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Town of Franklin



Planning Board

**April 22, 2019  
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; Amy Love, Planner.

7:00 PM **Commencement/General Business**

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

***Note: Agenda Items Taken out of Order***

**A. Endorsement: 100 Financial Way Limited Site Plan**

Chairman Padula stated this was endorsed at the last meeting; however, a change was made to the plans, so the Planning Board is re-endorsing the present plan before taking the next agenda item which is a field change.

***Motion to Endorse 100 Financial Way Limited Site Plan. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

**B. Discussion Field Change: 100 Financial Way – Warehouse**

Mr. Maglio stated that the applicant requested a modification for the underground drainage system. BETA has reviewed it and it meets all the drainage requirements; he believes it is a 72 in. corrugated metal pipe embedded in stone as opposed to the original design. He confirmed it would be galvanized metal pipe.

An engineer representing Highpoint Engineering, Inc., who did not identify himself, stated that they are submitting this new corrugated pipe design based on its cost effective alternative and fabrication time. The drainage system will be constructed during spring and summer 2019. He stated that they included this alternative because it is more effective in their opinion. The second item is a switch from the concrete pipe for the roof drainage collection system to HDPE.

Mr. Maglio further explained the proposed changes. He stated that in his experience, he has not had a project use corrugated metal pipe so he thought the Planning Board should take a look at it.

Chairman Padula stated that they were all set with the field change.

**C. Meeting Minutes: March 11, 2019**

***Motion to Approve the Meeting Minutes for March 11, 2019. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:05 PM **PUBLIC HEARING – Initial**  
***Highland Village – 278 West Central Street***  
Preliminary Subdivision

*Documents presented to the Planning Board:*

1. *Plan Sheets for Preliminary Subdivision Plan, Highland Village, West Central Street, Franklin, MA, prepared by Guerriere & Halnon, Inc., dated March 8, 2019, with Received by Planning date March 11, 2019*
2. *Memorandum dated April 17, 2019 from DPCD to Franklin Planning Board*
3. *Letter dated April 1, 2019 from Michael Maglio, Town Engineer, to Franklin Planning Board*
4. *Memorandum dated April 2, 2019 from James P. Klich, Acting Fire Chief, to DPCD*
5. *Memorandum dated April 4, 2019 from Franklin Board of Health to Franklin Planning Board*
6. *Form B: Application for Approval of a Preliminary Plan with Applicant and Owner listed as Joel D'Errico with Received by Planning date March 11, 2019*
7. *Certificate of Ownership with Name of Applicant and Record Owner listed as Joel D'Errico, with No Received by Planning date*
8. *Form B: Application for Approval of a Preliminary Plan with Applicant listed as Joel D'Errico and Owner listed as Double J Development LLC with Received by Planning date March 11, 2019*
9. *Certificate of Ownership with Name of Applicant listed as Joel D'Errico and Name of Record Owner listed as Double J Development LLC with No Received by Planning date*
10. *Form B: Application for Approval of a Preliminary Plan with Applicant listed as Joel D'Errico and Owner listed as Foley Family Trust, Dennis R. Foley Trustee, with Received by Planning date March 11, 2019*
11. *Certificate of Ownership with Name of Applicant listed as Joel D'Errico and Name of Record Owner listed as Foley Family Trust, Dennis R. Foley Trustee, with No Received by Planning date*
12. *Document from Town of Franklin, Office of the Collector of Taxes, dated March 16, 2012*
13. *Quitclaim Deed from Norfolk Registry of Deeds dated January 29, 2016*
14. *Quitclaim Deed from Norfolk Registry of Deeds dated July 15, 2015*
15. *Abutters List Request Form dated February 27, 2019*
16. *Abutters List Report dated March 6, 2019*
17. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date April 3, 2019*

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

***Mr. Halligan recused himself.***

Mr. Joel D'Errico, owner/applicant, Ms. Amanda Cavaliere, Guerriere & Halnon, Inc., and Mr. Mark Lanza, Attorney, addressed the Planning Board. Mr. Lanza stated that they are here seeking review and input on a Preliminary Subdivision plan. He reviewed the property at 278, 280 & 300 West Central Street. The preliminary plan shows a five-lot subdivision with four buildable lots and one drainage lot that is not considered buildable. He stated it is in the Residential V zoning district; each of the lots meets all the criteria and no waivers are requested. He would like recommendations, if any, from the Planning Board. He reviewed that any decision the Planning Board makes is advisory, not binding.

Ms. Love stated she heard back from the Town Engineer, Acting Fire Chief, and Board of Health. The applicant has not indicated on the plans if the lots will be single-family or multi-family housing. She confirmed the applicant has not requested any waivers. She stated that the Planning Board has 45 days to make a decision, which is on April 24, 2019, unless the applicant provides an extension.

Mr. Lanza stated that they would agree to a reasonable extension if one is needed.

Mr. Maglio stated that as this is a Preliminary Plan, they gave it a limited review. The applicant proposes to tie into the town water and sewer systems; they will need to go before the Town Council for water and sewer map amendments to extend the mains. If it moves to a final subdivision design, he will review the drainage at that point. The standard DPW permits would be required.

Chairman Padula asked about the Acting Fire Chief's concerns with the hydrant spacing for the project.



Ms. Cavaliere stated they would evaluate that during the design phase.

Mr. Carroll asked if it was going to be duplexes or single family.

Mr. D'Errico stated that he did not know at this time.

Chairman Padula stated he would like an extension to the next meeting. He would like the house dimensions taken off of the preliminary plans. He wants to see the lots, but not the houses. He stated the applicant's extension letter should be for a week after May 6, 2019.

***Motion to Continue the public hearing for Highland Village, 278 West Central Street, Preliminary Subdivision, to May 6, 2019, at 7:40 PM. Carroll. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No).***

***Mr. Halligan re-entered the meeting.***

7:10 PM      **PUBLIC HEARING – Initial**  
                    **79 Grove Street**  
                    Special Permit & Site Plan

*Documents presented to the Planning Board:*

1. *Plan Sheets for Grove Street Towing and Tire, Change of Use Plan & Special Permit, 79 Grove Street, Franklin, MA, prepared by Guerriere & Halnon, Inc., dated March 15, 2019, with Received by Planning date March 18, 2019*
2. *Memorandum dated April 16, 2019 from DPCD to Franklin Planning Board*
3. *Letter dated April 1, 2019 from Michael Maglio, Town Engineer, to Franklin Planning Board*
4. *Memorandum dated April 2, 2019 from J. S. Barbieri, Deputy Fire Chief, to DPCD*
5. *Letter dated March 15, 2019 from Amanda Cavaliere, Guerriere & Halnon, Inc., to Franklin Planning Board*
6. *Application for Approval of a Site Plan and Special Permit(s) with applicant listed as Patrick Weidman with Received by Planning date March 18, 2019*
7. *Certificate of Ownership with Name of Record Owner listed as Weedy LLC*
8. *Quitclaim Deed dated January 20, 2005*
9. *Quitclaim Deed dated February 23, 2005*
10. *F-4184-2: Special Permit Application, Change in Use for Grove Street Towing & Tire, 79 Grove Street, dated March 15, 2019, Narrative submitted by Amanda Cavaliere, Guerriere & Halnon, Inc.*
11. *Letter dated August 31, 2004 from Bruce Hunchard, Chairman, Zoning Board of Appeals, to Franklin Planning Board*
12. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date April 3, 2019*

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

Ms. Amanda Cavaliere, Guerriere & Halnon, Inc., and Mr. Patrick Weidman, applicant, addressed the Planning Board. Ms. Cavaliere stated they are seeking a Special Permit and Site Plan Modification for a Change in Use to allow the applicant to operate the auto and truck repair business in the entire building which is 9,600 sq. ft., as opposed to the 4,800 sq. ft. previously approved in 2004. She stated that they have received comments from the Acting Fire Chief and Department of Public Works. There were no significant comments except from the Acting Fire Chief requesting a gate key in a Fire Department approved key box to gain access around the building. She stated they will make sure that is completed as soon as possible.

Mr. Weidman stated that the Fire Department had a key. The box was in a different location; it is the same lock. They received the key in 2005. However, he will call the Fire Department to have them come out to make sure they have the key and confirm it works.

Chairman Padula asked about the floor drains inside.

Mr. Weidman stated they are in the center of each bay. He confirmed they were not doing body work and he was fine with a restriction on the Special Permit that does not allow body work as an accessory use.

Ms. Love stated the outstanding issue was the advertising fee, but it was received today.

A resident from Benjamin's Landing, who did not identify herself, stated that she has not seen the plans.

Chairman Padula asked Ms. Love to give the resident a copy of the plans.

Ms. Cavaliere reviewed that the Special Permit and Site Plan Modification for this public hearing is for a change in use. What was approved at a previous meeting in November/December 2018, was a Site Plan Modification to add an entrance at the front of the site and to relocate the fence.

***Motion to Close the public hearing for 79 Grove Street, Special Permit & Site Plan. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

Chairman Padula stated that the Planning Board is not going to vote on this until they get the changes. He wants the floor drains shown on the plans.

***Motion to Continue the public hearing for 79 Grove Street, Special Permit & Site Plan, to May 20, 2019, at 7:10 PM. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

7:15 PM      **PUBLIC HEARING** – Continued  
27 Forge Parkway  
Site Plan Modification

*Documents presented to the Planning Board:*

1. Letter dated April 3, 2019 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board
2. Letter dated March 8, 2019 from Amanda Cavaliere, Guerriere & Halnon, Inc., to Franklin Planning Board, RE: BETA Group
3. Memorandum dated April 16, 2019 from DPCD to Franklin Planning Board
4. Plan Sheets for Thermo Fisher Scientific, Inc., Site Plan Modification, 27 Forge Parkway, Franklin, MA, prepared by Guerriere & Halnon, Inc., dated November 27, 2018, with Revision date March 27, 2019, with Received by Planning date March 29, 2019
5. Plan Sheet for Proposed Truck Turning Movement Detail for 27 Forge Parkway, Franklin, MA, prepared by Guerriere & Halnon, Inc., dated February 25, 2019, with Received by Planning date March 1, 2019
6. Cut/Fill Report dated February 28, 2019
7. Letter dated February 27, 2019 from Amanda Cavaliere, Guerriere & Halnon, Inc., to Franklin Planning Board, RE: DPW Comments
8. Letter dated February 27, 2019 from Amanda Cavaliere, Guerriere & Halnon, Inc., to Franklin Planning Board, RE: DPCD Comments
9. Memorandum dated February 7, 2019 from G. B. McCarraher, Fire Chief, to DPCD
10. Memorandum dated January 10, 2019 from George Russell, Conservation Agent, to Franklin Planning Board
11. Franklin Planning Board Public Hearing Notice with Received by Town Clerk date January 22, 2019
12. Form P: Application for Approval of a Site Plan Modification with applicant listed as PIDC Construction, Bento Castro, with Received by Planning date December 20, 2018
13. Certificate of Ownership with Received by Planning date December 20, 2018



14. *F-3527-3 Project Narrative, Site Plan Modification, Thermo Fisher Scientific, 27 Forge Parkway, Franklin, MA, with no date*
15. *Abutters List Request Form with Received by Board of Assessors date November 19, 2018*
16. *Abutter List Report dated November 19, 2018*

Ms. Amanda Cavaliere, Guerriere & Halnon, Inc., representing the applicant Thermo Fisher Scientific, Inc., addressed the Planning Board. She stated she has been working with the town and the town's peer reviewer BETA to address the comments received from the initial submittal. The last time they met on March 11, 2019, all the town comments were satisfied. The applicant was just working with BETA and the town engineer on a few outstanding drainage requirements; they have come to a resolution for the drainage modifications. She does not believe there are any further comments or questions to be addressed.

Mr. Maglio stated that the BETA representative is not present at tonight's meeting. However, he, BETA, and Ms. Cavaliere went over this together and the applicant submitted revised plans. He spoke with Mr. Matthew Crowley of BETA who said that everything has been satisfied with the revised plans.

Mr. Halligan asked Mr. Maglio if the applicant has been to the Zoning Board of Appeals for a Special Permit for gravel/earth removal.

Ms. Cavaliere stated that would be done prior to construction. They have to determine what materials will be removed. That will be done as part of the conditions.

Mr. Halligan asked if they would want that to be done first so they know what has to be removed. He asked, hypothetically, if the applicant does not get that permit, how does it affect the project.

Ms. Cavaliere stated she thought they could go before ZBA after the Site Plan was approved and prior to construction. They would know how much earth needed to be removed as they started moving the dirt around.

Chairman Padula stated that usually on a Site Plan like this, the applicant goes to ZBA first to get approval.

Ms. Love stated that the Planning Board can put a special condition on the approval.

Chairman Padula stated that usually when you close a public hearing, no more information is taken in. He and Ms. Love discussed applying a condition prior to endorsement.

***Motion to Close the public hearing for 27 Forge Parkway, Site Plan Modification, with the amendment that the Planning Board has the ZBA approval before endorsement. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:15 PM      **PUBLIC HEARING** – Continued  
                 ***303 East Central Street – Change in Use***  
                 Site Plan Modification

*Documents presented to the Planning Board:*

1. *Memorandum dated April 16, 2019 from DPCD to Franklin Planning Board*
2. *Document with no date from Guerriere & Halnon, Inc. and Phase Zero Design to Franklin Planning Board, RE: Planning Board Resubmission for 303 East Central Street, Redemise and Exterior Renovation*
3. *Reference Site Plans and Zoning Parking Regulations for Existing Altitude Trampoline Parks: N. Attleborough, MA, Merrimack, NH, and Pelham, NH*
4. *Plan Sheets for Site Plan Modification, Change of Use, 265-303 East Central Street, Franklin, MA, prepared by Guerriere & Halnon, Inc., dated April 11, 2019, with Received by Planning date April 12, 2019*

5. *Revised Parking Matrix with Revised date April 11, 2019*
6. *Document with no date from Altitude Trampoline Park to Franklin Planning Board, RE: Trampoline Facility Equipment/Site Capacities*
7. *Memorandum dated March 19, 2019 from DPCD to Franklin Planning Board*
8. *Letter dated March 12, 2019 from Michael Maglio, Town Engineer, to Franklin Planning Board*
9. *Memorandum dated March 7, 2019 from J. S. Barbieri, Deputy Fire Chief, to DPCD*
10. *Memorandum dated February 28, 2019 from George Russell, Conservation Agent, to Franklin Planning Board*
11. *Memorandum dated March 7, 2019 from Franklin Board of Health, to Franklin Planning Board*
12. *Form P: Application for Approval of a Site Plan with applicant listed as Franklin Shoppers Fair, Inc., with Received by Planning date February 20, 2019*
13. *Certificate of Ownership with Received by Planning date February 20, 2019 (2)*
14. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date March 7, 2019*

Ms. Amanda Cavaliere, Guerriere & Halnon, Inc., and Robyn Kiernan, Phase Zero Design, addressed the Planning Board. Ms. Cavaliere stated they were there on behalf of Franklin's Shoppers Fair Plaza to request a change in use. She reviewed that Ms. Kiernan previously addressed the Planning Board and explained the change in use for the former Bob's Store and the new occupancy. There will be five tenants, one being Altitude Trampoline Park. She stated that at the last public hearing Mr. Kiernan was requested to revise the plans for the dumpsters and snow storage and provide information on lighting; she reviewed the revised dumpster and snow storage plans and said the photometric plans were provided. She stated they included information on similar uses in other locations to review parking needs as backup information for the applicant's request for reduction in parking, which was requested by the Planning Board

Ms. Love stated that there was concern about the 10 ft. buffer along Glen Meadow Drive and East Central Street. She did not see any changes along Glen Meadow Drive. The applicant has taken care of the dumpsters and snow storage. The Planning Board must determine if they are going to allow the reduction in parking. The Fire Department has responded and they have no issues; there is no conservation.

Mr. Maglio stated his only previous comment regarded that if one of the spaces was going to be used for a commercial kitchen/restaurant, they would need an exterior grease trap installed.

Ms. Kiernan stated that tenant five was originally slated to be a restaurant use, but that has been changed to business/mercantile to reduce the parking waiver request.

Mr. Halligan asked why the occupancy load of 475 for the Trampoline Park was being cut in half for parking.

Ms. Kiernan stated that the primary user group for Altitude is ages 5 to 15. They believe that only 50 percent of the user group will need parking. She stated that she provided additional documentation as requested for Altitude locations with similar square footage and parking requirements, which she reviewed. She stated that the parking for the other tenants is provided in her parking matrix. She stated that Altitude is the only currently leased tenant. The other four are slated as mercantile/business.

Ms. Cavaliere reviewed the parking for all five tenants.

Mr. Halligan stated that he is satisfied with the explanation about parking requirements for Altitude. He would like the applicant to return for a Limited Site Plan per tenant for approval to show who is going in there when they get their other tenants. He stated he does not believe that snow storage on the end-cap areas is a good idea. He is concerned about loading, snow storage and parking; some work needs to be done on these items. He would like a different snow storage plan.

Ms. Kiernan stated they still need a parking waiver.



Ms. Cavaliere stated that Marsha, the applicant, has been corresponding since April 1, 2019, with Big Lots about getting the trailers onsite removed or going through the permitting process, as required.

Chairman Padula requested the updated snow storage be written on the plan for the May 20, 2019 meeting.

Mr. Richard J. Heinken, representing the owners of Glen Meadow Apartments, stated they are happy there will be an attractive façade facing their side of the property along Glen Meadow Road. It is a mess along the shared boundary. He is trying to figure out what the Planning Board is doing about the conversation at the last meeting about a 10 ft. buffer on the Horace Mann side of Glen Meadow Road.

Ms. Cavaliere stated there is no screening at this time and it has been like that since the 1990s. Therefore, anything would be an improvement.

Chairman Padula said the applicant will show on the new plan on May 20, the screening on the 10 ft. strip.

Ms. Cavaliere stated they are working closely with Glen Meadow to find something that is agreeable to both.

***Motion to Continue the public hearing for 303 East Central Street – Change in Use, Site Plan Modification, to May 20, 2019, at 7:15 PM. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

***Motion for a five-minute recess. Halligan. Second. Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

7:30 PM      **PUBLIC HEARING** – Initial  
                 **Maple Hill – Maple Street**  
                 Preliminary Subdivision

*Documents presented to the Planning Board:*

1. *Plan Sheets for Preliminary Plan of Land in Franklin, MA, "Maple Hill" prepared by Bay Colony Group, Inc., dated January 15, 2019, with Received by Town Clerk date March 25, 2019*
2. *Letter dated April 17, 2019 from Michael Maglio, Town Engineer, to Franklin Planning Board*
3. *Letter, with no date with Exhibits and Signatures from Homeowners in Opposition to Maple Hill Subdivision, from The Homeowners of Franklin Woods and Maple Crest to Franklin Planning Board, with Received by Planning date April 17, 2019*
4. *Memorandum dated April 16, 2019 from DPCD to Franklin Planning Board*
5. *Memorandum dated April 2, 2019 from James P. Klich, Acting Fire Chief, to DPCD*
6. *Memorandum dated March 28, 2019 from George Russell, Conservation Agent, to Franklin Planning Board*
7. *Letter dated December 14, 2017 from George Russell, Conservation Agent, to Jennifer Fish, Forestry Program Director*
8. *Letter dated April 16, 2019 from Susan Speers, Metacomet Land Trust, to Franklin Planning Board*
9. *GMail dated April 5, 2019 from Anthony Giacobbe, Franklin Resident, to Amy Love, Town Planner*
10. *GMail dated April 5, 2019 from Tim Schlitzer, Franklin Resident, to Amy Love, Town Planner*
11. *GMail dated April 5, 2019 from Deb Morandi, Franklin Resident, to Amy Love, Town Planner*
12. *Letter dated March 22, 2019 from William Buckley, Bay Colony Group, Inc., to Franklin Planning Board*
13. *Form B: Application for Approval of a Preliminary Plan with applicant listed as Carroll Construction Corp., with Received by Town Clerk date March 25, 2019*
14. *Certificate of Ownership with Name of Record Owner listed as Kathleen A. Labastie with Received by Town Clerk date March 25, 2019, with Quitclaim Deed and Trustee Certificate*
15. *Certificate of Ownership with Name of Record Owner listed as Steven Labastie, Manager, with Received by Town Clerk date March 25, 2019, with Quitclaim Deed and Certification of Formation of "The Franklin Labastie Family L. L. C." and Certificate of Registration of a Foreign Limited Liability Company*



16. *Certificate of Ownership with Name of Record Owner listed as Fitzgerald Family Irrevocable Trust, with Received by Town Clerk date March 25, 2019, with Quitclaim Deed and Trustees Certificate*
17. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date April 3, 2019*

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

Mr. Maglio stated that they reviewed the preliminary subdivision as submitted and had several notes. The applicant said that each lot will have its own septic system because there is no sewer in the area. The applicant shows they intend to tie into the town water system which will require an approval of a water map amendment by the Town Council. A full drainage analysis will be required at the time a Definitive Subdivision Plan is submitted. As proposed, the new roadway would be a through street connecting Bridle Path and Kimberly Avenue; both of these are town accepted roadways. Other standard DPW permits will need to be filed.

Mr. William Buckley of Bay Colony Group, Inc., representing the applicant, Carroll Construction Corp., and Mr. Mark Carroll, developer, addressed the Planning Board. Mr. Buckley stated they were before the Planning Board for a Preliminary Plan review of a residential subdivision, Maple Hill. It is a 73.3-acre parcel of land located between Bridle Path, Kimberlee Avenue, and Hancock Avenue, as well as other abutting roads. He stated the parcel currently has no structures on it and is wooded land. He stated they filed with Conservation regarding the wetlands. He reviewed the Preliminary Plan for a conventional subdivision and the Preliminary Plan for an open-space residential development. He stated they met with some of the town's professional staff, Planning, DPW, Police, Fire, and Board of Health to review the concept plan. They have integrated some of the comments made into their Preliminary Plan. He explained that the access is shown through Bridle Path and Kimberlee Avenue which allows for a through way. They chose not to access through Hancock Avenue as there were some wetlands. He stated he knew that traffic was going to be a concern when connecting neighborhoods. So, they made the cut through less attractive by not making it straight. It is about one mile for this connection. There are about 58 lots. They have done soil testing on about 20 of the lots. The soils were found to be acceptable for onsite septic systems. They will connect with town water. He stated that on the conventional plan they have drain easements. He discussed the elevations of the site and the flow of the water. He stated that most of the water seems to run from the middle of the site to the west and some flows to the south. They want to mimic this as much as possible. The design concept is to use the natural low areas, berm them on the outside, and let runoff go into them and infiltrate into the ground. He has used this design several times. It also allows less tree cutting. He pointed out several basins on the plan. He stated the roadway is a collector street as it would serve more than 50 houses. This means it is a 56 ft. wide road with 32 ft. of pavement and two 5 ft. sidewalks, one on either side. The lots would be 30,000 sq. ft., with 150 ft. of frontage and 200 ft. of depth. He then reviewed the open-space plan. He explained that it is about the same general layout, but about 33 acres would be dedicated to open space. He showed the town's open space plan. He stated the proposed parcel is next to Metacomet's parcel and Town-owned land, which are about 40 acres. They are proposing to donate about 40 acres, as well. This continuous open space would be doubled in size and is almost totally upland. He reviewed the housing lots, the proposed open space areas, and the wet areas. He reiterated that the open space would have multiple access points and would be tied into existing open space owned by the town or Metacomet if this project went through. The roadway would be the same width and a collector road in either plan. He stated that during the professional staff meetings with the town, better access to the open space was requested. He reviewed the gravel parking lot on the proposed design so people could park and go out on the paths that are there. He noted this is a Preliminary Plan; they would go into much greater detail on the next plan.

Ms. Love stated that Mr. Buckley provided an overall explanation of the plans. She said the decision deadline is for May 9, 2019. If there is not a decision made tonight, the Planning Board would need to request a written extension from the applicant to provide to the Planning Board. Per the regulations for the open-space plan, no disturbance shall be done as of March 25, 2019; once they file a plan, the open space must remain as it is and not disturbed if they are going to go that way. The applicant must provide a letter from Conservation Commission supporting the open space and any recommendations they may have.

Chairman Padula confirmed the applicant needs to go before the Conservation Commission.



Mr. Buckley stated that he was told they should file that in parallel with the Definitive Plan.

**Citizen Comments and Responses:** ► Mr. Michael Doherty, 50 Bridle Path, representing the neighbors, stated he is not an elected spokesperson representing the neighbors, but he is an attorney. He noted there are many concerned people in the audience tonight. He knows the developer and engineer gave a thoughtful plan with open space and traffic safety. However, Bridle Path is already a dangerous road. It has a blind turn up a hill. There have been accidents there. The neighborhood is full of children. People who are not used to the street speed up the hill and fly down it. This is a safety concern. They are concerned about the added traffic, delivery trucks, construction equipment, and the dust. He asked the DPW and Planning Board to look at the current condition of Bridle Path with potholes. He noted there are many people in the audience from Kimberlee Avenue who will speak to their concerns, as well. He stated that it is a beautiful piece of land that does connect to the Town's open space. He understands that the Labastie family has a right to sell the land and the developer has a right to develop it. He stated that the Labastie family owns about 10 acres on Maple Street, which are being sold. He pointed out these areas on the map. He requested they consider using some of that land as an access point to the proposed development from Maple Street rather than allowing the proposed access through Bridle Path and Kimberlee Avenue. He would also like to be advised when the applicant will be presenting to the Conservation Commission as the audience members would like to attend that meeting, as well. ► Chairman Padula noted that they have already gone over the traffic concerns, the right-of-way, and another means of egress. He asked the next speakers mention something new as they come up to speak. ► Ms. Angela Snider, 1 Phaeton Lane, stated she had drafted the letter from all the residents that was sent to the Planning Board. She stated that she is concerned about the traffic. She pointed out the elevation is a concern as the current roads have a steep hill. She noted that although the Planning Board may not want to hear about the traffic concerns from each resident, it is a very big concern as these are their children's lives. She pointed out that there are already school buses that go 40 mph in the neighborhood. Bridle Path right now is a dead end. This would add 116 cars at a minimum. And it will become a through way between Maple Street and Lincoln Street. Another issue is the loss of the wildlife space. She reviewed all the wildlife found in the area. Franklin is losing green space. This would be a loss for everyone. This will also be a strain on resources. ► Chairman Padula confirmed that the Planning Board members received a copy of the letter. ► Ms. Clara Giacobbe, 65 Bridle Path, Mr. Charlie Dandurand, 62 Bridle Path, Ms. Rhian Schlitzer, 59 Bridle Path, Ms. Hadley Stoddard, 27 Bridle Path, Ms. Emily Ellis, 55 Bridle Path, and Ms. Lucy Stoddard, 27 Bridle Path, spoke together to discuss their concerns about riding bikes, playing, running to friends' houses, and playing street hockey. The children asked the Planning Board to not let the developers cut through their circle and impede their playing and safety. They also asked that the green space in Franklin be protected so the oxygen is not lost, and to keep the wildlife safe and not let the wildlife lose their homes. They noted that just because they are only eight years old, it does not mean that they cannot speak up for themselves, their neighborhood, and their town. ► A resident, who did not identify himself, referred to the letter in the Planning Board members' packets. He highlighted Exhibit A regarding design issues in regard to the existing neighborhoods. He discussed the traffic flow. He discussed that Kimberlee Avenue is currently 30 ft. wide and the new collector street will be 56 ft. wide. They have also highlighted some of the design issues with Kimberlee that currently do not give a good line of sight. There are already design issues with the pre-existing neighborhoods for people to get through. He discussed that on Maple Street beginning at Kimberlee there is a great rise and it is a traffic concern; a child was already killed there due to the dangerous conditions. He asked the Planning Board to review the details of the neighborhood letter. ► Mr. A. J. Giacobbe, 65 Bridle Path, stated he is here in opposition to this plan as proposed on behalf of his children and other children. What is the benefit for the people of Franklin who are current taxpayers to do this? Adding 58 new families is a lot in addition to all the new developments going on in town. He asked if the town's infrastructure can handle 58 new families in terms of water, sewer, traffic, police, and fire services; he asked if the schools are funded enough to take on all the new children. What about the environmental concerns? He asked the members to look at the unintended consequences of such a development with such a large project. ► Mr. Robert Amrich, 17 Bridle Path, stated he has lived there for over 20 years. This is going to become a pedestrian issue. He explained that Bridle Path currently has only one sidewalk. When the plows come in the winter the sidewalk is covered with snow so pedestrians have to walk on the streets which will be a safety issue. ► Mr. Stephen Dunbar, 30 Madison Avenue, a professional engineer and creator of Exhibit B, explained that in



a Google Earth search from Bridle Path to Kimberlee Avenue is currently two miles. If it is now made to be one mile, people will certainly use it as a cut through. He stands by the numbers in Exhibit A. He explained that the curves on Kimberlee Avenue do not meet the criteria for a collector street and the intersection site distance is not met as well as noted in Exhibit B. ► Ms. Laura Dombroski, 20 Kimberlee Avenue, stated that safety is her biggest concern. She asked the Planning Board to hold off on any decision until at least May 7, 2019, so they can review and consider all the information from the letter that the neighbors provided. ► Chairman Padula reviewed and explained the subdivision control law adopted in Franklin in 1986. Infrastructure is basically what the Planning Board is in charge of. The Planning Board does not have the power to tell someone that they cannot put a subdivision on their property. He explained the purpose of a Preliminary Subdivision Plan. The developer will then come back with a Definitive Plan which shows underground wiring, sidewalks, roadways, driveways, curbing, drainage, septic systems, etc. ► Ms. Maryellen Tenore, 24 Kimberlee Avenue, stated that the residents proposed a different access off Maple Street instead of using Bridle Path and Kimberlee Avenue. She stated that connecting it to Lincoln Street would make our roads main roads; we do not want our small neighborhood roads made into main roads by connecting to Lincoln Street. Our roads were not made to be main roads. She stated that previously the residents on Kimberlee Avenue fought a builder and won because the streets were not adequate for safety apparatus. She asked how they can now be safe for safety apparatus.

► Chairman Padula stated that the Planning Board does not have the power to say that you cannot connect to a public way. The Planning Board has the power to implement subdivision control law. ► A resident who did not identify herself stated that she had reviewed the Franklin Town Codes. She read aloud a portion of the code regarding entrance, egress, and traffic safety requirements. She asked if the Planning Board could encourage the developer to find a different entrance and egress off Maple Street. She stated that people using the commuter rail will also use the proposed cut through. She read a section of the code regarding mitigation. She discussed the number of proposed homes that appear to be within the 200 ft. buffer of wetlands. She stated that the developer should reduce the number of trees to be cut as it looks like they are going to clear cut. She reviewed existing stone walls that appear as though they are going to be removed. ► Mr. Halligan stated that this is not an approval. This is just a blueprint and it is just a start. The developer has seven months to return with a Definitive Plan. Traffic consultants will do a study. The Planning Board cannot deny this at this time because it works.

► Mr. Stephen Dunbar, 30 Madison Avenue, a professional engineer, stated that the information he put into the exhibits was very specific and showed four violations. He would like the developer to fix these issues and address them now. He stated there are over 100 people in the audience and he wants to make sure the Planning Board recognizes the formal letter they submitted. ► Chairman Padula stated that this is just a beginning. Tonight, we have to decide on this Preliminary Plan. ► Mr. Michael Doherty, 50 Bridle Path, representing the neighbors, asked Chairman Padula to ask the applicant if they have or would look at access from Maple Street instead of through these neighborhoods. ► Ms. Lorraine Schratz, 31 Newell Drive, stated concern about water and how drainage was going to occur. She stated that currently water runs down her backyard onto Newell Drive and into the drain. With the proposed development, she is concerned. She stated that the proposed septic systems will take up space in the ground allowing less water to be absorbed. She is additionally concerned with the drainage basins. As a physician, she is concerned about standing water which can be a breeding ground for mosquitos which leads to viruses that can impact kids. She expressed concern about the response times for Franklin's EMS for the proposed 58 homes. She hopes the developer will address these issues. ► Chairman Padula asked Mr. Buckley if they have looked into direct access on Maple Street. ► Mr. Buckley stated not really. He pointed out that there is a stream between this property and Maple Street. The Wetlands Protection Act does not allow alteration of a wetland if there is an alternative. ► Chairman Padula stated they are allowed one wetland crossing by right. If the Planning Board recommended the second crossing, the developer would go to the ZBA. He asked if it was possible for the applicant to purchase that piece of property. He asked if the applicant would extend the date for the Planning Board. He asked the applicant to look for another means of egress. ► Mr. Buckley stated they would extend. ► Mr. Reijmers, 68 Bridle Path, discussed the regulations regarding disturbance of wildlife habitats. He reviewed the acreage and stated that the only way wildlife can pass through is via the land being discussed. The development will cut off the only unobstructed passage for wildlife to cross between two large areas of conservation land. He stated that his house is right next to the proposed development. He noted that on Sheet 20 of the Preliminary Plan, it shows that behind his house is land owned by Metacomet Land Trust. This is the only way the wildlife can travel without having to cross a road. He reviewed the types of wildlife he has seen. He discussed the proposed retention basin. He suggested the



Planning Board oppose the plan because of the wildlife habitats. He discussed his concern about traffic. ► A member of the Board of Directors of the Metacomet Land Trust asked the Planning Board if he received his letter regarding comments on the open space and asked that the Planning Board take the letter into consideration when making a decision on the open space land. ► Mr. Kevin Sullivan, 35 Newell Drive, stated he was opposed to the development of the houses shoehorned in between other developments. He asked who has the power to say what the size of the lot should be and how much open space there should be. He stated that as we talk about the right to develop land, we must think about reasonable development for the area and the town. ► Chairman Padula explained the zoning districts. He stated this is Residential II zoning and requires three-quarter acre lots, unless they go with the open space plan.

Planning Board members informally agreed that a conventional plan would be better.

Chairman Padula stated he would like to see a conventional subdivision rather than an open space plan on this particular site, if it gets approved, because of the septic systems. If they go with the open space plan, there will be clear cutting of trees, no place for backyards, and the septic systems will be draining in a confined area. Septic systems would be better over a bigger area.

Ms. Love stated the extension should be to at least May 24, 2019.

Mr. Buckley stated they will provide an extension.

Chairman Padula stated the hearing would be continued. The applicant is going to look into another means of egress to see if it can be reconfigured. The Planning Board is probably up to giving a wetland crossing, and if the Planning Board recommended it to the ZBA, they would probably be agreeable to two crossings.

Mr. Buckley asked what if it were only possible for one crossing which would make it a long, dead end.

Chairman Padula stated that is totally a fire department issue.

***Motion to Continue the public hearing for Maple Hill, Maple Street, Preliminary Subdivision, to May 20, 2019, at 7:30 PM. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).***

***Motion to Adjourn. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 9:00 PM.***

Respectfully submitted,

  
Judith Lizardi,  
Recording Secretary

