



TOWN OF FRANKLIN

DEPARTMENT OF PUBLIC WORKS

Franklin Municipal Building
257 Fisher Street
Franklin, MA 02038-3026

June 1, 2022

Mr. Greg Rondeau, Chairman
Members of the Franklin Planning Board
355 East Central Street
Franklin, MA 02038

RE: Site Plan and Special Permit – 230 East Central St, Taj Estates of Franklin II

Dear Mr. Chairman and Members:

We have reviewed the latest materials for the subject project and do not have any additional comments at this time.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

Michael Maglio, P.E.
Town Engineer

Date: May 19,2022 Job No.: 18.04830 Task 81
To: Amy Love, Town Planner
Cc:
From: Gary D. James, P.E.
Subject: **230 East Central Street**

In response to our peer review memo from April 20,2022, we have received the following.

- Letter from Guerriere & Halnon, Inc. **RE: Site Plan and Special Permit-TAJ Estates of Franklin II, 230 East Central Street, Franklin, Massachusetts** dated May 16,2022.
- **Revised Memorandum in Support of Application for Special Permit to Allow Multi-Family or Apartment Residential Use Within the Commercial I Zoning District**, Prepared by Richard R. Cornetta, Jr., Esquire, dated April 25,2022
- Letter from MF Engineering & Designs, Inc. to Mirajudin Ahmed, **RE: 230 East Central Street-Franklin**, Dated May 13,2022.
- Drawing Prepared by MF Engineering Design for **230 East Central Street, Franklin, MA**. Dated May 03,2022, signed and stamped by Carlos Ferreira, Mass PE No. 41423.
- **Photograph of Proposed Retaining Wall, 230 East Central Street, Franklin, MA 02038**, Prepared by MF Engineering & Design, Inc. dated May 04,2022.

The plan has been prepared to address the issues associated with the proposed grading within the limits of the Hill Avenue Right of Way along the westerly edge of the site and construction of a retaining wall along this property line. To eliminate the issues associated with the grading and excavation associated with the construction of a retaining wall along this property line, the applicant is now proposing to drive a PZ27 Steel Sheet Pile Wall. As proposed, the wall will start 43'± back from the front face of the building and extend 207'± southward beyond the parking spaces. Based upon existing grades and the proposed building slab elevation, the height of the wall will vary from 1' -10'. The tallest sections of the wall will be opposite the proposed first floor garage and along the proposed pavement area behind the building. Based upon the design plan, we have the following comments.

1. The natural grades in the center section of the wall exceed 30%. The design engineer should be prepared to discuss and present to the Planning Board a construction means and method to access this portion of the site and install the sheet piling.
2. The dimensions reflected on Sheet 4 of 12 of the record site plan drawings prepared by G & H, should reflect the dimensions from the building and the property line to the wall accounting for the width of the proposed sheet pile section.
3. At 10' high, the wall will require a fence along the top to prevent accidental falls. BETA recommends that a detail be provided to show the proposed fencing, including height, type, and material and relationship to the property line and the sheet pile wall.
4. If the intent of the wall installation is to maintain a 9' wide access corridor around the structure than the width at the top of the wall between the wall and the property line will only be 0.8'. Installing a fence along this strip will require the use of the right of way for construction access. BETA recommends that the applicant's attorney address this issue regarding access rights beyond the property line within the right of way.

5. The test pits conducted on site were all outside of the steep grades towards the middle of the lot. The sheet pile sections near STA 1+0 will need approximately 20' of penetration into the ground. Based upon the exposed ledge on the opposite edge of the right of way, what is the design engineer's contingency if you are unable to achieve the penetration depth due to ledge.
6. BETA recommends that the existing trees around the wall be located to see if any outside or on the property line will be impacted or need removal to install the sheet piling.

The comments from the BETA Peer review on February 22,2022 remain relevant. There are several waivers that are noted in that review and continue to be needed for the site to meet the bylaws. The 04-12-2022 revision to the plans and supplemental information have been to address the issues associated with the Hill Avenue Right of Way.

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4907
www.franklinma.gov

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

DATE: June 1, 2022
TO: Franklin Planning Board
FROM: Department of Planning and Community Development
RE: 230 East Central St – Taj Estates
Special Permit & Site Plan

The DPCD has reviewed the above referenced Site Plan Modification application for the Monday, June 6, 2022 Planning Board meeting and offers the following commentary:

General:

1. The site is located at 230 East Central St in the Commercial I Zoning District.
2. The applicant is proposing to construct a three story building with 33 residential units and an 825 sq/ft commercial area. Multi-Family requires a Special Permit in the Commercial I Zoning District, under 185 Attachment 7, 6.1.

Comments from the April 25 Planning Board Meeting:

1. The Planning Board requested a letter from Fire – See Fire letter attached.
2. The Planning Board asked where windows, doors and egress will be located along the alley way.
3. The Applicant is to provide a letter from a structural engineer – letter provided. Board should determine if this satisfy the disturbance question on Hill Ave.
4. Abutters asked if the Applicant could reach out to them to discuss what's right for the neighborhood.

DPCD Comments:

1. The Planning Board requested that the height of the building, in square footage be added to the plans.
2. Retaining wall added in place of grading. The retaining wall is on the property line.
 - a. An existing condition plan should be provided to determine if any trees are in the way of the retaining wall. From appearance, several stumps within Hill Ave would need to be removed in order to install the retaining wall.
 - b. It appears the Applicant will still disturb both abutters on East and West side when removing stumps to construct the wall and install the fence. A letter has

been submitted from a Structural engineer, however, they indicated how the wall will be constructed, but did not say there would be no disturbance on Hill Ave. As well as the fence that is to be installed, it should be proven that there is no disturbance on the abutting property.

- c. The letter from the Structural Engineer does not address how the fence will be installed on top of the retaining wall.
3. DPCD recommends the retaining wall be moved 10ft onto the property to avoid any disturbance on Hill Ave.
4. There is still light spillage onto the abutting property line. A revised lighting plan should be submitted to show no light spillage.
5. DPCD received a public comment letter which is included in this packet.
6. DPCD still has a concern for the density of this project. As stated in previous letters, this project is the largest density project submitted for approval. The Planning Board has mentioned in past meetings that 20-25 units is more reasonable.



FRANKLIN FIRE DEPARTMENT

To : DPCD

FROM : J. S. BARBIERI, DEPUTY FIRE CHIEF

DATE : 3 MAY 2022

RE : SITE PLAN – 230 EAST CENTRAL ST. – TAJ ESTATES II

Thank you for the opportunity to review the above referenced plan.

The only item noted is that there are two parking spaces at the back of the building that are next to the proposed concrete retaining wall. It would be helpful for us to access the alleyway in-between the retaining wall and building if just one of those parking spaces were eliminated.

Please contact me should you have any question or require any additional information.

cc: file

[franklinma] 230 e central st (Sent by Jennifer Lawrence , Jdmbfan@gmail.com)

1 message

Contact form at franklinma <cmsmailer@civicplus.com>

Sat, May 28, 2022 at 1:53 PM

Reply-To: Jdmbfan@gmail.com

To: alove@franklinma.gov

Hello alove,

Jennifer Lawrence (Jdmbfan@gmail.com) has sent you a message via your contact form (<https://www.franklinma.gov/user/118/contact>) at franklinma.

If you don't want to receive such e-mails, you can change your settings at <https://www.franklinma.gov/user/118/edit>.

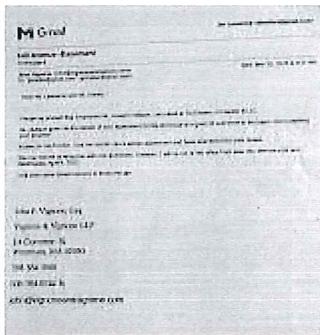
Message:

Amy

I wanted the board to know that Joe halligan came to my house offering me money to use hill ave to shoehorn his project into that spot. I feel like there is a lot of unlawful things going on behind the scenes and it's making me and my family very uncomfortable. There are people involved behind the scenes that aren't identifying themselves as involved. Joe halligan according to his attorney is a consultant to Taj estates. I've attached the email for proof. I also have an unsigned p&s, that will never be signed. This location is the wrong place for this type of build.

Thank you for your time.

Jennifer Lawrence



email.jpg
1724K



Jen Lawrence <jdmbfan@gmail.com>

Hill Avenue--Easement

6 messages

Wed, Mar 30, 2022 at 9:31 AM

John Vignone <john@vignoneandvignone.com>
To: "jdmbfan@gmail.com" <jdmbfan@gmail.com>

Dear Ms. Lawrence and Mr. Dooley:

Please be advised that I represent Mr. Joseph Halligan, consultant to Taj Estates of Franklin II LLC.

Mr. Halligan gave me the details of your agreement for the purchase of a grant of easement in the paper street abutting your property

Known as Hill Avenue. I put the details into a written agreement and have attached it for your review.

You can call me or email me with any questions. However, I will be out of the office from later this afternoon till next Wednesday, April 6, 2022.

I will have some limited access to email though.

John P. Vignone, Esq.

Vignone & Vignone LLP

14 Common St.

Wrentham, MA 02093

508-384-3900

508-384-8544 fx

john@vignoneandvignone.com



Guerriere & Halnon, Inc.

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F-4478

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Franklin, MA 02038-3807
Phone (508) 528-3221
Fax (508) 528-7921

Town of Franklin Planning Board
355 East Central Street
Franklin, MA 02038

**Re: Site Plan and Special Permit – Taj Estates of Franklin II
230 East Central Street, Franklin, Massachusetts**

Dear Planning Board Members:

On behalf of the Applicant, Taj Estates of Franklin II, LLC, please find enclosed supplemental information based on recent comments received by the Town regarding the proposed retaining wall.

Enclosed please find the following documentation for review and comment:

- Correspondence dated May 23, 2022 prepared by Vignone & Vignone, LLP
- Retaining wall correspondence dated May 25, 2022, prepared by MF Engineering & Design, Inc.;
- Design plan (Sheet 01) of proposed retaining wall prepared by MF Engineering & Design, Inc. stamped by a Professional Engineer (PE) dated May 25, 2022; and
- Side views during daylight hours
- Revised plan set last revised May 31, 2022. Plan revisions are as follows:
 - Compact car spaces have been revised to full size parking spaces and one parking space was removed at the rear of the building per the request of the Fire Department. Parking has been modified to 52 full-size parking spaces. No waiver request required.
 - Based on the correspondence provided by Vignone & Vignone, LLP a waiver is not required to allow parking within 10-feet of Hill Ave; and
 - Fence added to the top of the retaining wall.
- In regards to the Commercial space, this area will be utilized as a leasing office until all units are full. The space will then be rented to another tenant at which time the Applicant will seek limited site plan approval for a change in use.

We trust this meets with your requirements. Please contact us at our Franklin office at (508) 528-3221 if you have any questions or require additional information.

Sincerely,

Guerriere & Halnon, Inc.

Amanda Cavaliere
Franklin Office Manager
Enclosures

VIGNONE & VIGNONE LLP

ATTORNEYS AT LAW

14 COMMON STREET

WRENTHAM, MASSACHUSETTS 02093

www.vignoneandvignone.com

JOHN P. VIGNONE

JANET M. VIGNONE

Of Counsel

ANTHONY M. VIGNONE

May 23, 2022

Town of Franklin
Planning Board
355 East Central Street
Franklin, MA 02038

RE: 230 East Central Street, Franklin, MA 02038

Dear Chairperson and Members of the Board:

Please be advised this office represents Taj Estates of Franklin II, LLC in regard to above reference property. This letter is to address the following DPCD comment:

“At the rear of the building, there are 2 parking spaces within 10’ of the right-a—way.”

The bylaw itself reads little differently. This difference is determinative of the interpretation of the bylaw and its meaning. §185-21. C (1) reads

“No off-street parking area shall be located within 10 feet of a street right-of-way”.

The operative word being street. §185-3 of the Town of Franklin Zoning Bylaws defines the word “Street” as follows:

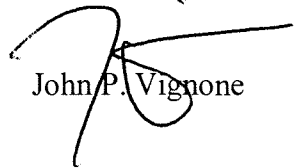
“An accepted Town way or a way established by or maintained under County, state or federal authority or a way established by a subdivision plan approved in accordance with the Subdivision Control Law, which way has been completely constructed in accordance with the terms, specifications and conditions of the applicable approved subdivision plan, rules and regulations and decision of the Planning Board, including all utilities in, on, over or under said way, drainage facilities appurtenant to said way, sidewalks and other municipal services appurtenant to said way, except for the final course pavement, or a way determined

by the Planning Board to have sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon.”

As applied to the portion of Hill Avenue that is in question, that area is not a Street according to the Town of Franklin Zoning bylaws and therefore there may be parking spaces within 10’ of it.

If you have any questions or require any further information, kindly contact this office.

Very Truly Yours,



John P. Vignone



May 25, 2022

Mirajuddin Ahmed
95 Edgewood Road
Westborough, MA

RE: 230 East Central Street – Franklin

Dear Mr. Ahmed,

Attached is the wall re-design for the retaining wall for your project on 230 East Central Street.

Per your request we excavated three test-holes adjacent to the wall, to verify the soil composition and presence of ledge, on all locations the soil was shown as glacial till material containing boulders, cobbles, gravel, sands, silts, and clays with a very stiff composition. Based on this discovery I had to adjust the wall design.

The new wall design will be formed by drilling soldier piles into the ground spaced 8 feet on center and in between the piles the wall will be made by 24" tall x 4" thick precast concrete panel placed between each steel beam.

The soldier pile is a steel beam 12" wide with 53 lbs/ft, the pile will be installed by drilling a 12" hole into the ground and anchoring into the glacial till bed with the same dimension of the exposed height. As excavation progresses in stages, horizontal lagging in the form of precast concrete is added behind the flanges to create the wall.

Essentially the new wall will have the same dimensions of the original design.

If you have any questions do not hesitate to contact me.

Sincerely,



Carlos Ferreira, PE

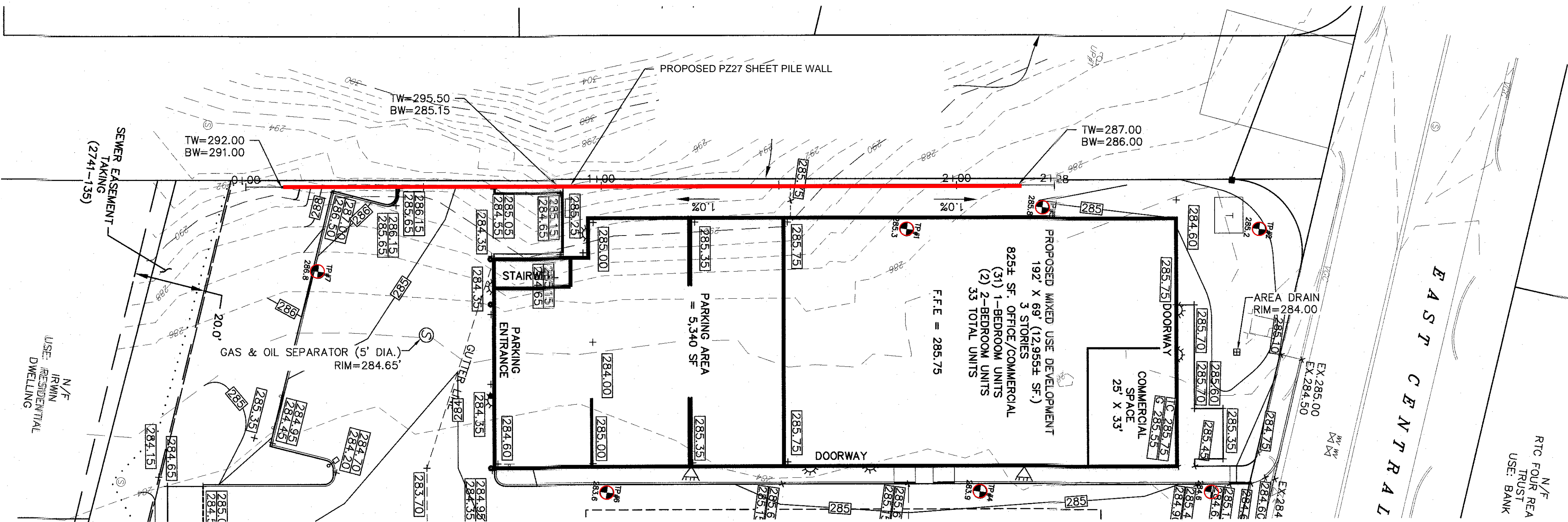
MF Engineering & Design Inc.
109 Highland Avenue #203 - Needham, MA 02494
Phone (508) 331-7261
email: carlos.ferreira@mf-eng.com

PLAN REFERENCES:

1. PLAN NO. 393-1997, PL. BK. 448

2. SEE ANR PLAN ENTITLED "PLAN OF LAND 230 EAST CENTRAL STREET FRANKLIN MASSACHUSETTS," DATED APRIL 30, 2018, PREPARED BY GUERRIERE & HALNON, INC. PLANNING BOARD ENDORSED MAY 7, 2018 ON WHICH THE INTERIOR DEED LINE IS DEPICTED AS "TO BE REMOVED."

3. TAJ ESTATES OF FRANKLIN II, SITE PLAN & SPECIAL PERMIT 230 EAST CENTRAL STREET, FRANKLIN MA. PREPARED BY GUERRIERE & HALNON, INC. LAST REVISED 4/12/22





SIDE SECTIONAL VIEW



SIDE SECTIONAL VIEW



SIDE VIEW - 12 HOUR



SIDE VIEW - 8 HOUR



SIDE VIEW - 17 HOUR