

Town of Franklin



Planning Board

**September 11, 2017
Meeting Minutes**

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; Bryan Taberner, Director, Planning and Community Development; Amy Love, Planner; Matthew Crowley, BETA Group, Inc.

7:00 PM Commencement/General Business

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

A. Endorsement: 34 Saxon Street – Site Plan Modification

Ms. Love stated that on August 7, 2017 the applicant came in for a Change of Use; it used to be the old Aubuchon Hardware Store building and they are turning it into a recreational facility. They have a Certificate of Vote on the plans and they are here for endorsement.

Motion to Endorse 34 Saxon Street – Site Plan Modification. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

B. Limited Site Plan: 620 Old West Central Street - Parking

Ms. Love stated she confirmed the applicant would be here. They are also scheduled for a public hearing at 7:10 PM for a different project; she is not sure why they are not here. She said they have revised the plans and added the trench drain, added four parking spaces, moved the dumpster, and shifted the handicap parking space. She stated the Fire Chief has seen the plans and indicated that it must be 18 ft. so he could get a fire truck in there.

The Planning Board moved on to another item and indicated they would return to this item later. The Planning Board commenced with this item at 7:53 PM when the applicant was present.

Ms. Love stated they are looking to add additional parking for their employees only. This is the latest plan with an additional four parking spots along the left-hand side. The Fire Chief is requesting an 18-ft. width right-of-way between the added parking spots and the building to provide fire access. She noted the dumpster was moved closer to Rt. 140. She stated she only received a verbal confirmation from the Fire Chief.

Chairman Padula confirmed there would be screening around the dumpster. He stated this was a vast improvement.

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Motion to Approve the Limited Site Plan: 620 Old West Central Street. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

C. Informational: Amending §185-19 Accessory buildings and structures

Mr. Taberner stated that Zoning Enforcement Officer Gus Brown identified inconsistencies in the Town's Zoning Bylaw that leads to confusion regarding the size and setback required for accessory buildings and structures. Mr. Brown recommended changing the minimum required distance between accessory buildings/structures and the side lot line to 10 ft. in all zoning districts. This change can be easily made by deleting wording in §185-19 that refers to differences in various zoning districts. This is for informational purposes; hopefully, there will be a referral from the Town Council to the Planning Board for a public hearing.

Chairman Padula, Planning Board members, and Mr. Taberner reviewed the wording for the 10-ft. setback for accessory buildings and structures.

D. Meeting Minutes: August 7, 2017 & August 21, 2017

Motion to Approve the August 7, 2017 Meeting Minutes. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve the August 21, 2017 Meeting Minutes. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM

PUBLIC HEARING – Initial**Zoning Bylaw**

17-795: §185-5 Zoning Map Changes from Business and Commercial II to Single Family Residential IV and Commercial I in an area on or near Union, Cottage and Saxon Streets

Documents presented to the Planning Board:

1. Memorandum dated August 31, 2017 from DPCD to Franklin Planning Board
2. Franklin Planning Board Public Hearing Notice with Received by Town Clerk date August 16, 2017
3. Map of Proposed Zoning Map Changes

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

Mr. Halligan recused himself.

Mr. Taberner stated that several years ago the administration worked on a rezoning of the area of Cottage and Union Streets; it never went forward. The 2013 Master Plan does have rezoning in this area as a suggested action. There are a variety of reasons for the rezone including that many of the parcels are split into two zones. And, the CII zone in this part of town are the larger commercial parcels, but in this area the lots are smaller. The proposal is to create larger area of CI zone to increase the possible amount of redevelopment in the area. It also straightens out parcels with Business/Industrial lots. The original proposal did not include one of the parcels on Cottage Street; the owner of that parcel asked during the Town Council meeting to be rezoned. Town Council agreed and the zoning amendment was revised. In response to a question about parcel 287-067, he stated that right now it is 2/3 Industrial and 1/3 Business; it is being proposed to be all changed to Industrial. He confirmed that they are eliminating Commercial II in that area and proposing to change to another zone.

Chairman Padula questioned that with the zoning changes, if these little lots are changed into stores, they are not required to have any parking.

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Mr. Taberner stated Yes.

Chairman Padula stated that if they were Commercial II, they would be required to have some kind of parking if the residences were turned into stores. That is the only thing he does not like; there is no place to make any parking here. He stated that this does not make sense. The road is already busy and there are stores across the street and residential. You are coming in with a proposal to take away Commercial II and put in Commercial I. He would rather see Commercial I go back into Commercial II so they would have to have some kind of parking requirement, especially on these tiny lots. He agrees with squaring it up on Saxon Street, but he is not fond of taking away Commercial II and putting in Commercial I without a parking requirement.

Mr. Taberner asked if Commercial II is the appropriate zone for those parcels; what zone is appropriate?

Chairman Padula stated he believes so; Commercial II should have been there all along and not Commercial I; Commercial I has no parking requirement.

Chairman Padula and Mr. Taberner discussed the current proposal and appropriate zones for this area.

Mr. Taberner stated he believes that CI should have at least some parking in it, but the proposals that have been floated over the past five to ten years have always been shot down at workshops or Town Council meetings; therefore, those changes have not happened. If the Planning Board wants it, they could request to change it.

Chairman Padula stated he agreed with squaring off the zoning, but would like to see some sort of requirement for parking in a Commercial I district.

Planning Board members agreed that parking is needed.

Mr. Taberner confirmed that the Planning Board would be in agreement with the proposal if the CI zoning had a parking requirement; otherwise, the Planning Board is not in favor of it going forward as is.

Motion that the Planning Board would be in agreement with the proposal if the CI zoning had a parking requirement; otherwise, the Planning Board is not in favor of it going forward as is, for Zoning Bylaw 17-795: §185-5 Zoning Map Changes from Business and Commercial II to Single Family Residential IV and Commercial I in an area on or near Union, Cottage and Saxon Streets. Carroll. Second: David. Vote: 4-0-0 (4-Yes; 0-No).

Mr. Halligan re-entered the meeting.

7:10 PM **PUBLIC HEARING** – Continued
31 Hayward Street
Site Plan Modification

Documents presented to the Planning Board:

1. Memorandum dated September 6, 2017 from DPCD to Franklin Planning Board
2. Letter dated September 6, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board
3. Letter dated August 24, 2017 from Matthew Crowley, BETA Group, Inc., to George Russell, Conservation Agent
4. Letter dated August 29, 2017 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board

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5. *Memorandum dated July 25, 2017 from George Russell, Conservation Agent, to Franklin Planning Board*
6. *Narrative on proposed parking improvements, no author, no date*
7. *Franklin Innovation Center, Site Plan Modification Additional Southeast Parking at 31 Hayward Street in Franklin, MA, Plan Sheets, Prepared by Guerriere & Halnon, Inc. dated July 5, 2017, with Received by Planning date July 25, 2017*
8. *Form P: Application for Approval of a Site Plan, with applicant listed as Moseley Realty, LLC, with Received by Town Clerk date July 25, 2017*
9. *Certificate of Ownership with Received by Planning date July 25, 2017*
10. *Town of Franklin Board of Assessors Abutters List Request Form dated April 18, 2017, with Received by Planning date July 25, 2017*
11. *Abutters List Report dated July 25, 2017*
12. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date July 25, 2017*

Mr. George Mihov of Guerriere & Halnon, Inc. on behalf of the applicant stated they are applying for a site plan modification to construct an additional 22 parking spaces; there is already existing parking.

Mr. Maglio stated he had minor comments including that there are discrepancies on one of the inverts on the drainage with the sediment forebay, whether the total number of parking spaces will be 244 or 243, and clarification needed of the number of accessible parking spaces. The accessible parking spaces do not have to be in the new lot, but the applicant must have the required seven accessible spaces on site.

Mr. Mihov stated they had five accessible parking spaces.

Chairman Padula stated the whole thing is a maze to drive through the way it was setup; it was done without permits, then they came to the Planning Board for permits after-the-fact. He does not want to make it any worse than it already is.

Mr. Mihov stated they are trying to make improvements.

Mr. Crowley stated BETA Group has provided comments outlined in their letter. He reviewed some of the comments including: want to see the water resource district on the plan, identify snow storage locations, cape cod berm is provided as opposed to granite or concrete curb, want confirmation that the work to be done on the existing basin does increase the capacity of the basin instead of just performing neglected maintenance on it, would like to see test pit data for ground water levels, and provide both total existing and proposed impervious for the site. He stated a wetlands sub-consultant provided recommendations for revising the wetlands lines. He stated that the applicant must go to Conservation Commission and has already filed with them.

Mr. Mihov stated the total impervious was at 48 percent; the proposal brings it to 50 percent.

Chairman Padula stated he would like to see an onsite traffic study done such as the circulation of the traffic and signage for exits/entrances. He noted there is a daycare on the left side of the parking lot; he discussed screening and bollards in case a vehicle jumped the curb.

Mr. Crowley stated that it appears that section of the playground along that fence does have trees.

Chairman Padula asked if Mr. Crowley recommended upright granite along the playground.

Mr. Crowley stated that it would be an improvement on the unprotected area, but during their review they did not look at that as it was existing. The fence that is there is not crash-worthy.

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Mr. Mihov stated he did not provide lighting in the parking lot.

Mr. Carl Reed, Property Manager, stated the normal business hours are about 6:30-7:00 am through 5:00-5:30 pm. He stated that it is mostly office use now; the school there is done by 3:00 pm. Currently, they have lighting by National Grid that is on a pole on Hayward Street that lights the existing parking lot. He stated he would put up additional lighting for people that had to work late; he wants to make it safe for his tenants. The proposed parking lot will be designated an employee parking lot. He needs to free up parking closer to the building for customers and clients. He stated he is working on a new signage package. He stated he is the owner's representative and he is trying to make sure everything works. The building is now at 98 percent full; they are done from a growth aspect. In the immediate future, he needs a little more parking to accommodate a few of his bigger tenants. In response to Chairman Padula's question, he stated it is about 80 percent office use and his biggest tenants thin out about 5:00 pm, but some people stay late.

Chairman Padula stated he wants to make it as safe as possible. He requested that the applicant see if they can get a couple of lights to satisfy public safety.

Motion to Continue the public hearing for 31 Hayward Street, Site Plan Modification, to October 16, 2017 at 7:05 PM. Carroll. Second: David. Vote: 4-0-1 (4-Yes; 0-No; 1-Abstain). (Mr. Halligan abstained.)

7:15 PM **PUBLIC HEARING** – *Continued*
 115, 119, 125 & 129 Dean Avenue
 Special Permit & Site Plan

Documents presented to the Planning Board:

1. *Fairfield at Dean Avenue, Franklin, MA, Overall Site Plan Sheet, Prepared by RJ O'Connell & Associates, Inc., dated August 31, 2017, with No Received by Planning date*
2. *Letter dated August 31, 2017 from Brian McCarthy of RJ O'Connell & Associates, Inc., to Franklin Planning Board*
3. *Letter dated September 7, 2017 from Matthew Crowley of BETA Engineering to Franklin Planning Board*
4. *Memorandum dated September 7, 2017 from DPCD to Franklin Planning Board*
5. *Memorandum dated September 5, 2017 from George Russell, Conservation Agent, to Franklin Planning Board*
6. *Letter dated June 7, 2017 from C. Thomas Brunson, Senior Vice President, FF Realty II, LLC, to Jeffrey Nutting, Town Administrator*
7. *Memorandum dated May 2, 2017 from Jeffrey Nutting, Town Administrator to Planning Board Chair, Anthony Padula*
8. *Letter dated May 12, 2017 from Brian McCarthy of RJ O'Connell & Associates, Inc., to Franklin Planning Board*
9. *Letter dated May 17, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board*
10. *Memorandum dated May 18, 2017 from DPCD to Franklin Planning Board*
11. *Memorandum dated May 16, 2017 from George Russell, Conservation Agent, to Franklin Planning Board*
12. *Letter dated January 21, 2016 from Bob Percy, Franklin Historical Commission, to Gus Brown, Building Commissioner*
13. *Memorandum dated April 12, 2017 from Franklin Board of Health to Franklin Planning Board*

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14. *Memorandum in Support of Application for Special Permit to Allow Multi-Family or Apartment Residential Use Within the General Residential V District from Richard Cornetta, Jr., Esquire of Cornetta, Ficco & Simmler, PC, dated March 30, 2017*
15. *Memorandum dated March 30, 2017 from Scott W. Thornton, P.E. and Derek I. Roach, EIT, Vanasse & Associates, Inc., to Town of Franklin Permitting Authorities*
16. *Application for Approval of a Site Plan and Special Permit(s) from Fairfield Residential Company, LLC, applicant, including owner list, with Received by Planning date March 31, 2017*
17. *Certificates of Ownership (3) with Received by Planning date March 31, 2017*
18. *Abutters List Report dated March 20, 2017*
19. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date April 3, 2017*

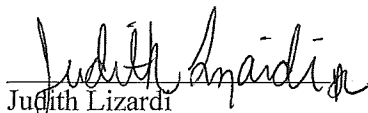
Note: Chairman Padula, at the April 24, 2017 Planning Board meeting, activated alternate Planning Board member, Mr. Power, as this public hearing is for a special permit.

Chairman Padula stated the applicant requested to continue the public hearing to September 25, 2017.

Motion to Continue the public hearing for 115, 119, 125 & 129 Dean Avenue, Special Permit & Site Plan, to September 25, 2017 at 7:30 PM. Carroll. Second: David. Vote: 5-0-1 (5-Yes; 0-No; 1-Abstain). (Mr. Halligan abstained.)

Motion to Adjourn. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 7:57 PM.

Respectfully submitted,


Judith Lizardi
Recording Secretary