

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4907  
www.franklinma.gov

## PLANNING BOARD

### August 8, 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, Town 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.

Chair Rondeau stated that he was taking the General Business items out of order.

#### **A. Decision: 230 East Central Street**

*Motion to Vote on the Special Permit to allow Multi-Family in the Commercial I Zoning District, under 185 Attachment 7, 6.1. Wierling.*

#### **ROLE CALL VOTE:**

Ms. Wierling read aloud the following.

a) Proposed project addresses or is consistent with neighbor or Town need.

**Rondeau-YES; David-YES; Wierling-NO; Power-YES; Williams-YES. Vote: 4-1 (4-Yes; 1-No)**

Ms. Wierling stated that she said NO as in the location proposed the density of 33 units per acre, the proposed project does not address neighborhood need.

b) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.

**Rondeau-YES; David-YES; Wierling-YES; Power-YES; Williams-NO. Vote: 4-1 (4-Yes; 1-No)**

Ms. Williams stated that she said NO regarding the existing challenges increasing the number of vehicles and pedestrians coming in and out of the site and the safety challenges in this area of town.

c) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.

**Rondeau-YES; David-YES; Wierling-NO; Power-YES; Williams-NO. Vote: 3-2 (3-Yes; 2-No)**

Ms. Williams stated that she said NO as similar to her last comment that this area is already failing regarding public roadways and infrastructure and therefore will not accommodate the increase in this area.

Ms. Wierling stated that she said NO as the Town of Franklin's public roadways are not adequate and will not be upgraded to accommodate development, and she reviewed that it has been noted in the traffic study that existing traffic conditions in this area are operating at or over capacity. She noted safety concerns as well.

d) Neighborhood character and social structure will not be negatively impacted.

**Rondeau-YES; David-YES; Wierling-NO; Power-YES; Williams-YES. Vote: 4-1 (4-Yes; 1-No)**

Ms. Wierling stated that she said NO because the directly abutting neighborhood consists mainly of single-family homes with a few two-family and three-family homes mixed in which have features consistent with a single-family home neighborhood, and existing residences are one to two stories tall and densities are well below the 33 units per acre presented in this project. She stated the neighborhood character will be negatively impacted.

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-NO; Power-YES; Williams-NO. Vote: 3-2 (3-Yes; 2-No)**

Ms. Williams stated that she said NO as she believes the significant bulk of the proposed project will deprive neighbors of light as well as contribute to noise in the area.

Ms. Wierling stated that she said NO because it is unclear if the constructability of the retaining wall shown on the western side can be completed without excessive noise or vibrations which will impact the abutters.

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-NO; Power-YES; Williams-NO. Vote: 3-2 (3-Yes; 2-No)**

Ms. Williams stated that she said NO based on all the reasons she has given so far. Ultimately, this project is far too dense for the site.

Ms. Wierling stated that she said NO for all the reasons that she previously stated. In addition, the site being only one acre and the proposal to create 33 units which is 33 units per acre, along with the

associated parking, lighting, and site infrastructure needed to support 33 units, will have an adverse effect which will overbalance its beneficial effects on both the neighborhood and the Town.

Chair Rondeau stated that the Special Permit has been denied.

*Ms. Wierling left the meeting.*

**B. Field Change: Bogan Estates Subdivision**

Ms. Love reviewed that the Planning Board approved a four-lot subdivision on June 2, 2014, as well as a drainage lot. Four waivers were granted with the approval. She stated that the applicant is requesting to not install the vertical granite corners at the driveway entrances. She stated that per Section 300-10.H(4)(a), two ft. vertical granite radius corner pieces shall be placed at all driveway openings along vertical granite curbing. Since the road will become an accepted Town roadway, it is recommended that the granite pieces be installed according to the Subdivision Regulations.

Mr. Maglio stated that he does not have an issue with how it was installed. He did not want to approve it as a field change; he thought it should come to the Planning Board.

Chair Rondeau recommended that the radiuses be put in at the driveways following the rules and regulations.

*Motion to Have the applicant install the radiuses for Bogan Estates Subdivision. Rondeau. Second: David. Vote: 4-0 (4-Yes; 0-No).*

**C. Limited Site Plan Modification: 16 Forge Parkway**

Ms. Love reviewed that the applicant is proposing to install a concrete pad for two gas tanks. She stated that due to regulations, the increase in impervious surface requires that they come in with a Limited Site Plan. She stated that the applicant has provided pictures.

Mr. Maglio reviewed that the plan proposes to eliminate two accessible parking spaces and install a concrete pad that overlaps the parking spaces and adjacent grass island. Although it appears minimal, the applicant should indicate the resulting net change in impervious area. The applicant should also identify the total number of accessible spaces on site to ensure that they will be in compliance based on the overall number of parking spaces. Based on a total of 424 proposed spaces, 9 accessible spaces are required.

Ms. Williams stated that there will be accessible spaces, but the two that are being eliminated are not being replaced relative to the entrances and exists they are servicing. The nine spaces seem remote to the door. Facilities Manager for the Franklin sites stated that there are 11 more spots towards the northwest and northeast corner of the building. He reviewed the entrances and locations. He reviewed the increase in impervious area. He stated that the new site plan shows about 100 ft. of reclamation area.

Mr. David confirmed that nitrogen will be installed in a tank. He asked how far apart the bollards will be. The Facilities Manager stated 4 ft. apart. Chair Rondeau confirmed that there will be no glass wall. Ms. Love stated that it was not sent to the Fire Department. She noted that the applicant will need a building permit to do this. She stated that the Planning Board can put it as a condition to have the Fire Department weigh in.

***Motion to Approve the Limited Site Plan Modification for 16 Forge Parkway with the condition that the Fire Department looks at the tanks and the locations and provides their approval. Rondeau. Second: Williams. Vote: 4-0 (4-Yes; 0-No).***

**D. Meeting Minutes: June 6 & June 27, 2022**

***Motion to Approve the Meeting Minutes for June 6, 2022. Rondeau. Second: Williams. Vote: 4-0 (4-Yes; 0-No).***

***Motion to Approve the Meeting Minutes for June 27, 2022. Rondeau. Second: Williams. Vote: 4-0 (4-Yes; 0-No).***

7:05 PM      **PUBLIC HEARING** – *Initial*  
                  **700 Union Street**  
                  Site Plan Application  
                  *Documents presented to the Planning Board are on file.*

***Motion to Waive the reading. Rondeau. Second: David. Vote: 4-0 (4-Yes; 0-No).***

Attorney Mark Bobrowski representing Primrose Schools; Mr. Joshua Kline, Engineer of Stonefield Engineering; and Site Acquisition Director for Primrose Schools Matt Taylor addressed the Planning Board for the proposal to construct a 13,525 sq. ft. daycare with 50 parking spaces. Mr. Bobrowski stated that this is a Dover Amendment application, a childcare facility. Mr. Kline provided an overview of the project. He stated that this is a vacant property, and it is a permitted use. He described the location and abutting properties. He reviewed the site selection process. He stated that Primrose Schools operates hundreds of daycares across the county. He stated that they want to make sure from all aspects that these fit. He reviewed the difference between daycares and schools. He stated that schools experience spikes; for daycare, drop off and pick up is spread over many hours. Therefore, traffic is spread out over time. He discussed the licensed capacity versus how many children are actually there. He stated that in reality, the sites do not see the number of children at capacity. He showed and explained, using the provided maps and diagrams, the existing conditions and the proposed layout of the building. He noted the building is one story. He stated that along the rear most of the natural wooded vegetation will remain. He reviewed the proposed drop off and pick up operation and the layout of the proposed parking. He stated that the playground is about 10,000 sq. ft. located behind the building. He stated that elevations were submitted. He reviewed the Primrose architectural features on the exterior; the architecture will be all around the building. He stated that typical operating hours are 7:30 AM to 6:30 PM. He discussed that the trash will be picked up by a private hauler two to three times a week. He stated that there is not a full kitchen; it is just a warming area. He stated that they did soil testing. There will be water infiltration and they have stormwater facilities. He noted that they focus the lighting in the parking areas for safety. All of the lighting is 40 ft. to 60 ft. from the rear of the property. The closest residence is 120 ft. away. He stated that the landscaping will incorporate 13 new trees and over 300 new shrubs, grasses, and perennials. He stated that they already met with the Fire Department; he reviewed the Fire Department's requests which have been added to the plans.

Ms. Love stated that the applicant should show the abutting structures on the site plan, they will need to file with the Design Review Commission for signage and building façade, and an ANR plan will need to be filed to combine the two lots prior to construction. She stated that a Traffic Impact Assessment has been submitted by the applicant; BETA is going to review the traffic study. Chair Rondeau recommended waiting for Mr. James to do a review. Mr. Kline stated that they received a positive recommendation for the architecture and the signage from the Design Review Commission.

Mr. Maglio reviewed some of his comments as outlined in his letter to the Planning Board dated August 4, 2022. He pointed out that the plans include a detail for concrete curb; the Planning Board has typically required concrete curb to be reinforced concrete. He noted that vertical granite curb will be required for the entrance radii within the Town right-of-way. The plans call for HDPE drainage pipe; however, the Planning Board typically requires reinforced concrete pipe for on-site drainage systems. The drainage design will need to document that it meets the Town's stormwater bylaw section 153-16 which requires on site retention of the volume of runoff equal to or greater than 1 in. multiplied by the total post-construction impervious surface.

Mr. James reviewed his Site Plan and Special Permit Review letter to the Planning Board dated August 4, 2022. He pointed out that the grades on the site are tremendous; most are 3:1. He requested more information. He reviewed his concerns regarding stormwater as outlined in his letter. He discussed the headwalls and the outlets coming out of them. He asked if there are rights associated with those. He stated that the driveway is about 12 percent; he would like the Fire Department's comments on that as it exceeds the recommendations.

Mr. Kline stated that they reached out to Conservation Commission about a year ago. He stated that he would provide that information. He stated that this would be a fill site. He stated that they reviewed the plans with the Fire Department; he would be happy to meet with them again.

Planning Board members asked questions and made comments. Ms. Williams asked for the reasoning for two-way traffic as opposed to one-way traffic with a loop around the site. She requested information on the flow of the parking lot. Mr. Kline discussed that these sites do not have a surge effect. He reviewed the proposed flow of the parking lot. He stated that he does not think one-way flow adds any amount of safety. Ms. Williams asked about snow storage. Mr. Kline showed on the plans where it was proposed. Mr. David asked about the height of the proposed retaining wall and requested curb stops or bollard so cars could not jump forward. Mr. Kline stated that it is about 5 ft. to 6 ft. at the corner. The playground will be fully fenced in. He agreed with additional curb stops. Ms. Williams agreed and suggested all the way down the walkway. Chair Rondeau recommended additional snow storage and that it should be located on the drawing. He asked about the basin in the rear of the site and if it would need fencing. He asked how many students and teachers there would be per day. Mr. Kline stated that 183 children and 28 staff are licensed. However, a mature facility is at about 80 percent which would bring it to 146 children. He noted that there are about 10 percent absent per day and many are part time. He stated that staff moves with the number of children enrolled. Chair Rondeau asked for documentation on this information. He asked for the distance from the side of the building on the left side. Mr. Kline stated that it was 40 ft. from the property line at the pinch point.

Mr. Ken Macklin, 28 Spruce Pond Road, asked for clarification of the location of the facility on the property. Mr. Kline reviewed the location based on Mr. Macklin's property. Mr. Macklin stated that a traffic study cannot be done until the hotel is opened. He would like an independent traffic study done when the hotel is constructed and opened. He stated that there is only one way out of the Spruce Pond condominiums which is Union Street so this will have a major impact on us. He stated that he objects to this totally.

Mr. John Potter, 47 Quince Landing, wanted to reinforce the issue about traffic and asked the Planning Board to look carefully at the traffic study. He explained that it is already hazardous for people to exit Spruce Pond.

Ms. Karen Miller, 246 Washington Street, stated that all three projects being heard tonight are within one mile of each other. So, all the traffic should be considered.

Mr. Taylor of Primrose Schools reviewed that the project was started over one year ago and there were lots of issues to sort out. He stated that he wanted to clarify that they operate at 6:30 AM not 7:30 AM. He discussed pick up and drop off. He stated that parents must park, bring the child into the building, and return to the car. He has done hundreds of jobs and safety is very important. He discussed that 10 to 14 dedicated spaces to pick up and drop off are more than enough. He agreed that signs would be posted for pick up and drop off. Ms. Williams questioned the size of the drop off spaces. Mr. Taylor stated they could look at the width of the spaces. He stated that they would incorporate the request for bollards.

Mr. Bobrowski noted that there is an operating Primrose School in Foxboro that the Planning Board members could look at.

***Motion to Continue the public hearing for 700 Union Street, Site Plan Application, to September 12, 2022. Rondeau. Second: Williams. Vote: 4-0 (4-Yes; 0-No).***

7:10 PM      **PUBLIC HEARING** – *Initial*  
                  ***704 Washington Street***  
                  Site Plan Application  
                  *Documents presented to the Planning Board are on file.*

***Motion to Waive the reading. Rondeau. Second: David. Vote: 4-0 (4-Yes; 0-No).***

Attorney Edward Cannon stated that he wanted to make sure that the Town has adopted the Mullen's Rule for when members are absent. Chair Rondeau stated yes. Mr. Love confirmed yes.

Mr. Cannon on behalf of Amego Schools, Mr. John Randall, CEO of Amego Schools, and Mr. Adam Hunt of Level Design Group (via Zoom) addressed the Planning Board. Mr. Cannon reviewed the proposed location of the site and stated that currently, it is a single-family residence. The proposal is to take that away and put in two group homes for five residents each.

Mr. Hunt reviewed the proposed plans. He confirmed the proposed demolition of the existing building and construction of two new homes. He reviewed the septic design, stormwater improvements, and infiltration basin. He stated that there would be a shared driveway and 10 parking spaces for each building. He shared his screen and showed pictures of the existing site which include the existing house and barn on the property which all will be demolished. He showed pictures of the adjacent property. He noted that the nearest fire hydrant is approximately 150 ft. He showed pictures of the proposed building style that is going to be used including the fence style.

Ms. Love reviewed that the site is in the Rural Residential I zoning district. The applicant is proposing to demolish an existing house and construct two new group homes. The applicant is exempt from zoning under the Dover Amendment which would allow one residential structure on a lot in RRI. She stated that the applicant is required to comply with Section 185-31, Site Plan Review. She stated that details should be provided for curbing, landscaping, and paving, and a lighting plan should be submitted. The applicant will need to file with the Design Review Commission. She stated that the Fire Department expressed a few concerns with turning and access in the rear. She recommended that the applicant show structures abutting the property within 300 ft.

Mr. Maglio reviewed his letter to the Planning Board dated August 1, 2022. He reviewed that with the construction of the new driveway entrance, the existing entrance shall be closed off with granite curbing and that section of the sidewalk reconstructed. The proposed water service connections should be shown on the plan. Based on the grading, it appears that a section of the retaining wall will be removed; he requested the applicant identify the limits of wall removal. He noted that the stormwater report detailing the design of the drainage system and compliance with the Town's stormwater requirements that he requested was submitted.

Mr. James reviewed his Site Plan Peer Review letter to the Planning Board dated August 3, 2022. He stated the applicant is subject to the stormwater standards. He noted the overall disturbance and stated that the applicant would have to file an NOI with the EPA. He noted they are in a water resource district and they have some increased requirements regarding stormwater. He noted that the proposed driveway is 14 ft. wide; he does not believe the Fire Department will accept that, and he believes the bylaw requires 24 ft. He stated that there is no curbing proposed around the parking lot.

Planning Board members asked questions and made comments. Ms. Williams requested a package of clearer drawings overall with more information. She stated that it is hard to comment on what is in from of her in a meaningful way at this point. Mr. Mello stated that he was going to comment on snow storage. Chair Rondeau stated the plan is lacking information.

Attorney Stephen Kenney of Medway representing Mark and Julie Seifert stated that it appears from the plan that the existing buffer area on the easterly side will be left; having it remain is one of his clients' major concerns. He reviewed that the vegetative buffer along the buffer line be maintained and specifically outlined on the plan or made a condition of the Planning Board's decision. He stated that lighting and stormwater plans are needed. He stated that they will look for revised and updated plans.

***Motion to Continue the public hearing for 704 Washington Street, Site Plan Application, to September 12, 2022. Rondeau. Second: Williams. Vote: 4-0 (4-Yes; 0-No).***

7:15 PM            **PUBLIC HEARING** – *Continued*  
                         ***585 King Street***  
                         Special Permit & Site Plan  
                         *Documents presented to the Planning Board are on file.*

Attorney Edward Cannon on behalf of Marcus Partners and Mr. Josh Berman of Marcus Partners addressed the Planning Board. Mr. Berman provided an update. He stated that they were first before the Planning Board in November 2021. They provided a site plan for an industrial warehouse building of approximately 300,000 sq. ft. After discussions, it was recommended they rotate the building so the loading was closest to Rt. 495. In December 2021, they returned to the Planning Board with an updated plan with the building rotated and shrunk by approximately 50,000 sq. ft. He stated that they received a recommendation from the Design Review Commission. They have filed with the state as part of the MEPA application which is ongoing. They received an Order of Conditions from the Conservation Commission. They have been working with BETA and DPW regarding stormwater, traffic, and site plan reviews. He stated that there are some minor comments from BETA and DPW which they have asked be made a condition of approval.

Ms. Love reviewed that the Planning Board requested hours of operation for the truck traffic and possible tenants. As part of the regrading plan, work will be performed on the abutting property at 627 King Street; a letter has been provided by the abutter. The Planning Board asked for a detailed plan of

the roadway improvements, including sidewalks, road widening, and lights. She noted that the changes being proposed to the Rt. 495 South ramp and asked what if any communication has been made with MassDOT; she requested DPW be kept in the loop. She stated that she does not know if the plans submitted which are dated June 11, 2022, include any changes to the plan per Conservation Commission.

Mr. Maglio reviewed his letter to the Planning Board dated July 11, 2022. He stated that the proposed development includes modifications to the King Street traffic signal and lane widening along King Street, some of which is MassDOT jurisdiction and some of which is Town jurisdiction. If the Planning Board decides to approve the project, he requested that it be conditioned that the offsite improvement plans be reviewed, approved, and permitted by DPW as well as MassDOT prior to issuance of a building permit. The elevations of the top and bottom of the proposed retaining wall between the parking area and the truck access on the southeast side of the building should be noted similar to the other proposed walls on the site. The retaining wall along the I-495 layout may require a protective fence along a portion of its length due to the 11-ft. height. The plans call for HDPE piping for drainage; however, the Planning Board requires reinforced concrete pipe for drainage. Any drainage pipe within the Town right-of-way should also be reinforced concrete pipe.

Mr. James noted that there were changes with the Conservation Commission and those changes should be referenced and made on the plans. He stated that the applicant has some other items to address and update some calculations. He noted that the applicant was asked to provide more screening for the buffer.

Mr. David Chestercove, 391 Oak Street, stated that his father lives at 627 King Street and is the abutter to the property. He stated that his concern is traffic. He requested a no right turn on red for the new street that is going in for traffic safety.

Ms. Karen Miller, 246 Washington Street, stated that her concern is traffic. She stated that she would discuss the whole package regarding the traffic at the intersection. They are adding over 500 trips per day into a small area. She noted that they are adding the daycare along with the fire trucks and the traffic coming up from Rhode Island. She stated that the applicants have provided promises about the times the trucks will come and go, but that cannot be legally enforced. She asked the Planning Board to think about what it is doing to the whole area. She asked how people are going to get off of Rt. 495. The ramps are not designed for massive trucks and traffic. These are not curved and long ramps. She noted it is the traffic in the area and questioned how it is going to work.

Mr. Rick Ciccone, 185 Chestnut Street, stated that he is not a direct abutter and he is not opposed to the project; however, we continue as a town to lose sight going forward of the quality of life of people in Franklin. He discussed that traffic around this community continues to spiral out of control. He stated that he does not think we can continue on this path in Franklin. The roads in and out of this community are overstressed.

Chair Rondeau stated that Franklin has a great school system, Fire Department, water, sewer, two MBTA stations, two on ramps to the highway, and is 30 miles to Boston, Providence, and Worcester. He stated that as Franklin offers all these things, we are still seeing growth. This will be for us to deal with for the next years. He stated that we, as a board, go by what the professionals give us for information. Ms. Williams asked if the Town is planning to do a comprehensive traffic study in this area any time soon as it relates to all the proposed development and construction. Chair Rondeau stated that



this developer is going to improve this intersection. Mr. Maglio reviewed that the Town looks at specific areas if there is a specific issue, but there is no town-wide study.

***Motion to Close the public hearing with the conditions of a couple of lose items that Mr. James and Mr. Maglio had, for 585 King Street, Special Permit & Site Plan. Rondeau. Second: David. Vote: 4-0 (4-Yes; 0-No).***

Ms. Love stated that the EDC and Steering Committee are meeting this Wednesday at 6 PM in the Council Chambers and on Zoom; it could be a several hour meeting and they will be prioritizing the zoning changes they would like to bring forward to the Town. They would like to narrow it down to the top three.

***Motion to Adjourn the Planning Board Meeting. Rondeau. Second: Williams. Vote: 4-0 (4-Yes; 0-No).***

***Meeting adjourned at 8:49 PM.***

Respectfully submitted,

Judith Lizardi,  
Recording Secretary

***Planning Board Approved on September 12, 2022***

# Town of Franklin

355 East Central Street  
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## PLANNING BOARD

### Missed Meeting Certification

I, Beth Wierling member of the Franklin Planning Board, do hereby certify that I have examined all evidence, including a video recording thereto, of the Planning Board meeting held on (date) **August 8, 2022** for the following project:

**Project name:** 700 Union Street

**Applicant:** Primrose School Franchising Company

**Application type:** Site Plan Application

This certification is pursuant to G.L. Chapter 39, Section 23D accepted by the Town Council by Resolution 09-40 dated June 10, 2009.

**Signature** \_\_\_\_\_

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## PLANNING BOARD

### Missed Meeting Certification

I, Beth Wierling member of the Franklin Planning Board, do hereby certify that I have examined all evidence, including a video recording thereto,  
of the Planning Board meeting held on (date) **August 8, 2022**  
for the following project:

**Project name:** 704 Washington Street

**Applicant:** Amego Inc.

**Application type:** Site Plan Application

This certification is pursuant to G.L. Chapter 39, Section 23D accepted by the Town Council by Resolution 09-40 dated June 10, 2009.

**Signature:** \_\_\_\_\_