

## Town of Franklin



### Planning Board

#### **March 9, 2020 Meeting Minutes**

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: Michael Maglio, Town Engineer; 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. 81-P ANR: 13-15 Edwards Street**

*Mr. Halligan recused himself.*

Ms. Love stated the purpose of the plan is to move existing lot lines and create two conforming buildable lots in the Single-Family IV zoning district. The proposed lot conforms to lot requirements associated with this zoning district.

***Motion to Approve the 81-P ANR: 13-15 Edwards Street. Rondeau. Second: David. Vote: 4-0-0 (4-Yes; 0-No).***

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

#### **B. 81-P ANR: 21 Short Street**

Ms. Love stated the purpose of the plan is to move existing lot lines and create two conforming buildable lots in the Rural Residential II zoning district. The proposed lot conforms to lot requirements associated with this zoning district. Ms. Love reviewed the driveway locations for each lot.

***Motion to Approve the 81-P ANR: 21 Short Street. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

#### **C. Lot Release: Bogan Way**

Ms. Love stated the Planning Board released Lot 5-3 on December 2, 2019. The Planning Board agreed not to increase the Bond amount since Lot 5-1 would not be released. The applicant/owner has requested that Lot 5-1 be released. The Planning Board will need to vote to accept the bond amount of \$159,860 and release the one (1) remaining lot. Per BETA's estimate, the applicant will be required to provide a check in the amount voted by the Planning Board: \$29,156 (owed to the Town).

Chair Padula asked if the amount would be enough for the applicant to finish the subdivision and remove the Cape Cod berm that was installed and put in granite.

Mr. Crowley stated the original bond was done in 2014; the bond estimate has been updated based on current prices which accounts for the increase of approximately \$30,000.

Mr. Maglio stated a separate permit was obtained from the DPW for the work on Washington Street to tie in the water line. The patch was done and the intersection was paved. It is going to be inspected before that separate bond is released.

Mr. Halligan clarified that the Planning Board is currently holding a \$130,704 bond and is requesting an additional \$29,156 owed to the Town in order to release the lot. Upon release of the lot, the Town will hold \$159,860 for completion.

***Motion to Approve Lot Release: Bogan Way. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

**D. Meeting Minutes Approval: January 27 & February 10, 2020**

***Motion to Approve the Meeting Minutes for January 27, 2020. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

***Motion to Approve the Meeting Minutes for February 10, 2020. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:05 PM      **PUBLIC HEARING** – *Continued*  
                  ***122 Chestnut Street***  
                  Site Plan  
                  *Documents presented to the Planning Board are on file.*

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

***Motion to Continue the public hearing for 122 Chestnut Street, Site Plan, to April 27, 2020, at 7:05 PM. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:10 PM      **PUBLIC HEARING** – *Initial*  
                  ***Maple Hill***  
                  Definitive Subdivision  
                  *Documents presented to the Planning Board are on file.*

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

Mr. William Buckley of Bay Colony Group, Inc., representing the applicant, Carroll Construction Corp., and Mr. Mark Carroll, developer/principal, addressed the Planning Board. Mr. Buckley stated this is a 58 lot subdivision with each lot approximately 30,000 sq. ft. located off of the end of Bridle Path and Kimberlee Avenue. It is an approximately 73.3 acre parcel comprised of three parcels located in the Rural Residential II zoning district. It is not in an overlay district. The largest parcel, about 68 acres, is owned by the Labastie family. He reviewed the ownership of the other two smaller lots that comprise the total parcel and discussed the provided plan and locations of the proposed 58 lots. He stated the wetlands were delineated by the Conservation Commission under an ANRAD. He stated that about 100 soil tests on the site have been completed; therefore, they have a good idea of the soils on the property. He stated that the south portion of the property has Type B soil which is good for septic systems. The north area becomes more of a Type C soil which has more rocks and boulders and slower percolation rates. The far north area becomes Type D soil; the soils still perc, but have a higher water table. He explained that this is due to a ridge that runs through the site. He discussed the proposed loop road through the project with about 1.5 miles of new road to connect Bridle Path to Kimberlee Avenue. The long loop will make it less attractive as a possible cut-through road than if Bridle Path and Kimberlee Avenue were directly connected. He discussed the current road lengths and proposed extensions of Bridle Path and Kimberlee Avenue. He stated that due to the number of lots, the proposed roadway will be 32 ft. wide. He stated that a sidewalk on one side is shown; they are requesting a waiver for the required sidewalks on two sides as neither Bride Path nor Kimberlee Avenue have sidewalks

on both sides. The plan shows a sloped granite curb in accordance with regulations. He stated that both of the roadways are fed by municipal water; they are showing a waterline loop through the project which will connect the current two dead-end water lines. He provided a review of the ridge area and grade changes throughout the site. He discussed the water flow and the wetlands in relation to runoff. He stated the natural low areas are naturally capturing water and they are proposing to mimic that in their plans. He discussed that they have a total of six proposed basins on the property. Basins A, B, and C will capture most of the runoff from the property. They are standard detention basins. They are not designed to retain the storm; they are designed to capture it, treat it, infiltrate some of it, and release it using a multistage system. Basin F would also be a regular basin. He stated that Basin D and E are retention basins in an existing natural low area. He explained that they are proposing to phase the project due to the size and provided an overview of each of the proposed three phases. Phase I, with about 2,700 ft. of road, would include Lots 1-7, 33-38, and 51-58 for a total of 21 lots. He discussed that there would be a temporary 24 ft. wide roadway installed to preclude a dead-end during development; he reviewed that the Fire Department requested this temporary road be paved. Phase II, with about 2,700 ft. of road, consists of Lots 8-13, 25-32, and 42-50 for a total of 23 lots. He noted there would be another temporary road installed during this phase for emergency access. Phase III, with about 1,800 ft. of road, includes Lots 14-24 and 39-41 for a total of 14 lots. He stated that a traffic impact report for the project was conducted by Vanasse & Associates; the report was submitted in January. Unfortunately, the engineer who was going to present the findings at tonight's meeting was unable to attend.

Chair Padula stated that many concerns were listed in BETA's letter to the Planning Board dated March 5, 2020.

Mr. Maglio stated the project was reviewed; however, the drainage review was not completed prior to this meeting. He reviewed his comments as outlined in his letter to the Planning Board dated March 5, 2020. His comments included, but were not limited to, discussion of the following concerns. He stated that the applicant is requesting a waiver to construct only one sidewalk. Typically, when this waiver is granted by the Planning Board, the applicant agrees to install vertical granite curb in place of sloped granite edging; the plans call for sloped granite edging. He stated that the developer should construct the sidewalk connections from where the existing sidewalks on Kimberlee Avenue and Bridle Path end and the proposed sidewalk within the subdivision begins to ensure a continuous path. He discussed that where Kimberlee Avenue is to be extended, it is recommended to eliminate the existing cul-de-sac to provide a continuous roadway. Typically, it would be recommended to treat Bridle Path in the same manner; however, the existing planting circle was not included in the original street acceptance by the Town and that area remains private property. Signage directing traffic to keep right around the planting circle should be added. He stated that the intersection of Maple Street and Kimberlee Avenue does not meet the required sight distance. He discussed the minimum centerline radius required to meet standards.

Chair Padula stated he did not agree with Item #8 listed on Mr. Maglio's letter to the Planning Board dated March 5, 2020.

Ms. Love stated the applicant will need to file with the Conservation Commission. The applicant must submit a shade tree and landscape plan. She stated that Town water requires a bylaw amendment from the Town Council.

Chair Padula stated that he does not agree with phasing the project; the houses built in the first phases will have endure all the construction equipment as the next phases are built.

**Citizens' Comments:** ► Mr. Roy Cornelius, 25 Bridle Path, asked where the construction roadway and construction parking are located. He discussed the Planning Board's primary responsibilities as outlined on the Town's website regarding subdivisions. He expressed concern about the current traffic study and stated that it does not adequately address possible cross-town traffic that may occur from the interconnection of Kimberlee Avenue and Bridle Path. He requested to provide the Planning Board with copies of his prepared

statement that he read aloud which addressed concerns from Franklin Woods residents. He discussed how Google maps determines the best vehicle route. As such, most deliveries to Maple Hill will be routed through Lincoln Street to Bridle Path; this has not been addressed in the traffic report. He discussed that public safety vehicles will most likely use the Bridle Path route, as well. He provided suggestions if this were to become a through street including that the island at the top on Bridle Path remain in place, the Town plow the sidewalks the full length of Bridle Path, a stop sign and crossing walk be installed, no through traffic signs be installed in various locations, at least one speed bump be installed on Bridle Path, and a full replacement of Bridle Path be done by the Town or the developer as the current surface will not hold up to the traffic that will be added as a result of the new subdivision. He stated that the Town should be concerned about the safety of the children going to school and the viability of the roadway. ► Mr. Stephen Dunbar, 30 Madison Avenue, stated he is concerned about the safety aspects. He referenced his letter to the Planning Board dated September 19, 2019. He expressed concern about the sight distances on Kimberlee Avenue to Maple Street. He stated the developer is proposing to fix this concern by installing speed traps, but this is more taxpayer dollars to have an officer there. He pointed out that the previous plan was rejected because the Town did not want to maintain a 400 ft. emergency access road and the Fire Department did not like the idea. However, now the proposal includes two 200 ft. emergency access easements which equals the original 400 ft. access road proposed. He recommended to go with the original 400 ft. access road. ► Ms. Maryellen Tenore, 24 Kimberlee Avenue, stated she does not think it is fair that Kimberlee Avenue will brunt all the construction vehicles for the length of the project. Currently, the large trucks have to back out of the streets because the equipment is so big. ► Ms. Lisa Brady, 36 Kimberlee Avenue, asked questions including: How long is each Phase? After temporary roads are installed, when do they get removed and who follows up? As the water basins are expected to get filled with runoff, how will mosquito infestation be prevented? How will residents retain water pressure? What happens to the cul-de-sac? Are they planning to clear cut or leave trees? How are they going to construct the basins to make them look appealing? How will they mitigate the change in the street height? Where are the construction vehicles going to park? What are the times for engine idling? What does the Town do to check on financial risk and stability of the builder? ► Chair Padula stated that the required bonding is to pay for the infrastructure and road in the event the developer goes bankrupt. ► Mr. Kit Brady, 36 Kimberlee Avenue, stated he obtained 107 signatures from residents concerned this will become a cut through; 25 percent of signatures were from residents in Charles River Farms. He asked how the signatures can be entered into the record. ► Chair Padula asked Ms. Love to include the signatures in the record. ► Mr. John Cetrano, 64 Bridle Path, stated that as the homeowner for 30 years, Basins D and E referred to by the developer have never had water in them. He asked why would they want to put water in them now. He recommended vertical upright curbing as sloped curbing tears up the road. He asked if there was a map of where each perc test was performed on each lot? He strenuously disagrees with calling the road Bridle Path; it is not his neighborhood. ► Chair Padula confirmed the leach fields have to be separated by 20 ft. He noted perc tests must be conducted in front of the Board of Health. ► Mr. Michael Doherty, 50 Bridle Path, stated the residents were opposed to phasing. ► Chair Padula stated he opposes phasing as the home purchasers will have to experience all the trucks and heavy equipment throughout the construction. Possibly a temporary construction road could be made. He stated he will wait until the next meeting when the traffic consultants are present to discuss his traffic study concerns. ► Resident expressed concern regarding the difficult turn out of Ainsley Drive. ► Mr. Lawrence Maggio, 4 Bridle Path, asked where construction crews would park, if blasting would be involved, and what are the hours of operation. He recommended a construction access off of Maple Street. He requested a cut and fill survey be done to determine the number of trucks coming in and out of property, a full-time police detail be installed at the construction access to ensure safety on Maple Street, and no rock crushing be done on the property due to the decibel level and noise. ► Chair Padula stated the allowed hours are 7 AM to 9 PM and no Sundays. ► Mr. Maggio requested that no Saturdays be worked, the Town require pest and rodent control, and no hay bales be used. ► Ms. Maegan Schlitzer, 59 Bridle Path, asked about the waiver request for one sidewalk instead of two and requested a second sidewalk on Bridle Path. She asked if it were possible to add No Thru Way signs. ► Chair Padula said he is sure the No Thru Way signs could be added. He explained that the sidewalk does not narrow the drivable road; 32 ft. is the paved road width. He explained the typical waiver for one sidewalk provides a tradeoff for upright granite which is safer. ► Mr. Lawrence Rettman, Board of Directors of

Metacomet Land Trust, stated that when Town sewer and water is available, why does the developer have to go with a septic system. He stated he is a proponent of the Open Space land in order to leave some open space near the Metacomet land. ► Chair Padula stated the Planning Board previously expressed disapproval of a cluster-type subdivision.

Mr. Buckley responded to the residents' questions and concerns. He stated the proposed development access to the project is through the two streets mentioned. They will review concerns regarding construction logistics such as vehicle and worker parking. He reviewed the areas proposed for vehicles and material storage. They will make sure vehicles are not parked on Bridle Path and Kimberlee Avenue. Mr. Buckley discussed that he will look at possible blasting more closely; he would like to avoid it.

Chair Padula stated that there will be a staging area within the project site, sight distances will be reviewed by BETA and will have to be adjusted, the traffic consultants will be attending the April 2020 meeting, adding stop signs is not a problem, and he does not agree with the phases, but the Planning Board needs to vote on that. He discussed that after the project is completed, Bridle Path will need to be redone; this would be part of the bond. He stated there is an extensive inspection process and the lot releases come before the Planning Board before being released. The Town Council must approve a water tie in and confirm there is sufficient water pressure.

► Mr. Stephen Higgins, 4 Phaeton Lane, requested that all roads within Franklin Woods be repaved. ► Resident asked about borings and construction access. ► Mr. Buckley stated they propose to put the septic systems in the front yards. ► Chair Padula stated that whether or not a septic permit is granted is determined by the Board of Health; if a lot does not perc, a house cannot be built. ► Resident discussed the "logging" road that was used off of the Labastie property when the previous tree cutting was done and asked why it could not be used for the heavy equipment rather than using Kimberlee Avenue and Bridle Path. ► Mr. Buckley stated that once they sell, the applicant will not be crossing the Labastie property where their farm is. ► Chair Padula asked that the applicant check to see if that could be part of the Labastie purchase agreement. ► Mr. Buckley stated he would check.

Mr. Halligan requested the construction area be deep in the site. He discussed that the current condition of Bridle Path is not A+. Possibly, a monetary agreement could be worked out with the Town Administration to do re-do all of roads at one time in the future.

Mr. Maglio stated there are no plans at this time to do any improvements to Bridle Path.

Mr. Power asked about the tree removal plan.

Mr. Buckley stated that for the initial grading, they clear for the roadway and the staging areas. It will not be a clear cut. Every site is different. He stated the lots are about 200 ft. deep and they will be clearing about 110 ft. of that. He said that they do try to save trees, and they have to plant a tree at every 50 ft. along the street.

Mr. Rondeau asked about the phasing plans and how long each phase will be. He asked if it were feasible to do in two phases rather than three phases.

Chair Padula stated he would like no phases.

Mr. Buckley stated they would look at both the phasing and the timing.

Mr. David stated he is against phasing. However, doing two phases and starting farther in and working outward is better. He stated that he is in favor of the temporary road. He expressed concern regarding idling trucks and suggested equipment not be allowed to arrive until 6:55 AM.

Mr. Halligan stated he would rather have the developer set up deep in the woods to do rock crushing. He does not want dump trucks hauling rocks offsite and bringing back fill all day. This would be less traffic for the streets and faster job would get done.

► Resident stated that crushing rock so close to his home is too loud and unacceptable.

Chair Padula stated BETA provided 46 comments which the applicant must address. He asked if the applicant must go to ZBA for earth removal.

Mr. Buckley stated he is not sure if they need to go to the ZBA, they will do a cut and fill analysis for the next meeting, and they typically do not want to take materials out and bring other materials in.

Chair Padula noted a blasting survey would have to be done. He confirmed the traffic consultant will attend the next meeting.

***Motion to Continue the public hearing for Maple Hill, Definitive Subdivision, to April 27, 2020, at 7:10 PM. Halligan. Second: Rondeau. 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 8:42 PM.***

Respectfully submitted,

Judith Lizardi, AL  
Recording Secretary

***\*\*\*Approved at the April 6, 2020 Planning Board Meeting***