
GTE Franklin LLC - Appointment Only Condition

1 message

Chirag Patel <chirag@boterama.com>

Tue, Aug 3, 2021 at 11:56 AM

To: "alove@franklinma.gov" <alove@franklinma.gov>

Cc: "btaberner@franklinma.gov" <btaberner@franklinma.gov>, "Patrick@LewisAndSullivan.com" <Patrick@lewisandsullivan.com>, Jemin Patel <Jemin@boterama.com>

Hello Amy and Brian,

It was a pleasure speaking with Brian over the phone. I wanted to make a request related to our special permit for GTE Franklin LLC located at 1256 West Central St in Franklin.

As part of our special permit approval, the planning board imposed a special condition related to consumers entering our dispensary. During the meeting it was decided to keep the operations as an appointment only system until we came back before the planning board for a reassessment. This decision was made almost 2 years ago, and we have come a long way into the cannabis industry since then. Most of not all the stigma around traffic concerns have been lowered considerably. As of right now, there are over 150 locations active and operational in the commonwealth compared to a mere 40 when we presented in front of the board. Due to the increase in locations, we have seen the average customer count spread quite evenly amongst the many locations. We also understand the nature of traffic much better today as we have an operational dispensary, without an appointment only system, in Brockton for over 4 months now. We have an average customer count of 25 per hour at the Brockton location, which is lower than the anticipated 40 customer per hour limit we were proposing. With the understanding of actual data and increase in locations, we feel as though we do not need to implement appointment only during our launch.

We anticipate commencing operations the first week of September. Both chiefs from the fire and police department have made a visit to our location last month and had little to no concerns with our operations. We have plenty of parking spaces from our recent site improvements and a large waiting room indoors to accommodate queueing if necessary.

We are hoping that the planning department can take this information in consideration, so we are able to get in front of the planning board to address this condition. We are ready to proceed according to comments and concerns from the both of you and others. It would be ideal to get on the August 23rd agenda for the planning board.

Please don't hesitate to reach out via email or phone for any questions or concerns.

Warm Regards,
Chirag



Chirag Patel
Founder | CEO
Green Tech Enterprises Inc
(508) 846-5941



Re: GTE Franklin LLC - Appointment Only Condition

1 message

Thomas Lynch <tlynch@franklinma.gov>

Wed, Aug 4, 2021 at 11:51 AM

To: Bryan Taberner <btaberner@franklinma.gov>

Cc: Amy Love <alove@franklinma.gov>, Jamie Hellen <jhellen@franklinma.gov>, Gus Brown <gbrown@franklinma.gov>, Michael Maglio <mmaglio@franklinma.gov>, Joseph Barbieri <jbarbieri@franklinma.gov>, Mark Cerel <mcerel@franklinma.gov>

Good Morning All,

I spoke with the Chiefs of Police for the following communities that have retail cannabis companies located in their communities:

Millis (1), Blackstone (3), Uxbridge (3) and Attleboro (1).

I asked if any of their cannabis retail establishments had experienced any traffic related issues in the last 6 months due to the parking lots of these establishments not being able to accommodate customers parking . All reported they had NOT experienced any traffic related problems resulting from too many customers and not enough parking spaces thus causing a spill over onto the public roadways or parking in neighborhoods.

Millis did experience overflow issues due to a lack of parking (40 spaces) when Commcan first opened along Rte 109, but since the company added 50 additional spaces at a satellite parking lot, the issue has been resolved.

The consensus among the Chiefs was that they did not believe a new cannabis retail establishment opening in Franklin would cause an issue with traffic at the location with the amount of parking GTE will have available (97 parking spaces).

I have already discussed with GTE the hiring of a detail officer for the first week they are operating to ensure any traffic related issues may be handled immediately if they arise.

With the information I have obtained from surrounding communities with retail cannabis establishments and the cooperation we have enjoyed with GTE, the Franklin Police Department would not oppose the removal of the special condition that GTE operate by appointment only when they first open. The retail cannabis industry in Massachusetts and the surrounding area has changed in the last two years and the abundance of retail establishments has drastically reduced, if not eliminated, the concerns related to traffic congestion at these establishments.

Thanks,

T.J.

On Tue, Aug 3, 2021 at 12:07 PM Bryan Taberner <btaberner@franklinma.gov> wrote:

All: See below. Please send the Planning Department your input on this issue. I was going to suggest discussing next week (when Amy is back in the office) at Tech Review (8/11/21) but noticed Chief Lynch is on vacation.

Bryan W. Taberner, AICP
Director of Planning and Community Development
[355 East Central Street](#)
[Franklin, MA 02038-1352](#)
Phone: [508-520-4907](tel:508-520-4907)
Fax: [508-520-4906](tel:508-520-4906)
Email: btaberner@franklinma.gov

----- Forwarded message -----

From: **Chirag Patel** <chirag@boterama.com>

Date: Tue, Aug 3, 2021 at 11:56 AM

Subject: GTE Franklin LLC - Appointment Only Condition

To: alove@franklinma.gov <alove@franklinma.gov>

Cc: btaberner@franklinma.gov <btaberner@franklinma.gov>, Patrick@LewisAndSullivan.com <Patrick@lewisandsullivan.com>, [Jemin Patel](mailto:Jemin@boterama.com) <Jemin@boterama.com>

Hello Amy and Brian,

It was a pleasure speaking with Brian over the phone. I wanted to make a request related to our special permit for GTE Franklin LLC located at [1256 West Central St](#) in Franklin.

As part of our special permit approval, the planning board imposed a special condition related to consumers entering our dispensary. During the meeting it was decided to keep the operations as an appointment only system until we came back before the planning board for a reassessment. This decision was made almost 2 years ago, and we have come a long way into the cannabis industry since then. Most of not all the stigma around traffic concerns have been lowered considerably. As of right now, there are over 150 locations active and operational in the commonwealth compared to a mere 40 when we presented in front of the board. Due to the increase in locations, we have seen the average customer count spread quite evenly amongst the many locations. We also understand the nature of traffic much better today as we have an operational dispensary, without an appointment only system, in Brockton for over 4 months now. We have an average customer count of 25 per hour at the Brockton location, which is lower than the anticipated 40 customer per hour limit we were proposing. With the understanding of actual data and increase in locations, we feel as though we do not need to implement appointment only during our launch.

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Please don't hesitate to reach out via email or phone for any questions or concerns.

Warm Regards,
Chirag



Chirag Patel
Founder | CEO
Green Tech Enterprises Inc
(508) 846-5941

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Picture

Thomas J. Lynch

Chief of Police
Franklin Police Department
[911 Panther Way](#)
Franklin, MA 02038
Phone: 508-440-2710
Fax: 508-520-4747
tlynch@franklinma.gov

Please note my new email address

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FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

355 EAST CENTRAL STREET
FRANKLIN, MA 02038-1352
TELEPHONE: 508-520-4907
FAX: 508-520-4906

MEMORANDUM

DATE: August 18, 2021
TO: Franklin Planning Board
FROM: Department of Planning and Community Development
RE: 1256 West Central St – Marijuana Retail
Special Permit Modification

General:

1. The Planning Board approved the Special Permit and Site Plan at 1256 West Central St on September 23, 2019 for a Marijuana Retail establishment.
2. The Applicant is requesting a change in the Special Permit condition. The condition that the change is being requested reads:
 - *The clients are to arrive by appointment only. At any time in the future, the applicant may file a modification for non-appointment clients.*
3. The following letters have been received
 - Letter dated August 4, 2021 from T.J Chief of Police
 - Letter dated August 3, 2021 from Boterra, Applicant

Comments:

The Applicant is requesting to allow non-appointment customers. The Planning Board should determine if they agree to allow this change.



**FRANKLIN PLANNING & COMMUNITY
DEVELOPMENT**

355 EAST CENTRAL STREET, ROOM 120
FRANKLIN, MA 02038-1352
TELEPHONE: 508-520-4907

MEMORANDUM

DATE: August 10, 2021
TO: Franklin Planning Board
FROM: Department of Planning and Community Development
RE: Housing Production Plan – Follow up

DPCD has put together the Housing Production Plan (HPP). The purpose of the plan is to assist the Town with maintaining its 10% affordable units and help to make progress in facilitating the development of diverse housing supply for Franklin's low and moderate income residents. The HPP can be found on DPCD website at:

<https://www.franklinma.gov/planning-community-development/files/preliminary-final-2021-housing-production-plan>

DPCD has presented the Housing Production Plan to the Planning Board on the following dates:
May 24, 2021
June 21, 2021
August 9, 2021

The first half of the HPP is factual data providing an overview of the Town of Franklin housing, population, income and area data. The HPP then provides goals and strategies to address affordable housing. Understandably the document is lengthy, but given the four months provided for the Planning Board to review, it is hopeful a decision can be made to move the plan to the next phase.

The state requires the HPP be accepted by the Planning Board and Town Council before the State will accept the plan for the Town of Franklin.

DPCD is requesting to move forward with a public hearing at the next Planning Board meeting on September 13, 2021 for the Housing Production Plan acceptance.

SITE PLAN OF LAND

**FORM H- PART 1 of 2
ENGINEER'S AND OWNER'S CERTIFICATE
OF PARTIAL COMPLETION
(to be executed by developer's engineer)**

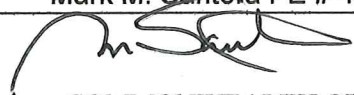
Site plan known as Commercial Building - 105 Constitution Blvd,

ENGINEERS CERTIFICATION:

I hereby certify that the work/improvements shown on the above referenced site plan and performed or constructed to date have been completed in all respects in accordance with the Town of Franklin zoning requirements and the approved plans entitled: Site Development for Cannabis Cultivation - 105 Constitution Blvd, prepared by Mark M Santora PE Inc and dated Sept 25th, 2018, revised thru, July 20th 2021 as approved by the said Planning Board on . February 25th, 2019

Signed this 10 day of August, 2021

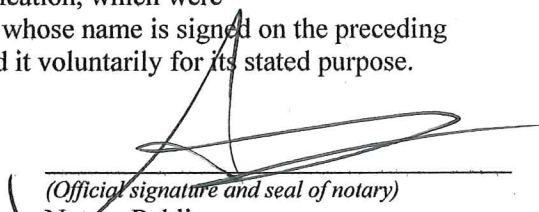
By Mark M. Santora PE # 40167, Reg. C.E.



COMMONWEALTH OF MASSACHUSETTS

Worcester, SS.

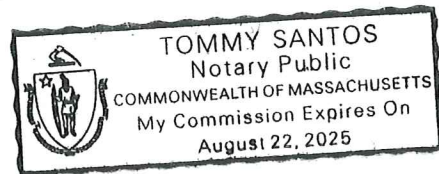
On this 10 day of August 2021, before me, the undersigned notary public, personally appeared Mark M. Santora (name of engineer), proved to me through satisfactory evidence of identification, which were Massachusetts Driver's License to be the person whose name is signed on the preceding document and acknowledged to me that he/she signed it voluntarily for its stated purpose.



(Official signature and seal of notary)

Notary Public:

My Commission Expires: August 22, 2025



Rec'd by
Maxine T. Cant
8/16/21
10:45 AM

SITE PLAN OF LAND
FORM H- PART 2 of 2
ENGINEER'S AND OWNER'S CERTIFICATE
OF PARTIAL COMPLETION

Site plan known as Commercial Building - 105 Constitution Blvd

Site Address: 105 Constitution Blvd, Franklin, MA


OWNER'S CERTIFICATION:

By signing this form, I am agreeing to the list of outstanding items as attached and defined by the Town Engineer, that must be completed at the above referenced site prior to the issuance of a Certificate of Final Completion by the Planning Board; I also agree to complete work by the required date listed next to each outstanding item. If these items are not completed by the date stated, I acknowledge that I am aware I will be fined \$300 for each offense as stated in §185-31 of the Code of the Town of Franklin and is enforceable by the Building Commissioner or his designee.

A separate form including the following information shall be attached to this document: outstanding items and date of required completion for each item and shall be signed by the Owner's Engineer and the Owner and approved by Town Engineer.


I will return to the Planning Board for the issuance of a Certificate of Final Completion by October 18th, 2021 or be fined \$300 for each offense as stated in §185-31 of the Code of the Town of Franklin as enforced by the Building Commissioner or his designee.

Signed this 10 day of August, 2021

By , Owner

Washtenaw, SS.

On this 10th day of August, 2021, before me, the undersigned notary public, personally appeared Ankur Rungta (name of owner), proved to me through satisfactory evidence of identification, which were driver's license to be the person whose name is signed on the preceding document and acknowledged to me that he/she signed it voluntarily for its stated purpose.


(Official signature and seal of notary)
Notary Public: Andrea Doyle
My Commission Expires: 4/11/26

Rec'd by
M. K. Oant
8/10/21 10:45 AM



Site Plan Work Completion List


(To accompany Form H- Engineer's and Owner's Certificate of Partial Completion)

Site Plan Name: Commercial Building - 105 Constitution Blvd
Owner Name: Ankur Rungta
Owner's Engineer: Mark Santora
Date of Partial Certificate of Completion: 8/16/2021

Outstanding Items: **Required Date of Completion:**

Main Breaker Ground Fault Test required by electrical inspector	8/17/2021
Fencing - material availability issue	9/30/2021
Tree/Shrub planting - waiting on approval of change by Board	8/27/2021
Infrared paving repairs on road required by Town Engineer	8/18/2021
Hydro seeding	8/20/2021

Approved by: _____, Town Engineer Date: _____

Signed by: , Engineer Date: 8/13/2021

Signed by: Ankur Rungta, Owner Date: 8/13/2021

* A Notarized Form H- Engineer's and Owner's Certificate of Partial Completion Part 1 and 2 must accompany this form prior to acceptance by the Planning Board.

*Rec'd by
M. Einhart
8/16/2021
10:45AM*



TOWN OF FRANKLIN - SITE OBSERVATION REPORT

105 Constitution Boulevard

Report No.:	4831 71 - 30	Date:	August 18, 2021	Arrive:	1:45 PM
Observer:	Matt Crowley	Weather:	Cloudy, 88°	Leave:	4:45 PM
Applicant:	19th Fairway Development 42 Adin Street Hopedale, MA 01747	Contractor:	MSPE, Inc. 123 Old Westboro Road N. Grafton, MA 01536		

**Mark Santora
508-887-0170**

Items Observed: **Conformance Observation – Submitted in conjunction with Applicant’s request for acceptance of Form H – Certificate of Partial Completion**

OBSERVATIONS

Observation Requested By: Ankur Rungta

Met/walked site with: Mark Santora

Current Activity on Site: Rip-rap installation, hydroseeding

Observed Construction: BETA arrived on site to perform a construction observation in conjunction with the Applicant’s request for acceptance of Form H – Certificate of Partial Completion. The required Form H dated August 10, 2021, was provided via email and the as-built plan is anticipated to be provided in the future. BETA’s site walk confirmed the site to be constructed in general conformance with the Approved Plans with the following exceptions/notations:

- Items listed by the Engineer or Record on Form H. BETA notes that infrared pavement repairs has been completed to the satisfaction of the Town Engineer and Hydroseeding has been partially completed.
- The site has remaining construction equipment and debris at several locations and an unrestored laydown area.
- Curbing along the site driveway (approx. 330 feet total) has not been installed to the limits depicted on the Approved Plans. BETA notes it appears the intention of the proposed curbing on the west side of the driveway is to direct stormwater to the drainage swale; however, the Engineer of Record has indicated that as-built information will be provided to show that drainage will function as intended. BETA will review information upon receipt.
- Rip rap installed in the water quality swale is at an elevation above the driveway grade. BETA recommends the designer confirm that flow in the swale will not encroach onto the driveway pavement.
- The sidewalk adjacent to the upper parking area was installed at a width of approximately 38”, where 48” was proposed.
- Rip Rap and stone has been installed in areas between the parking areas and adjacent to the building in place of loam and seed or landscaping. The Engineer or Record has indicated this is currently being requested as a field change through the Planning Board.
- Catch basin hoods (i.e. oil/debris traps) have not been installed.

- The temporary handrail along the stairs between the parking areas must be replaced with permanent handrails on both sides of the stairs in accordance with 521 CMR 27.4.1.
- One of the accessible parking spaces does not have direct access to a ramp. 521 CMR 23.5 requires that a curb cut (ramp) be provided at each accessible space or pair of spaces. As such, the Engineer of Record is evaluating options to provide an additional ramp; however, it may result in the loss of a single parking space.
- Temporary accessible parking signage should be replaced with permanent signage.
- 8" orifice knockouts for the stormwater basin outlet control structure require removal.
- Silt fence around perimeter of site requires removal after full site stabilization.
- The concrete level spreader at the pond outlet has not been installed. The Engineer of Record has requested if curbing can be installed instead, and BETA does not have an objection.
- BETA has recommended that the curbing adjacent to CB-3 is extended by approximately 3 feet and tapered flush with the pavement.
- Some areas behind the southerly curb line require additional fill behind the curb, as well as loam and seed.
- Several areas along the southerly curb line have pieces of curb knocked off alignment and require the curb to be reset.
- Dumpster enclosures have not been installed.
- Roof access stairs are not closed off with fencing or other means to prevent unauthorized access.
- Bollards have not been installed at the southerly access door.
- CB-1 is not located adjacent to curbing. BETA notes that the catch basin was installed at the approved location, but the curb line was relocated as part of an approved field change.
- An additional parking space was provided in the upper lot and one space in the lower lot was removed to accommodate the electrical equipment. BETA notes the total number of parking spaces provided is consistent with Approved Plans.
- BETA notes that noise and odor control design was reviewed to the satisfaction of Mike Lannan of Tech Environmental during the design phase. During construction Mr. Lannan observed installed infrastructure, reviewed final design documents, and provided recommendations/comments to the project proponents. To date the proponent has provided responses and information for all provided comments with adequate time for Mr. Lannan to respond. In consideration of the elapsed time, numerous attempts of outreach to Mr. Lannan, and the formal commitment from the proponent to work with the Town to further mitigate odor if necessary, BETA considers this matter to be closed.

Photos Attached:



Granite curb radius at site entrance



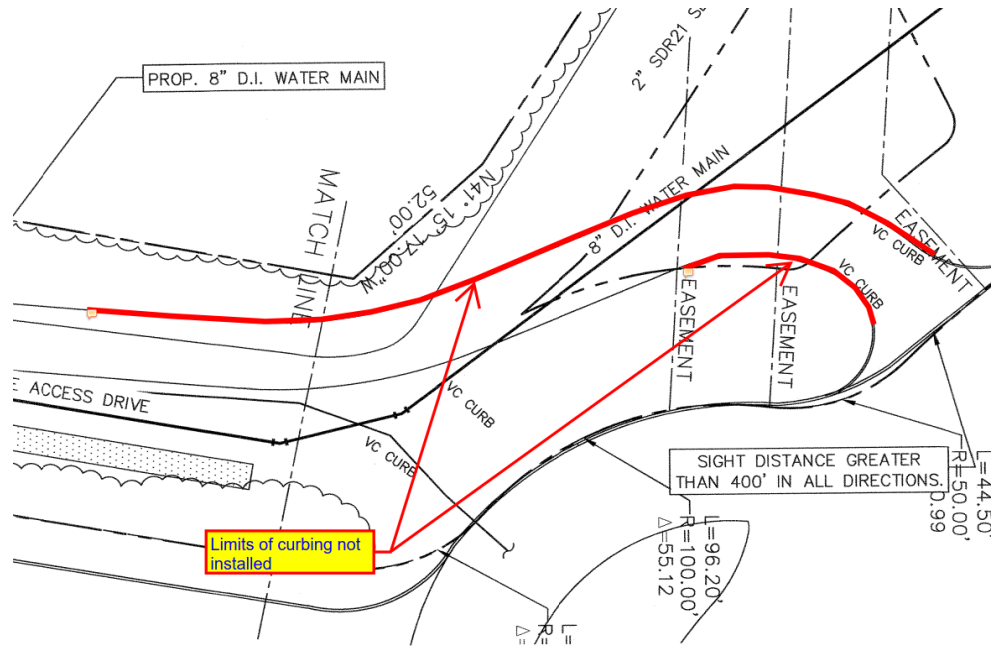
Typical area behind curb requiring fill, loam, and seed



Laydown area requiring restoration



Utility patch on Liberty Way that has been bonded with infrared



Approximate limits of curbing not installed per Approved Plans



Drainage swale and rip rap installation



Upper parking area and sidewalk (~38" excluding curb)



Typical width of parking space (9')



Town standard fire hydrant



Accessible space that requires curb cut (ramp) to sidewalk



Bollards installed at flush sidewalk



Area with recently placed hydroseed



Drainage swale adjacent to roadway



Stormwater basin



Sewer pump chamber access installed above grade per direction of Water and Sewer Superintendent.



Outlet control structure that requires removal of 8" orifice knockouts



Typical silt fence that requires removal after full site stabilization



Pond outlet that lacks concrete level spreader



Proposed location of storage container



Catch basin that is recommended to have curb extended and brought flush with pavement



Typical curb that is required to be reset



Dumpster area lacking enclosure and roof access lacking fencing



Door lacking bollards



Catch basin not installed adjacent to curb (curb line shifted as part of approved field change)



FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

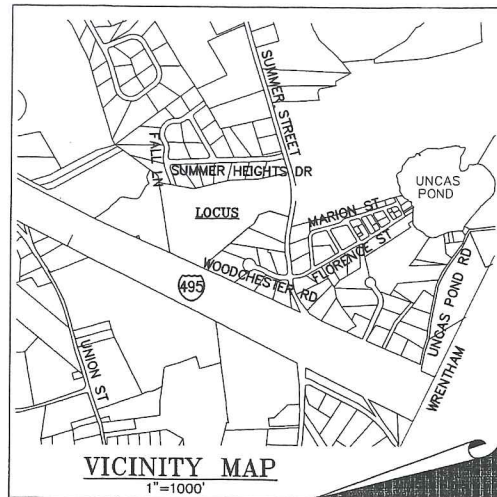
355 EAST CENTRAL STREET
FRANKLIN, MA 02038-1352
TELEPHONE: 508-520-4907
FAX: 508-520-4906

MEMORANDUM

DATE: August 18, 2021
TO: Franklin Planning Board
FROM: Department of Planning and Community Development
RE: 105 Constitution Blvd (formerly 4 Liberty Way)
Partial Form H – Marijuana Cultivation

General

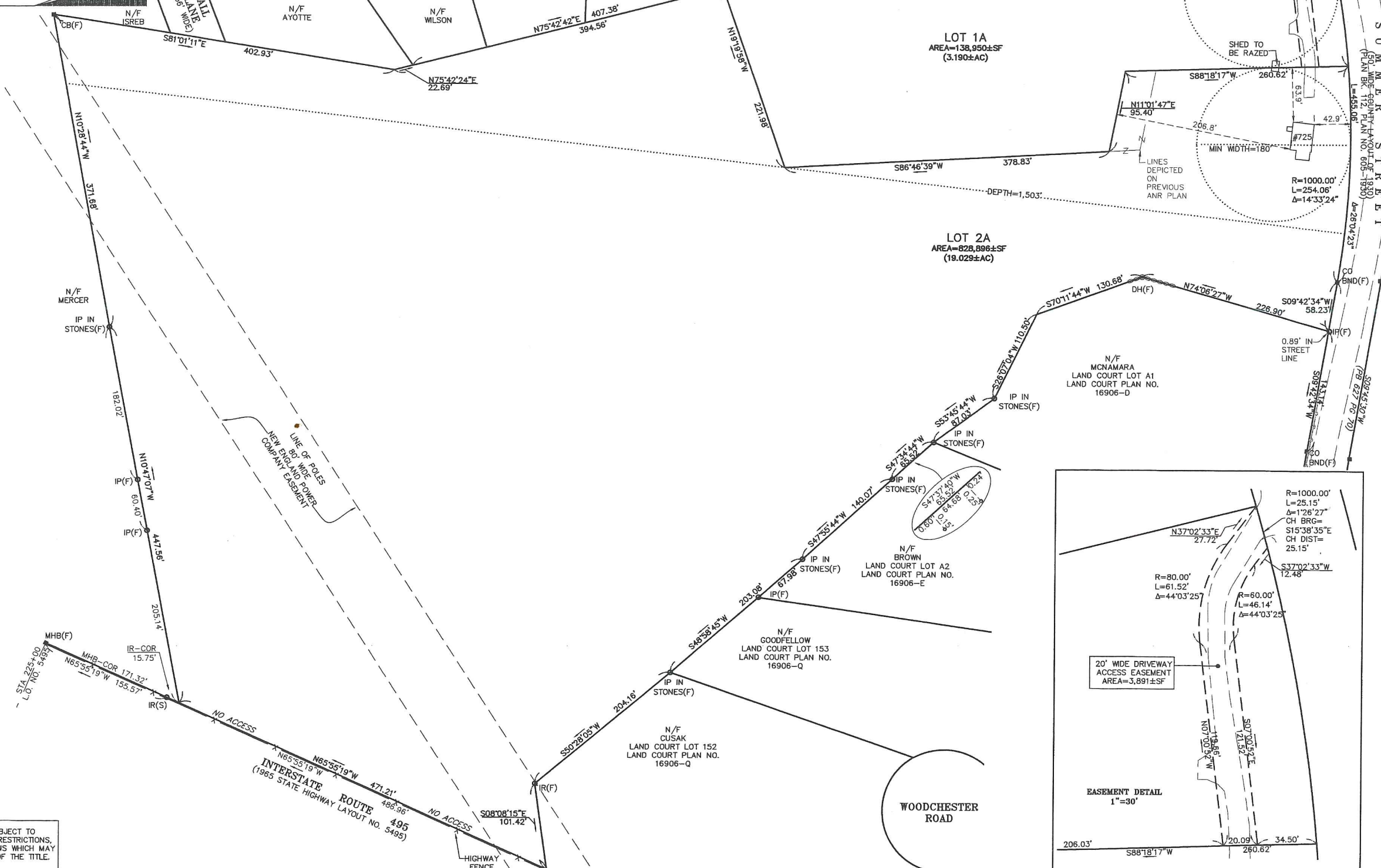
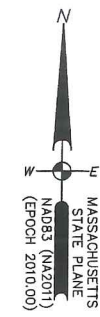
1. On February 11, 2019, the Planning Board approved an application for a Special Permit and Site Plan for 105 Constitution Blvd. The purpose of the Special Permit and Site Plan is to construct a Marijuana Cultivation facility, with parking spaces and drainage for the site.
2. The applicant is requesting acceptance for the above referenced Partial Form H. The applicant has not provided an as-built plan for review.
3. BETA has performed an on site observation and provided an extensive report.
4. The Applicant has numerous field changes through out the construction of the project. The field changes should be reflected on any as-built plans submitted.
5. Outstanding item: The applicant had requested a change in landscaping and revised fenced area. The Planning Board did not make a decision on this field change.



RURAL RESIDENTIAL I
FRANKLIN ZONING BYLAW SECTION 185
ATTACHMENT 9; LAST AMENDED
3-13-2019 BY AMENDMENT 19-831

MINIMUM LOT AREA	40,000 SF
MINIMUM LOT FRONTAGE	200'
MINIMUM LOT DEPTH	200'
MINIMUM LOT WIDTH	180'
MINIMUM YARDS	
FRONT	40'
SIDE	40'
REAR	40'
% OF LOT UPLAND COVERED BY:	
STRUCTURES	20
STRUCTURES+PAVING	25

NOTE: THE PURPOSE OF THIS PLAN IS TO SUPERCEDE A PRIOR ANR PLAN DATED MAY 28, 2021 AND ENDORSED BY THE PLANNING BOARD ON JUNE 10, 2021 IN ORDER TO ALTER LOT 1 AND LOT 2 SHOWN THEREON.



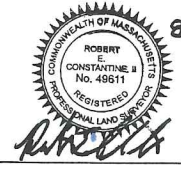
PLANNING BOARD ENDORSEMENT IS NOT A DETERMINATION AS TO CONFORMANCE WITH THE ZONING BYLAW.

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED
FRANKLIN PLANNING BOARD

DATE: _____

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS.

THIS IS NOT A CERTIFICATION AS TO THE TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.



OWNER

KYLE MCNAMARA
418 OLD RIVER ROAD
LINCOLN, RI 02838
DEED BOOK 38469 PAGE 40
PLAN BOOK 627 PLAN NO. 70
A.M. 315 LOT 37

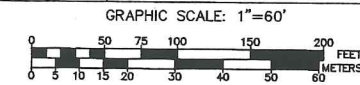
APPLICANT

NORTHEAST DEVELOPMENT
418 OLD RIVER ROAD
LINCOLN, RI 02838

PLAN OF LAND OWNED BY KYLE MCNAMARA ON SUMMER STREET IN FRANKLIN MASSACHUSETTS

AUGUST 11, 2021

DATE	REVISION DESCRIPTION



Guerriere & Halon, Inc.
ENGINEERING & LAND SURVEYING
55 WEST CENTRAL ST. PH. (508) 528-3221
FRANKLIN, MA 02038 FX. (508) 528-7921
www.gandhengineering.com

G:\CDP\msh\1410\Copy of Old Project Drive\F4410 (Survey Only)\msh\F4410-ANR (2021-08-11).dwg, 8/12/2021 6:46:35 AM, [REC]

CONSTRUCTION ON THIS LAND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS, OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.

PLANNING BOARD
FRANKLIN, MASSACHUSETTS

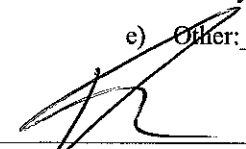
FORM A
APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED
NOT TO REQUIRE APPROVAL (81-p)

August 12, 2021

To the Planning Board of the Town of Franklin, Massachusetts:


The undersigned, believing that the accompanying plan of land in the Town of Franklin does not constitute a subdivision within the meaning of the Subdivision Control Law, for the reason outlined below, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant: Northeast Development
Address of Applicant: 418 Old River Road, Lincoln, RI 02838
Phone No.: 401-222-9203 Email: nergroupl@gmail.com
2. Name of Owner (if not the Applicant): Kyle McNamara
Address of Owner: 418 Old River Road, Lincoln, RI 02838
Phone No.: 401-222-9203 Email: nergroupl@gmail.com
3. Name of Engineer: Guerriere & Halnon, Inc.
4. Deed of Property recorded in Norfolk with Norfolk Registry, Book 38469, Page 40
5. Location and Description of Property: 725 Summer Street - Single House Lot located on
6. Assessor's Map & Lot: AM315 Lot 37 21+ Acres of Land
7. Reasons approval is not required (check as applicable):
 - a) Every lot shown has the area and frontage required by the Zoning By-Law on a way as defined by the Subdivision Regulations x
 - b) a public way or way which the Town Clerk certifies is maintained and used as a public way, namely _____, or
 - c) a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, namely _____ on _____, and subject to the following conditions _____; or
 - d) a private way in existence on March 12, 1954, the date when the subdivision control law became effective in the Town of Franklin having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely _____
 - e) Other: _____



Signature of Applicant
Kyle McNamara

Print Name of Applicant



Signature Owner
Kyle McNamara

Print Name of Owner

CERTIFICATE OF OWNERSHIP

I the undersigned Applicant, do hereby certify to the Town of Franklin, through its Planning Board, that all parties of interest to the below-listed plan are identified in Section B: below,

SECTION A:

Type of Plan (circle one) ANR 81-P; Preliminary Subdivision

Definitive Subdivision; Site Plan; Special Permit

Title of Plan: Plan of Land Owned by Kyle McNamara on Summer Street

Date of Plan: August 11, 2021 Assessor's Information: AM 315 Lot 37

Prepared by: Guerriere & Halnon, Inc.

Applicant Name & Address: Northeast Development
418 Old River Road
Lincoln RI 02838

SECTION B:

Name of Record Owner(s): Kyle McNamara
418 Old River Road

Address of Record Owner(s): Lincoln RI 02838

****Attach Property Deed matching the owner name's listed above.**

*If in the name of a Trust, Corporation or Partnership, list the names and addresses of all Trustee(s), Corporate Officer(s) or Partner(s):

*If in the name of a Trust or Corporation, list the Beneficiary(ies) of the Trust or the Shareholder(s) of the Corporation:

*If in the name of a Trust or Corporation, list the date, county, book and page of recording of the Trust Instrument, or the date and State of incorporation:

Executed as a sealed instrument this 13th day of August 2021

[Signature]
Signature of Applicant

Kyle McNamara

Print name of Applicant

[Signature]
Signature of Owner

Kyle McNamara

Print name of Owner

COMMONWEALTH OF MASSACHUSETTS

Norfolk ss.

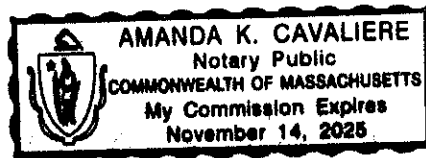
2021

On this 13th day of August 2021, before me, the undersigned notary public, personally appeared Kyle McNamara (name of owner), proved to me through satisfactory evidence of identification, which were _____ to be the person whose name is signed on the preceding document in my presence.

Amanda K. Cavaliere
(Official signature and seal of notary)

Notary Public:

My Commission Expires: NOV 14 2025



Property Address: 725 Summer St. + Lot A Franklin MA. LAND COURT

Doc#: 1,458,021 10-14-2020 12:02
Ct#: 203621
Norfolk County Land Court

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA
CERTIFY
C O P Y
William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

N O T
Bk A 38469 Pg 40 #110696
10-14-2020 @ 12:20p
O F F I C I A L
C O P Y
MASSACHUSETTS STATE EXCISE TAX
Norfolk Registry of Deeds
Date: 10-14-2020 @ 12:20pm
Ct#: 687 Doc#: 110696
Fee: \$2,964.00 Cons: \$650,000.00

Property Address:
725 Summer Street
and Lot A1 Summer Street
Franklin, Massachusetts 02038

QUITCLAIM DEED

We, **VALENTINA PASQUANTONIO WEBER and DAVID C. WEBER**, being married to each other, both with a mailing address of 59 Red Acre Road, Stow, Massachusetts, 01775

for consideration paid, and in full consideration of SIX HUNDRED FIFTY THOUSAND (\$650,000.00) and 00/100 DOLLARS

Grant to **KYLE MCNAMARA**, with a mailing address of 14 Breakneck Hill Road, Lincoln, Rhode Island 02865

with quitclaim covenants

Land, with improvements thereon, situated on the westerly side of Summer Street, in Franklin, Norfolk County, Massachusetts, to wit:

Parcel 1: being more particularly shown as Assessor's Map 315, Lot 37, Area = 967,846 + SF (22.22 + acres) on a plan entitled, Plan of Land 725 Summer Street Franklin, Massachusetts, dated November 25, 2013, prepared by Guerriere & Halnon, Inc., filed with the Norfolk County Registry of Deeds as Plan No. 70 in Plan Book 627. Meaning an intending to convey all of the grantor's right, title and interest in the property conveyed by Deed of Valentina Pasquantonio Weber dated October 16, 2015 recorded with Norfolk County Registry of Deed in Book 33569, Page 528.

Parcel 2: being more particularly shown as Lot A1 on a plan drawn by Kenneth E. McIntyre, C.E., dated Oct. 19, 1940 filed with the Norfolk District of the Land Registration Office as Plan No. 16906D. Meaning an intending to convey all of the grantor's right, title and interest in the property conveyed by Deed of M. Valentina Weber dated October 5, 2015 and filed with the Norfolk District of the Land Court as Document No. 1,339,585 with Certificate No. 26683.

The undersigned grantors do hereby voluntarily release all rights of Homestead, if any, as set forth in M.G.L. Chapter 188 and state under oath that there are no other person or persons entitled to any homestead rights other than those executing this deed.

NOT AN OFFICIAL NOT AN OFFICIAL

Witness our hands and seal this day, October 2nd Y, 2020.

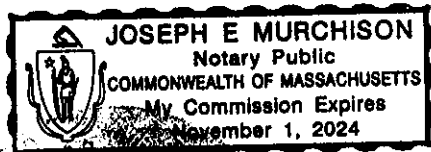
Valentina Pasquantonio Weber
VALENTINA PASQUANTONIO WEBER

David C. Weber
DAVID C. WEBER

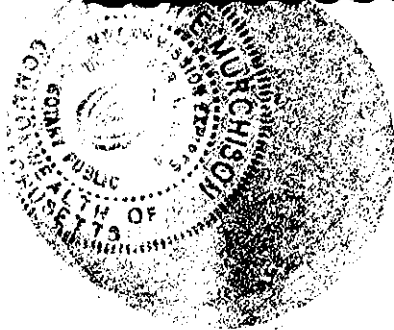
Commonwealth of Massachusetts

Middlesex ss.

On this day, October 2nd, 2020, before me, the undersigned notary public, personally appeared VALENTINA PASQUANTONIO WEBER and DAVID C. WEBER, proved to me through satisfactory evidence of identification, being (check whichever applies):
 Driver's License or other state or federal governmental document bearing a photographic image, Oath or Affirmation of a credible witness known to me who knows the above signatory, or My Own personal knowledge of the identity of the signatory, to be the person(s) whose name(s) is/are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily, for its stated purpose.



Joseph E Murchison
Notary Public Joseph Murchison
My commission expires: Nov. 1st 2024



RETURN TO
Glenn J. Andreoni, Inc.
628 George Washington Highway
Lincoln, RI 02865



FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

355 EAST CENTRAL STREET
FRANKLIN, MA 02038-1352
TELEPHONE: 508-520-4907
FAX: 508-520-4906

MEMORANDUM

DATE: August 17, 2021
TO: Franklin Planning Board
FROM: Department of Planning and Community Development
RE: 81-P ANR – 725 Summer Street

The DPCD has reviewed the above referenced 81-P (ANR) application for the Monday, June 7, 2021 Planning Board meeting and offers the following commentary:

General

1. The applicant has submitted a Form A application for 81-P Plan Review to accompany the plan of land on Summer Street, dated August 12, 2021.
2. The purpose of the plan is to create 2 buildable lots shown with adequate frontage and lot area on Summer Street.
3. The above application shows the land known on Assessors Map 315 Lot 037

ANR Summary

- The Planning Board previously approved a similar ANR plan in June 2021. The current plan shows where the lot line has changed.
- The lots shown on the plan are conforming to zoning.

Town of Franklin



Planning Board

**July 12, 2021
Meeting Minutes**

Chair Anthony Padula called the above-captioned meeting held in the Town Council Chambers at 355 East Central Street, Franklin, MA, to order this date at 7:00 PM. The public had the option of attending the meeting live at the Town Hall, or dialing into the meeting using the provided phone number, or participating by copying the provided link. Members in attendance: Joseph Halligan, William David, Gregory Rondeau, Rick Power, associate member Jennifer Williams. Members absent: None. Also present: Michael Maglio, Town Engineer (via Zoom); Amy Love, Planner.

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 stated that the meeting would be video recorded.

A. Memo from TA – Meeting Minutes

Ms. Love reviewed the memo from Town Administrator Jamie Hellen dated June 23, 2021, which was provided to all boards and committees. She stated that the memo was a housekeeping item informing boards and committees that the State extended remote public hearings until April 1, 2022. The memo included a reminder that there is a State bylaw regarding the timeframe for accepting meeting minutes.

B. 81-P ANR: Prospect Street

Ms. Love stated that lot lines remain the same as the previous approved plans. The Bellingham Planning Board signed the mylar at their meeting; they requested that a note be added to the plans indicating the lots are non-conforming in Bellingham. This note does not change the conforming lots in the Town of Franklin. She stated that the Franklin Planning Board recently approved a similar ANR plan.

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

C. 81-P ANR: Elm Street

Ms. Love stated that the purpose of the plan is to add Parcel A to 12 Elm Street; 22 Elm Street and 12 Elm Street remain conforming. She noted that Planning Board members were provided with a revised ANR containing two minor changes.

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

D. Field Change: 105 Constitution Boulevard

Mr. Rondeau recused himself.

Ms. Love stated that Mr. Mark Santora, engineer, provided a letter for several proposed field changes. BETA provided a sketch to illustrate the proposed changes to the handicap parking spaces; BETA recommended that if the shift to the handicap parking spaces is accepted, bollards be installed along the sidewalk. She stated that the applicant also requested to add a storage container to the rear of the property. She requested the engineer provide a diagram showing the location of the proposed storage container.

Mr. Santora showed and described the plan with the dry storage container location, size, and setbacks. He stated that they have also shown rip rap as needed. Mr. Maglio stated that he reviewed the requested changes and most were minor in nature; the issue with the storage container is a Planning Board decision. He discussed the request to shift the handicap ramps and the spaces; the proposal is for a 19 ft. wide access ramp which spurred the recommendation of the sidewalk bollards. Mr. Santora confirmed that the curbing would be vertical granite. He stated everywhere the handicap ramp dips down to a flat opening will have a bollard in front of the parking space but not in front of the hatching so the wheel chairs can get out of the van and into the ramp; he noted this is per the suggestion of Mr. Matthew Crowley, BETA Group. He stated that the applicant does not have an objection.

Motion to Approve the Field Change: 105 Constitution Boulevard. Halligan. Second: David. Vote: 4-0-0 (4-Yes; 0-No).

Mr. Rondeau re-entered the meeting.

E. Endorsement: 12 Forge Parkway

Ms. Love stated that the Planning Board approved the Special Permit and Site Plan Modification on June 21, 2021, for a storage facility at 12 Forge Parkway. The applicant has submitted plans for endorsement. The Certificate of Vote and Conditions are included in the plans to be endorsed.

Mr. Rondeau confirmed that the 10 ft. PVC fence was on the detail of the drawing. Chair Padula confirmed the Saturday times were listed in the Special Permit.

Motion to Endorse 12 Forge Parkway. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

F. Meeting Minutes: June 7 & June 21, 2021

Motion to Approve the Meeting Minutes for June 7, 2021. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve the Meeting Minutes for June 21, 2021. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Chair and Member Comments

Chair Padula asked for follow up regarding Mr. Rondeau's comments at the June 7, 2021 meeting; Mr. Rondeau had asked about Panther Way regarding people getting blasted with sand during the wind and had asked that the site be stabilized. At the June 7, 2021 meeting, Mr. Maglio had responded that he had spoken with the applicant and the applicant indicated that he would take care of it.

Chair Padula stated that during the recent rainstorm it was just a mudslide as erosion control prevention was not installed. He asked Mr. Maglio the current status. Mr. Maglio stated that he spoke with Brad during the storm on Friday, and silt sacks were being installed in the downstream catch basins on Panther Way. They had some wash out coming onto the street, and they were building some stone check dams to control it during the storm. Mr. Maglio stated that he spoke with Brad again today, and they were doubling up on the silt sacks to keep everything under control in the rain. Mr. Maglio noted that regarding the sand, he spoke to Brad who then sprayed down the site with calcium chloride to try to tighten the sand so it did not blow in the wind; it seems under control. He stated that Brad said his plan was to get a crew out there to pave starting next week; he is hoping to have the front parking area paved by the end of next week. He will then put down loam and seed to get it stabilized. Mr. Maglio stated that after everything gets stabilized, the applicant will pull the silt sacks out of the catch basins; if there is any debris, they will have to clean the catch basins.

7:05 PM **PUBLIC HEARING** – *Continued*
Site Plan – 27 Forge Parkway
Site Plan Modification
Documents presented to the Planning Board are on file.

Ms. Love stated that the applicant filed a Site Plan Modification to add solar canopies in the parking lot. BETA has not been requested to review the plan. Town Engineer Michael Maglio provided a review on the Site Plan Modification. She commented that the applicant last presented at the February 22, 2021, Planning Board meeting, and the Planning Board requested that the Stormwater Management report be submitted; the applicant submitted the report.

Mr. Maglio reviewed his letter to the Planning Board dated July 8, 2021. He discussed that the submitted Stormwater Report (section 1.1) indicates that Ecology Energy is proposing to construct and install the solar canopies and the site owner is proposing to relocate three parking lot islands, but the island relocations are not part of the submitted design. He recommended that all work related to this site be included in a single submission, even if the work is to be completed by separate contractors, so that the Planning Board can adequately review all the proposed improvements. He discussed that his second concern is that the proposed solar canopies are shown covering three existing landscaped islands which operate as bioretention swales to control stormwater runoff. The project description indicates that the project will include replanting these areas with shade tolerant plants; however, the Massachusetts Stormwater Handbook recommends bioretention areas be located in areas of full sun, or if not possible, in an area that gets at least a half-day of sunlight. He recommended that the solar canopies are positioned so as to skip over the bioretention areas so that they may continue to be exposed to full sun. The solar canopies could be extended further out over additional parking spaces to make up the difference in area.

Chair Padula asked Ms. Brittany Friese of Ecology Energy, representing the applicant, if the applicant would return with a revised plan showing all the revisions. Ms. Friese showed and discussed plans regarding the shading over the bioretention area and moving the canopies. She stated that they would be happy to submit new drawings. She stated that the property owner is proposing some new work directly north of the buildings which is why they had to move the canopies. She asked if they could present all the materials at the July 26, 2021, Planning Board meeting.

Mr. Rondeau asked if the Fire Department has seen the new plan and what the canopies have to do with site lighting. Ms. Friese reviewed elevation drawings and stated that the Fire Department did not have any comments at the February meeting. She stated that they will be installing lighting under the canopies.

Motion to Continue Site Plan – 27 Forge Parkway, Site Plan Modification, to July 26, 2021. Padula. No Second made. Vote: 5-0-0 (5-Yes; 0-No).

7:10 PM **PUBLIC HEARING** – *Continued*
Olam Estates – 900 Washington Street
Definitive Subdivision
Documents presented to the Planning Board are on file.

Ms. Love stated that she provided the Planning Board with a memo from the applicant indicating they have retained services and are planning to submit revised plans at the end of this week or the beginning of next week and file with Conservation Commission. She stated that the applicant requested to continue the public hearing to September 13, 2021, and extend the extension deadline from September 1, 2021, to November 1, 2021.

Motion to Continue Olam Estates – 900 Washington Street, Definitive Subdivision, to September 13, 2021, and to Accept the Extension Deadline to November 1, 2021, for Olam Estates – 900 Washington Street, Definitive Subdivision. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Chair and Member Comments (continued)

Discussion commenced regarding public hearings being extended for long periods of time. Ms. Love stated that she cannot ask the applicant to pay for new certified mailings; however, she can repost the public hearing on the Town's website as people who sign up for email notifications of public hearings will get notified. Chair Padula asked if an applicant can legally be limited to two public hearings and after that be required to withdraw without prejudice and reapply; Town Counsel will have to be asked. Ms. Love noted that all projects are posted on the Planning Board's website.

Mr. Rondeau asked if there is anything in the bylaws or if there is a way to require non-clearing of sites without a building permit or bond on the site; he stated that other towns do this to prevent clearing of land and then the developer disappears. Chair Padula stated that he knows there is a builder in Town partially clearing a site but does not have approval yet. He stated that he would think there would be something in place as this makes a lot of erosion problems with heavy rains with all the vegetation taken away. Mr. Maglio stated that if the site is one acre or more, a soil erosion and sediment control plan permit through the DPW has to be filed. If it is less than one acre, there is really no control. Chair Padula stated that he knows of a project that is over one acre going on right now; there is a lot of concern from the residents surrounding the project. Discussion commenced about the bylaw for clearing more than one acre of private land.

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

Respectfully submitted,

Judith Lizardi,
Recording Secretary

Town of Franklin



Planning Board

**July 26, 2021
Meeting Minutes**

Chair Anthony Padula called the above-captioned meeting held in the Town Council Chambers at 355 East Central Street, Franklin, MA, to order this date at 7:00 PM. The public had the option of attending the meeting live at the Town Hall, dialing into the meeting using the provided phone number, or participating by copying the provided link. Members in attendance: Joseph Halligan, William David, Gregory Rondeau, Rick Power, associate member Jennifer Williams. Members absent: None. Also present: Amy Love, Planner; Matthew Crowley, BETA Group.

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

Chair Padula read aloud the Zoom platform call-in phone number and the Zoom link which were provided on the meeting agenda. The meeting would be video recorded.

A. Final Form H: 162 Grove Street

Ms. Love reviewed that on October 19, 2020, the Planning Board approved an application for a Special Permit and Site Plan Modification for 162 Grove Street. The purpose of the Site Plan was to open a retail marijuana facility with additional parking spaces and drainage for the site. The applicant is requesting acceptance for the above referenced Final Form H. BETA performed an on-site observation and provided a report.

Chair Padula questioned the number of bollards and the approved versus installed fencing; it was approved as 4 x 6 metal fencing. Mr. Crowley explained the number of bollards. He confirmed the installed fencing type and stated that he would confirm with the approved plan. Chair Padula noted that on the approved plan, in curbing notes, the existing Cape Cod berm would remain. However, any areas that were redone would be replaced with vertical concrete granite, as stated in zoning 185-21 a. 2; that was not done. Mr. Crowley stated that during his site observation there were many vehicles, and he was not able to review the spaces. Chair Padula pointed out other incomplete items and questioned a double catch basin where a single basin is on the plans. He asked if for the occupancy permit, was the applicant supposed to provide parking mitigation or a parking attendant. Ms. Love stated that for the first 30 days, it is by appointment only. After that period, the applicant can provide a traffic overview to the Planning Board. Mr. Halligan suggested a Partial Form H so the applicant can occupy the building and have BETA then determine if all is complete. Mr. David and Mr. Rondeau agreed with Mr. Halligan.

No Motion or Second made to Approve a Partial Form H - 162 Grove Street. Vote: 5-0-0 (5-Yes; 0-No).

B. Limited Site Plan: 27 Forge Parkway (to be presented with 27 Forge Parkway Site Plan)

Item discussed during 27 Forge Parkway public hearing.

7:05 PM **PUBLIC HEARING** – *Initial*

40 Alpine Row

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. Halligan recused himself.

Ms. Love stated that the site is located at 40 Alpine Row in the Downtown Commercial zoning district. The applicant is proposing to construct a 12,230 sq. ft. structure with commercial, multifamily, and under-level parking and surface parking. The applicant is not required to file with the Conservation Commission and has not requested any waivers. Letters have been received from DPW, Fire, Conservation, Zoning, and BETA. She commented that the applicant has received a recommendation from the Design Review Commission. She questioned if the applicant will need approval from the MBTA to encroach on the property. She noted that the applicant is required to provide 48 spaces and has provided 78 parking spaces. The applicant should show where snow storage will be located. She stated that DPCD defers to DPW/Engineering and BETA Group to address drainage issues.

A representative for the applicant stated that they have received a copy of the letter provided in the meeting packet from Town Engineer Michael Maglio to the Planning Board dated July 16, 2021, outlining 12 comments responsive to the submitted materials. Chair Padula read aloud a letter from the Inspection Department to the Planning Board dated July 21, 2021, stating that the applicant has met the Town bylaw requiring retail on the first floor. He read aloud a letter from the Fire Department to the Planning Board dated June 25, 2021, which stated that in reviewing this plan the fire department would like to see a truck turning analysis to make sure the department's largest truck is able to maneuver the site; in addition, it is preferred that the rear access be 20 ft. in width instead of the proposed 18 ft. width. This is based on the requirements of fire code 527 CMR 1. As well, the fire department would like to see at least one yard hydrant in the rear of the building.

Mr. Crowley reviewed his letter provided in the meeting packet dated July 22, 2021, outlining findings, comments, and recommendations. He requested clarification on the number of stories, parking space location and size, edge treatment on Alpine Place, snow storage shown on the plans, HVAC equipment location, oil/water separator, pre- and post-development flows onto Town roadways, and infiltration and drainage systems.

Chair Padula asked if a Chapter 21E regarding oils hazardous materials has ever been done on the property. Mr. Crowley stated that he would have to check with the LSP to confirm if the state would be overseeing.

Attorney Craig Ciechanowski, representing the applicant; Mr. Jeff Walker and Mr. Brendan Carr, applicants; Mr. Alex Siekierski project architect of JtA; Mr. Daniel Campbell, project engineer of Level Design Group, and the landscape architect, addressed the Planning Board. Attorney Ciechanowski reviewed the property location, existing conditions, and proposed development. Mr. Campbell reviewed questions and concerns raised regarding access and requirements for the project as a whole. He reviewed the existing conditions of the property as shown on the plan. He stated that there are multiple structures on the property and it is primarily all paved with little green space. The proposed project will have a one-way in access. He noted that Alpine Row and Alpine Place have recently been paved. He discussed the infiltration and drainage. He stated that as the site is primarily paved, they are providing drainage for the building as well as utilizing existing drainage. They will be increasing infiltration and total cleaning, overall. He noted that as they are increasing landscaped area, they are decreasing flow; they will provide the calculations as requested by BETA. He stated that the parking spaces at the rear will be angled. They will address the fire department's comment that the rear access be 20 ft. in width instead of the proposed 18 ft. width. He reviewed proposed snow storage. He addressed spills and spill containment and noted there was a Phase I study done on this property. He noted that DEP has closed out the property. He will provide this information to BETA. Chair Padula asked if the applicant already received approval from the Town for the tie in for sewer and drainage. Mr. Campbell stated that the Town does not currently have an easement in that area. It is currently

accepting all the drainage from this property, and they are not proposing to modify how much, with the exception of removing total flow, will be traversing into that existing drain line. He stated that they have not applied directly for the sewer line. Chair Padula asked what is on the far right north of the property. Mr. Campbell stated that the intention is an amenity to the project such as a game area/basketball court; there is no intention to have lights there. He stated that the lights are shown on the photometric plan.

Planning Board members asked questions. Ms. Williams noted that one light is shown in the basketball court. She questioned the length of the sidewalk in the front of the building and if there would be retail on the site. Mr. Campbell stated that he did not know what the uses would be at this time. Chair Padula noted that the applicant was applying for a grease trap. Mr. Campbell stated that was a placeholder. Mr. Rondeau asked about the height of the retaining wall, screening for headlights, water to the site, and fencing details. Mr. David asked about snow storage and requested it be on the drawing. Discussion commenced on parking spaces and the back up area needed. Mr. Campbell reviewed the asphalt that is intended to be removed. The landscape architect reviewed the proposed fencing as shown on the plans. Mr. Campbell discussed snow storage and noted it will be on the islands for small storms and the basketball area for larger amounts. Chair Padula noted that drainage and curbing need to be brought up to current standards. He asked why a Cultec system is not proposed. Mr. Campbell reviewed the requirements and their drainage proposal.

Citizens' Comments: ► Mr. William Brown, 39 Alpine Place, located across the street from the proposed building, asked if there would be any greenery so when he looks out of his window, he does not just see the roof of the proposed three-story building. He stated that someone on the third floor of the proposed building will be able to look down on the neighboring properties; that will reduce privacy. Mr. Campbell stated that the proposed height is less than required by zoning; the building is 30 ft. 7 in. from the street level to the parapet with possible 18 in. additional to the top. Chair Padula stated that they are allowed this height by right due to zoning changes made by the Town Council. ► Ms. Jane Callaway-Tripp, 607 Maple Street, reviewed the privacy lost by the neighbors and the disruption encountered during the construction. She stated that Franklin is supposed to have a hometown feel; unfortunately, there is so much building going on to build this Town up. She stated that the concerns and feelings of the townspeople must be listened to. ► Ms. Elaine Costello, 14 Alpine Place, discussed that her main concern is the traffic. ► Ms. Ruth Garcia, 71 Alpine Place, agreed with Ms. Costello regarding concerns about traffic. She noted that there are many children in the area and she is worried about safety. She stated that this proposal does not fit in with the character of the neighborhood. ► Resident of Alpine Place discussed the proposed use not being consistent with the neighborhood character and that the neighborhood would be affected by the proposed use. She discussed that the road is dangerous for children. She discussed that this is a neighborhood and the proposed building is too big for the neighborhood and too close to the direct abutters. She asked if a traffic study has been done. She stated that the road is too small to handle 27 units as well as retail. ► Mr. Stephan Accad, 43 Alpine Place, stated that he will be most affected by the proposed development as it will be only 40 ft. from his window. He asked about contamination on the property and the results of previous studies. He asked why the building will be on the road and not set back; he stated there will be 12 balconies in his view. He stated that he currently gets flooded; so, if there is anything added to the flow, it will be worse for him. He stated that the small sewage treatment plant on Milliken Avenue is already overwhelmed and people are smelling sewage. He asked about stop signs. He stated that there are better uses for the property. He noted the oil tanks formerly stored on the site; there must be contamination on the site. He stated that there are many issues with this proposal including traffic; the people are sick of this. ► Mr. Andrew Bissanti, 148 Brook Street, stated that he was a concerned resident and Town Council member. He asked how Design Review Commission can know this is a circa 1900 neighborhood and allow a futuristic-type building to be built. He discussed previously restored buildings in that neighborhood that have kept with the character of the neighborhood. He asked why no one from DPW is attending the meeting to address drainage issues. He noted that there is a smell of sewage in the area. He stated that the postcard sent out to the neighbors by the applicant showing the proposed building caused great concern, and it seems like it is a done-deal. The applicant explained the intent of the postcard with the picture of the building was to say hello. Mr. Bissanti requested that the Planning Board consider the neighbors. He noted the furor over stormwater management in Franklin; but, he is hearing

on this proposal the stormwater seems to be fluffed over. He asked how can the applicant not have a Cultec system on this site.

Chair Padula stated that he and Mr. Bissanti stuck their necks out regarding stormwater and citizens paying tax on the stormwater on one’s property; the DPW Director just pushed it through the Town Council. He stated that the balcony issue would be reviewed. He stated that the Planning Board is not the Town Council; the Planning Board goes by rules and regulations. He stated that the Planning Board had nothing to do with changing the street to one-way or changing zoning on the site. The Town Council did that which is why the development can be built three stories and to the street. He reviewed the Milliken Avenue sewer station and stated that complaints need to go to the DPW; it is not the applicant’s fault there is a problem with the sewer station. He noted that some small towns do not have sewer; therefore, they can say no to some proposed developments. He stated that it is up to Design Review to make sure that proposed buildings are within the New England character. If this were a Special Permit, a traffic study may be looked at. However, in this case, a traffic study is not required. The Planning Board’s responsibility is for the people. He explained that if a proposal meets the Town’s zoning, bylaws, and criteria, they cannot say no.

A resident stated that her father was instrumental in bringing sewer to Franklin which allowed a lot of businesses. She stated that the people speaking tonight should be reaching out to their Town Council members. She owns a house on Ruggles Street. She discussed that citizens need to convey to the Town Council members who represent them what the citizens want the community to be.

Chair Padula stated that when the Town Council discusses changing zoning, people should take note. He stated that the administration in Franklin decided that DPW is in charge of streets and sidewalks. Mr. Bissanti stated that there are nine Town Council members. He noted that he is only one member, and he often is the only no vote. He noted that the Town Council meetings are open to the public. He stated that the EDC should not be discussing zoning; Chair Padula agreed.

Motion to Continue Site Plan for 40 Alpine Place to August 23, 2021. Rondeau. Second: David. No Vote Taken.

Mr. Halligan re-entered the meeting.

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

7:10 PM **PUBLIC HEARING** – *Initial*
 5 Fisher Street
 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. Rick Kaplan, owner of 5 Fisher Street; Mr. Casey Killam, partner; project manager; Mr. Daniel Campbell, civil engineer of Level Design Group; and Mr. Chris Brown, architect of JtA, addressed the Planning Board.

Ms. Love reviewed that the site is located at 3, 5, 7 Fisher Street in the Mixed Business Innovation zoning district and consists of 14.7 acres. The applicant is proposing a large-scale redevelopment. Approximately 10,000 sq. ft. of building and pavement will be removed and green space will be added. The remaining buildings will be modified and renovated. Additional parking will be added along with a stormwater system, and landscape. The applicant is not required to file with the Conservation Commission and has not requested any waivers. Letters have been received from DPW, Fire, Conservation, and BETA is currently reviewing the plans. She commented that the applicant is scheduled with the Design Review

Commission on August 3, 2021. Several of the proposed uses will require a Special Permit from the Planning Board. She recommended a condition be added that the uses will file for a Special Permit once they are known. The applicant is required to provide 374 spaces and has provided 360 parking spaces. The applicant should show where snow storage will be located. The applicant may want to add crosswalks for pedestrian traffic through the parking area. She stated that DPCD defers to DPW/Engineering and BETA Group to address drainage issues.

Chair Padula noted Town Engineer Michael Maglio's letter provided in the meeting packet to the Planning Board dated July 16, 2021, outlining nine comments responsive to the submitted materials. Mr. Crowley stated that he has not read Mr. Maglio's letter. He stated that the overall impervious is increasing at the site. They have a subsurface infiltration system proposed for that portion of the site; he suggested the applicant provide some upgrades for the entire site. Chair Padula read aloud the letter from the Fire Department dated July 21, 2021.

Mr. Campbell reviewed the site plan and the property, including a discussion of the existing structures, existing pavement, utilities, and drainage. He reviewed the primary drain line from West Central Street and discussed the majority of the drainage is from Fisher Street. He reviewed the portions of the site structures that they are proposing to demolish. He reviewed replacement of parking, new pavement, sidewalk, and patio areas; there will be new pavement in the rear of the property. He stated that they are cleaning up parking striping. He noted proposed snow storage throughout the site.

Chair Padula asked if the drainage for this site will go offsite and stated that the drainage must stay onsite. Mr. Campbell stated that the drainage will not go offsite; he reviewed current and proposed drainage. Mr. Halligan questioned what would be going in the building. He asked about the handicap spaces and requested they be divided throughout the site. The applicant discussed the businesses he ideally envisions going into the buildings. Ms. Williams expressed concern regarding the accessible parking spots. Mr. Campbell stated that they have provided the number of required handicapped spaces; he is willing to move the spaces. Mr. Halligan expressed concerns that there be sidewalks wrapping around the building, there be enough lighting in the parking lot, and all exiting conditions be shown on the Site Plan. Mr. Brown reviewed the proposed sidewalks and addressed the proposed lighting. Mr. Rondeau asked about traffic flow for the site, roof top units on the buildings, and the dumpster pad location. Mr. Campbell addressed the dumpster location and turning radius and noted it will be a fairly small dumpster. Chair Padula asked about snow storage and stated the Cape Cod berm must be changed on the plans. Mr. Halligan stated that grease traps would be needed if there were going to be restaurants. Mr. David asked about trees and screening. Mr. Campbell stated that snow storage is shown on the plans. Mr. Bissanti stated that he knows developer Rick Kaplan and noted how Mr. Kaplan has turned around other developments. Ms. Williams asked if a traffic study has been done to anticipate the increase in traffic on West Central Street. Chair Padula stated that a traffic study can be requested because this is a change in use. He asked Mr. Crowley to determine if a traffic study should be requested. Mr. Crowley stated that he would provide that information.

Motion to Continue Site Plan for 5 Fisher Street to August 23, 2021. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).

7:15 PM **PUBLIC HEARING** – *Continued*
 Site Plan – 27 Forge Parkway
 Site Plan Modification
 Documents presented to the Planning Board are on file.

Mr. James Libby, facilities manager at Thermo Fisher Scientific Corporation, Inc.; Mr. Andrew Boynton, project manager of PIDC; and Mr. Chris Larson, site supervisor of PIDC, addressed the Planning Board.

Ms. Love reviewed that the applicant filed a Site Plan Modification to add solar canopies in the parking lot and filed a Limited Site Plan Modification to remove a loading dock and three parking spaces. BETA was asked to review the plan. Town Engineer Michael Maglio provided a review on the Site Plan Modification. She stated that the Planning Board requested the Site Plan and Limited Site Plan Modifications be presented together; the applicant last presented at the February 22, 2021, Planning Board meeting. Mr. Boynton showed an enlarged poster board with the plans; he reviewed the plans and noted that they will be putting in three loading dock doors.

Mr. Crowley stated that BETA has started to look at this project, but they do not have a full set of comments. He noted that the applicant was increasing the impervious area, the number of parking spaces should be reviewed, and adequate street light levels should be confirmed. Chair Padula asked if additional information is needed regarding the canopies. Mr. Crowley stated that the applicant needs to provide additional details on how the stormwater will be directed off the canopies and information on replanting of the stormwater basin in the middle of the lot and how it functions as the bioretention area. He noted that the solar canopies do not add any additional impervious; however, they do add additional nutrient load such as nitrogen and phosphorus. He stated that a drainage letter was provided; however, more information is needed. Mr. Libby explained why they are requesting additional docks; the dock expansion program is due to their new COVID aerosol monitoring system. This product will help society; there has been a big call for the product to be shipped around the world. Mr. Boynton requested the drainage evaluations for each project be looked at separately. Mr. Crowley stated that his comments will be in one document but separated for the two projects.

Motion to Continue Site Plan for 27 Forge Parkway, Site Plan Modification, to August 9, 2021. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

A representative for the canopy project stated that Ecology Energy is present at the meeting. She stated that a stormwater plan was submitted specifically to address the bioretention areas and how that would affect drainage. She stated that they have a final stormwater report addressing the canopies and indicating that drainage will not be affected with the addition of the canopies. Chair Padula stated that BETA must review that analysis.

Motion to Continue Limited Site Plan for 27 Forge Parkway to August 9, 2021. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Chair and Member Comments

Mr. Rondeau stated that he did not see any improvements on the Panther Way project. He would like to see something done as it will only get worse with more rain. Ms. Williams suggested that if the Town Engineer cannot be present at a Planning Board meeting, a representative to take his place attend the meeting.

Motion to Adjourn the Planning Board Meeting. Power. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 9:40 PM.

Respectfully submitted,

Judith Lizardi,
Recording Secretary