

Town of Franklin



Planning Board

**December 2, 2019
Meeting Minutes**

**TOWN OF FRANKLIN
TOWN CLERK**

2020 JAN 28 A 8:18

RECEIVED

Chair Anthony Padula called the above-captioned meeting to order this date at 7:00 PM. Members in attendance: Joseph Halligan, William David, Gregory Rondeau, Rick Power. Members absent: None. Also present: Amy Love, Planner; Matthew Crowley, BETA Group, Inc.

7:00 PM Commencement/General Business

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

A. Lot Release & Partial Form H: Bogans Way

Ms. Love stated the Planning Board approved on June 2, 2014 a Definitive Subdivision Plan entitled "Brogan Estates." One lot was released a few years ago. The applicant is requesting the remaining two lots be released. Brogan Estates currently has a cash bond with the Town of Franklin for \$130,704. BETA Group performed an on-site inspection and determined the cost for completion is \$159,860. The applicant will be required to provide and additional \$29,156 owed to the Town.

Applicant, who did not identify himself, reviewed the request to release two lots. He acknowledged that according to BETA's report, there is an increase of \$29,156 owed to the Town.

Chair Padula stated the additional bond amount to the Town will be a condition of the two lot releases.

Mr. Crowley stated that the increased amount reflects current MassDOT prices that the Town would pay if they put the work out to bid themselves.

Mr. Halligan suggested an alternative of allowing one lot to be released to be built on and holding the second lot release until the road is finished.

Applicant stated he would like to begin building on Lot 5-3.

Motion to Approve Release of Lot 5-3 and to Retain Lot 5-1 until \$29,156 is bonded for Bogans Way. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

B. Final Form H: 400 East Central Street – Planet Jeep

Mr. Halligan recused himself.

Ms. Love stated BETA has been out to the site several times and has provided an updated report; there are a few outstanding items.

Ms. Amanda Cavaliere of Guerriere & Halnon, Inc. stated they have filed the Final Form H with the As-Built. There were a few items on the endorsed plans that they have made several attempts to remedy, but some are unable to be made. One item is the removal of the flood lights on the poles at the front of the property. These are the property of National Grid; attempts to contact them have been unsuccessful regarding removal of the flood

lights. Another item is the curbing along Rt. 140 where the access to the previous house was. A utility pole has been installed within the sidewalk in the center of the previous access which has been abandon. Modification to the sidewalk could prohibit future plowing by the Town utilizing a sidewalk plow, so they are requesting the sidewalk and curbing be allowed to remain in its current state. She stated all other items have been addressed.

Chair Padula requested the applicant provide documentation of communication with National Grid regarding the flood lights. He stated there are many telephone poles obstructing sidewalks all over Town.

Ms. Cavaliere discussed the utility pole and the curb cut.

Mr. Crowley stated the last on-site visit was on August 23, 2018; BETA provided a letter to the Planning Board detailing all items that were different from the approved plans. Since then, the applicant has made repairs to some berm and curb around the site. They also cut and capped the water service at the main. They have done general site clean up in the area of the infiltration basin. He reviewed the items currently remaining including four parking spaces that are not striped, and the installed of nine parking spaces where 10 were proposed. He reviewed the provided pictures detailing items that are not complete.

Chair Padula confirmed the remaining items include the abandon curb cut that needs to be addressed and the lights. He recommended the Zoning Enforcement Agent fine the applicant \$350 per day for every day that the applicant has cars parked on the left side of the building. He stated he has no intention of recommending to the Planning Board to sign the Final Form H until that is remedied.

Ms. Cavaliere stated they plan to return to the Planning Board for that.

Mr. Halligan re-entered the meeting.

C. Covenant & Endorsement: Mine Brook Estates

Chair Padula recused himself.

Ms. Love stated the applicant is requesting endorsement of the Covenant and the Definitive Subdivision plans. The Town Attorney has reviewed the Covenant and said it was satisfactory.

Motion to Endorse the Covenant and Sign the Definitive Subdivision plans for Mine Brook Estates. Rondeau. Second: David. Vote: 4-0-0 (4-Yes; 0-No).

Chair Padula re-entered the meeting.

D. Partial Form H: 750 Union Street

Ms. Amanda Cavaliere of Guerriere & Halnon, Inc., on behalf of HMEA, stated they were requesting a Partial Form H for the recent site improvements associated with the new applicant. Parking spaces have been reallocated. The only item remaining is the HMEA parking signs which they anticipate being installed by December 16, 2019.

Mr. Crowley stated BETA conducted a site observation for a conformance review of the approved plans. He noted there were minor variations with the plans. He stated the employee parking signs need to be added. He stated that although it was not shown on the plans, accessible parking signs for all the accessible parking spaces must be shown. Some of the new spaces and existing spaces do not have signage. He noted the applicant had proposed to relocate three accessible parking spaces from the left side of the building to the front of the building. Three spaces were added to the front of the building, but three were not removed from the side of the building. He discussed that the detail on the plans for the new ramp called for railings to be put on both sides; only one railing is installed; the ramp is at 5 percent.

Ms. Cavaliere and an audience member who did not identify himself discussed the railings.

Chair Padula stated that when the railing is installed and the accessible parking signs are in, which are public safety items that must be done, and curbing on the island is cleaned up, the applicant can return to the Planning Board for a Partial Form H.

Ms. Cavaliere stated it will all be done by December 16, 2019 and they will return to the Planning Board on that date for a Final.

Chair Padula stated the Planning Board will take a vote to allow the Building Inspector to confirm that all three items, which are the handicap railing on the right sidewalk, the accessibility signage and employee parking signage, and the parking space striping are completed; then the Building Inspector can issue occupancy.

Motion to approve partial Form H with conditions, Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – Continued
14 Ruggles Street
Special Permit & Site Plan Modification
Documents presented to the Planning Board are on file.

Mr. Dana Franco, applicant, and Ms. Amanda Cavaliere of Guerriere & Halnon, Inc., addressed the Planning Board. Mr. Franco stated there was discussion at a previous Planning Board meeting about putting the curbing so close to the tree line. The Planning Board suggested to pull the curbing a few feet away and not install it down so far. He stated the Site Plan has been revised to show the curbing 2 ft. off the tree line.

Ms. Cavaliere stated a waiver request to reduce the parking layout distance from the retaining wall from 24 ft. to 22 ft. is also shown on the plans. She reviewed other notations on the plans, as well. She stated they are requesting the paved width around the building increase from 8 ft. to 9 ft. to accommodate the paving spreader width of 9 ft. and an emergency vehicle.

Chair Padula asked how this increase impacts impervious.

Ms. Cavaliere confirmed it is under 90 percent.

Ms. Love stated this was originally filed as a Modification. The applicant is requesting to change one of the two offices on the first floor to a residential apartment unit. The applicant has also reduced the width of the driveway from 24 ft. to 22 ft. She noted the applicant has identified six green Arborvitae, minimum 4 ft. tall, be planted along the side of the property on the Site Plans. She stated the applicant requested to increase the pavement around the building from 8 ft. to 9 ft. in width.

Motion to Close the public hearing for 14 Ruggles Street, Special Permit & Site Plan Modification. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve 14 Ruggles Street, Special Permit & Site Plan Modification. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

7:10 PM **PUBLIC HEARING** – Continued
Highland Village
Definitive Subdivision
Documents presented to the Planning Board are on file.

Chair Padula stated the applicant requested a continuation of the public hearing.

Motion to Continue the public hearing for Highland Village, Definitive Subdivision, to December 16, 2019 at 7:15 PM. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:15 PM **PUBLIC HEARING** – Continued
300 East Central Street
Site Plan – Change in Use
Documents presented to the Planning Board are on file.

Chair Padula stated the applicant requested a continuation of the public hearing.

Motion to Continue the public hearing for 300 East Central Street, Site Plan, Change in Use, to December 16, 2019 at 7:20 PM. Halligan. Second: David. Vote: 4-0-1 (4-Yes; 0-No; 1-Abstain). (Mr. Halligan abstained.)

Chair Comments

Mr. Rondeau questioned the curbing at the warehouse at Financial Way. It is supposed to be reinforced concrete; it looks like it is being poured in place.

Mr. Crowley stated he would have it looked at.

Motion to Adjourn. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 7:40 PM.

Respectfully submitted,



Judith Lizardi,
Recording Secretary