

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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PLANNING BOARD

January 10, 2022 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 (via Zoom); Beth Wierling, Clerk; Jennifer Williams; Rick Power; Jay Mello, associate member (via Zoom). Members absent: None. Also present: Amy Love, Planner (via Zoom); Michael Maglio, Town Engineer; Gary James, BETA Group, Inc. (via Zoom)

7:00 PM Commencement/General Business

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

Chair Rondeau called for a moment of silence to recognize the passing of former Town Council member Andrew Bissanti.

A. Introduction: BETA, Inc. Gary James

Ms. Love reviewed that DPCD was notified by BETA, Inc. that Matt Crowley has left BETA and moved to another position. BETA has provided the Planning Board with a well-qualified engineer, Gary James. Mr. James reviewed his background, credentials, and experience. He stated that he started with BETA on August 2, 2021. Prior to joining BETA, he worked independently as James Engineering, Inc. since 1996. He holds a BS in civil engineering from Northeastern University and is a professional civil engineer.

B. Endorsement: 40 Alpine Row

Ms. Love stated that at the last meeting there were a few concerns with the paving regarding the inches for the binder and top coat. That has been corrected on the plans which have been submitted for endorsement.

Motion to Endorse 40 Alpine Row. Wierling. Second: Power. Roll Call Vote: Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0-0 (5-Yes; 0-No).

C. Meeting Minutes: December 6 & December 20, 2021

Motion to Approve the Meeting Minutes for December 6, 2021, with the correction of the vote for 5 Fisher Street, and Meeting Minutes for December 20, 2021. Power. No Second Made. Roll Call Vote: Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0-0 (5-Yes; 0-No).

Additional General Business Item

Ms. Love requested to add a General Business item that came up today. She stated that last month a resident on Nina Circle came in because they were selling their house and realized the house had never been released from the covenant. She received another call from a person trying to sell their house, as well. She reviewed her letter to the Planning Board dated January 10, 2022. She stated that the subdivision named Cranberry Woods was approved by the Planning Board in August 15, 1990. A

covenant was issued on February 3, 1992. The subdivision is complete and all lots are constructed. The Form G will need to be signed by all Planning Board members if the Planning Board agrees to release the lot.

Motion to Release the Form G. Wierling. Second: Power. Roll Call Vote: Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – *Continued*
Taj Estates – 230 East Central Street
Special Permit & Site Plan
Documents presented to the Planning Board are on file.
To Be Continued

Ms. Love stated that the applicant requested a continuance to the next Planning Board meeting on January 24, 2022.

Motion to Continue Taj Estates, 230 East Central Street, Special Permit & Site Plan, to January 24, 2022. Williams. Second: David. Roll Call Vote: Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0-0 (5-Yes; 0-No).

7:10 PM **PUBLIC HEARING** – *Initial*
162 Grove Street
Special Permit Modification
Documents presented to the Planning Board are on file.

Motion to Waive the reading. Wierling. Second: Williams. Roll Call Vote: Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0-0 (5-Yes; 0-No).

Ms. Love reviewed that the site is located at 162 Grove Street in the Industrial Zoning District and Marijuana Overlay District. The site is currently a Retail Marijuana use under the Planning Board Special Permit. The applicant is requesting to modify their Special Permit to allow walk-in customers. The applicant has provided a traffic study. She commented that the Special Permit Condition reads that the proposed facility will operate as a reserve ahead-only dispensary which would require customers and patients to place an order in advance and select a scheduled pick-up time to retrieve the product. The applicant may request this be reviewed after 30 days of opening. She stated that the location opened on December 3, 2021. She stated that DPCD has not requested any engineering review as the applicant is requesting a change in conditions; no site changes are proposed. She stated that she reached out to the Police Chief and he had no issues with that site or removing the condition.

Attorney Michael Doherty on behalf of the applicant, NETA, clarified that the facility opened on November 27, 2021. He stated that there are now numerous places in the area where people can buy marijuana; as such, there are no long lines. He stated that the applicant is requesting that the special condition of reserve ahead-only be removed. He noted that a traffic study has been conducted. Mr. David recommended putting a 60-day limit on the approval so should there be an issue or complaints within the 60 days to the police department or from residents, the Planning Board could re-address this item; if there are no issues, then it can be let go. Chair Rondeau stated that we are still in an odd situation currently; therefore, consultants traffic numbers could be off a little. He asked Attorney Doherty if the Planning Board could keep an eye on it and if any issues should arise, comments could be obtained from the police department, fire department, and any neighbors, and the applicant could come back to revisit the item. Attorney Doherty stated yes; if there were a problem, NETA would be happy to return to talk about it.

Mr. Mello stated that on a pure observation, more and more dispensaries are opening in the state. Therefore, it almost seems that as time goes on, we should experience less traffic at these facilities. He stated that one would expect there to be a higher volume during the pandemic. If there really is not a large volume of that, he is not sure if that will translate to higher in-person sales.

Motion to Approve 162 Grove Street, Special Permit Modification, to allow walk-in customers, Wierling. Second: Williams. Roll Call Vote: Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0-0 (5-Yes; 0-No)

ROLE CALL VOTE:

This determination shall be in addition to the following specific findings:

(1) Special Permits: To amend the Special Permit and allow the following: a. Walk-in customers

Ms. Wierling read aloud the following.

- a) Proposed project addresses or is consistent with neighbor or Town need.
Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0 (5-Yes; 0-No)
- b) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.
Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0 (5-Yes; 0-No)
- c) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.
Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0 (5-Yes; 0-No)
- d) Neighborhood character and social structure will not be negatively impacted.
Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0 (5-Yes; 0-No)
- e) Project will not destroy or cause substantial damage to any environmentally significant natural resource, habitat, or feature or, if it will, proposed mitigation, remediation, replication or compensatory measures are adequate.
Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0 (5-Yes; 0-No)
- f) Number, height, bulk, location and siting of building(s) and structures(s) will not result in abutting properties being deprived of light or fresh air circulation or being exposed to flooding or subjected to excessive noise, odor, light, vibrations, or airborne particulates.
Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0 (5-Yes; 0-No)
- g) Water consumption and sewer use taking into consideration current and projected future local water supply and demand and wastewater treatment capacity, will not be excessive.
Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0 (5-Yes; 0-No)

The proposed use will not have adverse effects which overbalance its beneficial effects on either the neighborhood or the Town, in view of the particular characteristics of the site and of the proposal in relation to that site.

Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0 (5-Yes; 0-No)

7:15 PM **PUBLIC HEARING** – *Continued*
Washington Street
Site Plan Modification
Documents presented to the Planning Board are on file.
To Be Continued

Ms. Love stated that the applicant requested a continuance to the next Planning Board meeting on January 24, 2022.

Motion to Continue Washington Street, Site Plan Modification, to January 24, 2022. Rondeau.
Second: Williams. Roll Call Vote: Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0-0 (5-Yes; 0-No).

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

Ms. Love reviewed that at the last meeting, the Planning Board spent time talking about traffic and the position of the loading docks on the side of the building toward the residences. For this meeting, the applicant has provided a concept plan showing the loading docks have been moved to the Rt. 495 side of the building. No revised stormwater management has been received. She stated that the applicant is looking for the Planning Board's feedback if this is acceptable to move forward. She stated that the size of the building has been reduced which makes a mild difference in the traffic. She stated that the truck turning plan coming out of the site has been provided. She stated that a letter from the fire department has been provided in the Planning Board's meeting packet. She stated that she has not heard from MassDOT or how much the applicant has worked with MassDOT.

Ms. Jaklyn Centracchio (via Zoom), BETA's peer review consultant on this project, stated that after the last Planning Board meeting, BETA reviewed the applicant's response to comments and the additional documents provided. She stated that the volumes and analysis were updated for three out of the four study areas. However, the volumes for King Street and Constitution Boulevard where the proposed site drive is were not updated using the older more reliable data; therefore, assumptions were made. She stated that in 2018 there were much higher left turn volumes as well as other turning volumes. Therefore, the applicant was asked to review the turning volumes and determine if there were more significant impacts if the previous volumes were once again realized in the future. She noted the applicant had proposed timing adjustments to the signals; she asked the applicant to elaborate on those adjustments regarding design and implementation. She noted that while making adjustments to the signal timing, the applicant should pay close attention to the left turns onto Rt. 495 and off Rt. 495 and make sure they are appropriate as start up times for trucks are longer. She noted that no right turn lane was added although it had been suggested by the applicant; she would like elaboration on that. She noted that 22 loading docks were added to the site plan: she asked if the applicant thought there would be an increase in truck traffic due to the increase in loading docks. She suggested that additional truck volume data from a similar site near a major highway could be provided to show a comparison of trip generation numbers from existing to proposed.

Mr. Jeffrey Dirk of Vanasse & Associates (via Zoom), applicant's traffic consultant, stated that BETA's comments were received last week; he will be submitting a response letter. He stated that they revised the traffic analysis to incorporate the 2018 volumes for the Constitution Boulevard intersection. He noted that the Covid numbers reflect less occupancy. He stated that they have updated their traffic numbers. He stated that they have provided an analysis of the mitigation. In addition to rebuilding the Constitution Boulevard intersection, they will update and optimize the traffic signal timing. He stated that this will

show an improvement in traffic operations. He discussed that there is no sufficient distance from the off ramp and the driveway for the proper taper for a right turn lane. He stated that they have been coordinating with MassDOT, and they are aware of the intent to make modifications to the signals. He stated that all this information will be submitted to Ms. Centracchio. He stated that they do not have an end-user for the warehouse. Therefore, with respect to trip generation numbers used, they are using a generic warehouse; they are relying on the Institute of Transportation data.

Chair Rondeau requested a broad overview of the amount of work to be entailed for roadwork at the major intersection such as curbing and drainage. Mr. Dirk stated that from the Fire Station #2 driveway to the Rt. 495 southbound ramps, the entire section of King Street is going to be reconstructed, curb to curb. He stated that there will be new curbing, drainage improvements, sidewalk improvements, entirely replaced signal at King Street/Constitution Boulevard intersection, upgrading to full signal intersection at the fire station driveway, and other improvements. He stated that heading to the Union Street intersection, they will optimize timing of traffic signals.

Chair Rondeau asked for a review of the changes on the site. Mr. John Kucich of Bohler Engineering stated that the building was flipped so the intensive part of the use is on the Rt. 495 side. This reduced the building by approximately 40,000 sq. ft.; the building is now proposed to be 255,400 sq. ft. He stated that everything else is very consistent with what was there before.

Mr. Power asked about the timeline for the structure. Mr. Kucich stated that the site work will start first, then the roadwork will begin. Mr. Josh Berman of Marcus Partners stated that the duration of the project is about 12 months; the roadwork should take about four to five months. Ms. Williams requested sectional diagrams. Mr. Kucich stated yes and reviewed Ms. Williams request. Ms. Williams asked why there was such an increase in number of loading docks with the proposed flipping of the building. Mr. Kucich stated that the increase in loading docks occurred because the building got longer and thinner providing additional room for loading docks. Ms. Williams asked if this will affect the number of trips generated by truck traffic. Mr. Kucich stated that truck traffic is generally based on the storage amount. Mr. David commented that it looks like a good project now. Attorney Edward Cannon, on behalf of the applicant, stated that it is very preliminary at this time. He requested feedback from the Planning Board. Chair Rondeau stated that it seems that the Planning Board members like the changes, and the applicant has addressed most of the issues brought up.

Mr. Richard Chester Cove, 627 King Street, stated that his property abuts the project. He noted he previously sent a letter to the Planning Board. He stated that he is concerned about street lighting that will go along the roadway, lights from the trucks, the noise factor, and that this will decrease the value of his property. Chair Rondeau stated that as the applicant moves forward, these issues will be addressed. Mr. Chester Cove stated that when the trees are full of leaves, it is difficult to make a left turn out of his yard. He would like all those issues addressed. Mr. Berman stated that they have met with Mr. Chester Cove and they will continue to address his issues as they move forward.

Ms. Karen Miller, 246 Washington Street, stated that she is not sure that flipping the building mitigates the noise from tractor trailer trucks. She asked about the location of the sidewalks and if there will be sidewalks on only one side of the street. She stated that Franklin wants to make it a walkable city; however, this area is not walkable. She discussed questions on the traffic study and noted that when sitting in traffic day-to-day, she has big concerns. She stated that the overall impact to the environment of Franklin is going to be directly impacted by the busyness of this major intersection. Mr. Berman stated that they are limited as to where they can add new sidewalks, so they are limited to fixing the existing sidewalks. Mr. Dirk discussed the proposed sidewalks and provided reasoning as to why there would only be sidewalks on one side. He stated that any sidewalks in the area that are not compliant with ADA will be rebuilt. He stated that the crossings will be part of the traffic signal.

Mr. Blake Peters, 16 Taft Drive, noted the size of the building and stated that it seems to be a UPS size facility. He requested the size of the UPS facility on Grove Street. He stated concern about the hours of operation. He asked that when the trucks come in, how late will the unloading occur. He discussed the location of the power lines and that there is no vegetation buffer anymore. He stated that the neighbors will be able to see the building. He asked about the safety of the sidewalks. Mr. Berman stated that they own three facilities on Grove Street of the following sizes: 300,000 sq. ft., 235,000 sq. ft., and 150,000 sq. ft. which is the one that UPS is going into. He noted that all the UPS trucks will be loaded within the building. He stated that the proposed building will not be as tall as the ones on Grove Street.

Mr. Maglio stated that he has seen the revised plans with the flipped building but has not yet reviewed the plans. He stated that they will look at the new plan for stormwater and utilities. Ms. Williams stated that she challenged the Town to continue the sidewalks all the way to Union Street. Mr. Maglio stated they can have a conversation with the state.

Mr. Scott Waite, 198 Grove Street, stated that he is an abutter to the last project that Marcus Partners built. He stated that the building was well built, quiet, and pleasant to look at. He stated that he has had a good relationship with Marcus Partners and all their contractors; they listened to all his concerns and worked with him. He recommended the project. Mr. Berman discussed the reduction in size of the building due to flipping it around. He stated that they are making a large financial contribution to the Town with the intersection. He stated that he appreciates Mr. Waite's support. He stated that they still have a lengthy permitting process with the redesign of the engineering of the site. He stated that with positive feedback from the Planning Board, they will start the process.

Mr. Cannon requested to continue the public hearing.

Motion to Continue 585 King Street, Special Permit & Site Plan, to February 28, 2022. Williams. Second: Wierling. Roll Call Vote: Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Adjourn the Planning Board Meeting. Williams. Second: Power. Roll Call Vote: Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-YES. Vote: 5-0-0 (5-Yes; 0-No).

Meeting adjourned at 8:13 PM.

Respectfully submitted,

Judith Lizardi,
Recording Secretary