



Amy Love <alove@franklinma.gov>

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## FW: Amego, Washington Street, Franklin, MA - Walking Path Footbridge

1 message

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**ckeenan@qeicivil.com** <ckeenan@qeicivil.com>  
To: Amy Love <alove@franklinma.gov>  
Cc: bill@masielloarchitect.com, kquinn@qeicivil.com

Mon, Nov 22, 2021 at 2:07 PM

Good Afternoon Amy,

Matt over at BETA has indicated this request for a field change (see below) should be reviewed by the Planning Board. Can you schedule the Amego Washington Street project as a business item for the next available meeting with the Board?

Thank you,

Chris

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**From:** [ckeenan@qeicivil.com](mailto:ckeenan@qeicivil.com) <ckeenan@qeicivil.com>  
**Sent:** Friday, November 19, 2021 3:26 PM  
**To:** 'Matt Crowley' <MCrowley@BETA-Inc.com>  
**Subject:** Amego, Washington Street, Franklin, MA - Walking Path Footbridge

*Matt,*

*My client has brought to my attention that the approved plans for the Amego Residences project did not contain a construction detail for the pedestrian footbridge crossing of the drainage swale located in the rear of the project. They've asked to construct an earthen crossing with a culvert to pass stormwater from one side to the other. I've attached a construction detail for your review. I've also attached an excerpt from the Stormwater Report showing the 100-yr flow rates and velocities for the swale and a calculation summary for the proposed culvert. The proposed culvert (8" diameter C900 plastic pipe) is designed to pass 100% of the 100-yr storm flows without restriction. Before I pass the construction detail on to the Contractor, I wanted to be sure your office was ok with the design and confirm that this didn't need to go before the Planning Board for review.*

*Thanks Matt. Have a good weekend.*

*Chris*

**QUINN ENGINEERING, INC.**

**Christopher P. Keenan**

Project Engineer

579 Pleasant Street

P.O. Box 107

Paxton, MA 01612

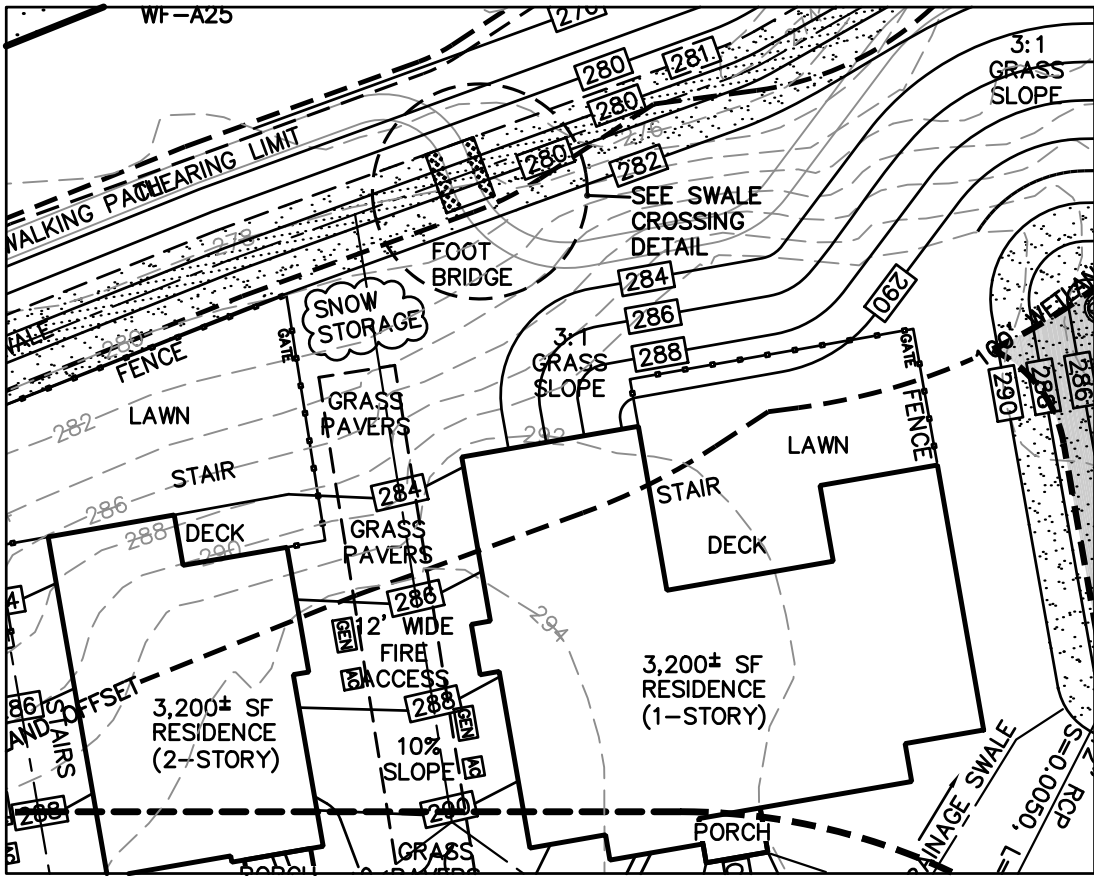
[\(508\) 753-7999](tel:(508)753-7999) Fax: (508) 795-0939

[ckeenan@qeicivil.com](mailto:ckeenan@qeicivil.com) [quinnengineering@qeicivil.com](mailto:quinnengineering@qeicivil.com)



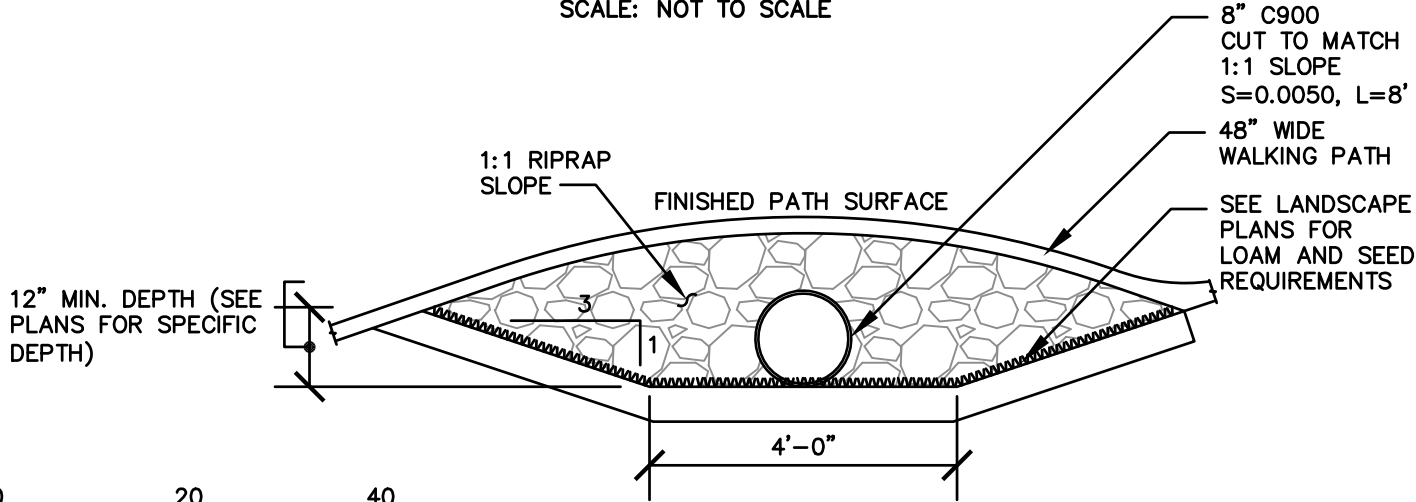
**Amego\_Footbridge.pdf**

208K



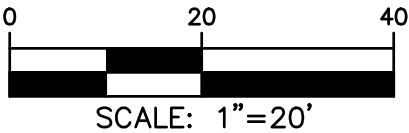
# FOOTBRIDGE CROSSING AT DRAINAGE SWALE

SCALE: NOT TO SCALE



# SWALE CROSSING DETAIL

SCALE: NOT TO SCALE



**QUINN ENGINEERING, INC.**  
 P.O. Box 107  
 Paxton, Massachusetts 01612  
 (508)753-7999 Fax:(508)795-0939

AMEGO RESIDENCES  
 WASHINGTON STREET  
 FRANKLIN, MASSACHUSETTS  
 SWALE CROSSING DETAILS

AMEGO, INC.  
 33 PERRY AVE  
 ATTLEBORO, MA 02703  
 DATE: NOVEMBER 18, 2021  
 SCALE: 1"=20'



Summary for Reach 81R: Drainage Swale to Infiltration Basin 3

Inflow Area = 0.192 ac, 100.00% Impervious, Inflow Depth = 1.18" for 5.5" event
Inflow = 0.72 cfs @ 12.05 hrs, Volume= 0.019 af
Outflow = 0.38 cfs @ 12.11 hrs, Volume= 0.019 af, Atten= 47%, Lag= 4.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-24.00 hrs, dt= 0.05 hrs
Max. Velocity= 0.54 fps, Min. Travel Time= 9.2 min
Avg. Velocity = 0.14 fps, Avg. Travel Time= 34.8 min

Peak Storage= 210 cf @ 12.11 hrs
Average Depth at Peak Storage= 0.16'
Bank-Full Depth= 1.00' Flow Area= 7.0 sf, Capacity= 10.92 cfs

4.00' x 1.00' deep channel, n= 0.030
Side Slope Z-value= 3.0 '/' Top Width= 10.00'
Length= 300.0' Slope= 0.0017 '/'
Inlet Invert= 280.00', Outlet Invert= 279.50'



Ms Amy Love , Town Planner  
Town of Franklin  
355 East Central St  
Franklin Ma 02038

Nov 12,2021

Country Side Estates Bond Reduction  
September Drive Countryside Lane

Dear Amy,

I am enclosing a check for \$500.00 and requesting a Bond Reduction for my subdivision in Franklin known as Countryside Estates, Streets named September Drive and Countryside Lane..

The last Bond reduction was in November of 2018 and since that time the following items have been completed:

All Granite Curbing, All Concrete Sidewalks, All Concrete Driveway Aprons except Lot 1A All Bounds installed letter enclosed from Guerriere and Halnon.All Grass Strips except Lot 1A

All Street Trees, Shrubs and Top Coat for the roadway. All catch basins were cleaned 9 months ago.

Guerriere and Halnon will be commencing final plans asbuilts for the Town in the next few weeks.

Very Truly Yours



Joel D'Errico  
Owner  
72 Deer View Way  
Franklin Ma.

# 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:** December 1, 2021  
**TO:** Franklin Planning Board  
**FROM:** Department of Planning and Community Development  
**RE:** Bond Reduction - Countryside Estates

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The DPCD has reviewed the above referenced request for Bond Reduction to be reviewed at the Monday, December 6, 2021 Planning Board meeting and offers the following commentary:

#### **General:**

1. The current Bond is held in a Tripartite Agreement with the Town of Franklin in the amount of \$193,220.00 for September and October Drives.
2. The Applicant has requested a Bond Reduction.
3. BETA has provided a cost to complete along with a detailed list of items and pictures.
4. The Applicant has invited the Planning Board to visit the site when they have time to do so.

BETA's report provides the following:

#### **Cost to Complete - \$54,961**

1. If Planning Board allows waiving loom and seeding right away from Prospect St to Lot 9, then the Cost to Complete is \$40,986
2. If the Planning Board waives the amount of required shade trees, then the Cost to Complete is \$32,211

If the Planning Board agrees to both waivers listed above, the Cost to Complete is \$18,236.



JOB  
CALC  
DESC

COUNTRYSIDE ESTATES, FRANKLIN, MA  
MJC  
ORDER OF MAGNITUDE  
CONSTRUCTION COST

NO. 4831 01  
DATE 11/29/21  
DATE  
SHEET 1 OF 1

**September Drive and Countryside Lane**

Item Description	Unit	Quantity	Unit Cost	Item Cost
GRAVEL BORROW FOR SIDEWALKS	CY	7	\$ 28	\$ 196
HOT MIX ASPHALT PAVEMENT (DRIVEWAYS)	TON	1	\$ 200	\$ 200
CEMENT CONCRETE SIDEWALKS	SY	28	\$ 75	\$ 2,100
SLOPE GRANITE EDGING	LF	34	\$ 40	\$ 1,360
STREET TREES	EA	26	\$ 700	\$ 18,200
MAINTENANCE OF INFILTRATION BASINS	LS	1	\$ 8,000	\$ 8,000
LOAM (6") & SEED	SY	1325	\$ 11	\$ 13,913
Subtotal				\$ 43,969
Contingency (Engineering Services & Bid Documents, etc)	25%			\$ 10,992
<b>ORDER OF MAGNITUDE CONSTRUCTION COST</b>				<b>\$ 54,961</b>





# TOWN OF FRANKLIN - SITE OBSERVATION REPORT

## Countryside Estates

Report No.: <b>4831 023 - 021</b>	Date: <b>November 15, 2021</b>	Arrive: <b>1:00 PM</b>
Observer: <b>Matt Crowley, PE</b>	Weather: <b>Not recorded</b>	Leave: <b>2:30 PM</b>
Owner: <b>Joel D'Errico</b> <b>72 Deerview Road</b> <b>Franklin, MA 02038</b> <b>Joel D'Errico</b>	<b>508-439-0022</b>	Contractor: <b>Canesi Brothers Construction, Inc.</b> <b>801 Union Street</b> <b>Franklin, MA 02038</b> <b>Bill Canesi</b>
		<b>508-922-2518</b>

Items Observed: **Construction Status in accordance with Owner's Request for Bond Reduction**

### OBSERVATIONS

**Observation Requested By:** Joel D'Errico

**Met/walked site with:** N/A

**Current Activity on Site:** No current activity

**Observed Construction:** BETA arrived on site to perform a construction observation in conjunction with the Owner's request for bond reduction. BETA's site walk and review of the Approved Plans confirmed the site to be constructed in general conformance with the Approved Plans and was substantially complete with the exception of items included on the attached Cost to Complete Estimate, dated November 8, 2019, and as listed/described below:

- Infiltration basins require maintenance, including removal of woody and wetland vegetation, sediment and or muck, and perimeter silt fence.
- The proposed access path to Infiltration Basin No. 1 from Prospect Street has not been constructed.
- The cover plate for the 6" outlet orifice at Infiltration Basin No. 1 has not been installed. BETA does not have a copy of the stormwater calculations but notes that the lack of a cover plate may result in premature dewatering of the basin.
- The grate of the outlet structure at Infiltration Basin No. 2 needs to be placed back onto the frame.
- A portion of sidewalk, driveway, and curbing requires installation in front of Lot 1, which is currently under construction.
- The sidewalk panel associated with the ramp at the intersection of Prospect Street has a crack and should be replaced.
- Although not depicted on the plans, all accessible ramps should have detectable warning panels installed. BETA notes that only one out of the three ramps has a detectable warning.
- BETA notes that the sidewalk crossing the Lot 5 driveway opening is depressed; however, providing a continuous grade is not practicable as significant grading on the private lot would be required. The installed sidewalk in this area appears to meet all accessibility requirements.
- Loam and seed within the Right-of-Way along the frontage of Lot 1 has not been installed.
- Loam and seed within the Right-of-Way on the northern side of September Drive from the intersection of Prospect Street to Lot 9 has not been installed. BETA notes the developer has installed stump

grindings on the 2:1 slope and BETA anticipates that natural vegetation will eventually take over. BETA defers to the DPW and the Board on their preference for surface treatment in the area. If the Board determines that no additional work is required in this area, the bond estimate can be reduced by \$13,975, which includes the Town's standard contingency of 25%.

- Shade trees throughout the development consist of a combination of mature trees left in place, trees installed by the developer, and landscaping installed by private lot owners. BETA notes that there are approximately 30 trees that could be considered shade trees, where the Approved Plans call for 56. Subdivision Rules require a minimum of 3 trees per lot and would result in minimum of 27 required for the development. If the Board determines that no additional trees are required, the bond estimate can be reduced by \$22,750, which includes the Town's standard contingency of 25%.
- The required number of plantings for screening has been installed in the area of Infiltration Basin No. 1; however, they are all located on the north side of the basin. Mature vegetation is located between the pond and the adjacent residence to the south, but it provides minimal low-level screening. BETA defers to the preference of the Board on if additional screening is required. If the Board determines that additional screening is required in accordance with the Approved Plans (6 evergreens), the bond estimate can be increased by \$2,250, which includes the Town's standard contingency of 25%.

**Photos Attached:**



Typical Roadway, Countryside Lane



Typical Roadway, September Drive





Typical sidewalk and concrete apron installation



Typical drainage grate and inlet stone





Wetland vegetation in Infiltration Basin No. 2 that requires removal



Woody vegetation in Infiltration Basin No. 1 that requires removal





Typical silt fence that requires removal



Infiltration Basin No. 1 outlet orifice that lacks cover plate





Infiltration Basin No. 2 Outlet Control Structure with grate removed (currently on ground)



Damaged sidewalk/ramp panel at intersection of Prospect Street.





Depressed sidewalk at Lot 5. No accessibility issues noted.



Area along Lot 1 frontage that requires sidewalk, curb, and driveway installation





Area along Lot 1 frontage that requires loam and seed installation



Typical stump grindings places along north side of September Drive





Typical shade tree installation by owner



Typical mature trees left in place (right background)





Typical plantings done by private lot owners



Screening along north side of Infiltration Basin No. 1





South side of Infiltration Basin No. 1 lacking screening



Incomplete access path to Infiltration Basin No. 1

# 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:** November 30, 2021  
**TO:** Franklin Planning Board  
**FROM:** Department of Planning and Community Development  
**RE:** Lot Release - Form G  
Cranberry Woods

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The Department of Planning and Community Development (DPCD) has conducted a review for the above referenced Form G Application for the Monday, December 6, 2021 Planning Board meeting and offers the following commentary below.

#### **General**

1. A subdivision named Cranberry Woods was approved by the Planning Board in August 15, 1990.
2. A Covenant was issued on February 3, 1992.
3. The applicant has submitted a Form G Covenant release requesting lot 4 of the Definitive Subdivision.
4. The subdivision is complete and all lots are constructed..

#### Summary

- DPCD could not locate any documentation that the lots were released from the Covenant.
- The owner of Lot 4 is currently selling their home, and are requesting the lot be released from the Covenant.
- Form G will need to be signed by all Planning Board members.

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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- Form G will need to be signed by all Planning Board members.



FORM G

CERTIFICATE OF RELEASE

The undersigned, being a majority of the Planning Board of the Town of Franklin, hereby certify that the requirements for work called for in the Covenant dated Feb 3, 1992 and recorded with Norfolk County Registry of Deeds in Book \_\_\_\_\_, Page \_\_\_\_\_ (or registered with the Land Registry District of Norfolk County as Document No. \_\_\_\_\_ and noted on Certificate of Title No. \_\_\_\_\_ in Registration Book \_\_\_\_\_ have been completed to the satisfaction of the Planning Board **OR** a security instrument in the form of a Lender's Agreement (FORM K) with \_\_\_\_\_ (name of Lender), a Tripartite Agreement with the Town of Franklin and \_\_\_\_\_ (name of Bank) or a Passbook Agreement with \_\_\_\_\_ (name of Bank), being Account No. \_\_\_\_\_ which is satisfactory to the Planning Board of the Town of Franklin in accordance with M.G.L. Chapter 41, Section 81K et. seq., has been posted as to the following enumerated lots shown on the plan entitled "Cranberry Woods" and recorded with the said Registry of Deeds as Plan No. \_\_\_\_\_ in Plan Book \_\_\_\_\_ (or registered with the Land Registry District of Norfolk County as Land Court Plan No. \_\_\_\_\_ and noted on Certificate of Title No. \_\_\_\_\_ in Registration Book \_\_\_\_\_) and said lots are hereby released from the restrictions as to sale and building specified thereon. The lots designated on said Plan which are hereby released are as follows: lot 4

shown on Lena Circle (Name of Streets)

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by a majority of the Planning Board of the Town of Franklin.

Majority of the Planning Board  
Town of Franklin

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, SS. \_\_\_\_\_, 20\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, before me, the undersigned notary public, personally appeared the Franklin Planning Board, 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.

\_\_\_\_\_  
(Official signature and seal of notary)

Notary Public:

My Commission Expires: \_\_\_\_\_

35160

10.00  
7/25.00

197

FORM 7

RECORDED  
INDEXED  
9272-197

The undersigned Ronald E. Calabrese of Franklin  
 (name of municipality), Massachusetts (name of state), hereinafter called  
 "Covenantor", having submitted to the Franklin Planning Board application for  
 approval of a Definitive Plan of a subdivision entitled "Cranberry  
Woods", dated August 15, 1990, designed by  
Shea Engineering & Surveying, Inc., does hereby covenant and agree with said  
 Planning Board and the successors in office of said Board, pursuant to Section  
 81-U, Chapter 41, G.L. (Ter. Ed.) as amended, that:

1. Except as otherwise expressly provided in Section 81-U of Ch.41, G.L., no lot included on such plan shall be built upon or conveyed until the work required in relation to such lot has been completed in the manner specified by the Subdivision Regulations of the Town of Franklin or a performance bond or other security in lieu of completion has been accepted by the Planning Board, and in accordance with the covenants, conditions, agreements, terms and provisions contained in the following:
  - a) Application for Approval of Definitive Plan (Form C) signed by the Applicant and dated November 13, 1991, as modified
  - b) The Definitive Plan as qualified by the Certificate of Approval (Form D-1) issued by the Planning Board dated December 11, 1991.

2. It is the intention of the covenantor and it is hereby understood and agreed that this contract shall constitute a covenant running with the land included in the aforesaid Subdivision and shall operate as restrictions upon said land, and shall be binding upon the executor, administrators, devisees, heirs, assigns, and successors in title to the premises.

It is understood and agreed that lots within the subdivision shall, respectively, be released from the foregoing conditions upon the recording of a Certificate of Release (Form G) executed by a majority of said Planning Board and enumerating the specific lots to be so released.

Title Reference: Deed dated December 9, 1991, recorded in Book 385, Page 312

RECEIVED RECORDED INDEXED  
\* Plan is revised through February 3, 1992, and is recorded herewith.  
NEED TO PLAN NO. 246 & 144  
1/65

Lot 4



FORM 7 (Cont.)

3. The undersigned covenantor represents and covenants that the undersigned is the owner in fee simple of all the land included in the aforesaid subdivision and that there are no mortgages of record or otherwise on any of said land, except such as are described below and subordinated to this contract, and the present holders of said mortgages have assented to this contract prior to its execution by the covenantor.

\*If more than one owner, all must sign.

IN WITNESS WHEREOF the undersigned, covenantor as aforesaid, does hereunto set his hand and seal this 3rd day of February 1992.

Ronald E. Calabrese
Covenantor
109 Highland Street
Franklin, MA 02038
Address

Description of Mortgages:

(Give complete names and Registry of Deeds reference)
Amount of mortgage(s)

Norfolk ss. February 3, 1992 Then personally appeared Ronald E. Calabrese and acknowledged the foregoing instrument to be a free act and deed, before me Neil J. Roche,

Neil J. Roche
NOTARY PUBLIC

My commission expires: May 11, 1995

62 LAW OFFICES OF
ROCHE & MURPHY
P.O. BOX 267
FRANKLIN, MA 02038



## **FRANKLIN PLANNING & COMMUNITY DEVELOPMENT**

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

### **MEMORANDUM**

**DATE:** December 2, 2021  
**TO:** Franklin Planning Board  
**FROM:** Department of Planning and Community Development  
**RE:** 15 Freedom Way  
Site Plan Modification

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- Applicant has submitted Site Plans for Endorsement for 15 Freedom Way Site Plan Modification, that included adding additional parking spaces.
- Applicant has added the Certificate of Vote to front page of the plans.

Town of Franklin



Planning Board

**October 4, 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; Brooke Cotta, Assistant Town Engineer; Matthew Crowley, BETA Group, Inc.

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 was video recorded.

**A. 81-P ANR: Cottage Street**

Ms. Love stated that the applicant submitted an 81-P ANR plan of land located on Cottage Street, dated September 22, 2021. The purpose of the plan is to divide Parcel 296-174-000 into two (2) buildable lots; the plan meets current zoning requirements.

***Motion to Approve 81-P ANR: Cottage Street. Halligan. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No).***

**B. Partial Form H: 340 East Central Street**

***Mr. Halligan recused himself.***

Ms. Love reviewed that the applicant is requesting acceptance for the above referenced Partial Form H which is only for Starbucks, not the entire building or site. She stated that BETA performed an on-site observation and provided an extensive report. She noted that the Planning Board should keep in mind the safety items still outstanding on the site.

Chair Padula stated that he has concerns for Mr. Maglio. He stated that a generating system was needed to run the sewer system in case of a power outage; it was not on the plan and everyone except the developer, at a later date, missed it. He stated that on the approved plans, the catch basins are away from the curbs. He asked why this was not picked up sooner. He asked whose mistake is it, the contractor. Mr. Crowley confirmed there were at least three or four catch basins not up against the curb. Chair Padula asked if it is away from the curb, is it minimal to fix that by installing a double grate. Mr. Crowley discussed the possibility of a double grate. Chair Padula asked if all the covers were 265 lbs. Mr. Crowley stated that they should all be very close to that weight. Additional questions asked by Chair Padula were responded to by Mr. Crowley.

Mr. Crowley reviewed his Site Observation Report dated September 27, 2021, which was provided in the Planning Board's meeting packet. He suggested that many of the items in his report should have been

placed on the Form H to be completed such as the pylon sign and pavement in the rear. He stated that the applicant has installed the construction fencing for safety, and dumpsters have been installed. He noted minor changes such as a bike rack was added near the Starbucks site and conventional concrete not stamped concrete was installed.

Ms. Williams confirmed the stop sign in front of Big Y was installed. She asked about pedestrian circulation as a safety concern. She asked when the MassDOT sidewalk project will be completed. Mr. Crowley stated that the contractor indicated the MassDOT project was going to take place next year. Mr. Rondeau questions included the balance of the building and if any logistics were planned for the buildout of that area. Chair Padula noted that Building Commissioner Gus Brown will have to monitor construction of the other half of the building to make sure it is safe. He stated that the Form H will be contingent upon checking out the generator system to make sure it operational. Mr. Crowley stated that it seems like there are some temporary controls set on it; he would have to defer to DPW regarding if it is operational.

*Mr. David entered the meeting.*

***Motion to Approve Partial Form H, 340 East Central Street. Power. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No).***

*Mr. Halligan re-entered the meeting.*

**C. Field Change: 5 Forge Parkway**

Ms. Amanda Cavaliere of Guerriere & Halnon, Inc., on behalf of the applicant, reviewed her letter to the Planning Board dated September 29, 2021, which was included in the Planning Board's meeting packet. She stated that they are proposing some upgrades based on the HVAC system. She discussed the addition of a 71 ft. x 16 ft. chiller unit including concrete pad which is necessary to improve efficiency of odor mitigation system, balance the air exchange, and improve odor control for the biobed. The unit will reduce the parking area by eight (8) spaces, but it does not impact the total amount of parking spaces required per zoning. It was noted the installation of three (3) equipment pads at the front northeast corner of the building are necessary for the recently upgraded HVAC system.

Chair Padula confirmed the sidewalk would be bumped out a little to go around the equipment pad. Ms. Cavaliere agreed some bollards can be installed around the chiller at the ends. She stated that they are planning this for improved efficiency of odor mitigation. She stated the biobed has not been activated yet as they have been waiting for this piece of equipment.

***Planning Board members all indicated approval of the field change; no vote was taken.***

**D. Meeting Minutes: August 9 & August 23, 2021**

***Motion to Approve the Meeting Minutes for August 9, 2021. Power. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

***Motion to Approve the Meeting Minutes for August 23, 2021. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:05 PM

**PUBLIC HEARING** – *Initial*

***120 Constitution Boulevard***

Site Plan Modification

*Documents presented to the Planning Board are on file.*

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

***Motion to Continue the public hearing for 120 Constitution Boulevard, Site Plan Modification, to October 18, 2021. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:10 PM      **PUBLIC HEARING** – *Initial*  
                   *Washington Street*  
                   Site Plan Modification  
                   *Documents presented to the Planning Board are on file.*

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

Ms. Love reviewed her letter to the Planning Board dated September 30, 2021, which was provided in the Planning Board's meeting packet. She stated that the site is located on Washington Street in the Industrial Zoning District (Assessors Map 304 Lot 064). The applicant is proposing to construct three (3) buildings, access road with stormwater management system, and septic. The applicant requested a parking waiver as 75 parking spaces are required. The applicant is required to file with the Conservation Commission. Letters were received from DPW and Fire; BETA is currently reviewing the plans. She stated three waivers were requested: 1.) to allow less than 42" of cover over the RCP drain pipe with proposed use of Class V RCP; 2.) to allow the use of HDPE pipe for the manifolds and pond 1, pond 2, pond 3 and the trench drains; and 3.) to allow minimal spillage onto the abutting properties. She noted that the site abuts a residential zone; the applicant is requesting a waiver for light spillage. She noted that the side setback requires that it equals to the height of the building. The applicant is proposing a one-story building and providing 31ft. side and rear setback; she explained that the building cannot increase more than 31ft. in height. She noted that the applicant may want to add crosswalks for pedestrian traffic through the parking area. She stated that the Department of Planning and Community Development defers to DPW/Engineering and BETA Group, Inc. to address drainage review.

Assistant Town Engineer Brooke Cotta read aloud the seven comments provided in the letter from Town Engineer Michael Maglio to the Planning Board dated September 28, 2021, which was provided in the Planning Board's meeting packet.

Mr. Rick Goodreau of United Consultants, Inc. introduced Mr. Peter Genta, Manager, Franklin Flex Space, LLC, and Mr. Bill Hummel and Mr. Rick Almedia, also with the development team. Mr. Goodreau reviewed the locus map and Site Plan. He stated that the applicant is proposing to construct three (3) buildings as shown on the plans with access off Washington Street. He explained that each building would have nine (9) spaces, each with a small office space as well as overhead door to provide access into the warehouse/industrial portion of the site. He reviewed the proposed parking. He showed the proposed reinforced concrete curb locations. He stated that they are proposing exits doors to the rear with concrete pads at each of the doors. He reviewed the proposed stormwater system for the site. He reviewed the proposed septic system connection; buildings will be serviced by Town water. He stated that they are proposing to have on-site propane for the building heat systems. The primary uses for the building will be for contractor-type uses/trades. He provided the Planning Board members with a list of proposed/target tenants. He noted that light manufacturing would also fit in this zoning district. He stated that on page 3 of the plan set they provided a parking breakdown. He noted that the rear of the building would abut the residential properties. He stated that they have adequate parking for the proposal. He stated this project has close proximity to a wetland resource area; they are proposing retaining walls. He stated they provided a building sequence to minimize any land disturbance necessary to construct the project.

Mr. Crowley stated that they are currently reviewing the project. Chair Padula stated that his concerns include screening, if there will be an association-type document with regulations for the building, hours of

operation as they are abutting residential properties, outside storage, how much manufacturing will there be, and if there will be retail sales. Mr. Goodreau stated that they are proposing a 6 ft. stockade fence for some screening for the abutting residential.

Mr. Halligan reviewed a similar type of situation approved on Union Street years ago which had many issues. He noted that with garage doors, all bays must have floor drains and grease traps installed. He asked how does the applicant plan to capture that. Mr. Goodreau explained the proposed industrial wastewater holding tanks. He noted that at the other location, they had to install a gated keycard entrance. He reviewed the parking spaces and stated that they could look into a keycard entrance. Discussion commenced between applicants and Planning Board members regarding current/possible future ownership and keycard entrance. Chair Padula asked about curbing. Mr. Goodreau reviewed the location of concrete curbing. He stated that there is no curbing in front of the buildings; there are bollards located at access doors at each location. Planning Board members asked questions. Mr. Goodreau stated that no storage is planned behind the buildings. Mr. Rondeau requested decibel levels for any rooftop units as there are residential abutters. Mr. Power asked about delivery vehicles and how wide is the area used as the delivery lane. Chair Padula asked if a tractor trailer went down there by mistake, how would it turn around. He stated that the truck would have to back up all the way. Mr. Goodreau stated that will be looked into. Ms. Williams requested plantings and asked about the access around the back of the building for pedestrians in case of emergency. She stated that it seems like the parking is not ideal.

Ms. Karen Miller, 246 Washington Street, asked who is to say that 18-wheelers cannot go in there and make deliveries to these businesses. How would they ensure that 18-wheelers would not be making deliveries? She asked if it will be safe to walk in the area with all the vehicles delivering and parking.

Mr. Paul Harrington, 241 Washington Street, stated that he echoed Ms. Miller. He stated concern about the traffic and if a stop sign could be put there. He stated that in terms of the stockade fence, the trails that are currently used would be closed off to the public. He stated that there is a dirt path from Washington Street to the culvert that people use; he noted that it is private property. He asked the location of the stockade fence. Chair Padula stated that it is private property and it is a liability issue to open it up to the public. Mr. Goodreau reviewed the location of the stockade fence; it is on the applicant's property.

Ms. Patricia Ristaino, 220 Washington Street, asked about the logistics of the site regrading access. She stated that there is a 50 ft. right of way and there is no frontage on this project; therefore, why is it being allowed. Chair Padula stated that 56 ft. is required for subdivisions and there is over 100 ft. at this site. Mr. Goodreau reviewed the breakdown of the frontage of what the applicant owns not including the frontage with Eversource; he stated that the right of way is owned by the power company.

***Motion to Continue Washington Street, Site Plan Modification, to November 1, 2021. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

7:15 PM      **PUBLIC HEARING** – *Continued*  
***Eastern Woods – 725 Summer Street***  
 Definitive Subdivision  
*Documents presented to the Planning Board are on file.*

Ms. Love reviewed that the applicant submitted a preliminary plan for a Conventional Subdivision in December 2020. The applicant submitted three (3) waiver request: 1.) §300.13.A.(1) - Sidewalks. Location: To allow no sidewalks to be constructed; 2.) §300.10.G.(6) – Driveways: To allow access through the required frontage of a serviced lot; and 3.) §300.10.D.(5) – Proposed grades within the right-of-way to be no more than 5 ft. above or below existing grades. Ms. Love commented that the applicant is showing the sidewalk on one side of the road; the Planning Board will need to grant a waiver. She stated

that the applicant is required to file with the Conservation Commission, and DPCD defers to DPW and BETA to comment on drainage and roadway layout.

Assistant Town Engineer Brooke Cotta read aloud the two comments provided in the letter from Town Engineer Michael Maglio to the Planning Board dated September 29, 2021, which was provided in the Planning Board's meeting packet.

Ms. Amanda Cavaliere of Guerriere & Halnon, Inc., on behalf of the applicant, reviewed her letter to the Planning Board dated September 9, 2021, regarding comments from BETA Group Inc., which was included in the Planning Board's meeting packet. She stated that adjustments have been made to the plan and it now includes a 5 ft. sidewalk; she proposed a bituminous asphalt sidewalk as opposed to a concrete sidewalk which is required by subdivision regulations so they can stay consistent with the aesthetics of the surrounding neighborhood having sloped granite curbing. She stated that they changed the wooden guardrail to a W-beam per BETA comments, they reduced the number of street lights to be consistent with the surroundings, and they have added 16 ft. openings on driveways. They are in the process of addressing new comments received from BETA, DPW, and DPCD, and they are on the Conservation Commission's agenda for October 21, 2021. She stated they will file with Board of Health for the septic systems.

Chair Padula asked questions including if there was a way to provide an entrance to Lot 4 on its own. Ms. Cavaliere stated that they were abutting a utility easement through New England Power; she explained the access. Mr. Rondeau stated there is a lot of ledge in the area and asked how much blasting would need to be done. Ms. Cavaliere stated they have done some initial test pits and have found the soils are good. They will have to do more borings and analysis to determine if blasting is required. Ms. Love asked if a shared driveway was considered for Lots 3 and 4. Ms. Cavaliere stated that a few options have been looked at; depending on the house styles, a common driveway may be considered. Chair Padula noted they are in close proximity to a lot of homes; there would need to have a survey done on all the homes in the area before any blasting could be done, or a hammer instead of blasting would have to be used. Ms. Cavaliere stated that no determination regarding blasting has been made. Chair Padula noted the one sidewalk and slant granite used in the surrounding neighborhood; the pavement matches what is there already. He stated that to keep everything aesthetically the same, he would be okay with the two-course pavement. Chair Padula confirmed there are no limit of clearing regulations regarding private property.

***Motion to Continue Eastern Woods, 725 Summer Street, Definitive Subdivision, to November 1, 2021. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

Ms. Love noted that the Planning Board has until November 28, 2021, for a decision; an extension would be needed from the applicant at the November 1, 2021, Planning Board meeting.

7:20 PM            **PUBLIC HEARING** – *Continued*  
***Olam Estates – 900 Washington Street***  
 Definitive Subdivision  
*Documents presented to the Planning Board are on file.*

Ms. Love stated that the applicant submitted updated plans and four (4) waiver requests: 1.) §300-11.A.7.B - Distance from toe of pond berm to property line shall be minimum of 10 ft.; 2.) §300-13.A.1 - Sidewalk to be installed on one side of the road; 3.) §300-11.A.7.A - Distance from maximum pond water surface to property line and structure shall be 20 ft.; and 4.) §300-10.D.5 - Right of way grade. She stated that the applicant recently filed with Conservation Commission. She stated that an extension in writing from the applicant will be needed if there is no decision by the Planning Board at tonight's meeting.

Assistant Town Engineer Brooke Cotta read aloud the eleven comments provided in the letter from Town Engineer Michael Maglio to the Planning Board dated September 27, 2021, which was provided in the Planning Board's meeting packet.

Mr. Crowley stated that many of BETA's comments from their previous review have been addressed by the applicant. He reviewed his primary remaining comments which included, but were not limited to, the width of the proposed roadway. Currently, it is proposed as 26 ft.; however, BETA requested additional information on the number of trips once the temple is built. They must provide a temporary berm to control stormwater after the binder is installed. HDPE pipe must be changed to RCP pipe. Revisions to the landscaping plan must be done.

Mr. David Russo from Andrews Survey & Engineering stated that they are aware there are outstanding comments. He stated that they were before Conservation Commission which was continued. Chair Padula stated that the Planning Board has no problem with one sidewalk if the applicant is going to change to upright granite. The Planning Board does not usually waive not having drainage on a separate lot. The Planning Board will not have a problem with the 26 ft. wide roadway if the applicant is going to show on a plan the temple and how they are going to mitigate the parking. He stated that the Planning Board does not allow HDPE pipe; it must be RCP pipe. Chair Padula noted the need for 100-year drainage. Mr. Rondeau asked for a layout of the temple and the parking. Ms. Williams asked has there been any more thought to having sidewalks on a section of Washington Street as a connection. She asked if there is a plan from the Town for this. Chair Padula agreed that this was a very dangerous area. Mr. Halligan stated that as it is being presented tonight, it is a four-lot subdivision; there is no plan tonight for it to be a temple. Chair Padula stated that a future temple has been stated by the applicant. Mr. Halligan asked where is the drainage lot for the four-lot subdivision. Discussion commenced on the 26 ft. road width proposed; however, if the applicant returns to propose a temple, the 26 ft. road width may not be adequate. Mr. Russo stated that he would speak with the applicant and try to get a Site Plan for a better visual.

***Motion to Continue Olam Estates, 900 Washington Street, Definitive Subdivision, to November 1, 2021. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

Ms. Love confirmed that the written extension to the Planning Board can be emailed to her. Ms. Williams asked if all abutters were notified again. Ms. Love stated that the applicant said the abutters were going to be notified again, but not through certified mail. Ms. Love stated the applicant did not provide any documentation regarding such a notification to her; she will follow up with the applicant.

***Motion to Adjourn the Planning Board Meeting. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 8:36 PM.***

Respectfully submitted,

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Judith Lizardi,  
Recording Secretary



Town of Franklin



Planning Board

**October 18, 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 (via Zoom). Members absent: None. Also present: Amy Love, Planner; Michael Maglio, Town Engineer; Matthew Crowley, BETA Group, Inc.

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 was video recorded.

**A. Final Form H: 186 Grove Street – Parking Lot Expansion**

Ms. Love stated that the applicant submitted a Final Form H, Engineer's Certificate of Completion, and a final as-built plan. BETA provided an onsite report with pictures verifying the site work is complete. She noted that on the original submission of the Form H the date indicating approval by the Planning Board was incorrect; she has a corrected copy for the record.

Mr. Crowley discussed that a round grate (EJ, made in USA) has been installed on the new leaching basin. The contractor provided a cut sheet to confirm it meets HS-20 loading per the approved plans. He stated that the other notes on his report were minor. He noted that concrete was put in between the spaces in the curb installation.

***Motion to Accept Final Form H: 186 Grove Street – Parking Lot Expansion. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

**B. Final Form H: 105 Constitution Boulevard**

***Mr. Rondeau recused himself.***

Ms. Love reviewed that the purpose of the Special Permit and Site Plan is to construct a marijuana cultivation facility with parking spaces and drainage for the site. The applicant is requesting acceptance of the Final Form H. BETA has performed an onsite observation and listed several outstanding items and comments. She noted that the as-built plan should be re-submitted with the items listed that are missing.

Mr. Crowley noted some of his minor concerns including the following: there was a little erosion in one of the outfalls in the retention basin, there are a few areas where the grass coverage is fair, and information is requested from the applicant if the construction container still onsite is going to be moved. He stated his major concerns include that there is a significant gap under the installed security fence and there were no locking mechanisms on the gate.

Chair Padula noted that the temporary enclosure around the dumpster is falling down and there are areas without grass. The applicant stated that the temporary enclosure was removed when the final enclosure was installed. The applicant noted that pictures were sent with his application on the 15<sup>th</sup>. The applicant stated that they would be installing a small panel at the bottom of the security fence to remove the gap. The applicant stated they would be overseeding the areas without grass. These concerns should be addressed by next week. Mr. Mark Santora, project engineer, reviewed the planned overseeding.

Mr. Halligan noted that the Final Form H may be premature prior to the applicant cleaning up the remaining items. Chair Padula suggested that this item should be held for one week until Mr. Maglio confirms the security fence is in place and the as-built has been done. Overseeding can be done before or after the winter. Mr. Maglio stated that when he is made aware the items are complete, he can then witness the completion with Mr. Crowley and send an email to the Town Planner.

***Motion to Approve Final Form H for 105 Constitution Boulevard with the conditions as indicated that the security fence is in place and the As-Built has been completed. Halligan. Second: David. Vote: 4-0-0 (4-Yes; 0-No).***

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

### **C. Concept Plan: 94 East Central Street**

Mr. Brad Chaffee, applicant, addressed the Planning Board. He stated that the Planning Board knows of the project. About eight to nine months ago he was before the Planning Board with a substantial change to the project. Over the last six months they have taken the time to talk to many people regarding the blank space. After getting everyone's input, they developed the Concept Plan that is before the Planning Board tonight. He discussed that it is a major green space. He would like comments from the Planning Board.

Ms. Williams stated that conceptually she thinks it is a great idea. She asked if there is a tenant in mind for the ice cream shop or is it just a thought that some kind of food service would be there. Mr. Chaffee stated that the tenant is still to be determined. Ms. Williams requested that any pathways are as accessible as possible and the seating area has full accessibility. She asked if this type of seasonal shop would need additional seasonal parking. Ms. Love stated that the parking would be based on the square footage of the shop. Mr. David questioned the height of the buildings; it is also a four-story building, but it is on a different elevation. It looks like they are level, but he does not see how that can happen. He would like a bigger access around the building especially for the fire department. He stated that would mean bringing the building more forward. He confirmed the ice cream shop will be a pop-up shop. He thinks an ice cream shop should go into the commercial space. He does not think the small size of the building in the middle of green space is good; putting the small building there does not balance. Mr. David stated that he and Mr. Rondeau have suggested all along that the building should be brought substantially forward, not just the 6 ft. that is shown. Putting the small building there does not balance. Mr. Chaffee stated that many people do not want to buy condos that are on the street; they want to be set back. Mr. Rondeau stated that he agreed with Mr. David. He noted that there are neighbors behind the building, as well. It is a big building for a small site. He would like to see some other drawings and the building pulled forward. He stated that four stories on top of the hill is a lot. Mr. Chaffee suggested he might try to bring it to three-stories. Mr. Power stated that he is ok with four stories and the orientation of the building. He would like to see the building pulled forward a little. He stated that the small building for the ice cream shop is not necessary; it does not fit. He confirmed that the house that is currently there will be taken down.

Vice Chair Halligan recapped the conversation and provided his thoughts. He asked the applicant to show some renderings for three stories. He noted the house coming down before any construction. He said the ice cream shop rendering looks great, but he wants to vote on something that is going to work. The ice

cream shop would require a grease trap and there are no bathroom facilities. He asked if this could be incorporated into the main building. He asked if the applicant would consider deeding the green space to the Town. Mr. Chaffee noted that he heard tonight the height of the building was a concern; he will return with new renderings.

**D. Meeting Minutes: September 13 & September 27, 2021**

***Motion to Approve the Meeting Minutes for September 13, 2021. Power. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

***Motion to Approve the Meeting Minutes for September 27, 2021. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***

7:05 PM      **PUBLIC HEARING** – *Initial*  
                   ***15 Freedom Way***  
                   Site Plan Modification  
                   *Documents presented to the Planning Board are on file.*

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

Ms. Love reviewed that the applicant filed a Site Plan Modification to add 82 parking spaces. The applicant included a stormwater management report along with Site Plans. The applicant is not required to file with the Conservation Commission. She stated that DPCD has received the following letters for review: Town Engineer Mike Maglio’s letter dated October 13, 2021; BETA Group peer reviewer Matt Crowley’s letter dated October 6, 2021; Deputy Fire Chief Joe Barbieri’s letter dated September 15, 2021; and Conservation Agent Jen Delmore’s letter dated September 15, 2021. Ms. Love stated that the applicant is providing a total of 216 parking spaces while 275 are required. The applicant currently has three handicap parking spaces; the required number based on 216 parking spaces is seven spaces. She stated that DPCD recommends adding four additional handicap spaces by the front door. She noted that the applicant has not provided a landscaping plan, and the applicant needs to submit a photometric plan with sufficient illuminance to be in compliance. She explained that the applicant has not provided a traffic study; the Planning Board will need to determine if a traffic study is required for this specific project.

Mr. Maglio reviewed his letter to the Planning Board dated October 12, 2021. He noted that while the proposed storm water design does not increase overall flow rates or volumes off the site, there is an increase in runoff volume to the closed drainage system that runs off site and eventually discharges to the industrial park’s drainage system. He recommended that the designer should ensure that the downstream drainage detention ponds can handle the increased volume. He stated that with Franklin’s new stormwater regulations, the applicant should address how this meets those regulations regarding impervious area. He stated that snow storage was shown on the plan.

Mr. Crowley highlighted some of his comments which included his request for information regarding any proposed changes in tenants, the proposed parking spaces must be revised to be 19 ft. long, the project proposes monolithic bituminous curbing along the perimeter of the proposed parking area but existing curbing throughout the site is identified as bituminous berm, and shade trees must be provided.

Chair Padula stated that there will be no bituminous curbing. He asked if any of the parking spaces were more than 300 ft. from the main entrance. Mr. Bill Buckley of Bay Colony Group stated that some were. Chair Padula stated that a waiver would be needed. He asked about spacing on the catch basins. Planning Board members asked questions and made comments. Mr. Buckley confirmed the employee entrance would be more than 300 ft. away from some of the parking spaces. He stated that the closest residential is at least 500 ft. He stated this will be a single tenant; they need to ramp up during the holiday season. The

number of tenants and the use will not change. Mr. Halligan confirmed there will not be an increase in trucks. He stated that if there was a change of use, the applicant would need to return to the Planning Board.

A representative of Barrett Distribution reviewed the business and operations. He stated that they are the occupant in the building. He stated that they currently operate two shifts and there will be no change in hours. In response to Mr. Rondeau's question, he explained the recent real estate transaction. He said that they plan to be in the building for the long term. Mr. Buckley stated that they do not plan to put in a retaining wall along the parking spaces. Ms. Williams questioned the current and proposed parking spaces regarding visibility for entering and existing the expanded parking area. Mr. Buckley showed and discussed the location of the three spaces to be eliminated and the four handicap spaces to be added.

***Motion to Continue the public hearing for 15 Freedom Way, Site Plan Modification, to November 1, 2021. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

7:10 PM        **PUBLIC HEARING** – *Continued*  
***40 Alpine Row***  
 Site Plan  
*Documents presented to the Planning Board are on file.*

***Mr. Halligan recused himself.***

Ms. Love noted comments from the September 27, 2021, Planning Board meeting. There was an issue with encroachment onto private property. The applicant is to work with DPW to resolve this. DPCD recommends that the Planning Board not approve the plans until the site is surveyed by a professional land surveyor and plans are provided. She stated that the applicant will need to work with the MBTA; the Planning Board may require to see an agreement with MBTA. The Planning Board requested the pavement be 2 ½" per §300-F(4) of the Subdivision Rules and Regulations. She noted that the applicant provided response comments to BETA's letter; however, they have not provided any written response to DPW's letter. She noted that the Planning Board requested the applicant submit details for the retaining wall. She stated that there is a list of recommended conditions from BETA as outlined in her letter to the Planning Board dated October 12, 2021, which was provided in the meeting packet.

Mr. Daniel Campbell of Level Design Group, on behalf of the applicant, addressed the Planning Board. He stated that substantial modifications have been made since they were last before the Planning Board. He stated that a response from Mr. Crowley to the applicant's responses was received last Thursday. Mr. Campbell stated that he responded to some of those minor comments this morning. He noted the drain manhole that was installed which increases the infiltration of the basin. The final wall design to be submitted prior to the start of construction to confirm the parking space lengths will not be impacted. He noted a changed label on a pipe. He stated that he had not yet seen the comments from DPW.

Mr. Maglio reviewed his comments from his letter to the Planning Board dated October 13, 2021. As previously noted, based on the applicant's plans, the roadway in front of the proposed building appears to encroach onto private property. He will coordinate with the applicant on the layout of the proposed curb in this area; however, it is recommended that this issue be resolved prior to any approval by the Planning Board. A plan showing the existing encroachment will be needed and the existing right of way staked out by a Professional Land Surveyor. He explained that the sight distance at the eastern driveway is shown at 73 ft. looking to the right. This does not meet section 185-21.C.7.c which requires that exiting vehicles comply with the intersection sight distance. He explained that for a local road speed limit of 30 mph, the required sight distance for exiting vehicles looking to the right is 335 ft. He reviewed that it was previously noted that any missing easements for Town drainage and/or sewer lines that run across the site

should be resolved as part of the approval process. He recommended that if the project is approved, the Planning Board should consider adding a special condition requiring that the easements be in place prior to occupancy. He stated that the detail for the wheelchair ramp does not appear to meet ADA/AAB requirements.

Mr. Crowley reviewed the following recommended conditions. BETA recommends a condition that requires guardrail to be installed at all parking stalls adjacent to the railroad right-of-way or retaining walls. Provide fencing for fall protection where walls exceed 30" in height and/or along the entirety of the railroad right-of-way where none exists today. Final wall design to be provided at the start of construction to confirm parking stall lengths will not be impacted. Final plans to provide a ramp at westerly accessible aisle prior to endorsement. All easements to be in place to the satisfaction of the DPW prior to the start of construction.

Planning Board members asked questions. Mr. Campbell stated that if balconies are installed on the front of the buildings, they will be within building requirements. He stated all curbing has been changed to precast reinforced concrete. Ms. Williams stated that existing on the east side does not seem safe. She discussed that the sidewalk at the front of the building transitions to a landscaped area; a sidewalk continuing all across the front of the building may be good. The proposed concrete patio seems like it can only be accessed from stairs and is not accessible from the outside. Mr. Campbell stated that the play area and associated lighting was removed. The area is now grass. The sidewalk to the front of the building is provided to the end of the commercial space. There is sidewalk along the entirety of the handicap spaces.

Ms. Williams discussed the dimensions of the angled parking spaces; she asked if the requirements are being met for the overall length of the parking spaces. Mr. Crowley stated the bylaw does not indicate from where it should be measured. However, it will be adequate for the site. Mr. Campbell pointed out the dumpster location. He discussed the width of the sidewalks are 4 ft. 6 in. He discussed stopping sight distance and the requirements of the bylaw. Ms. Williams asked about the plantings on the corner and noted that they must be maintained so the sight line is available. Jonathan, a representative of the applicant, indicated the plantings will be 3 ft. tall. Mr. Campbell asked how far onto their property is the existing roadway. He stated that it is not a requirement of the applicant; it is that the Town put their road on the applicant's property. He stated that they are working with the Town to make sure the road is moved appropriately. He stated they have proposed granite curb all along the front of the property appropriately; they are setting their building back appropriately. He stated that what Mr. Maglio is asking is for the applicant to help the Town fix the pavement that the Town put on private property. Chair Padula stated that Mr. Campbell is correct; however, he would like DPW's concerns addressed.

Mr. Maglio stated that the road encroaches onto the applicant's property. The concern is to know exactly where the property line is and the extent of the encroachment. He would like the right-of-way line staked out by a licensed surveyor. If there is an encroachment, they can work with the town attorney. Mr. Campbell stated that as he said before, they are happy to work with the DPW on this issue; however, they do not want to hold up the project because of something that the Town did.

Mr. Craig Ciechanowski, attorney representing the applicant, asked for clarification on what the Town wants to see. Mr. Maglio stated that he would like staking out just the frontage along the land in the area that is shown to be encroaching and the property line. Mr. Campbell stated there is a plan showing the property lines.

***Motion to Continue 40 Alpine Row, Site Plan, to November 15, 2021. Rondeau. Second: David. Vote: 4-0-0 (4-Yes; 0-No).***

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

7:15 PM        **PUBLIC HEARING** – *Continued*  
                  **5 Fisher Street**  
                  Site Plan  
                  *Documents presented to the Planning Board are on file.*  
                  **To Be Continued**

Ms. Love stated that the applicant requested a continuance of the public hearing.

***Motion to Continue 5 Fisher Street, Site Plan, to November 15, 2021. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No). Roll Call: Padula-YES; Halligan-YES; Rondeau-YES; Power-YES; David-YES.***

7:20 PM        **PUBLIC HEARING** – *Continued*  
                  **120 Constitution Boulevard**  
                  Site Plan Modification  
                  *Documents presented to the Planning Board are on file.*  
                  **To Be Continued**

Ms. Love stated that the applicant requested a continuance of the public hearing.

***Motion to Continue 120 Constitution Boulevard, Site Plan Modification, to November 15, 2021. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No). Roll Call: Padula-YES; Halligan-YES; Rondeau-YES; Power-YES; David-YES.***

***Motion to Adjourn the Planning Board Meeting. Power. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 8:29 PM.***

Respectfully submitted,

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Judith Lizardi,  
Recording Secretary