

DRAFT FOR REVIEW**Town of Franklin****Planning Board**

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TOWN OF FRANKLIN
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**May 22, 2017
Meeting Minutes**

Chairman Anthony Padula called the above-captioned meeting to order this date at 7:00 PM. Members in attendance: Joseph Halligan, John Carroll, William David, Gregory Rondeau, Alternate Rick Power. Members absent: None. Also present: Michael Maglio, Town Engineer; Bryan Taberner, Director, Planning and Community Development; Amy Love, Planner; Matthew Crowley, BETA Group, Inc.

7:00 PM Commencement/General Business

Chairman Padula announced the meeting would be video and audio recorded for the public's information.

A. Endorsement: 511 & 515 East Central Street – Site Plan & Special Permit

Note: Chairman Padula, at a previous Planning Board meeting, activated alternate Planning Board member, Mr. Power, as the public hearing was for a special permit.

Ms. Love stated the Planning Board approved the plans for the site plan and special permit on April 10, 2017. The plans have the Certificate of Vote, and Conditions are noted on the front page of the plans.

Motion to Endorse 511 & 515 East Central Street – Site Plan & Special Permit. Carroll. Second: Rondeau. Vote: 5-0-1 (5-Yes; 0-No; 1-Abstain). (Mr. Halligan abstained.)

B. Endorsement: 5 Kenwood Circle – Site Plan Modification

Ms. Love stated the Planning Board approved this on May 8, 2017. The Certificate of Vote is referenced on the front page of the plans, as well as Condition #13 referencing the curbing requirements. The details of the curbing requirements are noted on page 4 of the plans. The plans remain the same as the ones from the May 8, 2017 meeting.

Chairman Padula stated the information was listed in the print, but not shown on the plans; bituminous concrete is still shown.

Mr. Halligan stated he does not have a problem going forward as long as it is going to go by the written details and not the plan.

Ms. Love stated the Certificate of Vote overrides the plans.

Motion to Endorse 5 Kenwood Circle – Site Plan Modification. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

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Ms. Love stated the applicant submitted plans for a Form H for the final as-built and the Certificate of Completion. She stated there are three trees along the property line of 55 West Central Street that were not planted; they were on the original plans to be planted.

Motion to Approve the Form H: 150 Emmons Street. Halligan. Second: David. Vote: 4-0-1 (4-Yes; 0-No; 1-Abstain). (Chairman Padula abstained.)

D. Bond Estimate & Lot Release: Union Meadows Estates – Upper Union Street

Ms. Love stated a Form G application was received. BETA Group prepared an estimated cost for completion. A Tripartite Agreement for the bond amount for that completion was submitted. Applicant is requesting five lots to be released.

Motion to Approve the bond amount of \$246,201 for Union Meadows Estates - Upper Union Street. Rondeau. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Release Lots 1, 2, 3, 4 & 5 for Union Meadows Estates - Upper Union Street. Rondeau. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM

PUBLIC HEARING – Initial

Zoning Bylaw – Brewery, Distillery, or Winery with Tasting Room

17-788: §185-3, Definitions

17-792: §185, Attachment 4 Use Regulation

Documents presented to the Planning Board:

1. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date May 2, 2017*
2. *Memorandum dated March 22, 2017 from Jamie Hellen to Economic Development Subcommittee*
3. *Town of Franklin Zoning Bylaw Amendment 17-788*
4. *Town of Franklin Zoning Bylaw Amendment 17-792*

Motion to Waive the reading. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Mr. Taberner reviewed the two Zoning Bylaw Amendments regarding the addition of a definition and adding that use into the Use Schedule. The use would not be allowed in a Residential district. It would be allowed by a special permit by the Planning Board. Up to 33 percent of the total square footage of a structure could be used for the tasting room. This is not a restaurant; it is a tasting room. Only the alcohol produced onsite could be sold. They have the option to bring food in. He stated this has been very successful in other communities. It is usually good for the businesses in the area. If someone were to want a restaurant, they would have to go through the required process. The Tasting Room license is similar to the Section 12 license for a restaurant to have alcohol; must go through similar paperwork, go through Town Administrator's office, and Town Council would have to approve. He stated he thinks it is a great opportunity to utilize some of the spaces that may be available now and in the future. There is already interest in this town as well as other towns in the region. It is becoming a popular use.

Mr. Jeff Nutting, Town Administrator, stated the Town Council is very encouraged about this bylaw that would allow for the manufacture of spirits and wine. Micro-brewery businesses are across America; hopefully, we can get some downtown and have a little economic development while still controlling the consumption of alcohol through the Town Council permitting process.

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A person addressed the Planning Board and stated she was interested in possibly opening a small brewery in town; she confirmed that Mr. Taberner stated it would not be allowed in a residential area.

Chairman Padula asked why it is at 33 percent and not 25 percent like the rest of production and retail facilities.

Mr. Taberner stated he thinks what happened is that the Deputy Town Administrator talked to some people about this and utilized a copy of what they had approved. He stated he has talked about if 33 percent is the right amount.

Chairman Padula asked if school districts would be added to this as it is prohibited in all residential districts.

Mr. Taberner stated that regarding adjacent to all schools, he does not know if the wording is in there for that. The one thing that would address this is that it is a special permit and if it did not fit the neighborhood character the Planning Board has the ability to turn down the special permit.

Mr. Nutting stated that to serve alcohol onsite they would have to come to the Town Council. He stated there is one school in a commercial zone; the rest are in residential zones. If they just want to manufacturer, they would come to the Planning Board.

Mr. Halligan asked for the average size of these facilities regarding the 33 percent versus 25 percent.

Mr. Taberner stated there is a wide variety of types and sizes of these facilities.

Mr. Nutting stated they did a lot of research and thought 33 percent was a reasonable number; if the Planning Board says 25 percent is the recommendation to the Town Council, they will then decide.

Mr. Taberner stated it is up to the Planning Board to support it as written or recommend changes to the Town Council.

Chairman Padula stated concern that these licenses are going to be very easy to get. These things can pop up all over the place. The way this is written, for instance, a person can go in and buy a bottle of wine and then consume it right there. He reviewed and discussed the wording, specifically, "special events."

Mr. Nutting stated a person still must get the license from the Town Council. He stated the Police Chief researched this and other towns said they had no problem such as with increased drinking and driving.

Motion to Close the public hearing. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Recommend to Town Council, with the amendment of 33 percent to be 25 percent, Zoning Bylaw Amendment 17-788: Chapter 185, Section 3, Definitions: Brewery, Distillery, or Winery with Tasting Room, and Zoning Bylaw Amendment 17-792: Chapter 185, Use Regulations for Brewery, Distillery, or Winery with Tasting Room. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:10 PM **PUBLIC HEARING** – Initial
471 & 481 West Central Street
Site Plan

Documents presented to the Planning Board:

1. Letter dated May 17, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board

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2. *Memorandum dated May 17, 2017 from DPCD to Franklin Planning Board*
3. *Site Plan Sheets for West Central Plaza in Franklin, Massachusetts dated April 26, 2017, Prepared by Guerriere & Halnon, Inc., with Received by Planning date April 27, 2017*
4. *Memorandum dated May 5, 2017 from G.B. McCarraher, Fire Chief, to DPCD*
5. *Memorandum dated May 3, 2017 from George Russell, Conservation Agent, to Franklin Planning Board*
6. *Memorandum dated May 2, 2017 from Franklin Board of Health to Franklin Planning Board*
7. *Document, F-4060, West Central Plaza Existing Site Description and Proposed Development with Received by Planning date April 27, 2017*
8. *Form P: Application for Approval of a Site Plan from West Central Plaza LLC, Roger Calarese, applicant, with Received by Planning date April 27, 2017*
9. *Certificate of Ownership with Received by Planning date April 27, 2017*
10. *Quitclaim Deeds (3) dated January 4, 2017*
11. *Town of Franklin Board of Assessors Abutters List Request Form dated April 6, 2017, with Received by Planning date April 27, 2017*
12. *Abutters List Report dated April 6, 2017*
13. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date May 2, 2017*

Motion to Waive the reading. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

Mr. Richard Cornetta, Attorney representing the applicant, West Central Street Plaza, LLC; Mr. Roger Calarese, Principal and Manager of the applicant; and Mr. Bob Poxon, Consulting Engineer of Guerriere & Halnon, Inc., addressed the Town Council. Mr. Cornetta stated that Mr. Calarese has been involved in many projects around the Franklin area. This property is the combination of three lots, a total of 2.6 acres, located on West Central Street, all within the Commercial II Zoning District. They are seeking site plan approval from the Planning Board tonight and a special permit from the ZBA for earth removal at a scheduled meeting on June 8, 2017.

Mr. Poxon provided an overview of the existing conditions and the proposed development plan to combine three lots, demolish the existing two buildings, and construct a 10,000 sq. ft. retail building with parking, stormwater management, and landscaping. He described the plans including the existing and proposed curbs cuts, parking, building a retaining wall on-westerly property line, drainage with infiltration, sewer with manholes onsite, sidewalks, access area around building for emergency vehicles, and fence and screening. The plans show four potential tenants at about 2,500 sq. ft. per use.

Mr. Maglio stated he reviewed the plans and had several comments. This section of West Central Street is state highway so state highway permits will most likely be required in addition to DPW permits. If there is a restaurant, must make sure there is an exterior grease trap. The plans should include a parking table. On the plans, the work referred to as "By Others" needs to be clarified. Some of the calculations for the stormwater report were missing. He noted concern with street sweeping in calculating TSS removal rates.

Ms. Love stated the Board of Health, Conservation Agent, and Fire Chief had no further comments at this time. She is waiting for review from BETA on their engineering report and traffic study. Both were submitted and will be reviewed at the next meeting. There are concerns regarding the retaining wall and some details on plantings and fencing. An 81-P ANR needs to be filed for all three lots to be combined.

Ms. Pat Lombardi, Board of Trustees member of Presidential Arms condominium complex, stated she was concerned about the process of earth movement and what that would do to the integrity of their properties. She stated the residents are concerned about how much of the wooded area the applicant is going to remove to have parking spaces and the retaining wall. The strip of woods is the only thing they have left that creates a kind of non-commercial atmosphere and a good buffer from the noise. She

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complimented Mr. Calarese on his work downtown. She is looking for tree protection and buffer zone from the noise.

Mr. Poxon provided a review of the plans and showed where the trees would be eliminated.

Mr. Calarese stated he would do his best to keep most of the trees.

Ms. Karen Kelly, new resident of Franklin who lives very close to this proposed development, stated she is very concerned about how much of the tree area will be removed as she looks out onto that. She expressed concern about noise and the chain link fence.

Mr. Jeff Nutting, stated that when Mr. Calarese is involved in a project it comes out first class. Mr. Calarese works very hard with neighbors and abutters to do his best and he is sure he will do that again. He stated he thinks this is an as of right use.

Mr. Halligan asked why are they chipping when they could do light blasting that could be done in a few days. He questioned that the applicant mentioned four tenants, but the design shows six.

Mr. Calarese stated the real issue is to be respectful to the neighbors. It will be costlier to do it this way, but he thinks it is the right thing to do. He stated he does not know how many tenants.

Mr. Rondeau asked about the parking in the back, the transformer, and screening for the rooftop units.

Chairman Padula asked about screening, snow storage areas, dumpster, and curb cuts.

Mr. Matthew Crowley, BETA Group, stated applicant has five separate snow storage areas.

Mr. Poxon reviewed the rooftop units, screening, noise, and curb cuts from the plans.

Motion to Continue the public hearing for 471 & 481 West Central Street, Site Plan, to June 12, 2017 at 7:05 PM. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

7:15 PM **PUBLIC HEARING** – *Continued*
 115, 119, 125 & 129 Dean Avenue
 Special Permit & Site Plan

Documents presented to the Planning Board:

1. *Letter dated May 1, 2017 from Greg Lucas of BETA Engineering to Franklin Planning Board*
2. *Letter dated April 28, 2017 from Matthew Crowley of BETA Engineering to Franklin Planning Board*
3. *Memorandum dated May 2, 2017 from Jeffrey Nutting, Town Administrator, to Franklin Planning Board*
4. *Letter dated May 12, 2017 from Brian McCarthy of RJ O'Connell & Associates, Inc., to Franklin Planning Board*
5. *Letter dated May 17, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board*
6. *Memorandum dated May 18, 2017 from DPCD to Franklin Planning Board*
7. *Memorandum dated May 16, 2017 from George Russell, Conservation Agent, to Franklin Planning Board*
8. *Letter dated January 21, 2016 from Bob Percy, Franklin Historical Commission, to Gus Brown, Building Commissioner*

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9. *Memorandum dated April 12, 2017 from Franklin Board of Health to Franklin Planning Board*
10. *Memorandum in Support of Application for Special Permit to Allow Multi-Family or Apartment Residential Use Within the General Residential V District from Richard Cornetta, Jr., Esquire of Cornetta, Ficco & Simmler, PC, dated March 30, 2017*
11. *Memorandum dated March 30, 2017 from Scott W. Thornton, P.E. and Derek I. Roach, EIT, Vanasse & Associates, Inc., to Town of Franklin Permitting Authorities*
12. *Application for Approval of a Site Plan and Special Permit(s) from Fairfield Residential Company, LLC, applicant, including owner list, with Received by Planning date March 31, 2017*
13. *Certificates of Ownership (3) with Received by Planning date March 31, 2017*
14. *Abutters List Report dated March 20, 2017*
15. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date April 3, 2017*

Motion for a five-minute recess. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Mr. Halligan recused himself.

Note: Chairman Padula, at the April 24, 2017 Planning Board meeting, activated alternate Planning Board member, Mr. Power, as this public hearing is for a special permit.

Mr. Richard Cornetta, attorney representing the applicant, Fairfield Residential Company; Mr. Thomas Brunson, Principal of Fairfield Residential Company; Mr. John Shipe of Shipe Consulting; Mr. Brian McCarthy, civil engineer of RJ O'Connell & Associates, Inc.; and Mr. Scott W. Thornton, P.E. of Vanasse & Associates, Inc., addressed the Planning Board. Mr. Cornetta stated that from the last meeting they wanted to have Mr. Thornton address the traffic issues for both internal circulation and external surrounding roadways. He stated Mr. Thornton submitted a traffic report. They are scheduled for the Zoning Board of Appeals on June 8, 2017 and the Conservation Commission meeting on June 1, 2017.

Mr. Thornton explained the traffic study and provided a summary of the findings. He noted they are working on comments received from BETA Group and hope to have a final response in a day or two. A Traffic Impact Assessment (TIA) was prepared for the project and they worked with the town engineer's office to identify the scope of study. He reviewed the Site Location and Study Area Map. Traffic counts were conducted in March of this year on weekday mornings and evenings along Dean Avenue and the vicinity. Traffic volume was measured coming out of the existing sites of Franklin Lumber and Thomson Press, although this does not represent what these sites generated during their peak occupancy. Also, crash data at the intersections going back five years was looked at; it does not reflect any accidents since the downtown improvement project was completed. They also looked at the intersection of Dean Avenue and Hillside Road. He discussed the provided Trip Generation Summary Table. He stated that overall, a Net Vehicle increase at 77 trips in the weekday morning peak hour and 119 trips in the evening peak hour. He then provided a Traffic Operation Analysis Summary. He stated that probably at the Main Street and Emmons Street intersection, when this project was added, the delay went up by 4 seconds. At the Dean Avenue and Main Street intersection there is a larger increase in delay at 11.1 seconds; this is still viewed as acceptable for peak hour conditions. Even at Hillside Road, the level of service is basically an "A" during all time periods. In terms of recommendations for the site, he stated they are looking at adding new sidewalks along Dean Avenue to encourage people to walk to the train station and downtown, and looking at some additional signage on Dean Avenue to promote the fact that there will be additional vehicles going in and out of the site. He stated Hillside Road meets the minimum sight distances; there is vegetation at the corner that restricts the sight distance and this could be improved. In terms of parking for the site, proposing 490 parking spaces for 1.9 spaces per unit; that is generally consistent with some other Fairfield projects. He thinks this is sufficient parking.

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Chairman Padula asked if Mr. Thornton thought there was a need for a stop sign on Dean Avenue before Hilltop Road where they intersect.

Mr. Thornton stated No.

Mr. Nutting stated when they first met with the developer, one of their concerns was increased traffic. Mr. Nutting stated the developer agreed to give \$700,000 to the Town to rebuild Dean Avenue and have sidewalks from Pleasant Street all the way to Ray Street so folks can walk and feel safe. They will be replacing a water line in the area as well. Dean Avenue will be upgraded from Pleasant Street to almost Ray Street.

Mr. Steven Nurnberg, 141 Dean Avenue, stated he is concerned about the intersection of Hillside Road and Dean Avenue. He stated the proposed development community will probably have more traffic on weekends as people will be doing errands.

Chairman Padula stated that is a very dangerous intersection.

Mr. David Blanchard, 132 Dean Avenue, stated that due to the sidewalks where the buildings are proposed and the retaining wall needed, it will eliminate the vegetation plan due to the drop of about 20 ft. His stated concern that his building is only 77 ft. from the proposed building and there will be no room for vegetation. He asked if the proposal is for 490 or 495 parking spaces as both numbers were given. He asked about the increase in vehicles during peak morning and evening hours as the numbers do not add up with 18 percent taking public transportation; the math does not work out. He stated that it does not seem correct that there will only be an additional 11 second wait to take a left turn out of Dean Avenue onto Main Street with an additional 77 cars. He waits there longer than 11 seconds now. He discussed the wait time at the light on Main Street. He questioned why it was stated that they guessed about 30 percent of residents from this development would use public transportation, but the traffic study was done based on 18 percent taking the train.

Mr. Nutting stated it will be built in the existing right of way.

Chairman Padula stated every street is different; for most streets, the existing right of way is 56 ft. wide.

Mr. Thornton reviewed the trip generation numbers. He said the consultant would go through the traffic numbers and determine if there were any issues with trip generation. He stated they would be happy to get 30 percent of people using train; they used 15 percent for traffic study to be conservative.

Mr. Nutting stated the numbers provided were for peak hours. That means people leaving before and after those hours are not in those numbers. He stated they have been waiting five months for the State to come back and re-time all the lights downtown.

Mr. Greg Lucas of BETA Group stated they had raised some of the issues that Mr. Thornton addressed regarding a safety concern on Hillside Avenue, sidewalks on Dean Avenue, and the overall increase in traffic along Dean Avenue. He stated the traffic study was done following state and industry standards. BETA has thoroughly reviewed the traffic study. With regards to parking, he thinks the 1.8 ratio is adequate because there will be a reduction in parking demand due to proximity of public transportation.

Ms. Sandra Seibel, 134 Dean Avenue, stated her driveway is already a blind driveway. She asked what the traffic report indicated about the impact of the entrance almost across from her blind driveway.

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Chairman Padula stated the people coming out of the development would not have a problem seeing her driveway.

Mr. Thornton stated there may be an opportunity to clear some vegetation to improve her sight distance.

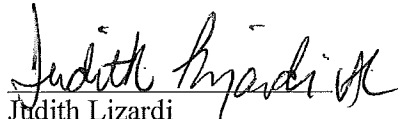
Chairman Padula stated the meeting will be continued as the applicant must go to Conservation Commission and ZBA.

Motion to Continue the public hearing for 115, 119, 125 & 129 Dean Avenue, Special Permit & Site Plan, to June 12, 2017 at 7:15 PM. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Mr. Halligan re-entered the meeting.

Motion to Adjourn. David. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 8:33 PM.

Respectfully submitted,



Judith Lizardi
Recording Secretary