenced on the names the applicant and applicant's representatives were listed under so they could be let into the meeting.

Mr. Bobrowski stated that he was now on A9. Mr. Freeman confirmed he had no concerns with conditions through A9. Mr. Bobrowski continued reading aloud the conditions. Mr. Bobrowski reviewed the local preference condition. He noted 70 percent is the limit. He continued reading aloud the conditions. When he finished reading the regulatory conditions, he stated they have been used before, and there is nothing new there; it is pretty standard stuff.

Mr. Bobrowski stated he was going to now review the 34 General Conditions as listed in section B. He would alert the ZBA, when possible, to comments that have been made in Attorney Freeman's track-changed document, some of which are typographical and spelling corrections and others which are substance. Ms. Lang asked if they can ask for a financing plan prior to receiving building permits that confirm capital has been secured so we do not wind up with a half-built site. Mr. Bobrowski said that is generally between the applicant and their lender, so we do not do that. Ms. Lang asked if there was any

way to protect if the project is half done. Mr. Bobrowski said if the project is half done and the developer walks away, the bank is going to be stuck, and the bank would be actively looking for someone to buy the project. He continued reading aloud with condition B1 and explained language as needed.

Ms. Lang said as they have not gone through the waivers yet, and if the ZBA denies waivers that result in substantial or insubstantial changes to the project, what does that process look like. She questioned if voting on the conditions, then voting on the waivers, may impact the conditions. Mr. Bobrowski said he thinks they would have to loop back around again as Ms. Lang stated. He said he did not get the sense that there were many waivers that were up in the air. He said they will be talking about them at the December 18 meeting. Chair Hunchard noted that they went through the list at a previous meeting. He said we talked a little about them and probably just moved them on because it is something we historically approved. That is why they are here with us; they cannot build a project like this without waivers.

Mr. Bobrowski continued reading aloud and explained paragraph 2. He said he needs the precise date and revision of every plan. He will be working with the applicant in the next week to get that information for condition number 2. He continued with condition number 3 regarding hours of work.

Ms. Lang said given the proximity to the neighborhood, she would like to submit a motion that they not start before 8 AM. Chair Hunchard said that does not work in the construction business. Mr. Freeman said he understands the concern, but it does not work, and it would be more restrictive than the bylaw. Chair Hunchard confirmed 7 AM to 6 PM, and not on Sundays and national holidays. Mr. Bobrowski continued reading aloud with number 4. Ms. Lang said she would like to adjust paragraph 8 to indicate all fully shielded down lights at no greater than 3,000 Kelvin. Mr. Bobrowski said they have done a photometric plan, and there is no light overspill or glare onto adjacent property. Ms. Lang explained the lighting number and brightness of the light.

Motion made by Ms. Lang to include that there should be fully shielded cut off luminaires providing downlight at no greater than 3,000 Kelvin color temperature. Motion seconded by Robert Acevedo. Roll Call Vote: Acevedo-YES; Lang-YES; Hunchard-YES. Unanimous by the Board.

Mr. Bobrowski continued reading aloud. Ms. Lang asked Mr. Peznola if they are requiring all stormwater to be managed and recharged on site. Mr. Peznola explained that depends: managed on site yes, but not retained on site. He explained they are recharging on site. He explained the applicant is doing everything in accordance with the requirements. Ms. Lang questioned that it is Mr. Peznola's understanding that what has been proposed will improve the condition on adjacent properties. She said at the last meeting there was a tiny site on Elm Street that they spent half an hour talking about managing the stormwater on that site so it does not go to the adjacent site, and now we have a large development that we know we have water challenges, and yet we are not conditioning what happens with the water. Mr. Peznola explained we certainly are, and if they build it in accordance with the approved plans, they have done their due diligence. Ms. Lang said she would like to propose that we make it a requirement that they do better. This is where we are getting into quantifiable mitigation. Mr. Bobrowski asked for a specific suggestion. Ms. Lang said 100 percent retainage on the site. Mr. Bobrowski said that as Mr. Peznola pointed out is not part of the Franklin rule package. You would be requiring something in excess of Franklin regulations.

Director of Conservation Breeka Li Goodlander said Ms. Lang was mentioning 100 percent stormwater retention on site. She said that is not necessarily required. She would defer to Mr. Quinn, the applicant's engineer, to speak to that. Mr. Peznola said as an engineer, he would say that 100 percent retention of stormwater on the site would render the project uneconomic. He explained it would be almost impossible to do and is unreasonable. He noted it is an existing condition. He noted they are not going to make the

existing problem any worse, and it could be subject to appeal. Mr. Bobrowski discussed and explained the housing appeals committee and the regulations governing 40B set a benchmark for developer's profitability.

Mr. Alevizos said Mr. Quinn could talk about the proposed design details and some of BETA's peer review and Mr. Peznola's peer review.

Mr. Brown noted that the YouTube channel is not working and folks are in the waiting room and under the circumstances he would like to ask the chair if they can be let in. Chair Hunchard said they can be let in and muted.

Mr. Quinn reviewed flood mitigation and storage capacity from current to proposed conditions. He said this was reviewed in the Conservation Commission as well. Ms. Lang asked Mr. Bobrowski if all that information is noted in the peer review document and can it be noted in the conditions that we are removing more of the volume that currently comes off the site. Mr. Quinn said we are required to reduce the rates. The volumes, if you want to put a condition in that we are matching or reducing the volumes, we do not have an issue with that being a condition.

Ms. Goodlander said we have all of BETA's peer reviews as does the applicant. She said she can provide their information for conditions, and it is a document with the Conservation Commission. Mr. Peznola said he can put a condition together for Mr. Bobrowski that speaks to the additional requirement to control post-development volume to equal to or less than pre-development. The applicant has already done that, but we can memorialize it.

Mr. Bobrowski said he wanted to go back to talk about paragraph 7, which is really number 8 as they had two number 3s, but they will fix that. He said the applicant pointed out that the town does not have jurisdiction to order the applicant to do something in a roadway that is under the jurisdiction of DOT. He said they added language that he does not find objectionable which he read aloud.

Mr. Bobrowski continued reading aloud with number 14. He discussed camera monitoring in number 15, and that the location of cameras would be worked out with the police department. Chair Hunchard said to leave it in. Mr. Bobrowski continued reading aloud with number 15. He discussed establishing eligibility for a certificate by establishing a performance guarantee as approved by the town as to form in an amount in accordance with the subdivision regulations which is usually where that is standardized. Ms. Lang asked if occupancy would be held up for something minor that is incomplete. Mr. Brown discussed he has issued temporary occupancy; it is a last resort, but in certain circumstance they do.

Mr. Brown said as they are having technical difficulties, he wanted to read an email he just received. Chair Hunchard said yes. Mr. Brown read the email from a resident that said: The meeting should not have been allowed to continue. Why did Gus even have to ask the chair if we should be allowed in at all, much less one hour later. Are we not entitled to access per open meeting laws? It sounds like we were all left in the waiting room intentionally. I would like this confirmed.

Chair Hunchard said he has no control over the thing, and Mr. Brown is doing the best he can at it; it is the first time he has run the meeting from the cockpit. He thinks everyone who wanted to get on the meeting probably got on it, and he can guarantee you did not miss much; even if you got in an hour late, you did not miss much. This is going to be rebroadcast on YouTube TV. They just could not get it hooked up to it tonight. But it was also being broadcast on cable. There is plenty of ability. No one from the outside is going to be able to speak. He said they are not taking any new information. He said they are going through this meeting tonight and one more meeting on December 18. So, if you want to see what you missed, watch YouTube whenever they get it up there.

Mr. Bobrowski continued reading aloud with number 18. Regarding if an irrigation is installed using municipal water, it may be done only in compliance with town specifications. Ms. Lang asked if they could say if an irrigation system is installed that it not use the municipal water, but on-site water. Mr. Bobrowski said you could say that. Mr. Acevedo suggested it would probably be better for them to use the municipal water system with the conservation restrictions as opposed to dig a well and water whenever they want. Discussion commenced on municipal water or a well. Mr. Bobrowski said he would like to leave in full compliance with the town. Otherwise, they are competing with the town for groundwater.

Mr. Brown asked Mr. Bobrowski to address the open meeting concerns that citizens have right now. Mr. Bobrowski said he is not aware of what the deficiencies are. Mr. Brown said it was several people in the waiting room. He said under the circumstances that the hearing has been closed and now they are in the meeting, he wants to make sure we are doing this properly. Mr. Bobrowski said they do have the right to observe. Mr. Brown said YouTube was down, they have been let into the meeting now, and that is where we are at. Chair Hunchard said the meeting is being broadcast on Comcast and Verizon as well. Mr. Bobrowski reviewed aloud the notice on the agenda regarding viewing the meeting. Mr. Brown said YouTube is down. Chair Hunchard said we are still broadcasting. He confirmed they were on Comcast and Verizon. Mr. Acevedo said you need cable for that. Chair Hunchard noted you need an internet connection to watch the other way. Technical person who was not identified who was at the meeting said the meeting is being broadcast on cable: Comcast 9 and Verizon 29. Mr. Brown explained the people were let in about 20 minutes ago and that many people are saying they do not have cable is what he is hearing. Mr. Acevedo explained they were planning to watch on YouTube but it was down, and they could not watch because they do not have cable. Ms. Lang said the third option was to join via Zoom, but they were in the waiting room and missed the first part of the conversation. Mr. Bobrowski said they can go back to the beginning and go through the conditions; very few of them were challenged or adjusted. Mr. Brown said he recommended Mr. Bobrowski do that as it will cure the defect.

Mr. Bobrowski said he would finish as he is going and then go back to the beginning. He will pick a point where everyone was likely onboard. He will do all of A and B again; he is just about to enter into conditions C. He will continue with the rest of B. Mr. Brown said he is hearing that it was 7:20 PM when everyone was let in. Mr. Bobrowski confirmed he will go back through A and B. He will begin with C at this time.

Ms. Lang asked about B13 regarding plowing and responsibility for the sidewalks added along East Central Street. Chair Hunchard said the town plows those. Ms. Lang said they only plow in certain areas near schools. She explained she wants to make sure that if the applicant is adding sidewalks along their property frontage and to the adjacent property that it does get maintained. That is referenced in B13 and C17. Mr. Bobrowski said he will add sidewalks. Mr. Alevizos said the sidewalk is on the layout of the state. Chair Hunchard said the town plows the sidewalks there up to Franklin Common, and he is pretty sure they go that far, and they plow it when they can. Mr. Bobrowski said he made notes. He does not know if we can order someone to go into the state highway layout, but if the town is doing it, it may not be an issue. Ms. Lang said the private applicant is saying they are going to install the new sidewalk along the frontage of their development, then that should be maintained as part of the site. Mr. Bobrowski said it is state property. He said he will look into it; they have two weeks.

Mr. Bobrowski read aloud the 23 Construction, Inspection, and Bonding items from section C. Ms. Lang asked why do we not require architectural building plans signed and sealed by a registered architect and a letter from the project PE that the project complies with the stretch energy codes. Mr. Peznola said stamped and sealed architectural plans will be required for a building permit. Mr. Brown will get them whether it is in the decision. Mr. Bobrowski asked if there were any changes to number 9 a-e that either

Mr. Brown or Mr. Peznola would recommend. Mr. Peznola recommended a lighting plan. Ms. Lang said the comprehensive permit is a different process; is there no design review. Mr. Bobrowski said it is probably 50-50 project to project. Mr. Peznola said all the review they will do of the final plans is not a subsequent approval. It is not an introduction of new materials. It is to verify the plans are in substantial compliance to the approved preliminary plans and the conditions of the comprehensive permit.

Ms. Lang asked how we maintain compliance with design standards if the powers are all with the ZBA; are we reviewing the design. Mr. Bobrowski said if the board wants to review the architectural aspects of the building, it engages a peer reviewer and that is information submitted and received during the public hearing process. Ms. Lang discussed the Design Review Commission's role. Chair Hunchard said they are only a reviewing board. Discussion commenced on how the building would be reviewed regarding design. Mr. Freeman said you cannot add a new standard after the fact. Any review would be for a proposed change if you find it a substantial change. Mr. Alevizos said they submitted elevations. Ms. Lang asked what protects us from it being just cheap vinyl. Mr. Freeman said the plans that were submitted are what is consistent with 40B. Mr. Bobrowski said the proper way to have done it would have been to hire a peer review from a 40B consultant on architecture, and they make a report, and their guidance is incorporated into the permit. Ms. Lang said this is another example of what we should have done. Chair Hunchard said we have never done that before. He said everything in the past that has been built has been pretty good, and we have had no issues with environmental things. That ship has sailed. We have some elevations and that is it. Mr. Brown said he would say that is true, there has not been anything built that has had problems like that. Mr. Alevizos said their architect, Cube3, is an award-winning architect. Ms. Lang said she is reacting to the desire of people and the Master Plan to elevate the design standards in Franklin. She asked how do we make sure the details come through. Mr. Bobrowski said it is Mr. Brown who determines consistency with the plans on records. Mr. Brown discussed that there are design standards on everything that is built and approved by the International Code Council (ICC). He said nothing in Franklin goes up that does not meet those standards.

Mr. Bobrowski continued with number 10. In response to number 21, Mr. Acevedo asked about the cleaning up of the site. Currently, the site has abandoned vehicles and engine oil. He asked is that in our conditions here to be taken care of. Mr. Peznola said the site plans are through the Conservation Commission process. They have committed to doing a lot of restoration to the site in areas they are not actively developing. This would be in the Conservation Commission's order of conditions that would address those areas. In the building and parking lot areas, the applicant will have to have geo-technical engineers onboard to make sure any materials that are not suitable are removed and any fill brought in is clean and proper for the intended uses. That is standard protocol.

Ms. Goodlander said Conservation Commission is looking to ensure that the resource areas jurisdictional under the Wetlands protection Act will be maintained and protected. She said the Conservation Commission was going to have a restoration plan presentation at 7 PM today, but considering ZBA is running so late, the Conservation Commission has adjourned. She said they will have a meeting on December 11 to go over the restoration plan the applicant provided. She said those areas will be protected in perpetuity. Mr. Bobrowski confirmed what Conservation Commission will be tackling. Mr. Acevedo asked if this should be in the ZBA decision. Mr. Peznola said he thinks it is already in there when it states compliance with all other jurisdictions. Ms. Goodlander said they have about 64 conditions. Mr. Peznola said the Conservation Commission has oversight under the state act under 310CMR10.

Ms. Goodlander explained the Conservation Commission typically reviews under the state Wetlands Protection Act and the town bylaw. She said the Conservation Commission asked that local bylaw be maintained. She explained whatever change ZBA makes would volley back to Conservation. She said Conservation is going to be involved no matter what, pursuant to the Wetlands Protection Act. All Conservation wants to know is if ZBA is going to maintain the bylaw.

Mr. Bobrowski asked Mr. Peznola to take section D. He said he read closely Mr. Peznola's November 19 peer review letter and embedded it in and reframed them into conditions. There were considerable notes by the applicant regarding that work.

Mr. Peznola read aloud and explained the items in section D Special Conditions. Chair Hunchard noted the piece that the applicant wants to donate, parcel B. He said he does not think the town is interested in it as it is only wetlands, and it will be landlocked; he does not see the advantage of the town taking it. Mr. Peznola reviewed that if the town does not take the land, the applicant is not in violation of any conditions and will maintain parcel B as part of the property. Mr. Bobrowski asked about parcel C. Mr. Alevizos said parcel C is being deeded to the owner of 454 East Central which is the same owner as the seller of the property; he is retaining some land to increase his backyard a little bit.

Ms. Lang asked who makes the decision on parcel B. Chair Hunchard said he has not seen anyone come forward from the town saying they are willing to accept it. The parcel is good for nothing. Ms. Lang stated that Ms. Goodlander said she believes it would be Town Administrator Jamie Hellen's call; it would expand the state forest, but it is all wet. Mr. Peznola said this is all not germane to what the ZBA is being asked which is to endorse an approval not required plan. Mr. Bobrowski said he would talk about this with Attorney Freeman.

Mr. Peznola continued to read aloud and explain condition 2. Ms. Lang reviewed that a solid vinyl fence is part of the buffer, and she requested an 8 ft. fence. She said there was a promise of additional trees on the site and on abutting properties. She asked where does that get captured. Chair Hunchard said he spoke with Mr. Bobrowski about this, and they are going to take it up next week when they talk about the mitigation aspects. It will get captured in the decision, but not tonight. Mr. Bobrowski noted discussion about additional landscaping. Chair Hunchard said the neighbors wanted a fence. There was also discussion that one neighbor was offered money to put in trees where they felt they would be needed. Mr. Bobrowski the \$100,000 and another \$30,000 regarding mitigation. Mr. Peznola said that is one and two of the total \$567,000. Mr. Freeman said yes.

Ms. Lang asked that the ZBA see the proposed edits by the applicant. Mr. Bobrowski confirmed he would send them out tomorrow. Mr. Peznola said regarding the submittal plantings and fence, they are shown on a plan sheet and it shows a 6 ft. vinyl fence. If the board wants an 8 ft. vinyl fence, they should add a condition. Ms. Lang reviewed the location of the fence. She said the abutter on the west requested a fence. Mr. Alevizos said they incorporated a fence along the west side, and it is on the plans which is called out as black chain link fence probably standard 6 ft. tall. Mr. Bobrowski said some of this he will be discussing with Mr. Freeman and will report back.

Mr. Peznola continued to read aloud and explain beginning with number 3. Ms. Lang said this condition calls into account the 1.2 spaces per unit on that side. She said there is a waiver that asks for parking spaces less than 8 ft. wide and that is not acceptable. Mr. Peznola said they were proposing 8.5 ft. wide. Ms. Lang read waiver 12a which indicates 8 ft. Mr. Peznola reviewed the sizes and quantities of the spaces. Ms. Lang said maybe there is a typo. Mr. Peznola said they have none less than 8 ft. Mr. Alevizos said the change was made and submitted in the October 22 letter and was made to increase the east side abutter area. Mr. Peznola further discussed the parking and that smaller spaces will be consider a nuisance problem to be dealt with by the management company, not a safety problem. He said he tried to encapsulate in the condition that should they find the parking to be insufficient and they want to add it back, anything that would interfere or encroach onto the easterly buffer the ZBA should deem that a substantial change from the get go because of the implications of encroaching onto the easterly buffer as that was such a contentious issue.

Mr. Bobrowski continued to read aloud and explain beginning with number 5. Regarding item 7, Mr. Peznola reviewed that he had laid out that the applicant will do the sewer study and subsequent to that they were given a proposal from the town's engineer with a price tag of \$32,000. It is his understanding that the town engineer wants his engineer to do it. The applicant said they will pay the \$32,000 cost of the study. And depending what the results are, they will construct an onsite holding tank for off-peak pumping or provide additional funds to the town for station upgrades. Discussion commenced on the costs and additional language related to this item and the mitigation.

Mr. Bobrowski said he will confirm the language, the dollars listed, and that this is not mitigation for above and beyond, it is something that has to be done. Discussion commenced on the study process and analysis of the impact of the additional flow. They will have a finding and determine what upgrade would be necessary to handle the additional flow. He discussed who will pay for the upgrades to the pump station. There is some nuance that still needs to be worked out. He said he thinks it is appropriate to take the rewrite and talk to the town engineer that he is good with it and does not want to add language regarding the full process. Ms. Lang noted that she was told she could not talk to the town engineer on this, but Mr. Peznola could. She asked is this a place the town might want mitigation. Mr. Peznola reviewed previous conversations with the town engineer about the pump station and the study. He said they need to do the study to know. They are having the study done post issuance of the comprehensive permit. The applicant is trying to cap the upgrade costs. He said he will talk to the town engineer. Ms. Lang agreed that Mr. Peznola should speak with the town engineer. Mr. Bobrowski said he will be working with Mr. Peznola to rewrite section D in accordance with what we just discussed.

Mr. Bobrowski said the next section is from VAI, Inc. Recommendations in Transportation Impact Assessment, February 2025. He said their peer reviewer, Steve Finland, blessed everything that Jeff Dirk from VAI had to say, but he did not add to it. He said all this is taken directly from the TIA report. He is seeing a couple of track change edits from the applicant. He said he does not know why the sidewalk was eliminated, and he will talk to them. Ms. Lang said that was the sidewalk she was talking about previously. Mr. Alevizos said it was deleted because it was duplicated. Ms. Lang said where it says ADA compliant wheelchair ramps, she wants to add tactile mats. She said it was the third bullet from the bottom. Mr. Bobrowski said he will add it. He noted he will add language that indicates prior to the CO, so when doing a search all those items will be easy to find in the document. Ms. Lang said on the traffic study for the light timing, she had a challenge when talking about it in the hearing. They had specific impact for this project, but was not cumulative for all projects recently approved along this stretch. She said there was missing data. She said regarding no changes are required during the weekday morning peak hour, she would like to add that they look at that. Mr. Bobrowski said he will ask. He said there is a total of \$35,000. Discussion commenced on the scope of a concept study. Ms. Lang said she would like to propose that it be brought to a schematic design level plan as that would help get a better cost estimate. She said for the corridor improvement study, they study a fixed bus route along that stretch which was part of the Master Plan.

Motion made by Ginelle Lang that the corridor improvement study as proposed by the applicants include a schematic design level plan and estimate and also a concept for a fixed bus route as proposed in the Town of Franklin Master Plan goals along East Central Street from the site to the King Street intersection. Discussion: Mr. Bobrowski asked if there is any estimate what those additional items would add to the cost. Chair Hunchard said he does not have one. Mr. Bobrowski said this may be something they would want to check with Steve regarding how much they are adding to the cost. He will do that. Ms. Lang said the signal timing was the request to include the weekday mooring peak hours. Mr. Bobrowski said she will ask Steve both questions. No second. No vote.

Ms. Lang said she believes when the Planning Board reviewed, they had in their approval something about the school bus pickup, like a pull off or turnaround so school buses would not be picking up on Rt.

140. Chair Hunchard said it was a cursory non-binding review. He said you cannot make the school buses do what the school does not want them to do. Mr. Peznola said it is with the company that has the contract with the school, and you cannot make them go into private sites. Mr. Lang requested a provision for a safe stopping point for school buses. Mr. Alevizos said in previous public hearings they coordinated with the school department, and they noted pickup would be on Central Street, and no separate stop would be required, and they did not want to access the applicant's private property. Mr. Bobrowski asked about a structure on the applicant's property that would keep the kids dry while waiting for the bus. Mr. Alevizos said they could talk offline, and the clubhouse would serve as that structure as it is so close to the street. Ms. Lang said it was not that close to the street. She said a bus shelter would be good. Mr. Bobrowski said they will have that conversation. Ms. Lang said she does not recall the School Committee talking about the bus on the street in any of the public hearings.

Mr. Bobrowski read aloud and said that the last thing in this document that is calling for our attention is an offer by the applicant to provide the full cost for the engineering of a detailed construction document plan and facilitating improvements through public construction bidding process which will effectively put the town in a position to submit a fully engineered proposal to the state for a request for funding to be estimated at \$350,000. They are basically offering \$350,000 to facilitate grants. Ms. Lang asked for \$500,000. She said this intersection was indicated as a priority in the Master Plan. She discussed her original request for the corridor improvement study at that intersection and an allowance for implementing what the study recommends. Chair Hunchard said he thought the applicant can do the study, and then the town can get the grants. He said he is not sure we can force them to give something because it is so far off site as the state may not see it that way. Mr. Bobrowski said this is truly mitigation. We should look at what they offered and if it is the right mitigation and enough mitigation to accept. That is what you need to decide. Mr. Acevedo agreed \$500,000 was a good place to start. Mr. Bobrowski said as they offered it, it is fair game.

Mr. Bobrowski said he would read aloud the conditions of parts A and B again to cover for any people who may have been online. After he read aloud and explained conditions of part A, Ms. Lang said this is where she asked before the applicant receives a building permit does the town review any type of financing plan to confirm capital has been secured so that we do not wind up with a half-built project. Mr. Bobrowski said it was explained that the chief vehicle for that would be the relationship of the lender and the applicant.

Mr. Bobrowski read aloud and explained conditions in part B and noted the lighting items added by amendment. When finished reading aloud section B, he noted that is where they had everyone out of the remote meeting waiting room. Ms. Lang said in all those things the only thing they had a little debate on was the construction timing and the irrigation.

Mr. Bobrowski said the next time they do this he will have the clean version of this, and also the sections we did not talk about tonight which consists primarily of the waivers, and he will fill in any facts that need to be put in such as who reviewed what sections. He will have conversations with the applicant's counsel to get more determinations of things left up in the air.

Mr. Brown said the address on the heading of the draft decision is 298 Central Street for our address; that should be 355 East Central Street. He noted Franklin TV was aware it was not on YouTube, but it will be when the meeting is over. He apologized to the residents.

Chair Hunchard said the next meeting they will be at town hall; he thinks they will take a vote that night on December 18. Mr. Bobrowski said he has another meeting on December 18; he prefers to start at 6 PM again. ZBA members confirmed a 6:30 PM start time for the December 18 meeting. Mr. Bobrowski stated he has three meetings on the 18th and asked if this meeting could be held on December 17 or 16 or 23.

Chair Hunchard said Town Council meets on the 17th. Discussion commenced on the meeting date. Chair Hunchard suggested meeting on the 18th as scheduled and also meeting on the 23rd for this item. Ms. Lang requested the 18th be via Zoom.

Motion made by Ginelle Lang to have the December 18, 2025 meeting as a Zoom meeting. Motion seconded by Robert Acevedo. Roll Call Vote: Acevedo-YES; Lang-YES; Hunchard-YES. Unanimous by the Board.

Mr. Bobrowski said they closed the public hearing on November 20, 2025, and they have 40 days to make a decision and then another 14 days to file. Chair Hunchard said the intent is to meet on the 23rd and make a final decision.

Mr. Freeman said he can meet on the 23rd but not in person. Chair Hunchard said it would also be via Zoom.

Motion made by Ginelle Lang to continue this meeting to December 23, 2025 at 6:30 PM. Motion seconded by Robert Acevedo. Roll Call Vote: Acevedo-YES; Lang-YES; Hunchard-YES. Unanimous by the Board.

GENERAL BUSINESS: None.

FUTURE AGENDA ITEMS: None.

ADJOURN:

Motion made by Ginelle Lang to adjourn the Zoom Meeting. Motion seconded by Robert Acevedo. Roll Call Vote: Acevedo-YES; Lang-YES; Hunchard-YES. Unanimous by the Board.

Meeting adjourned at 9:38 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

Signature: _____ *Casey Thayer* _____ **Date:** _____ 12/18/25 _____