

Town of Franklin

TOWN OF FRANKLIN
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Planning Board

July 8, 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: Bryan Taberner, Director of Planning and Community Development; Michael Maglio, Town Engineer; 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. Decision: 158 Grove Street – Brewery with Tasting Room

Ms. Love stated the Planning Board closed the public hearing on June 17, 2019. She reviewed the Special Conditions that were discussed at the last meeting for the Planning Board to decide on.

ROLL CALL VOTE:

This determination shall be in addition to the following specific findings:

Special Permit VOTES: §185 Attachment 4, Use Regulation Schedule, Part III, 3.13:

To allow the applicant to operate a brewery with tasting room at 158 Grove Street.

Chairman Padula read aloud the following.

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

The proposed use will not have adverse effects which overbalance its beneficial effects on either the neighborhood or the Town, in view of the particular characteristics of the site and of the proposal in relation to that site.

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

Chairman Padula stated that also included, as listed in the memorandum from Department of Planning and Community Development to Franklin Planning Board dated July 2, 2019, are the Suggested Standard Conditions of Approval #1-10 and the Special Conditions #a-e.

Motion to Approve the Suggested Standard Conditions of Approval #1-10 and the Special Conditions #a-e. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

B. Final Form H: 60 Earl's Way

Ms. Love stated the applicant submitted a Final Form H for 60 Earl's Way. There are a few outstanding items: 871 sq. ft. was added to the paving from the existing approved plans and the dumpster currently is not located on the concrete pad. BETA has been to the site and submitted an observation report.

Mr. Matthew Crowley, BETA Group, stated Ms. Love noted the two site modifications. He stated the stone castoff dumpster was relocated on the site. He just received a response from the designer regarding the increased pavement area; however, he has not had a chance to review it.

Chairman Padula stated there would be no sign off on the Final Form H until the review of the increased pavement area has been done.

The applicant, who did not identify himself, stated there were two separate dumpster pads. They have been moved to one larger dumpster pad closer to the rock wall on the backside of the property which is closer to the residential zone. He said when they paved around the existing catch basin, he thinks they just squared it off, creating the increase in pavement. He stated there was only a 2 to 5 percent increase in the runoff due to that.

Mr. Halligan explained the dumpster was for leftover pieces of granite and not for trash.

Chairman Padula wanted to know how much closer the dumpster was going to be to the residential area than on the approved site plan modification.

Mr. Crowley stated that he estimated it was about 15 to 20 ft. closer to the property line, but he would have to look at the plans to confirm.

The applicant noted that they had requested not to have to put a screen around the castoff dumpster so they could get the forklift to it.

Chairman Padula asked the applicant to get this cleaned up.

C. Partial Form H: 70 East Central Street

Chairman Padula recused himself; Mr. Carroll recused himself.

Ms. Love stated this is a Partial Form H for the front building. BETA has been to the site and provided a list of outstanding items. The applicant has provided a list of dates which those items will be completed. She has included the Certificate of Vote and the requirements the Planning Board set for issuing the Occupancy Permit.

Mr. Crowley stated he provided a Site Observation Report dated July 2, 2019 detailing a number of items needing to be addressed. Based on speaking with the owner, the intent was they would address all the safety items prior to tonight's meeting.

Mr. Brad Chaffee, owner/applicant, reviewed the outstanding items as listed on BETA's Site Observation Report dated July 2, 2019. He said all items have been addressed except items for the rear building. Their purpose is to open the front building and have the site safe and accessible. There are a few months of construction for the rear building.

Vice Chairman Halligan confirmed specific items listed have been done.

Planning Board members asked questions about some of the safety items.

Vice Chairman Halligan reminded the applicant that the Planning Board had been concerned about the project activity. If the front building was occupied, there should not be trucks, forklifts, and other dangers on the site due to the development of the rear building; this was put in the original Special Permit. The agreement was the rear building has to appear as if it is a finished building on the outside with siding, windows, and looking appealing to the neighborhood. He does not want big trucks going in and working around the rear building as it is a very tight site. He is not concerned about the interior of the building being done at this time.

Planning Board members informally agreed the heavy equipment needed to be kept out. The exterior of the rear building needs to be done for public safety.

Mr. Chaffee said the roof is on, it is sided, and the temporary railings are in. He confirmed what is needed for the rear building. He stated that as the front building is completed, they have closings coming up in the next few weeks. It is already sold out. They plan to open the entire back building at the end of October. He said the topcoat of pavement will be going on last. He agreed to return to the Planning Board when the rear building was sided. He thinks it would take about one month.

Ms. Love stated the applicant would need to notify her five days prior to the meeting he wanted to get on the agenda and she can add this item under General Business.

An audience member, who did not identify himself, stated he was buying one of the front building units and it did not matter to him about the rear building.

Vice Chairman Halligan stated the Planning Board was here for the entire community and neighborhood.

Chairman Padula re-entered the meeting; Mr. Carroll re-entered the meeting.

D. Partial Form H: 451 West Central Street – Mak's Roast Beef

Chairman Padula recused himself.

Ms. Amanda Cavaliere, Guerriere & Halnon, Inc., and Mr. Maxsum Xhengo, owner, addressed the Planning Board. Ms. Cavaliere stated there is minimal work to be completed outside. There are a couple of items they noted in the Partial Form H that need to be completed. The fence around the dumpster has been installed along with signs and striping of the parking spaces. She and Mr. Maglio took a look this morning and everything on the list has been completed as far as the exterior work. They are planning to submit a final As-built and Form H, but they are here tonight for the Partial Form H.

Vice Chairman Halligan confirmed the safety items are complete.

Ms. Cavaliere stated yes. She said the applicant has an opening date next week.

Mr. Maglio noted there are two parking spaces less than what was originally approved on the site. He reviewed the other outstanding items and stated most were completed.

Vice Chairman Halligan asked about the required parking.

Ms. Cavaliere reviewed the required spaces; twenty spaces are on the site, but 22 spaces were proposed.

Vice Chairman Halligan asked how they could fit in two more spaces.

Mr. Maglio stated there is room on the side of the building for two parallel spaces.

Vice Chairman Halligan suggested the applicant move the two current employee spaces to the two proposed spaces in the rear of the building and put up new corresponding signage. The public should not have to park in the rear of the building; put the employees there. He stated when the applicant comes in for a Partial Form H, they need to bring in existing conditions so the Planning Board can look at it clearly. This parking information and the dumpster is not on the plans that the Planning Board has. He said the Planning Board is trying to guess at the last minute where the parking and the dumpster are going.

Mr. Rondeau suggested to decrease the current occupancy to accommodate the current parking until the parking can be corrected and then the applicant can come back.

Ms. Cavaliere said she was unaware of the parking and that she will adjust the parking.

Vice Chairman Halligan stated they will adjust the occupancy in order for the applicant to open.

Ms. Love stated the only outstanding issue right now is parking.

Motion to Approve the Partial Form H: 451 West Central Street – Mak's Roast Beef. Carroll. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No).

Chairman Padula re-entered the meeting.

E. Limited Site Plan: Upper Union Street

Ms. Love stated the Planning Board approved the Site Plan on February 25, 2019. She said the applicant is making some minor modifications to the plans. They have adjusted some of the landscaping and have reduced some of the landscaping in the front of the building. They have not provided a lighting plan. They are proposing asphalt curbing where vertical concrete curbing was on the previous approved plan. BETA was not requested to review the project as it did not involve any stormwater management.

Mr. Maglio stated there are some slight modifications to the building size and paving footprint. He would like to see a comparison of the impervious areas between this and what was previously approved to verify the previously designed drainage system is still adequate. He noted the applicant is requesting to use asphalt berm rather than the previously approved vertical concrete curb similar to what was approved for the adjacent property with a similar use. The engineering department does not have an issue with that request.

Chairman Padula stated he did not have a problem with the asphalt berm that was taken away on the back because there will be heavy equipment on it. He would like to see vertical reinforced concrete because that is in the bylaws. Upright granite will be in the entryway.

Ms. Cavaliere stated a new lighting plan could be submitted before the end of the week. She reviewed the changes to the building size.

Mr. Halligan asked for the color renderings to be attached.

Chairman Padula asked the applicant to confirm there was no light spilling onto adjacent property.

Motion to Approve the Limited Site Plan for Upper Union Street with the discussed changes prior to endorsement. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

F. Discussion: Villages at Cook's Farm #54

Ms. Jennifer Young and Mr. John Young, owners of 2 Eighteenth Drive, addressed the Planning Board.

Chairman Padula stated he met with Ms. Young and Mr. Young last Thursday. He stated they own the peach/coral colored house at the Villages at Cook's Farm. At the last Planning Board meeting, the Planning Board asked Ron Roux to change the color and the GC said he would change the color. The reason the Planning Board was upset with the color was that when Mr. Roux got the Special Permit, he had come to Design Review with colors. Chairman Padula stated that after he met with the Young's, he reviewed the decision and went through all the paperwork on the decision, and he did find the 21 colors that were submitted to Design Review. He knows that the Young's are upset with the Planning Board's decision to change the color, but this is why the Planning Board was concerned; the Planning Board wanted the colors that were approved. This is not the Planning Board's fault; this is Mr. Roux's fault. This was submitted by Mr. Roux to Design Review on June 9, 2014. It was the samples of the colors for the roofs, houses, and trim, etc. Mr. Roux has been giving people 52 colors to choose from, but that was not what was approved.

Mr. Young stated that was not actually true. He stated the choice of colors was from the Benjamin Moore Historic Colors. He reviewed his understanding of the Design Review's language of "soft New England colors." He also reviewed his understanding of the information discussed at the last Planning Board meeting.

Chairman Padula reiterated that Mr. Roux was allowing people to choose from colors that were not the 21 colors approved by the Planning Board by the Special Permit. He stated Mr. Roux did not fulfill his obligation to the homeowners or the Town when he allowed colors other than the 21 approved colors. Mr. Roux needs to explain where he came up with 52 colors by Benjamin Moore; there were only 21 approved colors.

Chairman Padula, Planning Board members, and Mr. and Mrs. Young, discussed the approved colors for this project.

Mr. Halligan explained the process for the Special Permit for this rather controversial development which included certain housing styles, colors, etc., that could be built as part of this project to fit into the surrounding environment around the golf course. The development was approved because of the structures and colors that were part of the Special Permit. He explained the Town of Franklin's Special Permit process, and he reviewed the Site Plan Modification process that could possibly be brought before the Planning Board by the developer, Mr. Roux. That is a legal right that Mr. Roux has.

Mr. Young stated he was being singled out. He asked how long the possible Site Plan Modification process would take.

Ms. Love stated it would require a public hearing with abutter notifications. It is normally three to four weeks from the filing date to get in front of the Planning Board.

Mr. Young stated completion of his unit will not take place until this is resolved. They do not have gutters or downspouts because it could be repainted. They are enduring a hardship because of this delay. They also do not have any landscaping. He stated he will request Mr. Roux to modify the Site Plan for further consideration.

Mr. Halligan stated he thinks that is the easiest way to keep everyone happy.

G. Meeting Minutes: May 6, May 20 & June 3, 2019

Motion to Approve the Meeting Minutes for May 6, 2019. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve the Meeting Minutes for May 20, 2019. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve the Meeting Minutes for June 3, 2019. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM

PUBLIC HEARING – Initial

Zoning Bylaw Amendment – 19-842

Impervious – Water Resource

Documents presented to the Planning Board are on file.

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

Bryan Taberner, Director of Planning and Community Development, stated it has been brought to the attention of the Department of Planning and Community Development (DPCD) and other Town staff that there is a discrepancy in Franklin's Zoning Bylaw Sections 185-40.D(1)(l)(ii) and 185-40.D(3)(a). The discrepancy was created in 2013 with approval of Zoning Bylaw Amendment 13-703, which added new language to Section 185-40.D(1); at that time Section 185-40.D(3)(a) should have been deleted. He reviewed the specifics of the discrepancy as outlined in his memorandum to Jamie Hellen, Town Administrator, dated May 29, 2019. He also noted some small changes proposed for Section 185-40.D(1)(l)(ii). He stated this is for a recommendation by the Planning Board to the Town Council. If Town Council supports the proposed changes, DPCD recommends they refer Zoning Bylaw Amendment 19-842 to the Planning Board for a public hearing.

Planning Board members asked questions and discussed the proposed changes.

Motion to Recommend to the Town Council Zoning Bylaw Amendment – 19-842, Impervious Coverage in Water Resource District. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

7:10 PM

PUBLIC HEARING – Initial

West Central Street/Panther Way

Special Permit & Site Plan

Documents presented to the Planning Board are on file.

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

Mr. Brad Chaffee, Camford Property Group, applicant, and Mr. Rick Goodreau, United Consultants Inc., addressed the Planning Board. Mr. Goodreau reviewed the proposed project which consists of two buildings,

parking, and drainage on a vacant lot as shown on the plan sheets. He described the stormwater system and infiltration areas. He reviewed the distance from the High Ridge property boundary. They are requesting two Special Permits for motor vehicle service, repair with filling station, and motor vehicle leasing with repair. He said the applicant is currently proposing to build one building. It is a speculative building so there is no specific data for a traffic study. The buses are already existing with no additions being proposed for the buses so the traffic patterns of the buses will only change for a positive in the new location. He stated slope granite curbing in the bus parking area has been requested and a waiver for Cape Cod berm for the remainder of the site.

Chairman Padula confirmed the applicant said it was a speculative building. He stated under a Special Permit, the applicant must declare what the use is going to be.

Mr. Goodreau said the Special Permit they have requested is solely for the buses.

Chairman Padula stated they must declare the uses so the Planning Board knows if a traffic study is needed. He asked how long the road was in entirety and confirmed it was a 26 ft. wide road.

Mr. Goodreau stated the road is approximately 650 ft. and reviewed the road radiuses.

Mr. Halligan asked about the Special Permits being applied for.

Mr. Goodreau stated the Special Permits they applied for are for the proposed use of bus parking which would be classified as a motor vehicle leasing.

Mr. Halligan reviewed the proposed building on Panther Way and stated he assumed that is where the repairing and leasing would take place.

Mr. Goodreau stated no; the repairing and leasing would take place in the parking lot.

Mr. Halligan stated this would be a parking facility for buses; it would have to go to the ZBA for a variance. He stated the current parking lot for buses is grandfathered in. He is confused about the repair facility; where would the repairs be taking place?

Mr. Goodreau stated they would be making minor repairs to the buses, such as a headlight, in the parking area.

Chairman Padula stated they do not even allow Penske Truck to do that.

Mr. Halligan stated the applicant would need the variance for the parking to start the process; and, without the variance, he would assume this product does not work. When a Special Permit is requested, it must be detailed. This application did not detail what is going to be done. This should have been clearly explained.

Chairman Padula stated everyone putting in a project is putting in vertical reinforced concrete. There is a choice of upright granite or reinforced concrete. For the overall length of the road, it requires a variance if it is over 600 ft. He stated HDPE pipe is not allowed unless it is strictly in the Cultec system. The other concern is how far away the roads and tanks are from the houses. He asked if the odor of the tanks could get into the houses and at what time will they be filling the buses in the morning. Is a sound barrier needed? What is the time of operation? He stated there are residents there.

Mr. Chaffee stated they are happy to do what they need to do to appease the Planning Board. He stated they did go to Design Review.

Planning Board members asked questions and commented about where the buses will be located during the project, the grading levels, the catch basin across from CVS not working, a traffic study as the road has become a cut-through, the uses for both buildings, the parking area for the buses, the number of employee cars, will there be

both diesel and gas in the tank system, what type of bathroom facilities will be provided for the bus driver employees.

Mr. Goodreau answered some of the questions. He said there are a maximum of 30 buses, they were thinking of maybe having some area in the building for the employees or having portable toilets, there would be gas and no diesel, and it would be an above-ground double-walled tank system.

Mr. Chaffee said he thought the buildings would be used for wholesale use; something selling to businesses.

Chairman Padula said there is a lot of missing information.

Ms. Love stated a letter from the Fire Department stated no concerns. The conservation agent reviewed the plans and there are no wetlands in jurisdiction. BETA is in process of reviewing. She stated additional landscaping might be needed and she mentioned a traffic study. When the applicant determines the type of buildings, they will need to go to Design Review and provide color renderings.

Mr. Maglio stated he had comments on the retaining walls and general slopes of the site as outlined in his letter to the Planning Board dated June 25, 2019. He commented on the fuel tank and fueling area. He suggested consideration of a canopy over the fueling area.

Mr. Goodreau stated there is a hydrant in the area. They have proposed one hydrant for the project. He will look into a second hydrant for the project.

Citizens' Comments and Responses: ► Cheryl of Highwood Drive asked what a variance was. ► Chairman Padula explained that this is not allowed by right, so the applicant needs to go to the ZBA and ask for a variance to allow the use of what he is proposing. ► Cheryl asked how close this would be to Highwood Drive and is there a legal buffer zone. ► Mr. Goodreau explained and showed on the plans to the residents gathered around him the grading for the turn-around driveway and the limit of the tree clearing which would be approximately 100 ft. from the properties. ► Chairman Padula stated the parking lot can come within 10 ft. He told the residents they can go to the Planning Department to get a copy of the plans. ► A resident asked if this abuts Presidential Arms. He stated he had concerns that the applicants have not identified the use of the buildings. ► Mr. Goodreau stated yes it does abut Presidential Arms. He reviewed the proposed clearing. He said he can prepare plans to identify the limit of clearing to all the residential abutters. ► Chairman Padula asked Mr. Goodreau to do that. ► Mr. Halligan reminded residents that a property owner can clear their own land. He noted Mr. Chaffee indicated he would be willing to have a community meeting to go over details. ► A resident asked if a Special Permit can stipulate a boundary when someone wants to clear the land. ► Mr. Halligan said that could be part of the permit process. ► Ms. Lisa Harvey, 88 Highwood Drive, stated she had a number of concerns. She believes this will have impact on wetland areas. She said the area they want to build on is a hill and when it rains all the water runs down the hill and across the street near Vendetti's. At the bottom of the hill is wetlands. As the applicants want to put a fueling station with buses at the top of the hill, all that runoff will go down the hill. She noted the flooding that currently occurs on Panther Way across from CVS. When the trees are cut down, the flooding will be tenfold. She asked about blasting. She said she knows that Highwood was built on ledge and they had to blast to build it. Blasting will cause damage and probably structural problems to the homes; there will be disruptions. Hundreds of families live in this neighborhood. She stated that you represent us and you need to take care of all of us. She stated that when she says families, she means children, as well. She is gravely concerned about an above ground fuel tank exploding and taking out buildings where people live within 100 ft. of that filling station. She is concerned about the noise of the school buses, the fumes, light issues, and that animals that are being squeezed out. She discussed the traffic issue. If they need to service the buses, they need to make a garage to do it. Where the buses are now is a far enough distance and they do not make noise for the people in the community. She stated that Franklin is going too fast with its commercial building. She talked about the building that has gone on in Rt. 140 and asked about the number of accidents there. She stated that you are letting too much come in. She stated that with all the trees that have been cut down, the train whistle is louder than ever and the road traffic is very audible. Cutting down more trees will lessen the buffer. She is concerned about the catch basins that she has heard about. Children

get into trouble and the catch basins are dangerous. She said the catch basin that abuts the Sculpture Park fills up and is six to eight ft. deep. If you have kids that are going out into their backyards to play, they are going to naturally wander over to the catch basins to play and how long is it going to be before somebody drowns there. She said there are a lot of issues you all need to think about it very carefully and I hope that you do. She wanted to make sure that everyone in Highwood gets notice. She stated that along with everything else she mentioned this will dramatically affect property values. This is very upsetting. ► Mr. Halligan stated that commercial based growth is only three percent of the entire town. We are far from where we want to be. We do not have enough commercial industry in Franklin to offset some of the costs. He asked where everyone has been with all these problems about flooding that have been going on for years. The applicant has not put a shovel in the ground and it feels like they are taking the blame for it. Maybe under a Special Permit this problem can be addressed. The catch basins are an existing problem. He noted that any water they create cannot leave the site. The water would run off the hill less if it were developed. ► Mr. Chris McCarthy, 114 Highwood Drive, asked about the timing of Phase I and Phase II. He asked about putting up a 20 ft. wall. He suggested many ideas to limit the tree clearing. He asked for cut and fill calculations and how many daily trips would that be. He asked if there would be a way to have pervious pavers where the buses park. He stated there is a property line going through the basins; there are two properties there. ► Mr. Chaffee said he would like to get started right away. There is no Phase III at this time. ► Chairman Padula stated he did not think pervious pavers would be good where the buses park. He reiterated that the applicant has to go to ZBA. ► Mr. Goodreau said they are at 24 percent impervious where 80 percent is allowed. He stated there are two lots existing currently. ► Mr. Halligan stated the applicant may have to get an 81-P to consolidate the two properties. ► Mr. Goodreau said they are within the setbacks and they have easement agreements. ► Mr. Halligan stated BETA Group will get involved in this project. ► Mr. Goodreau said the calculations show a reduction in rate and volume of runoff with this system. ► Chairman Padula stated there would definitely be a lighting plan with spillage control. ► Ms. Ericha Fleteau, 111 Highwood Drive, asked how far the gas tank would be from the residents. ► Mr. Goodreau stated it would be about 380 ft. to 390 ft. away. ► Ms. Fleteau asked if there can be restrictions on idle times for the buses along with restrictions on the beeps and sounds in the Special Permit. ► Mr. Halligan said that can be addressed in the Special Permit. ► Mr. Goodreau said a photometric plan was submitted with the application. ► Ms. Patricia Annicchiarico, 112 Highwood Drive, stated she is concerned about traffic and emergency vehicles. There are children. There are people with problems. If someone has to be taken in an ambulance there is traffic and it is a dangerous situation to have even more traffic going up and down with only one entry. ► A resident expressed concern about the traffic and the safety of the high school children.

Chairman Padula reminded the applicant they must go to ZBA before they come back to the Planning Board. He explained to the residents the ZBA process and the notification process. The applicant must notify property owners within 300 ft. of the project.

Mr. Chaffee said they will reach out to the community with information.

Ms. Love explained the notification process and the certified abutters mailing. She said the legal ads are posted in the newspaper and on the Town website.

Mr. Halligan reiterated that the ZBA meeting would only be for one issue: allowing the bus parking. He noted that if this project does not go forward, the buses will remain parked where they are.

Motion to Continue the public hearing for West Central Street/Panther Way, Special Permit & Site Plan, to August 19, 2019 at 7:05 PM. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

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

7:15 PM

PUBLIC HEARING – Initial

5 Forge Parkway

Site Plan Modification

Documents presented to the Planning Board are on file.

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

Ms. Amanda Cavaliere, Guerriere & Halnon, Inc.; Ms. Ruth Silman, Nixon Peabody on behalf of NETA; Ms. Amanda Rositano, NETA; and Mr. Mike Hill, Applied Contaminant Control Ltd., addressed the Planning Board. Ms. Cavaliere stated they are proposing to construct additional parking spaces and install an odor mitigation system at the rear of the building. She said that currently, there are 163 parking spaces. They are proposing to add 95 spaces for a total of 251 where 240 are required. She noted that an expansion was done in 2016. They are also proposing to improve stormwater management on the site by accommodating the new impervious areas for the additional parking.

Ms. Silman stated they were before the Planning Board a little over a year ago. They had requested adding cultivation and processing for non-medical to the uses. There were valid concerns by the Planning Board regarding parking spaces and traffic flow within the site, and what the site looked like in general. There was also a concern raised regarding odor. They have been working with DEP on the odor. They have met with the State and reviewed this proposed odor mitigation plan. They have gotten the green light from DEP to proceed. In order to put the system in, due to the physical modification at the rear of the building, they need to come before the Planning Board for this modification. She stated they are waiting for the peer review comments from BETA.

Mr. Maglio stated that in reviewing the plans he has comments regarding the drainage, grading, and stormwater design, although nothing too significant. He noted an area in the plans called a Biobed with a proposed sewer connection; he is not familiar with this and needs more information on it. He also suggested a meeting with the water and sewer department. He reviewed his comments on the drainage and the proposed retaining wall.

Chairman Padula confirmed the catch basins would be RCP. He asked what the existing curb is.

Ms. Love stated a letter was received from the Acting Fire Chief that they were satisfied with the plans. The applicant has filed with the Conservation Commission. BETA is in the process of reviewing the plans. They provided a two-page overview of their odor control. The Planning Board needs to determine if they are satisfied with this or if they need BETA, under a sub-consultant, to review the odor mitigation system.

Chairman Padula stated this facility has been a problem from the beginning. He asked if DEP was going to test the facility with the new filtration system. Will they inspect it?

Ms. Silman said there is no formal approval from DEP regarding the odor to check the new system unless there is a problem or complaint; this has been her experience.

Chairman Padula asked the Planning Board if they would like to have someone check the system after it is installed to see if it is working.

Planning Board members informally agreed it should be checked as the Town does not want to lose any taxpaying companies in that area due to odor.

Mr. Hill stated this is a very specialized business. He would be interested in knowing the qualifications of someone who would do a peer review. It is very experienced based. He has over 500 installations around the world and has been doing this for 35 years. He thinks it would be best to make the evaluation after the system was up and running. It is very subjective. He would be happy to provide whatever technical information he can. He explained there was a lot involved in this. He said it is difficult to calculate. A lot of this is empirical. He explained the odor and the proposed system. He reviewed his qualifications.

Mr. Halligan asked what happens if there is still odor after the project is done.

Ms. Silman stated Mr. Hill comes highly recommended.

Mr. Crowley stated their sub-consultant is an odor mitigation specialist. It is the Planning Board's decision if they want BETA to take an initial look, do an analysis, or just wait and see after the fact.

Chairman Padula stated he would like BETA to have a talk or consult to make sure what is going in is on the up-and-up and that the Planning Board is covered. He does not think they need a whole odor investigation after the fact. He would like BETA to then get back to the Planning Board with the information.

Mr. Crowley confirmed that the Planning Board would like BETA to take a look at the technology to see that it looks like a reasonable approach.

Planning Board members informally agreed that is the way to handle this.

Chairman Padula discussed the Cape Cod berm that is throughout the site currently. Since it is existing, they allow it to continue.

Motion to Continue the public hearing for 5 Forge Parkway, Site Plan Modification, to July 22, 2019 at 7:40 PM. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

General Business (continued)

H. Endorsements:

▪ **79 Grove Street – Grove Street Towing**

Motion to Endorse 79 Grove Street – Grove Street Towing. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

▪ **38 Pond Street – Parking**

Motion to Endorse 38 Pond Street – Parking. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

▪ **25 Grove Street – Change in Use**

Motion to Endorse 25 Grove Street – Change in Use. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

▪ **Glen Meadows Leasing Office**

Motion to Endorse Glen Meadows Leasing Office. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

▪ **725 Union Street – Hotel**

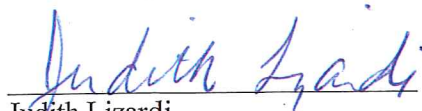
Motion to Endorse 725 Union Street – Hotel. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

▪ **16 Forge Parkway – Walkway**

Motion to Endorse 16 Forge Parkway – Walkway. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Adjourn. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 9:49 PM.

Respectfully submitted,



Judith Lizardi,
Recording Secretary

