

DRAFT FOR REVIEW**Town of Franklin****Planning Board****September 25, 2017
Meeting Minutes****RECEIVED****2017 NOV 15 AM 9:29****TOWN OF FRANKLIN
TOWN CLERK**

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; Amy Love, Planner; Joseph Freeman, 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. As-Built & Update: Villages at Cook's Farm – Phase III

Mr. Donald Nielsen of Guerriere & Halnon, Inc. stated that Phase IIIA consists of the building units off Jaxman Way, Parkview Road, and Putter's Way. These are the three streets in question relative to the drainage improvements that need to be done before the issuance of occupancy permits. They are working on the culvert that is crossing the brook which is part of Phase IIIB. He stated they would come back to the Planning Board before occupancy is issued, as well. In response to Chairman Padula's question, he stated there is no temporary berm presently. They intend to put in the actual granite before the end of the year. They did talk to Michael Maglio. He stated that if it is the wish of the Planning Board, a temporary berm could be put in to control the water.

Ms. Love stated that the applicant is filing for an interim roadway as-built for Phase IIIA. She stated that Conservation does not have jurisdiction in this area. BETA recommended that some temporary curbing be put in as well as some erosion control around the stockpiles.

Mr. Nielsen stated the stockpiles are going to be moved into Phase IIIB; however, if erosion is acknowledged, they will provide erosion controls around them.

Mr. Joseph Freeman, BETA Group, stated he has spoken with Matt Crowley of BETA Group and Michael Maglio and they agree that temporary curbing should be installed to direct stormwater. He asked that the site be tidied up a bit.

Chairman Padula stated that there is construction equipment in close proximity to where people are living.

Mr. Nielsen said they will have to put up some fencing.

Ms. Love noted no vote was needed; this was just an update.

DRAFT FOR REVIEW**B. Endorsement: 620 Old West Central Street**

Ms. Love stated that on September 11, 2017 the Planning Board approved the Limited Site Plan Modification for the addition of four parking spaces and relocation of the dumpster. The applicant is here for endorsement of the plan.

Mr. Maglio stated the applicant had talked about drainage for the additional impervious area and had made some accommodations on the plan to handle the additional runoff from the paved area.

Mr. George Mihov of Guerriere & Halnon, Inc. stated that the dumpster screening would be white vinyl fence.

Motion to Endorse 620 Old West Central Street. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – *Initial*
Zoning Bylaw
 17-797: §185-19 Accessory buildings and structures

Documents presented to the Planning Board:

1. *None.*

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

Ms. Love stated that this was brought up at the last meeting as informational and tonight it is a public hearing. The process is to cleanup the zoning bylaw to make it consistent and have all zoning at 10 ft.

Mr. Halligan asked Building Commissioner Gus Brown if there is something in place that will control the height on accessory buildings.

Mr. Brown stated there was and explained the method for calculating the distance off the lot line if the height exceeds 10 ft.

Motion to Recommend to the Town Council Zoning Bylaw 17-797: §185-19 Accessory buildings and structures. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

7:10 PM **PUBLIC HEARING** – *Continued*
The Villages at Oak Hill
 Special Permit & Limited Site Plan Modification

Documents presented to the Planning Board:

1. *Letter dated September 20, 2017 from David Uitti, of Mirrione, Shaughnessy & Uitti, LLC, to Amy Love, Town Planner*
2. *Memorandum dated September 20, 2017 from DPCD to Franklin Planning Board*
3. *Letter dated July 3, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board*
4. *Memorandum dated July 2, 2017 from DPCD to Franklin Planning Board*
5. *Memorandum dated July 5, 2017 from George Russell, Conservation Agent, to Franklin Planning Board*
6. *Memorandum dated July 7, 2017 from G.B. McCarraher, Fire Chief, to DPCD*
7. *Memorandum dated July 12, 2017 from Franklin Board of Health to Franklin Planning Board*
8. *Letter dated June 29, 2017 from Eric Bazzett of Heritage Design Group to Franklin Planning Board*

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9. *Application for Approval of a Site Plan (Limited) and Special Permit(s) from Franklin MEWS, LLC, applicant, with Received by Planning date June 30, 2017*
10. *The Villages at Oak Hill Limited Site Plan Modification, Special Permit Criteria – June 21, 2017 with Received by Planning date June 30, 2017*
11. *Certificate of Ownership dated June 29, 2017 with No Received by Planning date*
12. *Form R: Franklin Planning Board Senior Village Waiver Request Form to eliminate sidewalk construction dated June 30, 2017 with No Received by Planning date*
13. *Town of Franklin Board of Assessors Abutters List Request Form dated May 30, 2017, with Received by Planning date June 30, 2017*
14. *Abutters List Report dated May 31, 2017*
15. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date July 3, 2017*

Mr. David Uitti, Attorney of Mirrione, Shaughnessy & Uitti, LLC, representing the Villages at Oak Hill Condominium Trust, stated he provided a detailed presentation at the last meeting about why they believe it is impractical at this point, economically and physically, to install sidewalks on site. In addition, he stated the Condominium Trust, the second developer, has been engaged in a confidential settlement to have the developer address things that needed to be done on the plans. Many of those issues have been resolved. He noted he sent Ms. Love a letter dated September 20, 2017 addressing items that were of concern to the Planning Board. He reviewed the items as detailed in the letter. He stated this is being presented to show the Planning Board they have been working very hard in good faith with the developer and that the items the Planning Board is concerned about, outside of the sidewalks, will be addressed in a timely manner. He stated he was here tonight to renew the request of a waiver of the sidewalks.

Chairman Padula stated it would have been nice if Mr. Uitti had told the Planning Board about this agreement sooner. He asked why the Planning Board is not hearing from the developer who filed for the waiver. He stated that when the developer first came to the Planning Board for the modification for the eight units, the developer had said that if the Planning Board allowed the developer to change those units, the developer would finish the roadway and work that needed to be done with the units; but that was never done.

Mr. Bruce Wheeler, Franklin Mews, stated they have been actively developing the site the entire time; they have never stopped developing it.

Chairman Padula reviewed all the items the developer did not do; there is no work being done right now.

Mr. Wheeler stated they were having a discussion with the community about some of the details of the infrastructure and work outside the units. He stated that now that we have agreed on all the details, we are moving forward with the completion of the infrastructure. It was always scheduled to do the finished paving after the units were finished so the pavement would not be damaged during construction.

Attorney representing Franklin Mews stated that in the last three to four months there have been positive discussions. With Mr. Uitti's assistance and the Condominium Board they identified which issues were with the developer and which issues were with the Condominium. He noted Franklin Mews took over when about 70 percent of the units had been built.

Chairman Padula stated it is his recommendation that he would like to see them withdraw the application for the waiver for sidewalks without prejudice and come back to the Planning Board in 90 days when the rest of the roadwork is done for the waiver for the sidewalks; he would like to see the topcoat put on.

Mr. Uitti requested time to confer with his client and report back to the Town Planner's office.

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Chairman Padula stated that was fine.

Mr. Uitti stated he would like to continue the hearing; he noted that if they decide to withdraw the application he would advise the Town Planner as they would not need the continued public hearing.

Chairman Padula stated they would continue the public hearing for The Villages at Oak Hill Special Permit & Limited Site Plan Modification to October 16, 2017 at 7:10 PM. (There was no motion, no vote.)

7:15 PM **PUBLIC HEARING** – *Initial*
 860 Upper Union Street
 Site Plan

Documents presented to the Planning Board:

1. *Site Plan for Construction Yard, 860 Upper Union Street, Franklin, MA, Plan Sheets, Prepared by Guerriere & Halnon, Inc., dated August 28, 2017, with Received by Planning date September 1, 2017*
2. *Letter dated September 20, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board*
3. *Letter dated September 13, 2017 from Matthew Crowley of BETA Engineering to Franklin Planning Board*
4. *Memorandum dated September 20, 2017 from DPCD to Franklin Planning Board*
5. *Memorandum dated September 5, 2017 from George Russell, Conservation Agent, to Franklin Planning Board*
6. *Memorandum dated September 15, 2017 from G.B. McCarraher, Fire Chief, to DPCD*
7. *Memorandum dated September 12, 2017 from Franklin Board of Health to Franklin Planning Board*
8. *Form P: Application for Approval of a Site Plan, from Bella Construction Co. LLC c/o Tim Bobola, applicant, with Received by Planning date September 1, 2017*
9. *Certificate of Ownership with Received by Planning date September 1, 2017*
10. *Abutters List Report with no date*
11. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date September 5, 2017*

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

Mr. Dale MacKinnon of Guerriere & Halnon, Inc. provided a review of the site. The proposed property is approximately 31,000 sq. ft. and currently has two modular trailers with additional buildings throughout the site. The proposed use is for a construction yard with 5,000 sq. ft. building with four bays. Stormwater for the site drains to three catch basins and flows to underground infiltration chambers. The site has bituminous asphalt on three sides of the building and a proposed gravel area for storage purposes in the rear. He stated there would be floor drains in each of the units; there is municipal water to the site.

Mr. Maglio stated that copper is required for the proposed water service, disposition of the existing well should be coordinated with the Board of Heath, and he would like to see some detail on the proposed gravel parking area at the rear of the property.

Chairman Padula stated he is not in favor of a gravel storage area especially for heavy equipment; it must be impervious surface and it must have drainage.

Mr. MacKinnon confirmed that they were not planning to sub-lease the bays. He stated there were two parking spots for each unit for a total of eight internally and five on the outside.

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Mr. Halligan stated that he did not think five outside spaces was adequate; he would like to see 10 spaces.

Mr. MacKinnon stated the space was available for additional parking. He would give the Planning Board whatever they wanted. After discussion, he agreed to make 10 spaces outside. He reviewed the lighting.

Mr. Joseph Freeman, BETA Group, stated that detailed comments were submitted in a letter dated September 13, 2017. He reviewed some of the items from the letter including that they would like to see snow storage on the plans, consider additional screening on the southerly property line as there is a residential lot there, and downstream outfall pipe should be changed to a Class V RCP.

Chairman Padula stated if there are parked cars facing the street, there needs to be screening for the headlights; that is a requirement of the Town. There should be shrubs in front of the parking area.

Mr. MacKinnon stated that was okay and they would be added.

Chairman Padula asked if they wanted to come to the next meeting with a full plan. He stated they would continue the public hearing for 860 Upper Union Street Site Plan to October 16, 2017. (*See Motion at the conclusion of the next public hearing for continuance date and time.*)

7:20 PM **PUBLIC HEARING** – *Initial*
 860 Upper Union Street
 Scenic Road Permit

Documents presented to the Planning Board:

1. Letter dated September 20, 2017 from Robert Cantoreggi, Director of Public Works, to Franklin Planning Board
2. Memorandum dated September 20, 2017 from DPCD to Franklin Planning Board
3. Application for Scenic Road for Construction Yard, 860 Upper Union Street, Franklin, MA, packet prepared by Guerriere & Halnon, Inc., dated August 28, 2017
4. Form S: Application for Scenic Road Work Permit, from Tim Bobola of Bella Construction Company, LLC, petitioner, with Received by Planning date September 1, 2017
5. Letter of Certification from Guerriere & Halnon, Inc. dated September 1, 2017 with Received by Planning Date September 1, 2017
6. Abutters List Request Form dated August 24, 2017 with Received by Planning Date September 1, 2017
7. Abutters List Report dated August 28, 2017
8. Photographs (3) of 24" maple tree dated August 30, 2017, 48" oak tree dated August 30, 2017, and 48" oak tree dated July 31, 2017.
9. Franklin Planning Board Public Hearing Notice with Received by Town Clerk date September 5, 2017
10. Scenic Road Tree Location for 860 Upper Union Street, Franklin, MA, Plan Sheet, Prepared by Guerriere & Halnon, Inc., dated August 28, 2017, with No Received by Planning date

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

Mr. Maglio stated that as part of the proposed development, there are two trees within the public right-of-way, adjacent to the proposed driveway, that affect sight distance. He stated he looked at the trees with the DPW Director, who is also the tree warden, who recommended both trees be removed.

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Ms. Love stated this is under Town Code §170-53 which requires that any tree removal within a Scenic Road must seek a permit through the Planning Board. The tree warden looked at it, provided a letter and pictures, and they are not proposing to replant any trees. This is more for sight distance than appearance.

Mr. Halligan requested that a condition of approval be added that indicates the two trees can only be removed subject to approval of the site plan.

Motion to Continue the public hearing for 860 Upper Union Street, Site Plan and Scenic Road Permit, to October 16, 2017 at 7:15 PM. Carroll. Second: David. Vote: 5-0-0.

7:25 PM **PUBLIC HEARING – Initial**
451 West Central Street
 Site Plan Modification – Change of Use

Documents presented to the Planning Board:

1. Memorandum dated September 20, 2017 from DPCD to Franklin Planning Board
2. Letter dated September 19, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board
3. Memorandum dated September 15, 2017 from G.B. McCarraher, Fire Chief, to DPCD
4. Memorandum dated September 12, 2017 from Franklin Board of Health to Franklin Planning Board
5. Memorandum dated September 5, 2017 from George Russell, Conservation Agent, to Franklin Planning Board
6. Site Plan for Change of Use, Mak's Roast Beef and Pizza, 451 West Central Street, Franklin, MA, packet prepared by Guerriere & Halnon, Inc., dated August 28, 2017
7. Form P: Application for Approval of a Site Plan, from Maksim Xhengo, applicant, with Received by Planning date September 1, 2017
8. Certificate of Ownership with Received by Planning date September 1, 2017
9. Abutters List Request Form dated September 1, 2017 with Received by Planning date September 1, 2017
10. Abutters List Report dated September 1, 2017
11. Photographs (6) of 451 West Central Street dated July 26, 2017
12. Conceptual Plan of 451 West Central Street, Franklin, MA, prepared by HFA, dated August 25, 2017
13. Site Plan History: (3) Plan Sheets
14. Site Plan for Change of Use, Mak's Roast Beef and Pizza, 451 West Central Street, Franklin, MA, Plan Sheets, Prepared by Guerriere & Halnon, Inc., dated August 28, 2017, with Received by Planning date September 1, 2017
15. Franklin Planning Board Public Hearing Notice with Received by Town Clerk date September 5, 2017

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

Chairman Padula recused himself.

Mr. Dale MacKinnon of Guerriere & Halnon, Inc. provided a review of the site for a change of use. He stated that the existing site is Anne's Market and the applicant will be opening a restaurant. They are proposing 22 parking spaces for the site which meets requirements. He provided conceptual existing and proposed sketches of the outside and the inside floor plan. The only change on the outside is to remove one parking space to allow access for emergency vehicles to come around the corner. Two parking spaces will be added in the back for employees only. There will be a dumpster in the far back corner.

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Mr. Carroll asked if handicapped ramps will be provided.

Mr. MacKinnon stated they will meet whatever the requirements are for handicapped access.

Mr. Halligan asked if the handicapped parking space could be closer to the entrance.

Mr. MacKinnon stated he could look at relocating it.

Mr. Maglio stated the only real comment they had regarded the installation of an exterior grease trap.

Ms. Love stated that any changes that are being made to the building will have to go to Design Review Commission, it is not in Conservation's jurisdiction, they meet the parking requirements, and BETA Group is not involved in this.

Mr. Halligan stated the only concern he has is that he does not think it can be accepted as a Site Plan Modification because to have a Site Plan Modification there has to be an existing approved site plan. The Planning Board cannot modify a site plan that has never been approved. The applicant has provided plans, but they read as Proposed Plot Plan. However, this could be accepted as a Change of Use, but not a Site Plan Modification. He noted that this problem occurred on another occasion as well.

Planning Board members informally agreed to a Change of Use and not a Site Plan Modification.

Ms. Love stated she did not see a problem with that. She noted that the plan cover sheet states Site Plan for Change of Use and on Form P it is indicated as Site Plan Modification.

Mr. Halligan stated he would like it on the record as a Change of Use.

Mr. MacKinnon confirmed that he should take off the words Site Plan Modification from the plans. He noted the snow storage was neglected on the plans and it will be added.

***Motion to Continue the public hearing for 451 West Central Street to October 16, 2017 at 7:25 PM.
Carroll. Second: David. Vote: 4-0-0.***

Chairman Padula re-entered the meeting.

7:30 PM **PUBLIC HEARING** – Continued
115, 119, 125 & 129 Dean Avenue
Special Permit & Site Plan

Documents presented to the Planning Board:

1. Letter dated September 14, 2017 from Brian McCarthy of RJ O'Connell & Associates, Inc. to Franklin Planning Board
2. Letter dated September 19, 2017 from Michael Maglio, Town Engineer, to Franklin Planning Board
3. Letter dated September 20, 2017 from Matthew Crowley of BETA Engineering to Franklin Planning Board
4. Memorandum dated September 20, 2017 from DPCD to Franklin Planning Board
5. Memorandum dated September 7, 2017 from G.B. McCarraher, Fire Chief, to DPCD
6. Site Plan for Fairfield at Dean Avenue, Franklin, MA, Site Plan Sheets, Prepared by RJ O'Connell & Associates, Inc., with revision date September 13, 2017, with Received by Planning date September 15, 2017

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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.

Mr. Halligan recused himself.

Mr. Richard Cornetta, attorney representing the applicant, Fairfield Residential Company; Mr. Thomas Brunson, Principal of Fairfield Residential Company; Mr. John Shipe of Shipe Consulting; and Mr. Brian McCarthy, civil engineer of RJ O'Connell & Associates, Inc., addressed the Planning Board.

Mr. Shipe stated they received the approval from ZBA for the height variance and impervious coverage. They then discovered that the trains stay at that location in the evenings. To address the noise concerns they decided they wanted to embark on a study on noise walls. They are proposing and added to the plans a few items to mitigate for the noise. The noise barrier along the lot lines is shown on the plans. As well, the buildings will have special construction for better noise mitigation. They also endeavored to move the buildings further from the railroad. Therefore, they switched Building #1 and the Clubhouse to make Building #1 further away from the railroad. They recalculated the stormwater and adjusted the detention ponds as necessary. Conservation was happy with the plans; there is a decrease in impervious coverage. BETA performed their review and those comments have been addressed.

Mr. McCarthy reviewed the changes and the revised filings including the 18-ft. sound wall along the railroad side. The second wall is located near Building #5. He provided an overlay comparison to show how the buildings moved around. He stated that they reconfigured the parking spaces. They still have 257 units and 493 parking spaces. In moving the buildings, they are now further from the wetland line. The stormwater basins were reconfigured and now have more sediment forebay basins. Overall impervious on the site was reduced by approximately 10,000 sq. ft.

Mr. Maglio stated he reviewed and is happy with the changes. He pointed out that in the area of the site between Building #1, Building #2 and the Clubhouse all sheet flows to a sediment forebay for Basin #1 rather than incorporating catch basins, manholes, and piping. He discussed this method of handling the runoff with the design engineer and the plans have been revised to incorporate a wider more substantial level spreader and series of gravel berms.

Mr. Joseph Freeman, BETA Group, stated their comments were detailed in their correspondence letter dated September 20, 2017 and the applicant has resolved all issues; no issues are outstanding.

Mr. Robert Knapik, attorney on behalf of many neighborhood residents and interests to the project, stated they would like to make sure this project is fully vetted by the Town, all criteria for granting a special permit is met, and any harmful effects of the project are mitigated. They have written concerns to present to the Planning Board including the size of the project, the location in a dense residential area, and traffic safety. He stated that they are concerned about the water bans that Franklin has experienced in the past and the ability of the Town to meet the water demands of the project. He requested that the Planning Board not consider closing the public hearing until the October 19, 2017 meeting.

Chairman Padula noted that Attorney Knapik is addressing the Planning Board at the eleventh hour with party concerns. Traffic has been looked at by Town engineers and BETA; if the neighborhood wanted a traffic study they should have come to the Planning Board with counsel and requested said study. In regard to the size of the project, it was given a permit by Zoning and the Town Council. If there is a water usage concern it will be given to the applicant by Town Council, Water & Sewer, not the Planning Board. The Planning Board just approves the project as how it is built such as interior, roadways, access, etc. If Attorney Knapik has a particular concern to raise he should provide it, but not a general concern just to hold up the Planning Board. The Planning Board has done their due diligence.

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Attorney Knapik stated they have particular concerns which will be given to the Planning Board in writing.

Mr. Brett Olmstead, 104 Hillside Avenue, asked for a continuation of the public hearing due to safety concerns related to the expected increase in traffic in the neighborhood and for more time for the residents to get all the facts. He noted the traffic review that was conducted, and he suggested other intersections within ½ mile that should be looked at. He questioned the traffic review conclusions that indicated only a small increase in traffic in the neighborhood. He would like to find a way to slow or cut traffic on the cut-through streets. He wants to make sure this is smart growth that benefits all residents.

Chairman Padula stated there will be a stop sign on Hillside and another on Dean Avenue approaching Hillside. School Street is so far away that it does not concern this project. This is a trans-oriented development close to the train station so they will not be using cars for transportation. He stated that this is a plus for the Town, the neighborhood, and our tax dollars.

Mr. Cornetta confirmed the \$700,000 to the Town for mitigation for improvements to be made to the infrastructure along Dean Avenue and associated traffic pathways.

Ms. Sandra Seibel, 134 Dean Avenue, stated her property is directly across from Building #3. She asked about the proposed sign that will be located at the secondary entrance regarding size and lighting. She stated that she has asked for consideration for Building #3 to be pushed back as it is so close to her house; as well she asked that the secondary driveway be pushed further down the street as it is directly across from her driveway.

Ms. Love stated the applicants still need to go to Design Review regarding the two signs.

Mr. Shipe stated they have gone to Design Review, but not about the signs.

Chairman Padula stated the sign is part of the site plan and they should have gone to Design Review to get the recommendation for the Planning Board for the sign that is going to be on the site.

Mr. Shipe stated he thought the sign was a separate permit and they would come back later to Design Review. He stated they would accept a condition stating there would be no monument sign unless the applicant comes back and provides specifics about the sign.

Ms. Love stated the sign could be removed from these plans and the applicant could come back for a modification at a later time. The modification would require a public hearing.

Chairman Padula stated they now have a project without a sign as they do not have detail on the signs. He stated if they do not show the sign on the current site plans they can go to Design Review as they can give a permit for a sign.

Mr. Cornetta stated their intent is to remove the sign altogether from this plan presented before the Planning Board.

Mr. David Doherty, 147 Dean Avenue, asked about the tree height in front of the walls and if there will be any trees or vegetation put in front of Building #3 for Ms. Seibel to look at. He stated that the \$700,000 earmarked for improvements for Dean Avenue is not enough for the improvements needed in the area. Is the Town of Franklin investing any money in this as well?

Chairman Padula requested the applicant review the plantings and location.

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Mr. David Blanchard, 132 Dean Avenue, confirmed with Chairman Padula the stop signs at Dean Avenue and Hillside Avenue. He asked if the \$700,000 could be used only on Dean Avenue or if the Town had discretion with the funds.

Chairman Padula stated that Mr. Blanchard would need to go to the Town Council to confirm that the money is used on Dean Avenue and does not go into the Enterprise Fund.

Ms. Kathleen Troeger, 111 Hillside Road, asked for more information on how the \$700,000 earmarked for Dean Avenue was arrived at. She said she looked for the details of the traffic study, but has been unable to find them. She noted that the approximately 200 cars at the development will add density to the area. Contiguous sidewalks would make it possible for people to walk considering the new traffic density. She discussed possible traffic scenarios.

Chairman Padula stated he is planning to close the hearing tonight. The use of the \$700,000 in funding is up to the Town Administrator and DPW Director. A traffic study was done by BETA and Town Engineer. He noted that developers are not required to upgrade the neighborhood when they do a site plan. He stated that the Town is responsible to provide a developer with sewer and water without the developer donating \$700,000 to the Town. He noted there will be an Order of Conditions for this development.

Mr. Shipe discussed the traffic study process and noted that Vanasse & Associates are experts in their field; BETA reviewed the study as well.

Mr. Carroll noted that the developer is not required to give any money; the \$700,000 was a gift.

Mr. Maglio stated that he thinks the Town is going to add \$500,000 to do improvements on the water lines on the Hillside area.

Mr. Allan Fraser, 119 Hillside Road, congratulated the Planning Board for their hard work on this project. He asked that prior to signing off that the Planning Board assure that all engineering plans and reports are wet stamped and signed per State law so that the documentation is locked in.

Mr. Paul Shew, 107 Hillside Road, stated he was going to ask numerous questions as well as leave a written document for the Planning Board for the record. He noted he had not been to previous meetings and there was difficulty finding all the information in one place. His questions included, but not limited to, if the Town had performed a cost analysis on this project, what is the cost to the Town and taxpayers when it is built and fully loaded, and the school count. He noted current water bans and asked what were the benefits to the community with this growth. He requested a continuance of the hearing.

Chairman Padula stated Mr. Shew would have to call the Town Administrator or School Committee about school projections. The Planning Board is in charge of the design and infrastructure. He stated the Town Council changed the zoning on this parcel. He discussed the drainage schedule and RCP piping with Mr. McCarthy. He stated he wanted detail of the adapter shown on the plans, Franklin bylaw requires minimum 210 lbs. for a grate cover, the grates should be a basket-weave type, and be cast iron unless it is for a roof drain or landscaped area. He wants these changes made to the details. He stated the Order of Conditions will be that the stop sign will be put on Dean Avenue approaching Hillside Road and Hillside Road will have a stop sign.

Mr. Cornetta stated the Planning Board can make a recommendation, but should not put it in an Order of Conditions because it is up to the Town.

Mr. Maglio stated it is the Town's intent to do that with the stop signs.

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Motion to Close the public hearing for 115, 119, 125 & 129 Dean Avenue, Special Permit & Site Plan. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Ms. Love noted that on page 2 of the Memorandum to the Planning Board from DPCD dated September 20, 2017, there were suggested conditions of approval.

Chairman Padula reviewed aloud the documents presented to the Planning Board. He stated approval will be contingent upon approval from the Conservation Commission. He confirmed with the applicant they are going back to the Conservation Commission on October 5, 2017, and that it is just paperwork as they have already given the recommendation. He confirmed there will be revisions to the details on drainage.

Mr. Shipe said the drainage has already been addressed with Mr. Maglio.

ROLL CALL VOTE to approve the Special Permit: To allow Multifamily Residential Dwellings use within the General Residential V (GRV) Zoning District as shown on the Plan.

- a) Proposed project addresses or is consistent with neighborhood or Town need.
Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0 (5-Yes; 0-No)
- b) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.
Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-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.
Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0 (5-Yes; 0-No)
- d) Neighborhood character and social structure will not be negatively impacted.
Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-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.
Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-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.
Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-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.
Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0 (5-Yes; 0-No)

DRAFT FOR REVIEW

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.

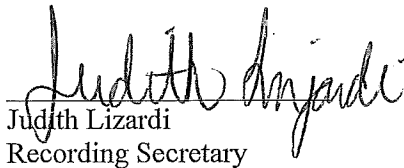
Padula-YES; Carroll-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0 (5-Yes; 0-No)

Chairman Padula, for the record, read aloud the List of Letters that have been received from other Town Departments and outside Peer Review, the Comments section, and the Suggested Conditions of Approval sections, from page 2 of the Memorandum to the Planning Board from DPCD dated September 20, 2017.

Motion to Approve the Special Permit & Site Plan for 115, 119, 125 & 129 Dean Avenue with Conditions of Approval as listed on Page 2 of the Memorandum to the Planning Board from DPCD dated September 20, 2017. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Adjourn. Carroll. Second: David. Vote: 4-0-0 (4-Yes; 0-No). (Mr. Halligan had not yet re-entered the meeting.) Meeting adjourned at 9:33 PM.

Respectfully submitted,



Judith Lizardi
Recording Secretary