

Town of Franklin



Planning Board

**November 15, 2021  
Meeting Minutes**

Chair Gregory Rondeau called the above-captioned meeting held in the Town Council Chambers at 355 East Central Street, Franklin, MA, to order this date at 7:00 PM. The public had the option of attending the meeting live at the Town Hall, dialing into the meeting using the provided phone number, or participating by copying the provided link. Members in attendance: Gregory Rondeau, Chair; William David, Vice Chair; Beth Wierling, Clerk; Jennifer Williams; Rick Power; Jay Mello, associate member. Members absent: None. Also present: Amy Love, Planner; Michael Maglio, Town Engineer; Matthew Crowley, BETA Group, Inc.

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

The Zoom platform call-in phone number and the Zoom link which were provided on the meeting agenda. The meeting was video recorded.

**A. Swear in New Members**

Town Clerk Nancy Danello performed the swearing in of new Planning Board members.

**B. Election of Officers**

*Motion to Elect Gregory Rondeau as Chair by David. Second: Wierling. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Elect William David as Vice Chair by Rondeau. Second: Williams. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Elect Beth Wierling as Clerk by Power. Second: Williams. Vote: 5-0-0 (5-Yes; 0-No).*

**C. ANR Signing**

*Motion to Approve 81-P ANR Signing Authority. Wierling. Second: David. Vote: 5-0-0 (5-Yes; 0-No).*

**D. 2022 Meeting Dates**

*Motion to Accept 2022 Planning Board Meeting Dates. Power. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).*

**E. Elect Member to CPC**

*Motion to Elect Rick Power as Planning Board member to the Community Preservation Committee by Williams. Second: Wierling. Vote: 5-0-0 (5-Yes; 0-No).*

**F. Final Form H: Brookview**

Ms. Love reviewed that the applicant has submitted a Final Form H and Engineer's Certificate of Completion and a final as-built plan. She noted that BETA provided an onsite report with pictures verifying the site work is complete.

Mr. Maglio deferred to Mr. Crowley for comments. Mr. Crowley stated that in February there were a few comments outstanding; all items have since been addressed. He addressed questions from Planning Board member regarding the provided photographs. He clarified the completed drain work. He stated that all the water is going where it is supposed to be going; he is not aware of any drainage issues out there.

***Motion to Approve Final Form H: Brookview. Rondeau. Second: Wierling. Vote: 5-0-0 (5-Yes; 0-No).***

**G. Endorsement: Coutu Street Extension**

Ms. Love stated that the applicant submitted a Definitive Subdivision Modification for endorsement. The applicant added the Certificate of Vote to the front page of the plans.

***Motion to Endorse and sign the plans for Coutu Street Extension. Wierling. Second: Williams. Vote: 5-0-0 (5-Yes; 0-No).***

**H. 81-P ANR: Spring Street**

Ms. Love reviewed that the applicant submitted a Form A application for an 81-P Plan review to accompany the plan of land for Spring Street. The parcels are located in Rural Residential 1. The purpose of the plan is to create Lot 2 as a buildable lot; Lot 2 conforms to zoning.

***Motion to Approve 81-P ANR: Spring Street. Rondeau. Second: Wierling. Vote: 5-0-0 (5-Yes; 0-No).***

7:05 PM

**PUBLIC HEARING – Initial**

***Scenic Road Permit***

Spring Street

*Documents presented to the Planning Board are on file.*

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

Director of Public Works and Tree Warden Brutus Cantoreggi addressed the Planning Board. He stated that Spring Street is designated as a Scenic Road. He stated that usually if a tree needs to come down, the determination is under the Tree Warden; however, as this is a scenic road, there are additional powers of the Planning Board which affect trees and stonewalls. He stated that a public hearing is required; he reviewed the procedures for determining a decision.

Ms. Michelle Badolato of the National Grid Forestry Department addressed the Planning Board. She stated that 13 trees on Spring Street have been identified for removal. Several of the trees are dead, in decline, or have other defects such as having been hit by cars or snowplows. She stated that removing the trees would be beneficial to the utility and the public roadway as they pose a hazard. She noted that National Grid will be installing new taller poles to provide power to the solar farm at the end of Spring Street. The removal of said trees will help to improve the reliability to the customers being fed from the line and the safety of the line. She stated that she submitted maps and photographs, as well.

Mr. Cantoreggi stated that he walked the area, and there are trees that should be removed. He noted that he is tough with his decisions to remove trees. He stated that for mitigation there will possibly be trees planted in that area or in other areas of Town. He explained how drought and gypsy moths have had an effect on some trees. He confirmed that all trees noted to come down are in the public right of way. He explained that when ash trees die, they do not remain upright for long before they come down.

Ms. Badolato confirmed that 16 trees are to come down. She stated that for any private trees, National Grid will deal with the homeowners before they do any work. She discussed the ash trees and explained the emerald ash borer damage.

***Motion to close the public hearing. Wierling. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

***Mr. Cantoreggi stated that he closed his public hearing.***

***Motion to Approve Scenic Road Permit, Spring Street, for removal of the trees as needed. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:10 PM **PUBLIC HEARING** – Continued

***5 Fisher Street***

Site Plan

*Documents presented to the Planning Board are on file.*

Mr. Daniel Campbell of Level Design Group, on behalf of the applicant, addressed the Planning Board. He stated that they have responses to comments from the last public hearing held approximately one month ago. He stated that in his view there is one outstanding issue. He provided a brief overview of the project. He noted that 5 Fisher Street is a conglomeration of buildings. He reviewed the portions of the structures that will be demolished for the redevelopment of the complex. He discussed the proposed parking lot renovation. He discussed where current pavement would be removed, drainage added, and repaving done. He stated that the portion to the rear is a new parking lot; a new subsurface drainage system will be installed with new pavement and curbing. He stated that curbing on the property is intended to be precast concrete. He noted a location on the property that currently does not have curb. He stated that they are permitting the uses that they intend for inside the structure. He stated that two waivers are requested. He stated that they are 12 spaces short in overall parking spaces, and there are parking spaces within 10 ft. of the right of way. He stated that from Mr. Crowley's letter there are two comments that need to be addressed. He reviewed the handicap spaces as proposed. He stated that he hopes the Planning Board will review the handicap spaces at the 50 percent occupancy meeting as the uses are determined. He stated that the last item involves that there is no curbing on one side; he noted that this is a redevelopment project and discussed the current drainage flow. He stated that Mr. Crowley suggested a grass swale.

Planning Board members asked questions. Mr. Campbell discussed that the retaining wall in the existing area is fully detailed. Some of the remaining retaining walls need additional geo-tech work. He stated that at this time, no improvements along Fisher Street are proposed. He reviewed the accessible pedestrian access and sidewalks. He noted that there is pedestrian access along Fisher Street and West Central Street. Ms. Williams stated that she challenges the design team to address areas where minimums are not being met and areas of the sidewalk that need improvement from a safety and accessibility standpoint. Mr. Campbell stated that the fence is coming down in a majority of areas; the whole replacement of the parking lot is not on the plans. Mr. Maglio stated there are no immediate plans by the Town to do the sidewalk; however, they can take a look at it to see if something can be done. Mr. Campbell discussed the clustering the parking spaces and making one handicap ramp. He reviewed the location of the handicap spaces and noted that the majority of the entrances are located near the handicap spaces. He stated that all handicap spaces required have been provided. He reiterated that this would be something to be discussed when they return for the 50 percent occupancy meeting based on the building tenants. He confirmed the parking spaces in the rear and the screening shrubbery. He stated that it is 32.5 ft. from the backside of the parking lot to the edge; therefore, no guardrail is proposed.

Mr. Maglio reviewed comments related to stormwater as outlined in his memo dated November 10, 2021, provided in the meeting packet. He discussed that there are currently no stormwater controls along the west side of building #5 where the pavement slopes directly to the drainage channel that runs through the site. The Planning Board has previously recommended installing a closed drainage system to address the

runoff in this area. An alternative that may be considered is installing a grass-lined swale or sediment forebay at the edge of the pavement to treat the runoff before discharging directly into the drainage channel. This would provide water quality treatment without requiring the installation of a closed drainage system.

Mr. Crowley reviewed his comments. He stated that the bylaw is rather vague on direction of whether or not a curb is required throughout the entirety of the site. He stated that historically, the Planning Board has required this to be done. However, with new Planning Board members, it may be worthy of a discussion to determine if that is what they want the continued policy to be, or if they feel they have a different interpretation of the bylaw. Chair Rondeau stated that he would like to see the curbing as that way they can contain it, and maybe put in a grass swale. He stated that the Planning Board wants to treat this project as they treat everyone else. He requested that maybe the applicant can come up with some options for the handicap spots, if necessary. He stated that he does not think the 12 parking spots are an issue. He requested these details be worked out with DPW, and the applicant return to the Planning Board.

Mr. Campbell asked to discuss the curbing along the edge. He stated that he understands the concerns about the well; however, all has been working without any contamination. He stated that he understands the request to put in a grass swale; however, it still precludes having curbing on that side. He stated that there could be curbing along the top portion; it is not required by the bylaw, but he could accommodate the request. He reiterated that to get the grass swales to work, there would be no curbing along the rear. Discussion commenced on the swales and curbing. Chair Rondeau stated that he requests the applicant, DPW, and BETA work out a plan/options and return to the Planning Board. Mr. Campbell, in response to a question, stated they have evaluated parking as a whole. He stated they have provided trucking and vehicle pathways. He reviewed the plan to control the traffic with trucking and directional modifications.

***Motion to Continue 5 Fisher Street, Site Plan, to December 6, 2021, at 7:15 PM. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:15 PM      **PUBLIC HEARING** – *Continued*  
***120 Constitution Boulevard***  
 Site Plan Modification  
*Documents presented to the Planning Board are on file.*

Ms. Love reviewed that this item has been on the agenda before; however, the applicant has not made a presentation. The item has been continued each time; therefore, tonight will be the applicant's first presentation to the Planning Board.

Ms. Katie Enright of Howard Stein Hudson, on behalf of the applicant, addressed the Planning Board for a parking lot expansion. She reviewed that it is an existing one-story building just under 30,000 sq. ft. within the industrial park in the Industrial Zoning district. She reviewed the sloping of the area. She stated that it was originally constructed with 23 parking spaces. She stated that the current tenant is utilizing all the existing spaces. She noted that there is still additional building that could be rented. She discussed that they are proposing to increase the parking from 23 spaces to 69 spaces; a parking waiver is requested as 75 parking spaces are required. She reviewed the topography of the area and the location of the proposed increased parking spaces. She stated that soil testing was done and the water table is high. She reviewed the proposed drainage system based on the high-water table. She stated that they looked at low-impact development practices and propose a combination of traditional pavement and porous asphalt which she reviewed. She stated that they are proposing to add lighting to the parking lot, are protecting the street trees, and will possibly add additional plantings. They are not proposing any upgrades to the building. She

stated they have received and responded to BETA's comments; they will continue to work with BETA and they plan to return to the Planning Board.

Planning Board members asked questions. Ms. Enright confirmed there is only one tenant in the building at this time; that tenant utilizes all the existing parking. She confirmed the last parking space is about 150 ft. from the entrance. Ms. Wierling stated that she is not a fan of using porous pavement; the Planning Board has not seen it used too much except for emergency access areas. Ms. Enright stated that the high water table and topography are reasons that they are proposing the porous pavement. She explained that the porous pavement has to be maintained differently as the areas have to be vacuumed or power washed, and the areas have to be treated with a sprayed salt-free mixture. She stated that these porous areas do not ice up as much, and there is an operating maintenance plan for the area. Planning Board members discussed the possible use of porous pavement, the precedent for its use, and the regulations.

Mr. Maglio reviewed several comments related to stormwater as outlined in his memo dated September 24, 2021, provided in the meeting packet. He stated that while DPW is not opposed to the use of pervious pavement on private sites, long-term maintenance and performance is a concern. Mr. Crowley reviewed his comments which included if the proposed parking would be adequate for the use of the site, a few additional trees are needed for the parking spaces being proposed, and snow storage needs to be shown on the plan. He stated that the porous pavement has been noted already; he confirmed that the precedent of the Planning Board is to not allow it. He stated that he provided general notes about updating the stormwater report for items such as data for the two- and ten-year storms.

Chair Rondeau requested alternatives for the porous pavers. He reiterated that it has not been the Planning Board's precedent to allow it. Ms. Enright confirmed the direction the Planning Board was providing.

Ms. Karen Miller, 246 Washington Street, stated that she has been hearing discussions about increased parking for projects in this section of Town. She asked that in terms of traffic, is all this being looked at cumulatively. Chair Rondeau stated that he believes it is all taken into consideration when a traffic study is done. Mr. Crowley confirmed it is all included in a traffic study.

***Motion to Continue the public hearing for 120 Constitution Boulevard, Site Plan Modification, to December 6, 2021, at 7:20 PM. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

***Chair Rondeau called a five-minute recess.***

7:20 PM      **PUBLIC HEARING** – *Initial*  
                   ***585 King Street***  
                   Special Permit & Site Plan  
                   *Documents presented to the Planning Board are on file.*

***Motion to Waive the reading. Rondeau. Second: Wierling. Vote: 5-0-0 (5-Yes; 0-No).***

Attorney Edward Cannon on behalf of the applicant, Mr. Josh Berman of Marcus Partners, Mr. John Kucich of Bohler Engineering, and Mr. Jeffrey Dirk of Vanasse & Associates, addressed the Planning Board. Mr. Cannon reviewed that the applicant is proposing to construct a warehouse/storage facility; storage facilities require a Special Permit in the Business Zoning District. Mr. Kucich reviewed the location of the property which consists of five parcels and is approximately 28.9 acres. He stated that the site is mostly undeveloped today, it is encumbered by power lines, and there are wetlands on the property. A 293,000 sq. ft. warehouse facility with approximately 42 dock positions and 51 trailer parking spaces is proposed. The site would have 298 parking stalls on three sides of the building. Access into the site would be through a new driveway to the facility. He stated that they need to cross the wetland to get into the site;

they have filed an ANRAD with the Conservation Commission. There will be a sidewalk from the building which will connect into the existing sidewalk. There will be full access around the building which has been vetted by the Fire Department. Employee traffic/parking is separated from truck traffic/parking. He stated that they are fully compliant with local and state stormwater requirements. Water, gas, electric, and telecommunications will service the site. They are proposing an onsite septic system. He stated that this will go through the full peer review process with BETA.

Mr. Dirk reviewed traffic components and the traffic study. He narrated a slideshow presentation. He discussed the transportation impact assessment summary. He reviewed that the analysis concluded that the project will not result in a significant impact on motorist delays or vehicle queuing over existing or anticipated future conditions without the project, with all movements shown to continue to operate at acceptable levels. No apparent safety deficiencies were noted with respect to the motor vehicle crash history at the study area intersections. He reviewed the site location map, exiting conditions, study area, and trip generation summary. He reviewed his recommendations for site access which included, but were not limited to, the project site driveway being incorporated into the traffic signal system at the King Street/Constitution Boulevard intersection and vehicles existing the project site should be placed under stop sign control. He discussed that they will replace the current signal in front of the fire station with a full signal system.

Mr. Maglio reviewed his comments as outlined in his memo dated November 8, 2021, provided in the meeting packet. He noted that the proposed development includes modifications to the King Street traffic signal and lane widening along King Street. He stated that if the Planning Board decides to approve the project, he requests that it be conditioned that the offsite improvement plans be reviewed, approved, and permitted by DPW prior to issuance of a building permit. Mr. Crowley stated that BETA is reviewing both the site and traffic designs; they will issue at least the site comments this week.

Chair Rondeau confirmed that the applicant has seen the letter from the Fire Department. He confirmed that the applicant projects about 290 total vehicle/truck trips in and out per day. Planning Board members asked questions. Mr. Dirk stated that queuing has been taken into consideration within the analysis. Mr. Cannon stated additional detail can be provided regarding how it was determined that the closet neighbors would not be impacted by noise or vibrations.

Ms. Karen Landers, 117 Union Street, asked if there was a tenant in mind for the warehouse and what kind of trucks will be used. Mr. Berman responded that there is currently no tenant, and tractor trailer trucks would be used.

Ms. Karen Miller, 246 Washington Street, questioned that if there is no current tenant in mind, how is it known what kind of trucks would be used. She stated that she is a close neighbor. She stated that this land was rezoned a few years ago; she stated that the Town Council assured them that their neighborhood would not be ruined. She stated that the homes at the end of Taft Drive will be overlooking this warehouse. She stated that trucks do make noise and the houses that are close will hear it. She noted that there are no sidewalks on that side of King Street. She discussed the great amount of traffic and the number of accidents in the area.

Mr. Richard Chestercove, 627 King Street, stated that he abuts the property. He asked about the noise factor of the traffic that goes in and out. He stated that tractor trailer traffic that comes off Rt. 495 cannot make the turn onto Constitution Boulevard. He asked if the road going to be wide enough.

Ms. Love stated that questions on the Zoom chat included what type of warehouse and hours of operation. Mr. Berman stated that as they do not know who the tenant will be, they do not know those answers. Ms. Williams asked if the Town has plans to add sidewalks to that side of the street. Mr. Maglio stated they

have no immediate plans to do so; he noted that much of that area is MassDOT. He explained that it will be a combined effort between the Town and MassDOT to coordinate all the traffic signals. Mr. Dirk stated that they will be rebuilding the corner. Ms. Williams noted that it appears that the entire area is being cleared as it is now a forest. She asked about mediation or remediation for the area. Mr. Cannon stated that the first hearing with the Conservation Commission is upcoming in which those issues will be addressed.

Ms. Love stated that Mr. Blake Peters, 16 Taft Drive, stated that he was on the certified list of abutters; however, he was not part of the final list provided by the Planning Board. He asked if there was a reason that it was reduced. Mr. Cannon stated that it was his mistake; he explained the confusion and stated that he filed an amended abutter's list. Chair Rondeau confirmed that hours of operation will be discussed at a later meeting.

***Motion to Continue 585 King Street, Special Permit & Site Plan, to December 20, 2021, at 7:05 PM. Wierling. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

***Motion to Adjourn the Planning Board Meeting. Rondeau. Second: Power. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 10:27 PM.***

Respectfully submitted,

Judith Lizardi,  
Recording Secretary

***\*\*\*Approved at the December 20, 2021 Planning Board meeting***