

Town of Franklin



Planning Board

**August 17, 2020
Meeting Minutes**

Chair Anthony Padula called the above-captioned **Remote Access Virtual Zoom Meeting** to order this date at 7:00 PM. Members in attendance: Joseph Halligan, William David, Gregory Rondeau, Rick Power, Associate member Jennifer Williams. Members absent: None. Also present: Amy Love, Planner; Bryan Taberner, Director of Planning and Community Development; Michael Maglio, Town Engineer; Matthew Crowley, BETA Group, Inc.

*As stated on the agenda, due to the growing concerns regarding the COVID-19 virus, the Planning Board will conduct a **Remote Access Virtual Zoom Meeting**. The Massachusetts State of Emergency and the associated state legislation allows towns to hold remote access virtual meetings during the COVID-19 pandemic crisis. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number, or citizens can participate by using the Zoom link also provided on the agenda.*

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

Chair Padula read aloud the Zoom platform call-in phone number and the Zoom link which were also provided on the meeting agenda. He welcomed new Associate member Jennifer Williams.

A. 81-P ANR: 176-210 Grove Street

Chair Padula confirmed all members reviewed the ANR.

Motion to Endorse 81-P ANR: 176-210 Grove Street. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

B. Endorsement: 176-210 Grove Street Site Plan

Motion to Endorse 176-210 Grove Street Site Plan. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

C. Meeting Minutes: June 22, June 29, & July 13, 2020

Motion to Approve the Meeting Minutes for June 22, 2020. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve the Meeting Minutes for June 29, 2020. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve the Meeting Minutes for July 13, 2020. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – Continued
162 Grove Street
Special Permit & Site Plan

Documents presented to the Planning Board are on file.

Mr. Crowley stated that since the last meeting there were only a few outstanding comments regarding the stormwater aspects of the project; those issues have since been addressed. BETA's traffic consultant is present to discuss traffic. He noted there were some significant revisions by the applicant as to how the traffic study was modelled.

Mr. Rick Goodreau of United Consultants provided an update of the status of the project. He stated that since the last Planning Board hearing, the Conservation Commission closed its hearing and approved the project; they are waiting for an Order of Conditions. Design Review has reviewed and approved various components. They have revised the plan set to include the requested bollard and to eliminate other bollards and install a guardrail. They have peer review letters from BETA dated August 11, 2020; most items have been addressed. He stated that Ms. Sasha Wood, traffic engineer from Tetra Tech, will review the traffic report and an updated traffic management plan reflective of the current conditions that exist.

Ms. Wood reviewed the traffic study updates since the last meeting. She noted a traffic summary letter was submitted in response to BETA's comments on August 14, 2020. She stated that NETA is aware of the traffic concerns. NETA has been operating two other reserve-ahead-only facilities since COVID-19. They have developed an online platform to control the number of customers at any given time. They have voluntarily agreed to operate as a reserve-ahead-only facility in Franklin. She discussed that NETA has agreed to limit daily customers to 950; she reviewed the reduced limits during street peak hours. She compared the previous trip generation chart to the current trip generation chart using the reserve-ahead-only program which resulted in 1,400 less trips on a daily basis. She discussed NETA's mitigation plans and post-occupancy monitoring. She discussed remedial actions if needed including triggers, actions, and follow-up study. She stated that they feel the reserve-ahead-only operations will significantly reduce traffic impacts from previously proposed operations.

Planning Board members asked questions about the traffic report, reserve-ahead-only process, parking lot attendants, signage, and number of transactions per hour. Ms. Amanda Rositano, President of NETA/applicant, stated there is a parking attendant onsite at all times at the two existing NETA locations. She noted the reserve-ahead program is advertised on their website, in local papers, and on social media. Mr. Halligan asked if they would be comfortable having this reserve-ahead model conditioned in the Special Permit. Ms. Rositano stated this model works for them at this time. She stated they would agree to the appointment only model allowing that if in the future they would want to make changes, they would come back and get approval from the Town.

Ms. Love noted the applicant has filed with Design Review for a sign. She stated that she was asked by the Town Administrator's office that the Planning Board read into the record the host community agreement. She confirmed all Planning Board members received a copy. Chair Padula had questions regarding the agreement impact fee and the average annual sales numbers. He stated something seemed incorrect about the numbers; he did not want to read it as is. Ms. Love stated the Town Administrator was on vacation. Ms. Rositano stated the law sets a five-year term for the agreement; after five years it will have to be renegotiated. A representative for NETA stated the Town is guaranteed \$300,000 and three percent of revenue; he explained the agreement.

Ms. Jaklyn Centracchio, traffic engineer for BETA, provided an update on the traffic review. She stated there has been a substantial change in how the applicant is going to handle traffic. She stated that no offsite mitigation is being proposed at this time. She stated the Planning Board has expressed concern about the traffic impact on Grove Street that this and other developments in the area will have on the roadway infrastructure. She stated that there are a few technical comments that will be made in their next review; the majority of BETA's comments have been addressed.

Chair Padula stated the Town Council determined this would be an area for retail sales for marijuana. It is an already busy stretch of road. There is a problem at the end of Grove Street at the intersection of Washington Street. He stated that it is not NETA's problem, but he would like to see traffic handled in the area. He noted that the Town is charging impact fees and getting revenue; the Town needs to put the money into capital improvements. He stated that the Planning Board needs a commitment from the Town to use some of the money that the Town will get to fix this problem at the end of Grove Street and the intersection of Washington Street. He requested a commitment from Town Council and Town Administrator to get a signal light at the end of Grove Street to fix the intersection; it is a capital improvement. He needs that to vote positively on this Special Permit. He hopes Ms. Love or Mr. Taberner will relay his message. Mr. Rondeau agreed; Grove Street was not intended to take this kind of traffic. Mr. David agreed that a traffic light is needed there. Chair Padula stated the Planning Board's purpose is public safety, infrastructure, and traffic. Mr. Taberner stated that Grove Street is on the radar; he does not know if a light is part of that. He stated he will have a conversation with the Town Administrator. Chair Padula stated a traffic light is needed; it is a public safety issue. Mr. Maglio noted that a recent Grove Street applicant was going to assist the Town with a grant application for some funds for street improvements. Chair Padula stated he would like to continue the public hearing for one week before he closes the hearing to see if the Planning Board can get a commitment from the Town for a traffic light.

Motion to Continue the public hearing for 162 Grove Street, Special Permit & Site Plan, to August 24, 2020. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

7:10 PM **PUBLIC HEARING** – *Continued*
5 Fisher and 29 Hayward Streets
 Special Permit & Site Plan Modification
Documents presented to the Planning Board are on file.

Attorney Stephen Chaplin, on behalf of Attorney Edward Cannon, representing the applicant, stated at the last meeting the Planning Board wanted assurance that no new tenants would be added into this property without a full Site Plan review by the Planning Board. The applicant is willing to submit to that. He noted that the Planning Board requested that the building be separated with a barrier. The Fire Department has said that the plan provides access. The proposed tenant is anxious to begin the manufacture of N95 masks.

Mr. Taberner stated the applicant provided the information that was requested by the Planning Board. Chair Padula stated this is a Limited Site Plan Modification for this particular building on 29 Hayward Street. He confirmed this is for the production of N95 masks by Mass Standard Materials. Planning Board members agreed on the wording as Limited Site Plan for 29 Hayward Street, change in use. Chair Padula asked this wording, the name Mass Standard Materials, and the agreement be put on the front page of the plan. Mr. Chaplin stated he did not know the hours of operation; he does not believe a lease has been negotiated or signed at this point. Mr. Pierce Schiller, Mass Standard Materials, stated they are looking to run three shifts in a 24-hour operation. Planning Board members noted that residential homes are abutting the building and discussed if trucks and deliveries at night could be limited. Mr. Schiller stated he would need to discuss these questions with the plant manager. Chair Padula requested the answers to these questions as well as noise factors, deliveries during second and third shifts, and if there will be overlapping traffic with the change in shifts in the parking lots.

Mr. Schiller said they are only looking to step into a facility that previously used a three-shift schedule; they would like to continue operations as the previous tenant had. Chair Padula asked if the applicant agreed to no pick up or deliveries from 10 PM to 7 AM. Mr. Halligan stated Sunday deliveries should not be allowed. Mr. Schiller stated they would be working seven days per week. He stated that these questions need to be brought before the plant manager. Chair Padula reiterated the building backs up to residential properties. He is concerned about trucks idling and making deliveries at night; people have to sleep. Mr. Schiller stated that without consulting legal counsel or his plant manager, he cannot make a commitment on these concerns.

Chair Padula stated the Planning Board is not in agreement to deliveries during the 10 PM to 7 AM timeframe. Mr. Taberner discussed that if the north side were used for shipping and receiving, it would have less impact on abutting neighbors. Mr. Rondeau requested confirmation about the weekend hours. Ms. Love stated abutters within 300 ft. were notified of the public hearing via regular mail. Chair Padula confirmed that no abutters were attending the meeting. He stated that if there are complaints with the trucking noise, the building commissioner can handle it. Discussion commenced about bylaws regarding deliveries and disturbing the peace.

Motion that this be handled as a Change in Use for 29 Hayward Street for Mass Standard Materials, and the letter is included. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Close the public hearing for 5 Fisher and 29 Hayward Streets, Special Permit & Site Plan Modification. Padula. Second: Halligan. Vote: 5-0-0 (5-Yes; 0-No).

Discussion commenced regarding a change in use and the requirement for a Site Plan. Ms. Love stated the change in use requires a Site Plan. Chair Padula stated the change in use was for only 29 Hayward Street. Ms. Love stated the request for the Special Permit was incorrectly listed on the agenda; the application was for a Site Plan. She stated that 5 Fisher Street is part of the actual parcel which includes 29 Hayward Street. Chair Padula stated that 5 Fisher Street needs to be withdrawn without prejudice, or it needs to be voted on as it was listed and applied for. He asked Ms. Love to check with Town Attorney Mark Cerel.

Motion to Adjourn the Remote Access Virtual Zoom Planning Board Meeting. Rondeau. Second: Power. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 8:32 PM.

Respectfully submitted,

Judith Lizardi, AL
Recording Secretary

****** Approved at the September 21, 2020 Planning Board meeting***