

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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## PLANNING BOARD

### March 28, 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; Beth Wierling, Clerk; Rick Power; Jennifer Williams; Jay Mello, associate member. Members absent: None. Also present: Amy Love, Planner; Michael Maglio, Town Engineer; Gary James, BETA Group, Inc.

#### 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.

#### **A. Endorsement: 1061 Upper Union Street**

Ms. Love reviewed that the applicant submitted plans for endorsement for Special Permit and Site Plan for Large Scale Ground Mounted Solar. The Planning Board approved the Special Permit and Site Plan on June 17, 2019. The applicant is now ready to start construction. She stated that the following Special Conditions had to be met. The applicant shall enter into a monetary agreement (PILOT) at the sole discretion of Administration and the Town of Franklin prior to commencement of construction; this is complete. A Surety bond in the amount of \$46,768.00 shall be issued by a surety company acceptable to the Town of Franklin prior to commencement of construction; the bond is in place. The other Special Conditions included that there will be no trees or telephone poles removed on Mount Street or Upper Union Street, and all trees shall be planted prior to commencement of construction. She stated that BETA is to review prior to start of construction. She noted that the trees that were planted about one year ago are now about 5 ft. in height. Mr. James reviewed that the applicant may put in a few more trees.

Mr. Maglio stated that he had no comments.

***Motion to Endorse 1061 Upper Union Street. Rondeau. Second: Wierling. Vote: 5-0-0 (5-Yes; 0-No).***

#### **B. Endorsement: 461 West Central Street – 3 Restaurant**

Ms. Love reviewed that the Planning Board approved the Limited Site Plan Modification on February 28, 2022, with the following condition: Prior to endorsement, bollards will be added in front of the arborvitaes. She stated that the applicant added the bollards to the plan.

***Motion to Endorse 461 West Central Street – 3 Restaurant. Rondeau. Second: Wierling. Vote: 5-0-0 (5-Yes; 0-No).***

#### **C. Meeting Minutes: February 7 & 28, 2022**

***Motion to Approve the Meeting Minutes for February 7, 2022, and February 28, 2022. Rondeau. Second: Wierling. Vote: 5-0-0 (5-Yes; 0-No).***

7:05 PM

**PUBLIC HEARING** – *Continued*

**72-94 East Central Street**

**Special Permit & Site Plan**

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

Mr. Brad Chaffee, owner of Camford Property Group, and Mr. Rick Goodreau of United Consultants addressed the Planning Board. Mr. Goodreau stated that they received comments from the Town engineer, planning staff, BETA, fire department, and Planning Board at the last public hearing. He stated that they provided a summary letter of the responses and revisions that were made. He stated that he believes they have addressed all concerns with a few minor outstanding items on the BETA review letter.

Mr. Maglio stated that he has no comments.

Ms. Love reviewed her memo to the Planning Board dated March 23, 2022. The applicant is proposing to construct a mixed-use three story building with 17 residential units and one (1) commercial unit. She stated that the applicant has three waiver requests. She reviewed the documents submitted which include the revised Site Plan including lighting plan and elevation plan, AC unit detail sheets, revised drainage report, operations and maintenance report, and traffic study report. She reviewed the comments that were asked at the February 28, 2022, Planning Board meeting. She noted the Planning Board's concern about providing the green space in front to the Town. Per the Town Attorney, the Planning Board does not have authority to require land be donated to the Town, nor the authority to take land. The Green Space is currently the front lawn of the project. Chair Rondeau clarified that as Mr. Chaffee was thinking of making the green space a park area, he may want to donate the land to the Town as a friendly gesture; it was not required.

Mr. James discussed the AC units at the back right of the proposed building. He stated that the amount of noise would be calculated at 75 decibels. The applicant should put in another row of trees to cut that down and mitigate the noise. He noted that there is a little bit of light spillage in the back. Mr. Goodreau stated that the applicant would be amenable to installing six additional trees.

Mr. David stated that light spillage is not allowed anywhere. He asked where the traffic study came from. Mr. Chaffee stated that it was submitted to the Planning Board about one year ago; all they did was update the number of units. Mr. Chaffee confirmed that he was the traffic consultant. Mr. David stated that every applicant submits a traffic study from a traffic consultant, not the applicant being the traffic consultant. Chair Rondeau asked the applicant to provide a traffic study from a traffic consultant. Ms. Williams asked about the elevation. Mr. Chaffee said the actual dimension on the side will be under 40 ft. Ms. Wierling confirmed that Mr. Chaffee was asked to provide a documented traffic report from a traffic engineer. Mr. Chaffee stated that the building would be the same colors as presented before the Design Review Commission in the past. He stated that he would go before the Design Review Commission again. Chair Rondeau noted that the retaining wall out front was going to be removed. Mr. Chaffee stated they will be grading that area. Chair Rondeau requested that behind the rear access drive there would be signage. He discussed the area behind the dumpster location. there. He asked that they look at parking spot 14; can they get in and out of that spot safely? Mr. Goodreau said they could put a do not enter sign.

Chair Rondeau asked about the white house. Mr. Chaffee stated that it is under agreement; they do not own it yet. Chair Rondeau stated that as agreed, the white house comes down before the building goes up. Mr. Chaffee reviewed the phasing plan that he provided to the Planning Board. He stated that he is taking ownership of the house; however, he cannot take it down until the building is complete as the occupants will be given a condo unit in the building. Ms. Love stated that the white house occupants are co-applicants in this special permit; they are aware the development is going on within their property and they have given permission for it. At the Final Form H point the house will be taken down. Mr. Chaffee confirmed. Ms. Wierling stated that she does not think holding up the project by making the house come down first is good.

Mr. Mello asked if there were any safety, traffic, or construction issues with the house being there. Mr. Chaffee stated that they have designed it to work around the building while the occupants are still living there. Mr. David reviewed the previous reasons why the house had to come down first. He stated that with the previous Planning Board, it was determined that the house had to come down and the building moved forward. He does not remember anything about the house staying while the building was under construction. Mr. Chaffee stated that was correct; that was the second iteration after it was requested that the building be moved forward. He stated that he then took it from four stories to three stories so they would not be having this discussion. Ms. Love stated that in January 2021, Mr. Chaffee provided a new design. The Planning Board at the time agreed it was a significant change and to move forward with it. Chair Rondeau asked to read those meeting minutes. Ms. Love stated that she would provide them. Ms. Wierling asked Chair Rondeau what the issue is with the applicant saying that he is willing to remove the house by the time the Form H comes forward; as the applicant has met most of our expectations, why can't we work with him. Chair Rondeau stated that this has some past history; that was what was agreed upon. Ms. Williams stated that she feels the applicant has done everything that the Planning Board has asked to date. She stated that she is very supportive of this. She does not want to hold it up any further.

Chair Rondeau stated that the park in the front yard is not even in the landscape plan now. Mr. Chaffee stated that it was taken out. Chair Rondeau asked if there was supposed to be a white vinyl fence between the two lots. Mr. Chaffee stated that it would be taken care of. Chair Rondeau asked about the special permit. Ms. Love stated that they are two separate sites. She stated that she believes that 70-72 East Central Street is under a Partial Form H. So, when they come back for the Final Form H when they finish 94 East Central Street, they will each have their own Final Form H. She noted that it is the same ownership. Mr. David reiterated that there will be no Final Form H until the house comes down; Planning Board members informally agreed.

Ms. Love confirmed that the applicant must provide a traffic study and BETA must review the traffic study. She asked if the Planning Board is looking for a Design Review recommendation or could that be a condition of any decisions made. Chair Rondeau stated they wanted Design Review comments. Ms. Love discussed the dates of the next Design Review Commission and Planning Board meetings. Mr. Goodreau reviewed the items for the next meeting: light spillage, traffic study completed by an engineer and reviewed by BETA, height to be addressed on the architectural plans, Design Review Commission on April 12, 2022, comment on retaining wall frontage, sign to be added at the emergency access drive, hammerhead to be provided at the back left corner of the lot, spaces 15 and 14 to be reviewed, house coming down as condition of approval, benches and retaining wall at the frontage to be reviewed, and the white vinyl fence between the two properties added back on.

***Motion to Continue 72-94 East Central Street, Special Permit & Site Plan, to April 11, 2022. Wierling. Second: Williams. Vote: 5-0-0 (5-Yes; 0-No).***

7:10 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 provided a written request to continue the public hearing to April 11, 2022.

***Motion to Continue Taj Estates, 230 East Central Street, Special Permit & Site Plan, to April 11, 2022. Wierling. No Second Made. 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.*  
**TO BE CONTINUED**

Ms. Love stated that the applicant requested a continuance of the public hearing.

***Motion to Continue 585 King Street, Special Permit & Site Plan, to April 25, 2022. Wierling. No Second Made. 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 7:42 PM.***

Respectfully submitted,

Judith Lizardi,  
Recording Secretary  
\*\*\*Planning Board approved on April 11, 2022