

**DRAFT FOR REVIEW****Town of Franklin****Planning Board****July 10, 2017  
Meeting Minutes****RECEIVED**  
**2017 AUG - 8 AM 9:43**  
**TOWN OF FRANKLIN**  
**TOWN CLERK**

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; Amy Love, Planner.

**7:00 PM Commencement/General Business**

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

**A. ANR 81-P: 471 & 481 West Central Street**

Ms. Love stated the applicant is proposing to merge three existing lots into one conforming lot; they meet all the requirements for the Commercial II zoning district. She stated there were no further comments from DPCD.

*Motion to Approve ANR 81-P: 471 & 481 West Central Street, Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).*

**B. Limited Site Plan: 620 Old West Central Street**

Mr. George Mihov of Guerriere & Halnon, Inc. addressed the Planning Board for an expansion of the existing parking area for an additional eight spaces to be used by employees only.

Chairman Padula stated the original approved site plan was taken out of compliance because the previous owner changed a trough drain in front of the driveway; the owner did not come before the Planning Board for a site plan modification. It was supposed to be put back; the new owner was supposed to replace it. Before a modification can be considered, the site plan must be brought back into compliance.

Mr. Antonio Pinto, owner and applicant, stated he purchased the property in the condition it is presently. He was led to believe that the drain was fixed; it was poorly engineered and the previous owner had corrected it.

Chairman Padula stated that before Mr. Pinto purchased the property, the Building Commissioner had told Mr. Pinto about this and Mr. Pinto had promised to remedy the situation; that was a few years ago.

Mr. Mihov stated that he was at the site in a heavy storm and it seems to be working properly. He described the catch basin system.

Chairman Padula stated there was no inspection of the change. He stated if the applicant is going to come in for a site plan modification on the drain, he wants an engineer's report on the drain and the change before they come in for a further site plan modification; or put it back the way it was approved.

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Mr. Pinto stated he was not feeling welcomed by the Town right now.

Mr. Halligan stated he did not like the comment that Mr. Pinto was not feeling welcomed. He stated that he was familiar with the situation. When the property was being purchased, it became an issue with the drainage prior to the closing. The woman that sold the property took money to put in escrow to correct this; that was the deal with the Building Department. So, after the property was purchased, the funds would be there to fix the drainage.

Mr. Pinto stated it was not done; there was no money taken out of the sale to do that.

Chairman Padula stated that he will not look at any further site plan modifications on a project that was taken out of compliance and not put back.

Mr. Pinto stated that the only reason he is putting in more parking spaces is that the property next door is overflowing parking onto his property. He stated he has tried installing signs that violators will be towed.

Chairman Padula stated Mr. Pinto needs to go to the Zoning Enforcement Agent and have them stop the overflow parking from going into Mr. Pinto's parking lot. He stated that to fix the drainage and expand his parking is a big undertaking to supply someone else with parking.

Mr. Halligan stated that as a courtesy to the applicant, he would be willing to listen to what he was proposing in order to get some direction from the Planning Board, but it would not be voted on until the other issue is corrected.

Mr. Mihov reviewed the proposed modification for eight parking spaces, a drainage swale with stormwater detention capacity and a drainage manhole.

Mr. Maglio stated he had a few minor comments including a parking table should be on the plan showing required, existing and proposed spaces, a clarification on how the 4 ft. bituminous sidewalk would be built, and the sidewalk that is to be removed should have ramps installed to provide an accessible path.

Planning Board members discussed the current and proposed parking spaces and possible layout options.

Chairman Padula stated the parking must follow the bylaws; cannot have stacking in a parking area for eight vehicles.

Mr. Halligan stated that by the time the Fire Chief's recommendations are followed, the applicant would really only be getting two more spaces.

Chairman Padula stated the applicant should go to the Zoning Enforcement Agent regarding the parking problems by the neighbors.

Mr. Pinto asked for advice in gaining more parking spaces; his tenants are angry with him and he wants to correct the problem.

Planning Board members discussed methods to solve the parking problem.

Ms. Love stated she would gather the notes and figure out what direction the applicant will go. She stated it is not determined if BETA will be involved or if Mr. Maglio will handle it.

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Chairman Padula encouraged the applicant to meet with the Zoning Enforcement Agent as well as the Town Engineer and Fire Chief.

***Motion to Add this item to the July 24, 2017 agenda under General Business. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No.)***

**C. Form H: 800 Chestnut Street – Adirondack Club**

Ms. Love stated that on September 28, 2015, a limited site plan modification was filed. The proposal at the time was to install a zip line and a climbing wall. They have since completed the project and filed a Form H. The only issue is that the climbing wall was installed 1 ft. from the property line; the plans showed it being 7 ft. away. Zoning Enforcement Agent/Building Commissioner Gus Brown is aware of this and submitted a letter to allow the applicant to move forward with future projects as long as the wall is moved by October 1, 2017. She stated the applicant is on the July 24, 2017 agenda for a site plan modification for a separate project.

Applicant reiterated the statement in the letter provided by the Building Commissioner.

Mr. Maglio stated BETA provided an observation report; they mentioned the issue with the property line and the climbing wall. He did not see any issues with the guardrail installation.

***Motion to Approve the Form H: 800 Chestnut Street – Adirondack Club. Rondeau. Second: David. Discussion:*** Mr. Halligan stated they are approving a Form H, but they still need to move the wall; it is a minor infraction. Applicant stated they wanted to move the wall after the children went back to school.  
***Vote: 5-0-0 (5-Yes; 0-No).***

**D. Endorsement: Maple Preserve Subdivision**

Ms. Love stated the Planning Board approved the definitive subdivision on April 24, 2017. They did add the Certificate of Vote on Sheet #1 of the plans indicating the standard conditions. There were no special conditions. The plans are satisfactory for endorsement.

***Motion to Endorse Maple Preserve Subdivision. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***


**E. Meeting Minutes: June 12, 2017 & June 26, 2017**

***Motion to Approve the June 12, 2017 Meeting Minutes. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

***Motion to Approve the June 26, 2017 Meeting Minutes. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

***Motion to Adjourn. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 7:55 PM.***

Respectfully submitted,

  
Judith Lizardi  
Recording Secretary

