

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

DATE: January 3, 2022
TO: Franklin Planning Board
FROM: Department of Planning and Community Development
RE: BETA Introduction – Gary James

DPCD was notified by BETA, Inc. that Matt Crowley has left the company and moved on to another position. Although Matt will be missed, BETA has provided the Planning Board with a well qualified engineer, Gary James. Gary has over 40 years of civil and environmental engineering experience. He has been responsible for the design and permitting of many civil and environmental engineering projects. Gary started with BETA on August 2, 2021, however, has been working with BETA on a development in Dighton for a few months prior to the start. Prior to joining BETA, Gary worked independently as James Engineering, Inc. since 1996. Gary holds a BS, in Civil Engineering from Northeastern University and is a Professional Civil Engineer (PE). Please join me in welcoming Gary to the Team.

Town of Franklin



Planning Board

**December 6, 2021
Meeting Minutes**

Chair Gregory Rondeau 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: Gregory Rondeau, Chair; William David, Vice Chair; Beth Wierling, Clerk; Jennifer Williams; Rick Power; Jay Mello, associate member. Members absent: None. Also present: Amy Love, Planner; Michael Maglio, Town Engineer; Matthew Crowley, BETA Group, Inc.

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

The Zoom platform call-in phone number and the Zoom link which were provided on the meeting agenda. The meeting was video recorded.

A. Field Change: Amego – Washington Street

Mr. Chris Keenan, project engineer of Quinn Engineering on behalf of Amego, addressed the Planning Board. He stated that it came to his 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 have asked to construct an earthen crossing with a culvert to pass stormwater from one side to the other. He provided a construction detail for the Planning Board’s review and an excerpt from the Stormwater Report showing the 100-year flow rates and velocities for the swale and a calculation summary for the proposed culvert.

Mr. Maglio stated that he has no issues with the replacement. He requested 12” concrete pipe rather than the proposed 8” PCV pipe as it would be easier to maintain. Mr. Crowley stated agreement. Mr. Keenan stated that they would update the plans to 12” pipe. Mr. David asked if handrails would be needed. Mr. Keenan discussed the height of the proposed footbridge and stated that they could provide some type of handrail. Chair Rondeau suggested a 36” handrail and noted the building commissioner would be contacted regarding the height of the handrail.

Motion to Approve Field Change: Amego – Washington Street, with the condition that the pipe be changed to 12” and the handrail height be determined by the building commissioner. Wierling. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

B. Bond Reduction: Countryside Estates

Ms. Love reviewed that 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. She stated that the applicant requested a bond reduction. BETA has provided a cost to complete along with a detailed list of items and pictures. The applicant has invited the Planning Board to visit the site when they have time to do so. BETA’s report provided the cost to complete is \$54,961. If the Planning Board allows waiving loam and seeding right away from Prospect Street to Lot 9, then the cost to complete is \$40,986. 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.

Mr. Maglio stated that his only comment regards the loam and seed along the side of the road. The developer has placed woodchips and some vegetation has grown there; he has no issue with this. He stated that his only recommendation is that it should be brush cut before the Town takes it over.

Mr. Crowley stated that a site visit was conducted and a punch list of remaining items was made as provided in his November 15, 2021, Site Observation Report. He stated that the biggest items to be addressed are maintenance and cleaning of the infiltration basins. He stated that the original plans called for 56 shade trees throughout the development. He noted that some trees were planted by residents. He stated that he counted approximately 30 trees that would qualify as shade trees.

Mr. David stated that it seems like there are enough trees now; to put more at this time may clutter the front yards. He asked if the trees can be planted somewhere else in town, or, maybe on the slope embankment. He agreed the retention ponds should be cleaned. Chair Rondeau suggested leaving the bond request as is at \$54,961 while the Planning Board members go to the site to determine their ideas on the trees and the loam and seed.

Mr. Joel D'Errico, owner, stated that the subdivision plan was designed in 2004 the number of trees on the landscape plan were doubled. He stated there are 30 trees installed by him and the homeowners. They could not plant a tree in a septic area. He stated that he believes he meets the Town's subdivision regulations for trees. He noted that in the 1990s in Highland Estates, there are similar slopes to those in this subdivision, and they are mulched; therefore, he did the same thing. Regarding the basins, he believed cattail plant was sacred. He is not sure if he needs permission from Conservation to take them out. He discussed another subdivision in which the basin is loaded with cattails. Mr. Crowley discussed the maintenance needs of the infiltration basins. Ms. Wierling asked BETA to ask Conservation Commission about this. Ms. Williams stated that if the number of trees is meeting the current regulations, and the homeowners are okay with it, she has no issue.

Chair Rondeau recommended reducing the bond to \$54,961 until some of the other items are resolved.

Motion to Approve Bond Reduction to \$54,961 for Countryside Estates. Wierling. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

C. Lot Release: Cranberry Woods

Ms. Love reviewed that a subdivision named Cranberry Woods was approved by the Planning Board in August 15, 1990. A covenant was issued on February 3, 1992. The applicant has submitted a Form G Covenant release for Lot 4 of the Definitive Subdivision. The subdivision is complete and all lots are constructed. The Department of Planning and Community Development could not locate any documentation that the lots were released from the covenant. The owner of Lot 4 is currently selling their home and is requesting the lot be released from the covenant. The Form G will need to be signed by all Planning Board members.

Motion to Approve Lot Release: Cranberry Woods. Power. Second: Wierling. Vote: 5-0-0 (5-Yes; 0-No).

D. Endorsement: 15 Freedom Way

Ms. Love stated that the applicant submitted Site Plans for endorsement for 15 Freedom Way, Site Plan Modification, that included adding additional parking spaces. The applicant has added the Certificate of Vote to the front page of the plans.

Motion to Endorse 15 Freedom Way. Power. Second: Wierling. Vote: 5-0-0 (5-Yes; 0-No).

E. Meeting Minutes: October 4 & October 18, 2021

Motion to Approve the Meeting Minutes for October 4, 2021. Power. Second: David. Vote: 4-0-0 (4-Yes; 0-No; Abstain-1). (Ms. Wierling abstained.)

Motion to Approve the Meeting Minutes for October 18, 2021. Power. Second: David. Vote: 4-0-0 (4-Yes; 0-No; Abstain-1). (Ms. Wierling abstained.)

7:05 PM **PUBLIC HEARING** – *Continued*
Washington Street
Site Plan Modification
Documents presented to the Planning Board are on file.
To Be Continued

Ms. Love stated that she received a request for continuance of the public hearing to the next Planning Board meeting.

Motion to Continue Washington Street, Site Plan Modification, to December 20, 2021, at 7:10 PM. David. Second: Wierling. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – *Initial*
Taj Estates – 230 East Central St
Special Permit & Site Plan
Documents presented to the Planning Board are on file.

Chair Rondeau opened the public hearing.

Motion to Waive the reading. Wierling. Second: Power. Vote: 5-0-0 (5-Yes; 0-No).

Mr. Richard Cornetta, attorney on behalf of the applicant Taj Estates of Franklin II LLC, and Ms. Amanda Cavaliere of Guerriere & Halnon, Inc. addressed the Planning Board. Mr. Cornetta noted a principal of Taj Estates was in the audience. Mr. Cornetta stated that BETA’s comments have not yet been received. He stated the property is about one (1) acre located within the Commercial I zoning district. Currently, the property has a single-family residence on it that is unoccupied. The plans are to remove the structure with the redevelopment of the site. The proposed redevelopment is the construction of a three-story, 14,200 sq. ft. commercial mixed-use residential building containing 41 single-bedroom apartment style residential units with 900 sq. ft. commercial space located on the first-floor front portion of the building. He stated that in order to do this, they need to seek approvals including a Special Permit to allow multi-family housing style in the commercial district. They would also need an associated site plan approval. They have identified no wetlands in the project. He noted a memorandum in support of this project has been submitted. He stated that he believes this project meets the criteria set out in the zoning bylaw. He noted a new law enacted by Governor Baker to promote transit-oriented housing developments. He discussed that he believes this project is situated to support transit-oriented housing.

Ms. Cavaliere reiterated that as this property is located in the Commercial I zoning district, a Special Permit is needed. They are requesting a waiver for one parking space per unit as opposed to 1.5 spaces as required in zoning. They have three visitor spaces in the back. The project will be serviced by Town water and sewer. There is an infiltration system in the parking lot.

Ms. Love reviewed that the following letters have been received from Town departments: letter dated November 18, 2021 from J.S. Barbieri, Deputy Fire Chief; letter dated November 29, 2021 from Mike Maglio, Town Engineer; and letter dated October 19, 2021 from Becca Solomon, Conservation Agent. She stated that BETA is currently reviewing the project. The applicant has requested a waiver for parking from the required 64 parking spaces to 46 parking spaces. She reviewed comments from DPCD including that

there is minimal landscaping on the site as the site is maxed out on the impervious area. DPCD recommends more landscaping be provided since the site abuts residential units. The applicant is required to file with the Design Review Commission. The applicant should provide the location of the abutting houses on the Site Plan. The applicant has not submitted color renderings of the building. She explained that DPCD reviewed the most recent Site Plan and Special Permit applications before the Planning Board that are located within the Downtown Commercial and Commercial I zoning districts and areas around these zones. They have developed the table provided in her letter to the Planning Board dated November 30, 2021, summarizing the related parking requirements. She reviewed that the law regarding transit-oriented housing noted by Mr. Cornetta has not been formally passed; and, those would require affordable units. She noted parking is a concern.

Mr. Maglio reviewed his comment letter to the Planning Board dated November 29, 2021. He noted that consideration should be given to locating the underground infiltration system to the rear of the property. At its current location, when the time comes for maintenance or reconstruction of the system, there will be no vehicular access to the entire site. As well, while the infiltration system has been sized to hold almost the entire equivalent of a 100-year event, there is some discharge that would occur during this event. The system outfall is located immediately adjacent to the property line at the southeast corner of the site and is adjacent to two residential properties. He recommended increasing the size of the system to contain the entire 100-year event to avoid potential impacts to these adjacent properties.

Mr. Crowley stated that BETA anticipates submitting their final review tomorrow. Mr. Gary James of BETA stated that Ms. Love and Mr. Maglio covered the major items. He has the same issues with the infiltration system as noted by Mr. Maglio. He discussed the possible impact on the sewer line and recommended Mr. Maglio comment on that. He stated that they are making a 10 ft. cut near Hill Avenue which is a shallow bedrock area which may require blasting to get in the foundation. He recommended the applicant do test pit data to determine if blasting will be needed. He commented that there are no trees proposed around the parking lot. He agreed with Ms. Love that there is not enough parking.

Planning Board members made comments. In response, Ms. Cavaliere reviewed the provided parking schedule. She stated that she would include the number of spaces required if the waiver were not granted. She reviewed the landscape plan and stated that she will show signage on the plan. She stated renderings would be provided with the next submittal. Ms. Wierling suggested a traffic study be provided as there is a lot going on in that area already, and this is proposed for 41 units. Mr. Crowley stated that BETA could look at that. Ms. Williams noted that this development would be more than .5 miles from the train station. She agreed that there is not enough parking, and this is an extremely dense project. Chair Rondeau asked about the underground retention system and the proximity to the Town easement. He noted his concern about traffic. He agreed it is a fairly dense project. He suggested the applicant look at the parking spaces, screening, lighting, and fire department access around the site.

Mr. Mark Letourneau, 29 Hill Avenue, reviewed the abutting residential properties. He stated concern about clearing out all the land. He noted that in his front yard there is an elevation difference, but in the backyard, it is the same level. He stated that his house is built on ledge. He is concerned about possible blasting. He stated that this project could affect the property values of surrounding residences in a negative way. Chair Rondeau noted that a pre-blast survey would have to be done.

Mr. Mark Rovani, representing his mother at 240 East Central Street, stated that his mother's driveway would be at the backside of the fence, and there is no room to move her driveway. He noted that she has had an in-home daycare at the residence for 40 years. He stated that currently due to the traffic lights at Shaw's/CVS, traffic backups past her house. There are residential homes surrounding this project site all the way around. He stated that he does not think this is the area for the size of the building. Chair Rondeau confirmed a traffic study is going to be required.

Motion to continue the public hearing for Taj Estates, 230 East Central Street, Special Permit & Site Plan, to January 10, 2022. Wierling. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to recess for five minutes. Power. Second: David. 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. Wierling recused herself.

Ms. Love confirmed that according to Open Meeting Law, new board members may not vote on items that were opened prior to their becoming board members.

Ms. Love referenced her letter to the Planning Board dated November 30, 2021. She recommended the Planning Board review her provided list of six waivers. She reviewed that the Planning Board requested the applicant provide the location of the building and parking area on Lot 4. She stated that the applicant should show the proposed building for Lot 4 on the plans. Town water shall require a bylaw amendment from the Town Council. Each lot will have individual septic systems. The construction of the roadway and stormwater system will require a permit through the Conservation Commission; the next meeting with Conservation is December 16, 2021. She stated that the Planning Board requested the abutters be notified of the hearing, for a second time; the engineer indicated the notification was sent to all abutters on November 18, 2021.

Mr. Maglio reviewed his comments provided in his letter to the Planning Board dated December 1, 2021. He stated that he received an email from the designer and most of his comments have been addressed or are about to be addressed. He noted the six requested waivers. He reviewed the request to allow a stormwater basin's maximum water elevation within 20 ft. of a property line. He stated that the Planning Board added this setback to the Subdivision Regulations five years ago to protect adjacent properties from ponds constructed right at the property line. He reviewed the request to allow a stormwater basin's toe of the pond berm within 10 ft. of a property line. He stated that the Planning Board also added this setback to the Subdivision Regulations five years ago to protect adjacent properties from ponds constructed right at the property line.

Mr. Crowley reviewed his Peer Review Update letter dated December 1, 2021, which was provided in the Planning Board's meeting packet.

Mr. David Russo from Andrews Survey & Engineering stated that they have addressed all BETA's and DPW's comments. In general, there was some discussion about the width of the roadway; they increased the width to 28 ft. The ponds on the site were redesigned since the last meeting to eliminate the retaining wall. He stated that the length of the road is minimally over the maximum road length of 600 ft.; this is due to making the ponds work properly. He reviewed the pond setbacks. He confirmed that they will be before the Conservation Commission on December 16, 2021.

Chair Rondeau confirmed the infiltration basins still need to be tweaked. Mr. Russo noted waivers are needed. Mr. Maglio stated that guardrail may need to be added. Mr. Russo stated that the abutting property elevation is higher than the pond. He stated that the building/concept is not on this set of plans as it is not before the Planning Board at this time. Chair Rondeau stated that he would like to see a rough sketch on the plans. He stated that there are a few loose ends that the applicant must cleanup.

Motion to Continue Olam Estates for 900 Washington Street, Definitive Subdivision, to December 20, 2021. Power. Second: David. Vote: 3-0-0 (3-Yes; 0-No).

7:15 PM **PUBLIC HEARING** – *Continued*

5 Fisher Street

Site Plan

Documents presented to the Planning Board are on file.

Ms. Wierling recused herself.

Ms. Love reviewed her memorandum to the Planning Board dated November 30, 2021. She stated that BETA and Mr. Maglio met with the applicant on site and have provided an accepted design for the swale on the side of the building. The Site Plans show precast concrete curbing throughout the site; however, the notes say “Internal curbing shall be bituminous concrete or cape cod berm at the selection of the developer.” The applicant should remove this note. She stated that the Planning Board asked about the handicap parking spaces. The applicant has provided a narrative on the location of the handicap parking spaces. The Town’s ADA compliance officer will also monitor the handicap parking spaces. She noted that attached to her memo is an email sent to DPCD from an abutter who was not able to speak at the last meeting. She stated that BETA provided a letter with recommendations for conditions of approval.

Mr. Maglio discussed drainage at the rear of the building. He stated that he met onsite with the applicant. He stated they all agree conceptually for what the applicant is proposing for drainage. He noted utility poles all have the minimum amount of distance between the poles and the fence.

Mr. Crowley reviewed his concern regarding stormwater. He stated that the applicant submitted a concept plan for what they were going to do in the back. He noted that there are a few loose ends. He stated that he provided the applicant with a list of 10 conditions of approval as outlined in his letter to the Planning Board dated December 2, 2021; he read the conditions aloud. Ms. Love asked if the Planning Board was okay with the curbing plan outlining the granite and precast concrete curbing areas that she had attached to her memo. Chair Rondeau confirmed that the Planning Board is requesting the granite.

Mr. Casey Killam of K Fisher Street LLC and property owner; Mr. Rick Kaplan, property owner; and their project manager were in attendance. Mr. Killam stated that Mr. Daniel Campbell of Level Design Group was unable to attend tonight’s meeting. He noted that Mr. Nick Facendola of Level Design Group can address any concerns. Mr. Killam stated that any administrative items will be resolved quickly. From the ownership perspective, they have worked for the past six months on this and are excited to get started. Mr. David questioned the number of inches of asphalt. Mr. Facendola stated that they intend to have 2.5 in. binder and 1.5 in. of topcoat pavement across the whole site. They can have that minor change adjusted on the plans.

Ms. Elizabeth Wallace, 256 West Central Street, questioned the abutter notification process. She stated that she did not receive notification nor did a resident at 258 West Central Street. She asked if all the abutters were notified of this project. She requested that the Planning Board require renotification of abutters for this project. She stated that she has 24 questions regarding problems and additional questions regarding the process. Ms. Love stated that all the abutters were notified by regular mail; certified mail is not required for a Site Plan. She stated that the project started in July 2021. She stated that it was also advertised in the newspaper for two weeks and posted on the Town’s website. She stated that the Planning Board is not required to renotify abutters.

Mr. Kaplan stated that besides notifying abutters via mail, he also gave a presentation to the Downtown Partnership when this project was started. He noted that he has been to every board to introduce himself. He stated that prior to November 16th he met with the abutter’s mother who lives at the address, and they had a conversation. He provided his business card and suggested the daughter call him with any questions. He stated that he is happy to add additional screening if needed. He stated that he is glad to work with all the neighbors. Ms. Love reviewed how the abutter’s list is obtained from the Assessor’s Office. Ms. Wallace stated that she emailed Mr. Kaplan on October 2, 2021, and she did not hear back. As well, the Hayward

Park Condo Board has not met with Mr. Kaplan. Mr. Kaplan stated that he would be glad to meet with anyone. Ms. Love stated that all abutters of the Hayward Park Association were notified.

Ms. Wallace reviewed some of her concerns. She asked what would the operating hours be, what is the lighting, what types of trucks are going to make deliveries, what is the speed limit, what are the sound and lighting barriers, what and where is employee parking, what is the dumpster service, and what is the snow removal plan. Mr. Power suggested that Ms. Wallace speak with Mr. Kaplan. Mr. Killam reviewed some of the questions and noted that the information is on the plans; all these items have been worked through with the Planning Board.

Chair Rondeau noted that this could be approved with the conditions of BETA’s comments and conditions, Mr. Maglio’s comments, general condition comments, the curbing, all information such as lighting and spillage are on the plans, and Ms. Love’s comments. He asked Ms. Love to get together everything that everyone is agreeing on.

Motion to Close the hearing for 5 Fisher Street, Site Plan. Power. Second: David. Vote: 4-0-0 (4-Yes; 0-No). Amy, was this vote 4 or 3? Wierling recused herself—what about Williams?

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

Chair Rondeau stated that the applicant requested the public hearing be continued.

Motion to Continue the public hearing for 120 Constitution Boulevard, Site Plan Modification, to December 20, 2021. David. Second: Power. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Adjourn the Planning Board Meeting. Rondeau. Second: Wierling. Vote: 5-0-0 (5-Yes; 0-No).

Meeting adjourned at 8:51 PM.

Respectfully submitted,

Judith Lizardi,
Recording Secretary

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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PLANNING BOARD

December 20, 2021 Meeting Minutes

Chair Gregory Rondeau 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: Gregory Rondeau, Chair; William David, Vice Chair; Beth Wierling, Clerk; Jennifer Williams; Rick Power; Jay Mello, associate member. Members absent: None. Also present: Amy Love, Planner; Michael Maglio, Town Engineer; Matthew Crowley, BETA Group, Inc. (via Zoom)

7:00 PM Commencement/General Business

The Zoom platform call-in phone number and the Zoom link which were provided on the meeting agenda. The meeting was video recorded.

A. Steering Committee Appointment

Ms. Love reviewed that the Town of Franklin is launching a community-driven process to identify a vision for the downtown and make changes to the zoning for the area to unlock development potential and foster a vibrant, mixed-use neighborhood. There are several steps in the process of rezoning downtown. One of the items is to create a Steering Committee that will advocate for the downtown rezoning and work closely with MAPC. The Steering Committee will consist of the Economic Development Committee (EDC), two Planning Board members, and one Zoning Board of Appeals member. She requested that the Planning Board nominate two members to join the Steering Committee.

Motion to Nominate Beth Wierling to the Steering Committee. Rondeau. Second: Power. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Nominate Greg Rondeau to the Steering Committee. Power. Second: Williams. Vote: 5-0-0 (5-Yes; 0-No).

B. Endorsement: 40 Alpine Row

Ms. Love stated that the Planning Board voted to approve the Site Plan for 40 Alpine Row on November 1, 2021. BETA has reviewed the plans for endorsement. Special Conditions have been resolved as indicated on the Certificate of Vote. She noted that paving thickness throughout the site should be 1.5 in. for the top and 2.5 in. for the base. She questioned if a notation should be made on the plans to clearly identify this. Mr. Crowley stated that there were inconsistencies on the plans regarding the paving and pre-cast concrete curb detail. Ms. Love confirmed that the applicant's engineer, Daniel Campbell, was not present at the meeting in-person or via Zoom. Ms. Wierling stated that the applicant needs to correct the detail prior to signing. Ms. Love stated that she would confirm the corrections are made. Mr. Maglio stated that he was okay with the Planning Board voting to endorse and signing once the detail is corrected. Ms. Love stated that this item will be moved to the next meeting.

C. Endorsement: Eastern Woods

Ms. Love reviewed that the Planning Board voted to approve the Definitive Subdivision for Eastern Woods on November 1, 2021. Mr. Maglio reviewed that the plans for endorsement and special conditions have been resolved as indicated on the Certificate of Vote.

Motion to Endorse Eastern Woods. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

D. Decision: 5 Fisher Street

Ms. Love reviewed that the Planning Board closed the public hearing for 5 Fisher Street on December 6, 2021. She stated that the Planning Board should vote, with conditions, on 5 Fisher Street Site Plan. She recommended the following special conditions: 1. BETA’s letter dated December 2, 2021. 2. The curbing plan submitted to the Planning Board should be included prior to endorsement; the Plan should include the color-code details. 3. The applicant to submit a Limited Site Plan after 50 percent occupancy and provide parking calculations. 4. Standard conditions as outlined in her memo to the Planning Board dated December 9, 2021.

Motion to Approve 5 Fisher Street with special conditions #1-4 as listed above. Rondeau. Second: Power. Vote: 3-0-2 (3-Yes; 0-No; 2-Abstain). (Ms. Wierling and Ms. Williams abstained.)

E. Meeting Minutes: November 1 & November 15, 2021

No Motion or Second Made to Approve the Meeting Minutes for November 1, 2021. Vote taken. Vote: 4-0-0 (4-Yes; 0-No; Abstain-1). (Ms. Wierling abstained.)

No Motion or Second Made to Approve the Meeting Minutes for November 15, 2021. Vote taken. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – *Continued*
 585 King Street
 Special Permit & Site Plan
 Documents presented to the Planning Board are on file.

Attorney Edward Cannon on behalf of the applicant, Mr. Josh Berman of Marcus Partners, Mr. John Kucich of Bohler Engineering, and Mr. Jeffrey Dirk of Vanasse & Associates (via Zoom), addressed the Planning Board. Mr. Cannon stated that tonight’ focus is mainly traffic. The applicant is proposing to construct a warehouse/storage facility; storage facilities require a Special Permit in the Business Zoning District. He stated that since the last hearing some comments have been received from BETA. Mr. Kucich stated they have done an additional day of test pits. They are confident they will be able to address in full in the upcoming submittal all of BETA’s comments. Mr. Dirk narrated a slideshow presentation on his Transportation Impact Assessment Summary for the proposed warehouse building at 585 King Street. He stated that updated traffic volumes were obtained from a prior study conducted by VAI that included the study area intersections in 2018 and were adjusted and supplemented following MassDOT’s guidelines for data collected during the COVID-19 pandemic. The analysis concluded that the project will not result in a significant impact (increase) on motorist delays or vehicle queuing over existing or anticipated future conditions without the project (no-build conditions), with the majority of the movements shown to continue to operate at acceptable levels. No apparent safety deficiencies were noted with respect to the motor vehicle crash history at the study area intersections. And, lines of sight at the project site driveway intersection with King Street were found to exceed or could be made to exceed the recommended minimum distance for safe operation based on the appropriate approach speed. He reviewed the site location map, the existing conditions diagram, and the trip generation summary. He noted that the warehouse is approximately 293,600 sq. ft. He stated that truck trips do not constitute a significant volume of activity at this site. He stated that the traffic volumes as shown on his chart are representative

of a high-level warehouse, such as this facility. He stated that the average weekday daily vehicle entering and exiting total is 510 trips. He reviewed weekday morning peak hour is 61 trips and weekday evening peak hour is 63 trips. He reviewed a diagram showing trip distribution. His recommendations for site access included, but were not limited to: the project site driveway will be incorporated into the traffic signal system at the King Street/Constitution Boulevard intersection and will provide two (2) travel lanes approaching King Street, the driveway and internal circulating drives will be designed to accommodate the turning and maneuvering requirements of the largest anticipated responding emergency vehicle and a large tractor semi-trailer combination, and vehicles exiting the project site should be placed under stop-sign control with a market stop-line provided. He provided recommendations for offsite regarding the King Street traffic signal system and at King Street at Franklin Fire Station No. 2. He stated that they will be adding a second set of signal indications at the Fire Station driveway to make sure the driveway is not blocked. Mr. Dirk reviewed the Transportation Demand Management Program which included, but was not limited to, that a transportation coordinator will be designated to coordinate the TDM process, information regarding public transportation services, maps, schedules and fare information will be posted in a central location and/or otherwise made available to employees, and the transportation coordinator will facilitate a rideshare matching program for employees to encourage carpooling.

Ms. Love noted that the Planning Board requested hours of operation which were in the traffic review. Mr. Maglio stated that he did not have any comments. Ms. Jaklyn Centracchio, BETA's peer review consultant on this project, stated that she did the traffic review for this study. The main comment was the volume data; the applicant responded and fixed that data. As well, clarification requests and additional data was requested. She has no additional comments at this time.

Planning Board members asked questions. In response, Mr. Dirk confirmed that the trip data is based on general warehouse information and not a specific tenant. He stated that he would look at the primary signal locations and possibly look at a second signal location; they can work with BETA to see if there is some secondary signal that can be added to let drivers know that coming up the signal will be turning red. He reviewed again the trip generation summary. He noted that the employee trips will peak in the morning peak hour. The peak of the truck activity will not occur during the morning peak hour; it is going to occur before the morning peak hour and after the peak hour. The trucks need to be in the facility before the employees get there so they can off load the trucks. He stated that trucking activity is generally off the peak employee time period. The applicant stated that typically in the warehouse there are two shifts, usually five or five and one-half days per week. The shifts would generally start around 5 AM. Chair Rondeau stated that hours of operation are critical to know in regard to the neighbors. He stated that he would like more numbers/information regarding the off ramp as it is very busy there. Mr. David asked if they are proposing a separate lane to this facility. Mr. Dirk stated that they are not building a separate lane as there is not enough room; it is a short distance. He discussed the access restriction placed on this area by MassDOT. Mr. David stated that starting at 5 AM for employees is fine, but not for trucks with their backup alarms. It would not be fair for abutters to have to listen to backup alarms at that time in the morning.

Ms. Wierling stated that she wanted to talk about noise. She suggested that to be fair to the applicant and abutters, a noise study should be considered; she wants to look at what can be done to mitigate the truck noise. Chair Rondeau stated that it may need a third look as he wants to make sure it is a safe situation especially with the Fire Department right there. He asked how many vehicles were entering and exiting Constitution Boulevard. Mr. Dirk stated that on Constitution Boulevard in the morning about 600 vehicles going southbound and 250 vehicles going northbound. In the evening, it is about the same volume in reverse. Ms. Williams stated agreement that a noise study would be beneficial. Ms. Love stated that the applicant proposed a few changes around the Fire Station such as the do not block sign replacing the flashing light with a signal. The applicant was asked if they have spoken with anyone in the Town that indicates they want to see this take place. Mr. Dirk stated that this plan was based on feedback from the

Fire Department. Ms. Love stated that the Planning Board might want to touch base with the Highway Department to comment on this. Mr. Maglio stated that until design plans are provided, he cannot comment.

Ms. Karen Miller, 246 Washington Street, noted the re-zoning in 2012 on this property. She stated that the family who owned the property requested that the largest parcel be rezoned. She stated that she used to walk in the area. It is now very dangerous. There are only sidewalks on one side of the street; however, they are on the side that has the entrance ramp to Rt. 495 southbound and coming off Rt. 495 northbound, but there is no walk signal there. If they are redoing the intersection, they should make the walking area safe. She noted that the same developer has done the other buildings in the area. She questioned if there is a no left turn sign at the end of Grove Street for the new warehouses built there. She expressed concern about the timing of the traffic as there is also another project that will be utilizing this intersection. She stated that it would be great if the Fire Station intersection could be fixed to make it safer. She noted that there is one busy gas station there. She asked how will they get gas and how does it affect the traffic pattern. The applicant stated that trucks do not get gas in towns, they get gas on the highway. He stated that they are going to put in many resources to make this better for traffic, for the sidewalks, the intersection, and the Fire Department. They realize there is a traffic issue there; they are going to make a significant investment into this intersection.

Motion to Continue Washington Street, Site Plan Modification, to January 10, 2022. Rondeau. Second: Wierling. Vote: 5-0-0 (5-Yes; 0-No).

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

Ms. Love reviewed comments from the Planning Board's October 4, 2021, meeting which included: 1. The applicant still needs approval from the Conservation Commission. 2. The Planning Board asked for a list of target tenants which the applicant has shown on the plans. 3. The Planning Board asked that hours of operation be on the plans which the applicant has shown on the plans. 4. The Planning Board may want to consider rules for outside storage. 5. The applicant has added an additional parcel (Parcel B) to the site and abutters have been re-notified of the hearing. 6. The site abuts a residential zone; the applicant is requesting a waiver for light spillage. 7. Outstanding items include the following: a.) confirm with the Building Commissioner that the required lot depth does not need to be provided along the section of frontage associated with the required continuous frontage of the lot. b.) provide documentation confirming that the site is exempt from the lot width requirements. BETA notes that Section §185-10 does not reference lot width; however, some exceptions are provided for lot width under §185-3.

Mr. Rick Goodreau of United Consultants reviewed that since the initial public hearing with the Planning Board the applicant has obtained an additional approximately .5-acre parcel located to the north of the site. This allowed for a redesign of the site including the parking lot area. The three proposed building locations have not changed. He stated that adjustments were made to the three infiltration ponds and the stormwater system. He stated that they have addressed hours of operation, anticipated types of tenants for the site, and the town engineer's and BETA's comments. He stated that they received a letter today with respect to zoning from the applicant's attorney which has been forwarded to the Town staff. He stated that the plans have been reviewed by the Fire Department; the Fire Department stated that the hydrant location and truck turning were adequate.

Mr. Maglio stated that with the redesign in the latest submission, all his previous comments have been addressed. However, he noted that while the site design has been modified from the previous submission,

there are still significant 1-on-1 slopes around the perimeter of the site that range from 12 ft. to 20 ft. high. The plans call for Geoweb slope reinforcement to be used in these areas, a detail for which is in the plans. His stated that his specific concern is the steepness and height of the slopes behind the proposed buildings and that the top of these slopes begins right at the property line for the abutting homes. There is also a 6 ft. high vinyl fence to be installed at the top of this slope; he is concerned about the stability of the fence over time.

Mr. Goodreau stated that with the redesign they were able to eliminate the retaining walls. They have provided documentation on the proposed Geoweb system. He stated that BETA brought up an additional zoning interpretation as the property is in an industrial zone but abuts a residential zone. He discussed the screening requirements and interpretation in the bylaw. He stated that they have talked to Geoweb about the specific tree types that would provide the appropriate screening in the area.

Mr. Crowley stated that Ms. Love and Mr. Maglio covered most of the comments. He stated concern with the slope stability. He stated that if the project is approved, he has noted conditions of approval as indicated in his Site Plan Peer Review Update letter to the Planning Board dated December 15, 2021. He noted that if any rooftop equipment is installed, it should be screened. He discussed the proposed additional parking spaces. He noted stormwater concerns. Mr. Goodreau responded to Mr. Crowley's comments regarding the handicapped ramp, additional parking spaces, and stormwater on Washington Street; there is no roof equipment proposed.

Planning Board members asked questions. In response, Mr. Goodreau stated that the building to the property line is about 31 ft. Mr. David stated that regarding the propane tanks in the parking lot that have bollards in front of them, plowing would plow the snow straight in toward the tanks and block the filling point. Mr. Goodreau stated that there are four bollards and the tanks are below grade. He suggested a sign indicating not to store snow there. Ms. Williams stated concern about the slopes and asked how they are going to control clear egress. The applicant's representative discussed the slopes and snow storage. Mr. Goodreau discussed if propane tanks are allowed to be buried within a Water Resource District; he stated that BETA noted in their comments that leakage of a propane tank would be airborne, not underground. Chair Rondeau noted light spillage. Mr. Goodreau stated arborvitae 4 ft. to 6 ft. in height are proposed plantings on the right side of the driveway. He stated that if it is felt that they are too forward and obstruct sight distance, they can pull them back a bit. They will need vegetation trimming as they grow.

Mr. John Marguerite, 213 Washington Street, confirmed that the updated plan is not on the Planning Board's webpage yet. He stated concern about the wall. He asked if the fence screening was for noise and visibility mitigation, or just for visibility. He asked if a fence was required due to the slope as well as the tree line for the visibility. He asked about the following: DEP filing, any outside storage, truck noise with backup alarms, hours of operation, light spillage, will lights stay on all night, list of waivers applied for, questions on frontage due to zoning resolved, when will updated plan be available, never have any roof equipment, Conservation Commission date, and the aesthetics of what they will see in the future. Ms. Karen Miller, 246 Washington Street, noted the two projects that have been discussed at tonight's meeting and how both projects affect the neighborhood. She stated that when there are bad rains, it all washed out at the entrance to this project, and DPW had to push the dirt off to make it passable. She noted the slope and asked how it will work if a guardrail is taken out. She asked about the traffic impact. She stated that there is a school bus stop there. She stated that there is not a sidewalk there. Mr. Paul Harrington, 241 Washington Street, asked about the greenbelt requirement.

Mr. Goodreau responded to the questions. He stated that the back of the buildings would be toward the residences. He stated that they are still evaluating the fence. They have filed with DEP and re-notified the abutters after the additional parcel was acquired. He stated that there will not be any outside storage. The proposed hours of operation are 7 AM to 5 PM for the site in general and 7 AM to 10 PM for the office

spaces from Monday through Saturday, not Sunday. He stated that the lights are scheduled to turn off at 10 PM. He stated that there are three waiver requests which are listed on page one of the plans. He stated there is no plan to provide roof equipment. He stated an NOI was filed with the Conservation Commission. He stated that they will remove and reset some of the guardrails. He reviewed how the stormwater currently works. He stated that they have determined that a greenbelt will be required according to the zoning bylaws. Mr. David suggested some all-night lighting for security. Mr. Maglio responded to a question about sidewalks in the area. He stated that it is a project listed on the complete streets; it is a matter of funding and timing.

Motion to Continue Washington Street, Site Plan Modification, to January 10, 2022. Rondeau. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

7:15 PM **PUBLIC HEARING** – *Continued*
Olam Estates – 900 Washington Street
Definitive Subdivision
Documents presented to the Planning Board are on file.

Ms. Wierling recused herself.
Ms. Williams recused herself.

Ms. Love stated that most of the comments from the December 6, 2021, Planning Board meeting were resolved. The applicant received Conservation Commission approval on December 16, 2021. The applicant showed the proposed building for Lot 4 on the plans. She noted that the Planning Board's decision is for a Definitive Subdivision plan for a Conventional Subdivision. The applicant will have to return to the Planning Board regarding the building on Lot 4. The applicant has requested six waivers as listed in her memo to the Planning Board dated December 16, 2021.

Mr. Maglio stated that all his previous comments have been addressed. He reviewed the waiver requests. Ms. Love noted that it is not typical for the Planning Board to extend the street past 600 ft.

Mr. David Russo from Andrews Survey & Engineering stated that the road was extended 32 ft. to get the ponds a little bit bigger to meet the Town's regulations and get the ponds to work. Mr. Crowley stated that he has no additional comments on the project.

Motion to Close the public hearing for Olam Estates for 900 Washington Street, Definitive Subdivision. Power. Second: David. Vote: 3-0-0 (3-Yes; 0-No).

Ms. Love stated that if the Planning Board is not going to vote on this item tonight, they would need to ask the applicant for an extension. There are six waivers to vote on as well as a vote on the subdivision itself.

Motion to Approve the following Waiver Requests for Olam Estates for 900 Washington Street, Definitive Subdivision:

- §300-11.A.7.B – *Distance from toe of pond berm to property line shall be min. 10'*
- §300-13.A.1 – *Sidewalk to be installed on one side of the road.*
- §300-11.A.7.A – *Distance from maximum pond water surface to property line and structure shall be 20'*
- §300-10.D.5 – *Right of way grade*
- §300-10.E.2.4 – *Requesting to exceed the 600' dead-end street*
- §300-11.B.2.A – *Requesting a waiver from non-RCP (PVC pipe) in the filtration basins*

and Standard Conditions, Approve Power. Second: David. Vote: 3-0-0 (3-Yes; 0-No).

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

Chair Rondeau stated that the applicant requested the public hearing be continued. Ms. Love stated that the applicant is still determining what they are going to do about the drainage system.

Motion to Continue the public hearing for 120 Constitution Boulevard, Site Plan Modification, to January 24, 2022. Power. Second: David. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Adjourn the Planning Board Meeting. Power. No Second. Vote: 5-0-0 (5-Yes; 0-No).

Meeting adjourned at 9:14 PM.

Respectfully submitted,

Judith Lizardi,
Recording Secretary