

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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## PLANNING BOARD

**August 7, 2023  
Meeting Minutes**

Vice Chair William David 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 dialing into the meeting using the provided phone number or participating by copying the provided link. Members in attendance: William David, Vice Chair; Beth Wierling, Clerk; Rick Power; Jennifer Williams, Jay Mello, associate member. Members absent: Gregory Rondeau, Chair. Also present: Bryan Taberner, Director of Planning and Community Development; Michael Maglio, Town Engineer; Gary James, BETA Group.

### 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. Extension: 0 & 51 Chestnut Street Special Permit and Site Plan**

Ms. Amanda Cavaliere of Guerriere & Halnon, Inc. requested an extension for a previously approved permit. She stated the applicant had received the permit in 2018; due to Covid, construction costs, and delays, it was not economically feasible to construct. Vice Chair David stated that this has been going on for a long time. Director of Planning and Community Development Bryan Taberner stated that in the case of this one, he believes the Planning Board should extend it. Ms. Cavaliere discussed the time period for an extension.

***Motion to Extend 0 & 51 Chestnut Street, Special Permit and Site Plan, for two years. Wierling. Second: Williams. Vote: 4-0 (4-Yes; 0-No).***

#### **B. Final Form H: 400 & 406 East Central Street – Planet Jeep**

Ms. Amanda Cavaliere of Guerriere & Halnon, Inc. stated that they were previously before the Planning Board to close out the project, and there were a few outstanding items associated with curb cuts and the old access to Planet Jeep and the flood lights on the poles that are not the property of Planet Jeep. She stated they have received a work order from the utility company to take the lights down for the flood lights, but they do not have a timeframe. She stated the preexisting curb cut that they closed off where the old access was has a utility pole there. She explained that BETA and Town Engineer Michael Maglio looked at it. MassDOT said they do not care. She explained that from a safety standpoint the modification would reduce the width of the sidewalk. She requested the sidewalk and curbing remain in its current state.

Ms. Wierling asked that the applicant continue to work on the floodlights. Ms. Cavaliere stated that it is in motion, it is just up to the utility company when they get it done. She stated that they will stay on top of the work order.

***Motion to Accept the Final Form H as presented for 400 & 406 East Central Street – Planet Jeep. Wierling. Second: Williams. Vote: 4-0 (4-Yes; 0-No).***

#### **C. Endorsement: 519 Beaver Street**

***Motion to Endorse 519 Beaver Street, Limited Site Plan. Wierling. Second: Williams. Vote: 4-0 (4-Yes; 0-No).***

7:00 PM

**PUBLIC HEARING** – *Initial*

***0 Upper Union Street Solar Project***

Site Plan Application

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

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

Ms. Colleen DeBenedetto of Valta Energy on behalf of the applicant VS Union Solar Smart LLC addressed the Planning Board. She stated that they were proposing a ground-mounted solar facility off Upper Union Street. It has a long driveway and crosses the utility right of way to get to the facility. She introduced Mr. Rich Tabaczynski of Atlantic Design Engineers.

Mr. Tabaczynski showed and reviewed the site plans. He reviewed the existing conditions and stated a full set of existing condition plans has been provided. He showed and explained the proposed ground-mounted solar on the 6.2-acre site. He noted it was north of the Ribero Drive subdivision. He stated that the topography is fairly flat and is slightly steeper in the back of the property. He reviewed the 320 ft. wide New England Power easement that has an existing dirt access road going through it. He noted there are some wetland areas which have been identified by Goddard Associates. He stated that they have had one hearing with the Conservation Commission, which has been continued, regarding work proposed in the buffer zones to those wetlands. He stated that this project is proposed as a medium scale ground-mounted solar facility based on kilowatts per the Town's bylaws. The solar panels are in the back rear of the property. He stated that it is 2.3 acres of fenced in solar array; the total development area is about 3.2 acres proposed. He stated that Ms. DeBenedetto has had conversations with the Fire Department which dictated the gravel access drive being proposed at 20 ft. wide. In addition, there is a 50 ft. long paved apron at the entrance with gravel the rest of the way. He stated that it is a typical ground-mounted solar project with concrete pad and equipment. He explained the overhead run of the utility, and at the easement the utilities will run underground. The array will be fenced in with a 7 ft. security gate. He stated that there will be a wildlife gap at the bottom of the fenced area to allow small wildlife to transport back and forth. He stated that there are large setbacks and buffers to any residential area; bylaws required a 75 ft. setback. He stated the closest house to the solar array is 545 ft. away. There is quite a bit of vegetated buffer. The project will be well screened. He discussed the engineering work for the project. He stated that very little grading was needed for the access road. He reviewed the proposed swale. He stated that they regraded in the back due to the slope dropping off. He stated that stormwater is being handled by several stormwater basins shown on the plans; they are detention basins and not designed as infiltration basins. He stated that there is a full stormwater report provided in the meeting packet. He stated that there is very little impervious surface on a solar project like this; they are clearing some trees which will increase some runoff which is why the basins were needed. There are also some recharge requirements regarding the stormwater policies. He stated that the stormwater meets DEP's and the Town's standards. He stated that they have filed for a Scenic Road permit for Upper Union Street. He stated they know some peer reviews are coming from BETA, Fire, Town Engineer, and Planning which they will address.

Mr. Maglio stated that he submitted his review today. Mr. James stated that he submitted his review last Friday. Mr. Taberner stated the reviews will be provided for the next meeting.

Ms. Williams asked how much area will be clear cut. Mr. Tabaczynski reviewed that the total site is 6.2 acres, and the area being cleared for roadway, stormwater, and the facility is 3.2 acres. He stated that tree clearing is probably close to 3.0 acres. Mr. Mello stated that he is not convinced that the hay bales will hold up over time. He asked if they could use stone or another method. Mr. Tabaczynski stated they could do that.

Ms. Wierling asked about the closest house to the roadway. Mr. Tabaczynski stated that would be about 90 ft. to 100 ft. Ms. Wierling confirmed there is not a lot of traffic at the solar array. Ms. DeBenedetto stated that after the project is operational, there is snow removal and about three to four times per year they need to

do vegetation management; the projects are typically monitored remotely. Ms. Wierling asked if any gates were proposed. Mr. Tabaczynski stated that there is a double gate proposed at the entrance and one in the rear for access to the basin. Ms. Wierling confirmed the power company has access to the applicant's property through an easement.

Vice Chair David asked about the transformer that will disburse the electricity. He asked what is the buffer for the humming. Mr. Tabaczynski stated that have not proposed any sound walls or vegetation to screen that; they felt 500 ft. would be enough, so they would not need to do that. He stated that they could always put up additional vegetation regarding sound. Vice Chair David stated that he would like to see that especially when things do not have foliage. He stated that in the past, they look for a bond for decommissioning down the road and replanting. Mr. Tabaczynski said okay.

Ms. DeBenedetto asked when the peer review comments would be coming. Mr. Taberner stated he would send them tomorrow, so the applicant could provide comments before the next meeting.

***Motion to Continue the public hearing for 0 Upper Union Street Solar Project, Site Plan Application, to August 21, 2023. Wierling. Second: Williams. Vote: 4-0 (4-Yes; 0-No).***

### **Chair and Member Comments**

Ms. Williams asked if there can be anything put in the bylaws that has to do with clear cutting heavily wooded areas. She discussed the detrimental effects of this. Vice Chair David asked if Ms. Williams was looking to change the bylaw just for solar farms or for any development. Ms. Williams said there should be some incentive for people regarding redevelopment of brownfield sites or abandon buildings or other sites. Mr. Mello stated those incentives exist in other ways regarding developing brownfields. Ms. Williams asked about the tree bank in Town. She asked about tree replacement as there is no incentive for anyone to not clear cut heavily wooded areas. Ms. Wierling stated that she does not think there are too many sites like that left to clear cut. She said that she does not think there is much we can do about it. Vice Chair David reviewed the tree bank. Ms. Williams discussed clear cutting areas and saving what little there is left. Mr. Mello discussed properties that were purchased by the Town to save the areas. Discussion commenced on clear cutting and what the Town gets from a solar farm.

Mr. Taberner stated that this item is not on the agenda. He requested that Ms. Williams send to him, Town Planner Amy Love, and the Planning Board chair an email that requests we look into the issue and we will put it on our things to do or on an agenda and have an open discussion about it.

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

***Meeting adjourned at 7:38 PM.***

Respectfully submitted,

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Judith Lizardi,  
Recording Secretary

***--Planning Board approved minutes at October 23, 2023 meeting***