



FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

MEMORANDUM

DATE: April 20, 2021
TO: Franklin Planning Board
FROM: Department of Planning and Community Development
RE: 81-P ANR – 340 East Central ST

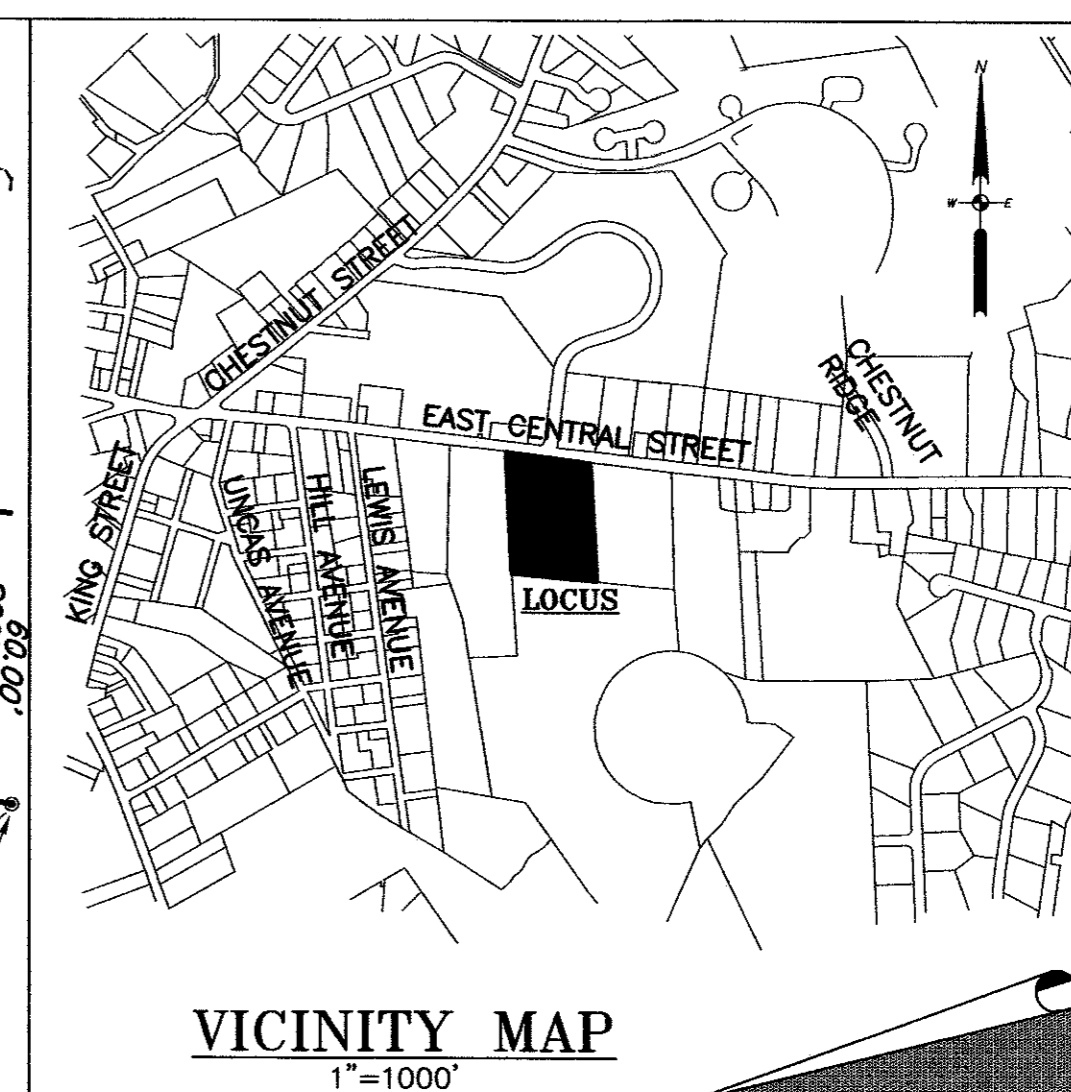
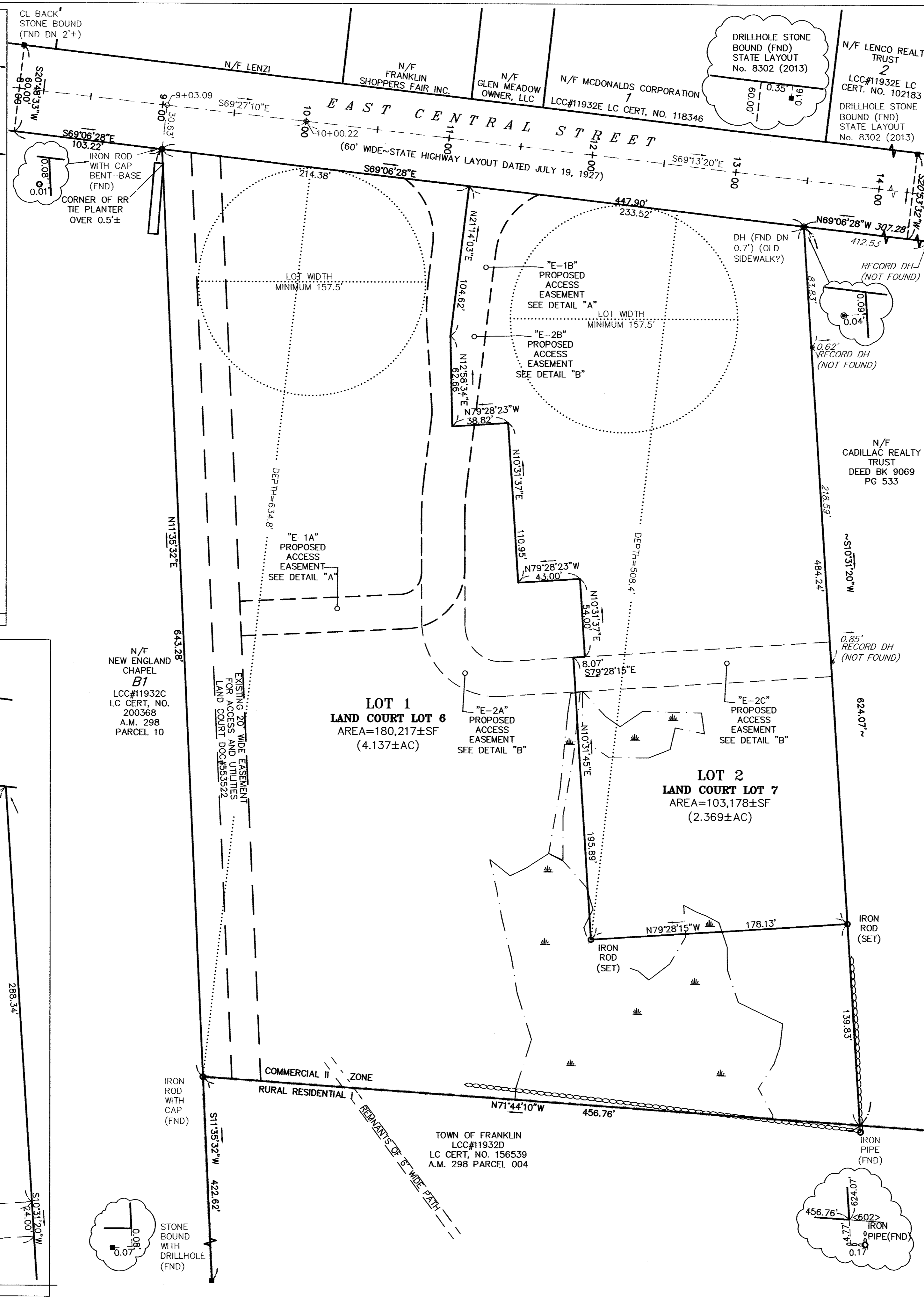
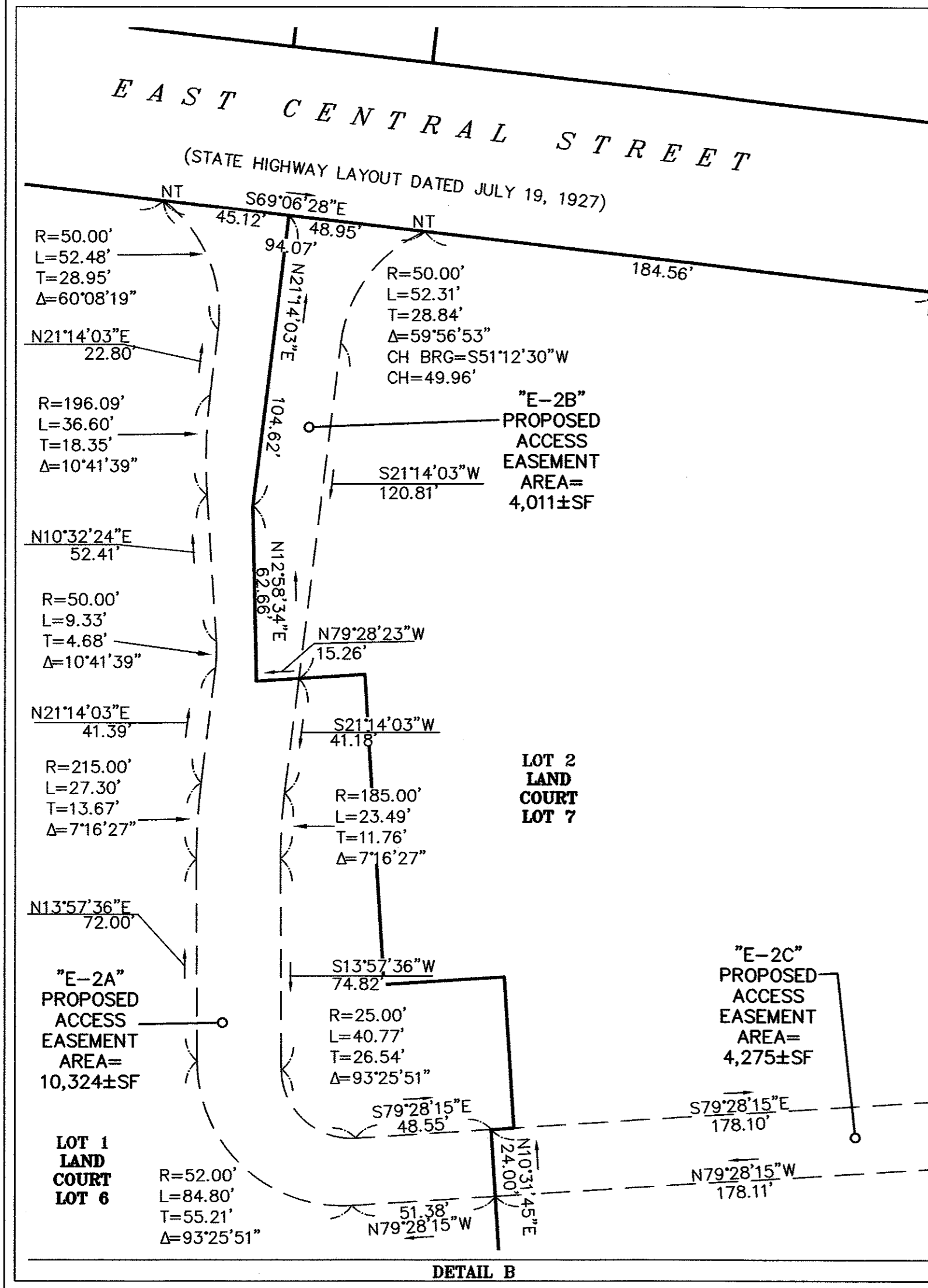
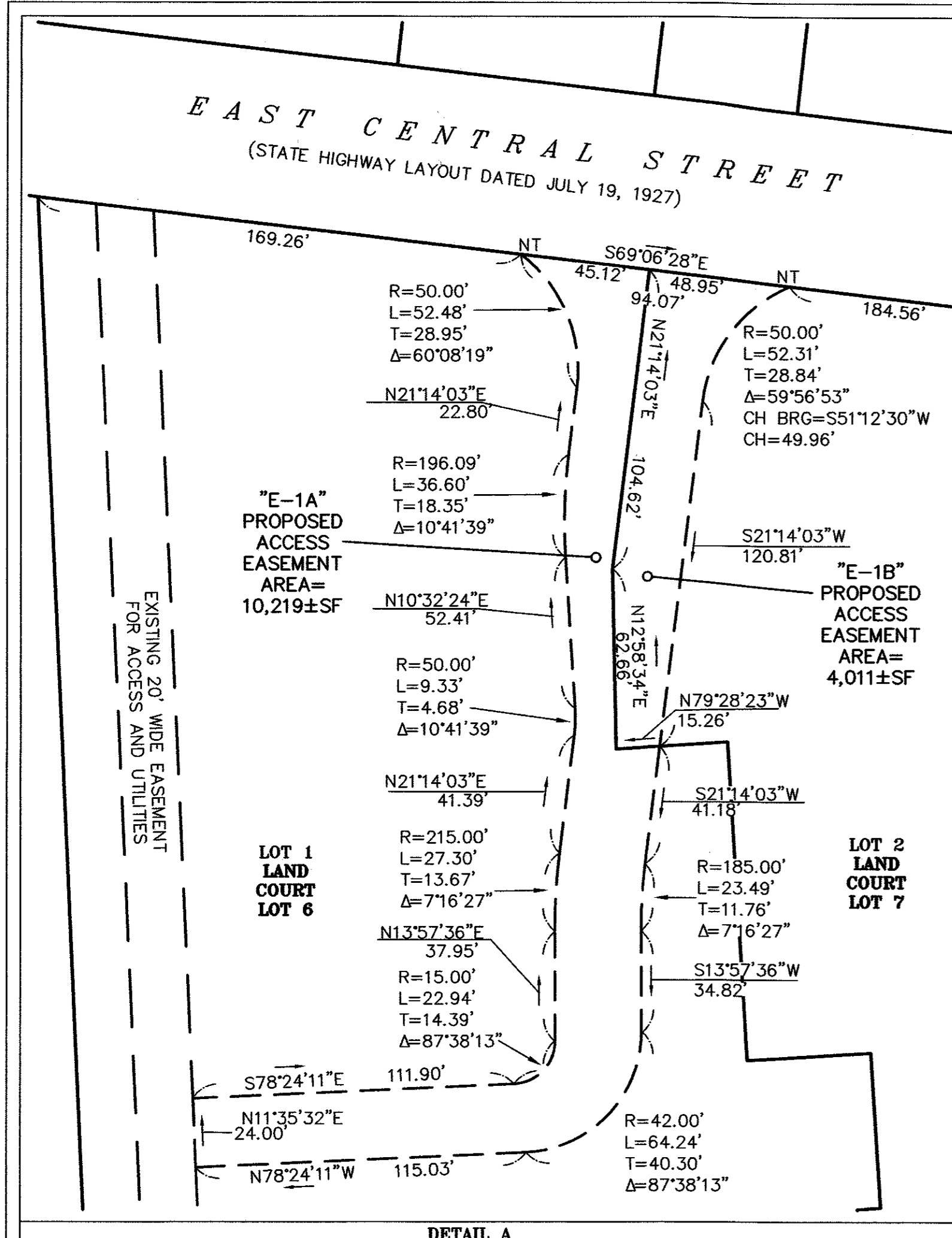
The DPCD has reviewed the above referenced 81-P (ANR) application for the Monday, April 26, 2021 Planning Board meeting and offers the following commentary:

General

1. The applicant has submitted a Form A application for 81-P Plan Review to accompany the plan of land for 340 East Central Street, dated January 18, 2021.
2. The purpose of the plan is to create 2 buildable properties as depicted on the plan of land.
3. The above application shows the land known on Assessors Map 285 Lot 009.

ANR Summary

- Both lots shown on the plan are conforming to zoning.
- Applicant has asked to provide cross easements when the Form H is submitted and prior to occupancy.



- NOTES:
- THIS LAND IS SHOWN ON THE TOWN OF FRANKLIN ASSESSOR'S MAP 285 LOT 9.
 - THIS LAND LIES IN THE COMMERCIAL II ZONING DISTRICT.
 - THIS LAND LIES WITHIN A ZONE X "0.2 PERCENT CHANCE FLOOD HAZARD" AS SHOWN ON FIRM FLOOD MAP 25021C0309E, EFFECTIVE DATE JULY 17, 2012.
 - THE TRAVERSE WAS DONE WITH A LEICA TS07 TOTAL STATION SERIAL# 3303535. THE DISTANCE MEASUREMENT STANDARD DEVIATION FOR THE LEICA TS07 IS ±1mm + 1.5ppm.
 - THIS PLAN IS BASED ON A FIELD TRAVERSE WITH A PRECISION OF 1/39,057, ABSOLUTE ERROR OF 0.050 FEET, ERROR DIRECTION S47°22'47\"/>

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

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED
FRANKLIN PLANNING BOARD

DATE: _____

I CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 ON OR BETWEEN NOVEMBER 30, 2020 AND APRIL 8, 2021.

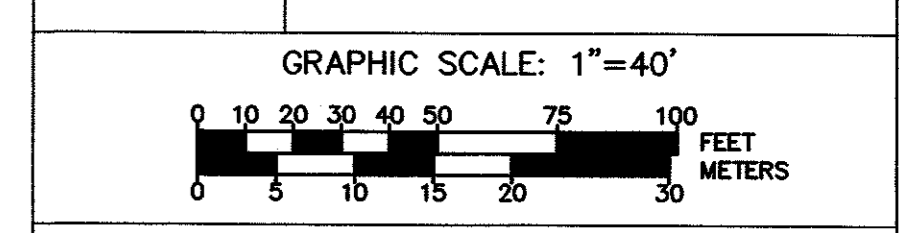


OWNER
TAJ ESTATES OF FRANKLIN LLC
95 EAST MAIN STREET, SUITE 100
WESTBOROUGH, MA 01581

APPLICANT
TAJ ESTATES OF FRANKLIN LLC
95 EAST MAIN STREET, SUITE 100
WESTBOROUGH, MA 01581

PLAN OF REGISTERED LAND IN THE TOWN OF FRANKLIN NORFOLK COUNTY, MASSACHUSETTS
BEING A DIVISION OF LOT 5 ON LAND COURT PLAN NO. 11932G CERTIFICATE OF TITLE NO. 204286

DATE	REVISION DESCRIPTION
04.08.2021	PER LAND COURT INSTRUCTIONS.



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

K:\P4355-LC\dwg\P4355-Land Court ANR-REV1.dwg, 4/8/2021 5:00:59 PM, [REC]

PLANNING BOARD
FRANKLIN, MASSACHUSETTS

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

April 9, 2021

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

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

1. Name of Applicant: TAJ ESTATES OF FRANKLIN LLC
Address of Applicant: 95 East Main St. Suite 100, Westborough, MA 01581
Phone No.: 508 579 2780 Email: mohiuddin 21@yahoo.com
2. Name of Owner (if not the Applicant): _____
Address of Owner: _____
Phone No.: _____ Email: _____
3. Name of Engineer: Guerriere & Halnon, Inc. LC Cert. # 204286
4. Deed of Property recorded in Land Court with Norfolk Registry, Book _____, Page _____
5. Location and Description of Property: 340 East Central Street
6. Assessor's Map & Lot: AM 285 Lot 9
7. Reasons approval is not required (check as applicable):
 - a) Every lot shown has the area and frontage required by the Zoning By-Law on a way as defined by the Subdivision Regulations x
 - b) a public way or way which the Town Clerk certifies is maintained and used as a public way, namely _____, or
 - c) a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, namely _____ on _____, and subject to the following conditions _____; or
 - d) a private way in existence on March 12, 1954, the date when the subdivision control law became effective in the Town of Franklin having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely _____.
 - e) Other: _____

M L
Signature of Applicant

MOHIUDDIN AHMED
Print Name of Applicant

M L
Signature Owner

MOHIUDDIN AHMED
Print Name of Owner

CERTIFICATE OF OWNERSHIP

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

SECTION A:

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

Definitive Subdivision.; Site Plan; Special Permit
Plan of Registered Land in the Town of Franklin

Title of Plan: Norfolk County, Massachusetts

Date of Plan: January 18, 2021
Rev. April 8, 2021 Assessor's Information: AM 285 Lot 9

Prepared by: Guerriere & Halnon, Inc.

Applicant Name & Address: TAJ ESTATES OF FRANKLIN, LLC
95 EAST MAIN STREET SUITE 100
WESTBOROUGH, MA 01581

SECTION B:

Name of Record Owner(s): TAJ ESTATES OF FRANKLIN, LLC
95 EAST MAIN STREET SUITE 100

Address of Record Owner(s): WESTBOROUGH, MA 01581

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

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

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

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

Executed as a sealed instrument this 9th day of April 2021

[Signature]
Signature of Applicant

MOHIUDDIN AHMED
Print name of Applicant

[Signature]
Signature of Owner

MOHIUDDIN AHMED
Print name of Owner

COMMONWEALTH OF MASSACHUSETTS

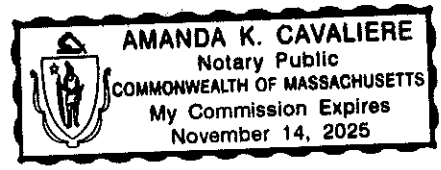
NORFOLK SS.

2021

On this 9th day of April 2021, before me, the undersigned notary public, personally appeared MOHIUDDIN AHMED (name of owner), proved to me through satisfactory evidence of identification, which were MA LICENSE to be the person whose name is signed on the preceding document in my presence.

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

Notary Public:
My Commission Expires: Nov. 14, 2025



N O T
A N
O F F I C I A L
C O P Y

N O T
A N
O F F I C I A L
C O P Y

After Recording Return To:
Stebbins, Lazos & Van Der Beken P.A.
66 Hanover Street, Suite 301
Manchester, NH 03101
Attn: David P. Van Der Beken, Esq.

QUITCLAIM DEED

Property Address: 340 East Central Street, Franklin, Massachusetts

EPK Properties, LLC, a Massachusetts limited liability company, which post office address is 5 Beechwood Lane, Franklin, MA 02038, for consideration paid of Three Million Six Hundred Thousand Dollars, (\$3,600,000.00), grants to TAJ ESTATES OF FRANKLIN LLC, a Massachusetts Limited Liability Company, which post office address is 95 East Main St., Suite 100, Westborough, MA 01581.

WITH QUITCLAIM COVENANTS

the land in Franklin, Norfolk, County, Massachusetts, together with any improvements thereon, described as follows:

Lot 5 shown on a plan drawn by Guerriere & Halnon, Inc., Surveyors, dated March 4, 1996, as approved by the Land Court, filed in the Land Registration Office said County as No. 11932G, a copy of a portion of which is filed in Norfolk Registry District with Certificate No. 149187, Book 746.

The Premises are conveyed subject to and with the benefit of all easements, restrictions, rights of way, takings, reservations, exceptions and covenants contained in the Certificate of Title of the Grantor herein and in all other instruments of record, to the extent now in force and applicable, but not intending hereby to recreate or extend restrictions, reservations, exceptions and covenants previously terminated or expired.

The above described land is also subject to:

1 Such state of facts as shown on Norfolk County Registry Land Court Plan No. 11932G, dated March 4, 1996, filed with Certificate of Title No. 149187 in Book 746, Page 187 of the Norfolk County Registry District.

2 Easements contained in a Deed from Hannah Adams to Elisha Foster, dated June 25, 1866, recorded with the Norfolk County Registry of Deeds in Book 344, Page 90L.

O F F I C I A L O F F I C I A L

3 Taking for the laying out of a state highway known as Central Street by the Department of Public Works, Division of Highways of the Commonwealth of Massachusetts, dated July 19, 1927, recorded in Book 1757, Page 470 of the Norfolk County Registry District.

4 Easement contained in a Deed from Rita M. Sherman and Regina M. Sherman to Arthur B. Ben, Trustee of the "Bent Family 1994 Revocable Trust", dated January 15, 1997, filed as Document No. 755076 in the Norfolk County Registry District Land Court.

5 Easement contained in an Order of Taking by the Town Council of the Town of Franklin, Resolution No. 88-60, dated September 7, 1988, filed as Document No. 553522 in the Norfolk County Registry District Land Court.

6 The restrictions and other matters set forth in the Order of Conditions of the Massachusetts Department of Environmental Protection Bureau of Resource Protection dated February 18, 2016, filed as Document 1,357,680 in the Norfolk County Registry District Land Court.

7 The restrictions and other matters set forth in the Order of Conditions of the Massachusetts Department of Environmental Protection Bureau of Resource Protection dated February 18, 2016, filed as Document 1,357,681 in the Norfolk County Registry District Land Court.

8. The restrictions and other matters set forth in the Zoning Board of Appeals Detailed Record and Decision dated September 24, 2014 filed as Document 1,335,711 in the Norfolk County Registry District Land Court.

9. The restrictions and other matters set forth in the Zoning Board of Appeals Detailed Record and Decision dated September 24, 2014 filed as Document 1,335,712 in the Norfolk County Registry District Land Court.

10. The restrictions and other matters set forth in the Franklin Board of Appeals Detailed Record and Decision dated August 6, 2015 filed as Document 1,357,678 in the Norfolk County Registry District Land Court.

11. The restrictions and other matters set forth in the Franklin Planning Board Certificate of Vote decision dated March 2, 2016 filed as Document 1,357,679 in the Norfolk County Registry District Land Court.

Meaning and intending to convey the Grantor's entire interest in the same premises conveyed to this Grantor by Deed from Paul K. Keigan and Evelyn Keigan, General Partners of the Keigan Family Trust Limited Partnership, a Massachusetts limited partnership, dated December 10, 2014 as Document No. 1,326,365, recorded with Norfolk County Registry District Land Court.

For Grantor's title, see Certificate of Title No. 190576, filed with the Norfolk County Registry District Land Court.

A N A N
O F F I C I A L O F F I C I A L
C O P Y C O P Y

The grantor is not classified for the current taxable year as a corporation for federal income tax purposes.

IN WITNESS WHEREOF, Grantor has hereunder set Grantor's hand and seal the 13 day of January, 2021.

EPK Properties, LLC

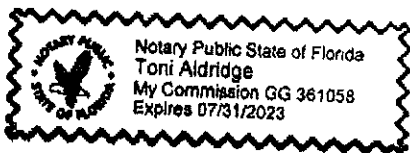
By: Paul Keigan
Paul Keigan, Manager

STATE OF FLORIDA
COUNTY OF Collier

On this 13 day of January, 2021, before me, the undersigned notary public, personally appeared Paul Keigan, Manager of EPK Properties, LLC, proved to me through satisfactory evidence of identification, which were (check whichever applies): *Driver's License or other state or federal governmental document bearing a photographic image*, *Oath or Affirmation of a credible witness known to me who knows the above signatory*, or *My Own personal knowledge of the identity of the signatory* to be the person whose name is signed on the preceding or attached document and acknowledged to me that he signed it voluntarily for its stated purpose

Toni Aldridge
NOTARY PUBLIC
My commission expires 7/31/23

NOTARY STAMP OR SEAL



Doc. No. 1,466,242

Ctf. No. 204286

TRANSFER CERTIFICATE OF TITLE

From Certificate No. 190576, Originally Registered April 8,2015
in the Registry District of Norfolk County.

THIS IS TO CERTIFY that TAJ ESTATES OF FRANKLIN LLC, a Massachusetts limited
liability company of
Westborough in the County of Worcester and Commonwealth of Massachusetts, 95 East Main
Street, Suite

100, Westborough,Massachusetts 01581,

the owner(s) in fee simple,

of that land situated in FRANKLIN

in the County of Norfolk and the Commonwealth of Massachusetts, described as follows:

Lot 5 on Land Court Plan No.11932G filed with Certificate No.149187,Book 746.

The Northeasterly part of the above described land is subject to easements as set forth in a deed
given

by Hannah Adams to Elisha Foster,dated June 25,1866,duly recorded in Book 344,Page 90,so far
as in

force at date of original decree.

The above described land is subject to easements as set forth in a taking made by the
Commonwealth of

Massachusetts dated July 19.1927,duly recorded in Book 1757,Page 470.

The above described land is subject also to the reservation as set forth in Document No.755076.

And it is further certified that said land is under the operation and provisions of Chapter 185 of
the General Laws, and that the title of said owner(s) to said land is registered under said Chapter,
subject, however, to any of the encumbrances mentioned in Section forty-six of said Chapter,
which may
be subsisting

WITNESS GORDON H.PIPER, Chief Justice of the Land Court at Dedham, in said County of
Norfolk,

the fourteenth day of January in the year two thousand and twenty-one

at 3 o'clock and 58 minutes

Attest, with the Seal of said Court,

William P. O'Donnell, Assistant Recorder.

Land Court Case No. 11932

Corporations Division

Business Entity Summary

ID Number: 001451764

[Request certificate](#)

[New search](#)

Summary for: TAJ ESTATES OF FRANKLIN LLC

The exact name of the Domestic Limited Liability Company (LLC): TAJ ESTATES OF FRANKLIN LLC		
Entity type: Domestic Limited Liability Company (LLC)		
Identification Number: 001451764		
Date of Organization in Massachusetts: 08-04-2020		
Last date certain:		
The location or address where the records are maintained (A PO box is not a valid location or address): Address: City or town, State, Zip code, Country:		
The name and address of the Resident Agent: Name: MOHIUDDIN AHMED Address: 17 FALCON RIDGE City or town, State, Zip code, HOPKINTON, MA 01748 USA Country:		
The name and business address of each Manager:		
Title	Individual name	Address
MANAGER	MOHIUDDIN AHMED	17 FALCON RIDGE HOPKINTON, MA 01748 USA
MANAGER	SIRAJUDDIN AHMED	17 FALCON RIDGE HOPKINTON, MA 01748 USA
In addition to the manager(s), the name and business address of the person(s) authorized to execute documents to be filed with the Corporations Division:		
Title	Individual name	Address
The name and business address of the person(s) authorized to execute, acknowledge, deliver, and record any recordable instrument purporting to affect an interest in real property:		
Title	Individual name	Address
REAL PROPERTY	SIRAJUDDIN AHMED	17 FALCON RIDGE HOPKINTON, MA 01748 USA
REAL PROPERTY	MOHIUDDIN AHMED	17 FALCON RIDGE HOPKINTON, MA 01748 USA

Consent

Confidential Data

Merger Allowed

Manufacturing

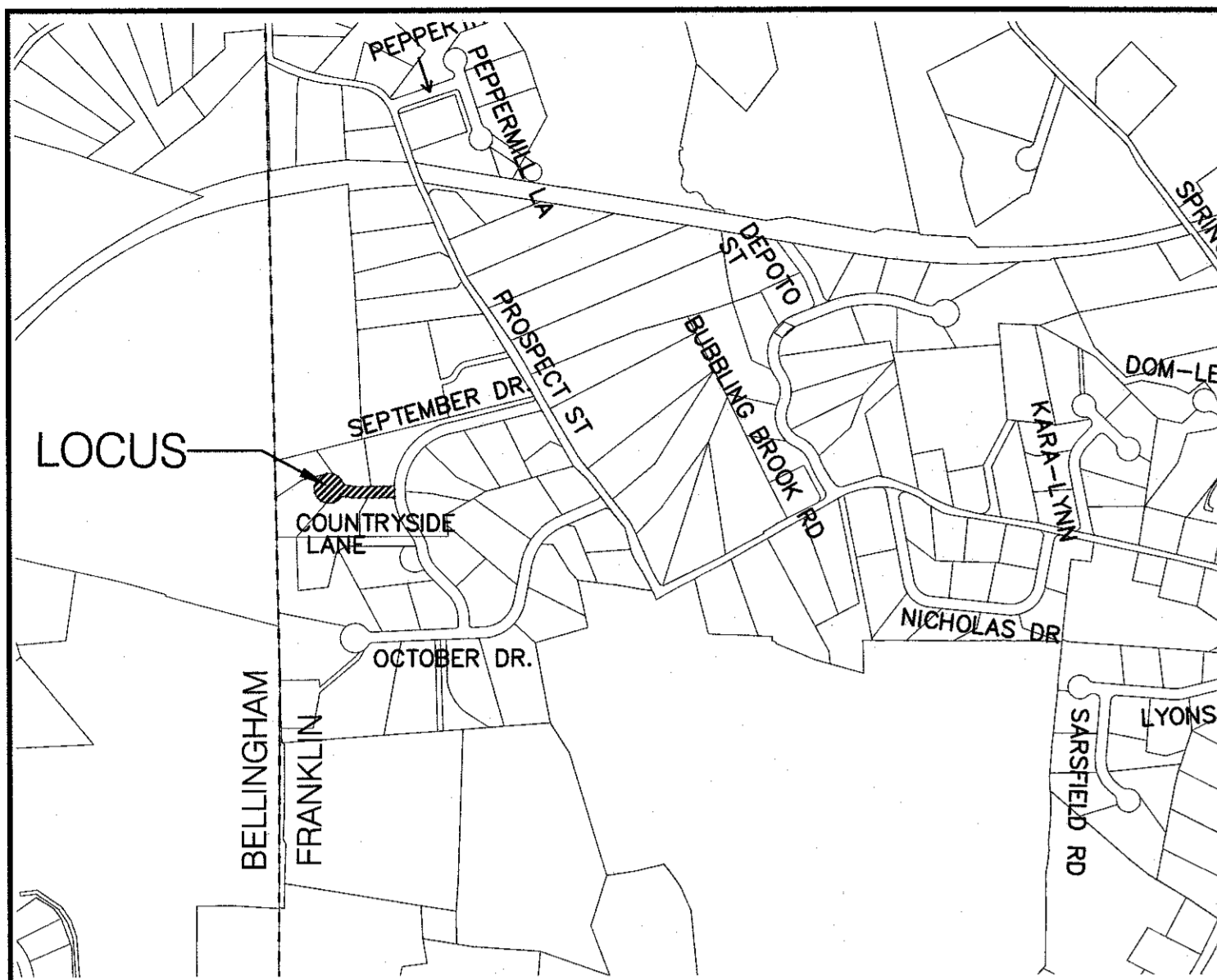
View filings for this business entity:

- Certificate of Resignation of Resident Agent
- Reinstatement Following Administrative Dissolution
- Restated Certificate of Organization
- Statement of Change of Resident Agent/Resident Office
- Statement of Change of Resident Office Address by Resident Agent
- Statement of Resignation of Resident Agent

[View filings](#)

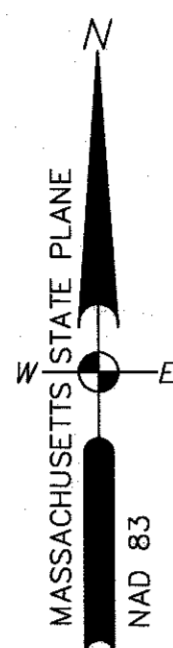
Comments or notes associated with this business entity:

[New search](#)



VICINITY MAP

1"=800'



"I, NANCY DANIELLO, ACTING CLERK OF THE TOWN OF FRANKLIN, RECEIVED AND RECORDED FROM THE PLANNING BOARD COVENANT APPROVAL OF THIS PLAN ON _____ AND NO APPEAL WAS TAKEN FOR TWENTY DAYS NEXT AFTER RECEIPT AND RECORDING OF SAME."

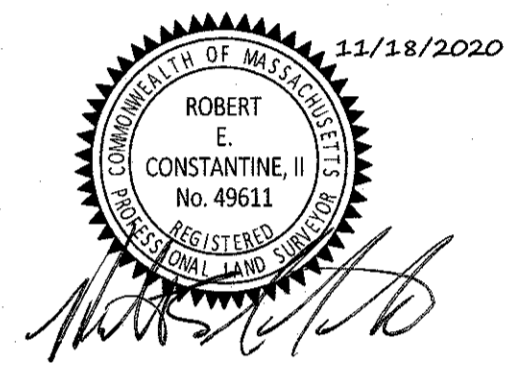
ACTING TOWN CLERK _____ DATE _____

JOB NO. **F3821**

APPROVED DATE:
FRANKLIN PLANNING BOARD

DATE: _____
BEING A MAJORITY

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



PROFESSIONAL LAND SURVEYOR

OWNER:

JOEL D'ERRICO
72 DEERVIEW WAY
FRANKLIN, MA. 02038
MAP 324 LOT 003
DEED BK 10963 PG. 001

APPLICANT:

JUSTIN & KATHLEEN RUEL
6 COUNTRYSIDE LANE
FRANKLIN, MA.

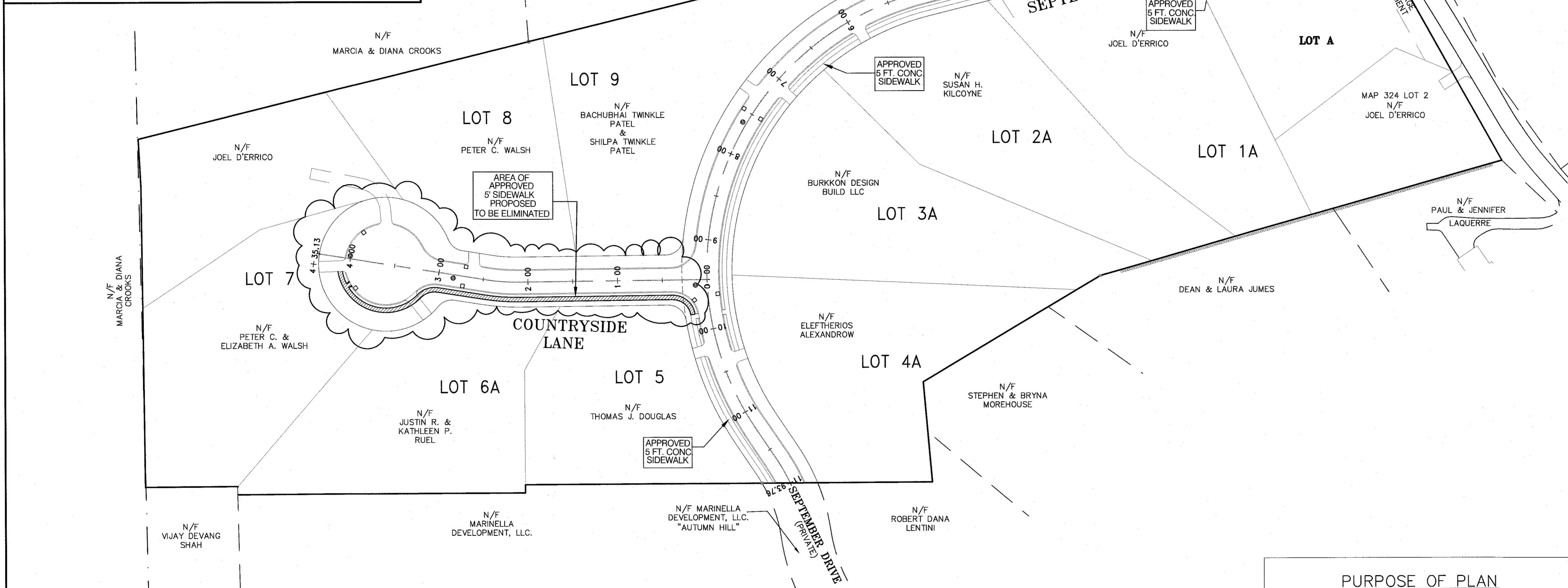
REVISIONS

DATE	REVISED

Guerriere & Halnon, Inc.
Engineering & Land Surveying
Ph. (508) 528-3221 55 WEST CENTRAL STREET
Fx. (508) 528-7921 FRANKLIN, MA 02038
www.guerriereandhalnon.com

SUBDIVISION MODIFICATION FOR COUNTRYSIDE ESTATES FRANKLIN MASSACHUSETTS

DATE: **NOVEMBER 17, 2020** SCALE: **1"=60'**
SHEET: **1 OF 1** JOB NO. **F3821**

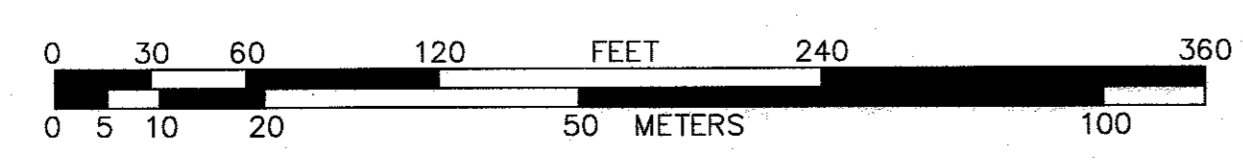


PURPOSE OF PLAN
TO DEPICT THE ELIMINATION OF THE APPROVED SIDEWALK ON COUNTRYSIDE LANE.

- NOTES:
- SEE PLAN ENTITLED "COUNTRYSIDE ESTATES A DEFINITIVE SUBDIVISION PLAN PREPARED FOR JOEL D'ERRICO IN FRANKLIN MASSACHUSETTS" DATED SEPT. 16, 2003 REVISED TO 10/10/2003 FILED WITH THE NORFOLK REGISTRY OF DEEDS IN PLAN BOOK 521 PAGE 67 & 68.
 - SEE PLAN APPROVED BY THE FRANKLIN PLANNING BOARD ENTITLED 'SUBDIVISION MODIFICATION FOR CURBING FOR COUNTRYSIDE ESTATES FRANKLIN, MASSACHUSETTS DATED MAY 15, 2014

UTILITIES ARE NOT SHOWN ON THIS PLAN. THIS IS NOT TO BE CONSTRUED TO MEAN THERE ARE NO UTILITIES ON SITE. CONTRACTORS (IN ACCORDANCE WITH MASS.G.L. CHAPTER 82 SECTION 40 AS AMENDED) MUST CONTACT ALL UTILITY COMPANIES BEFORE EXCAVATING AND DRILLING AND CALL DIGSAFE (888) 486-7233.

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



Mr. Anthony Padula, Chairman
Mr. Joseph Halligan, Vice Chairman
William David, Richard Power, Greg Rondeau , Jennifer Williams
Franklin Planning Board Members
355 East Central ST
Franklin Ma. 02038

April 6,2021

Chris Walsh / Last Nights Meeting

Dear Members,

I just left Christopher Walsh who is building a new home on Country Side Lane 1 hour ago. He was fully aware of the action taken at the December meeting when Justin Ruel attempted to modify the Country Side Lane sidewalk. It seems that Chris saw that it was on the agenda for last evening and felt it was about perhaps moving the sidewalk to his side.

He did not ever call me and I remained quiet concerning the general business of it. Chris assured me this morning that his lawyer is emailing a letter to Amy straight away explaining the misunderstanding and retracting his proposed actions.

I have also viewed his walls and so forth I from what I can see he is not within my right of way as some of the bounds have already been placed.

My goal is to finish very soon so i would hope that as soon as you receive his lawyers new letter you would be able to go back to your general business discussion.

Should any of you have any questions of me feel free to call 508-439-0022.

Thank you,

Joel D'Errico

by email today to Amy Love



FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

355 EAST CENTRAL STREET, ROOM 120

FRANKLIN, MA 02038-1352

TELEPHONE: 508-520-4907

FAX: 508-520-4906

MEMORANDUM

DATE: April 21, 2021
TO: Franklin Planning Board
FROM: Department of Planning and Community Development
RE: Countryside Estates
Minor Modification

Chairman Padula has requested that Countryside Estates sidewalk be discussed at the April 26 Planning Board. Included is the revised plan for removal of the sidewalk on Countryside Lane.

The Planning Board may consider this a minor modification and vote to determine if the sidewalk shall be removed or remain.



April 20, 2021

Amy Love
Town of Franklin, Town Planner
355 East Central Street
Franklin, MA 02038

Via: Email to alove@franklinma.gov and MCrowley@beta-inc.com

Dear Ms. Love:

Per our email exchange on March 26, 2021, I am writing to formally request that the Planning Board accept the updates made on the enclosed Layout and Materials Plan as a "field change" and thus not requiring the public hearing process. For the avoidance of doubt, the only change to the plan is the reduction in evergreen tree count discussed below. Thank you for setting aside some time at the Board's April 26, 2021 meeting to discuss this request.

To summarize, Borrego and Maplegate Country Club, the direct abutter to the East and South, have been collaborating on a way to prevent driving range golf balls from hooking or slicing into the solar array. Maplegate believes that a driving range net is the best solution and Borrego has agreed to contribute the funds required for procurement and installation of the netting. Both parties have agreed that the +/- 186 evergreen plantings shown on the plan approved by this Board on October 23, 2019 should be reduced to +/- 40 evergreen plantings so that the reduced costs can be reallocate to a driving range net to be installed on Maplegate property at a future date. Because the plantings were originally proposed solely for the benefit of Maplegate, the parties believe this to be a reasonable request.

Thank you for your consideration.

Zachary Farkes
Borrego Solar Systems, Inc.

Leonard French
Maplegate Country Club

Enclosures: (i) revised Layout and Materials Plan, (ii) Franklin Planning Board project approval decision

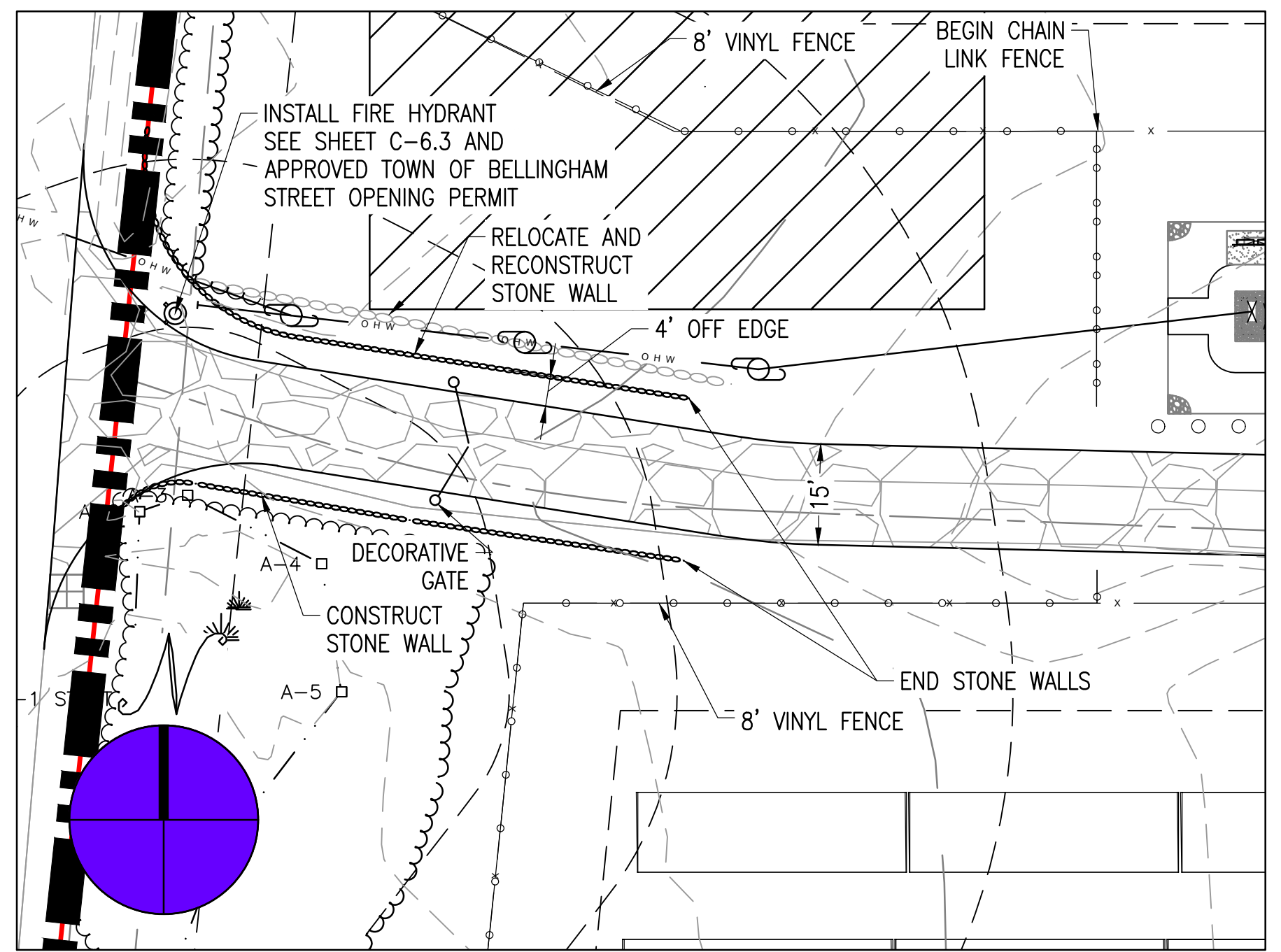
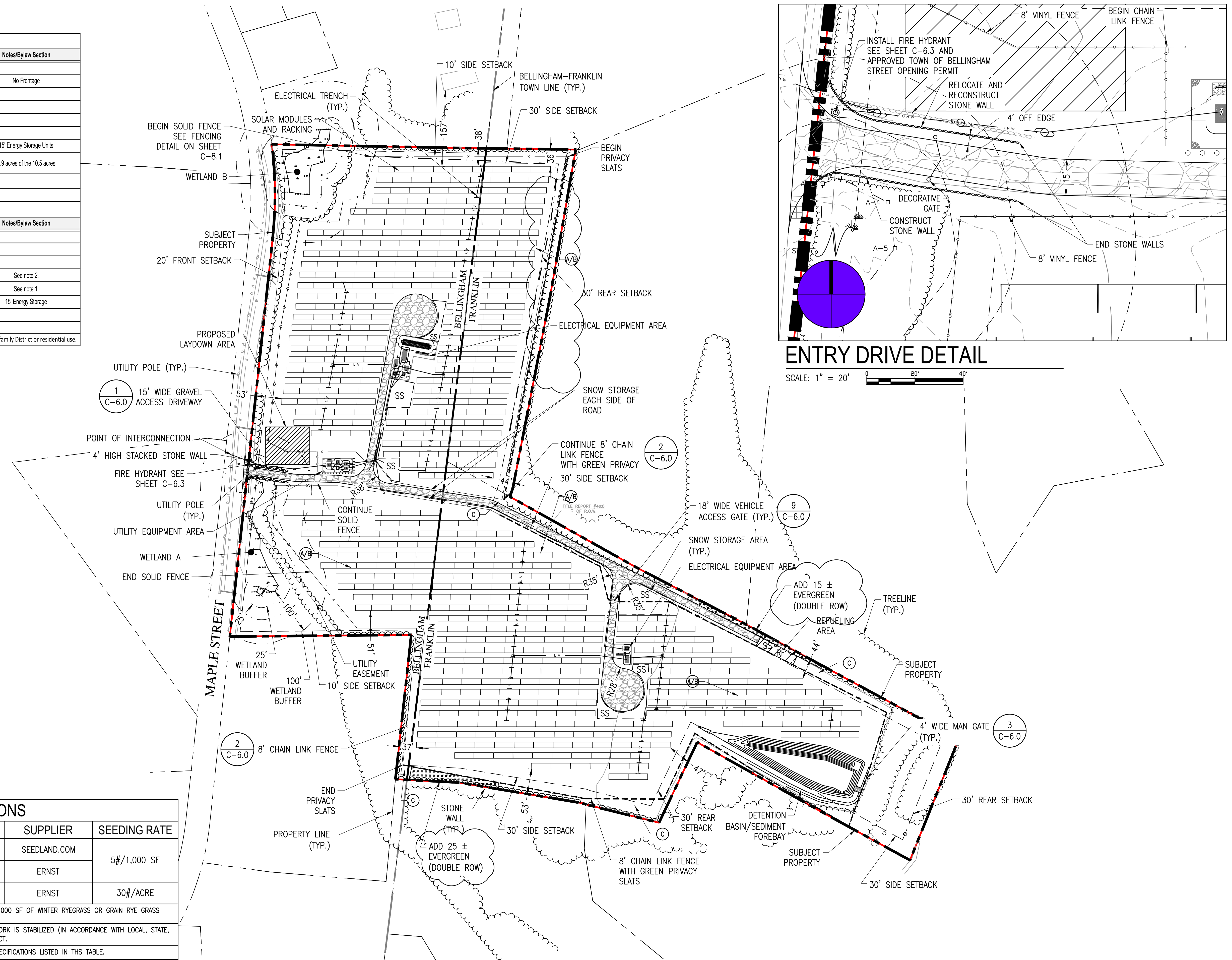
55 Technology Drive, Suite 102
Lowell, MA 01851
www.borregosolar.com

Borrego. Powering your growth.™

Franklin Assessors Parcels 239-011/239-013 Zoned I - Industrial				
Large ground-mount systems		Required	Provided	Notes/Bylaw Section
Minimum Lot Area	square feet	40,000	577,600	
Frontage	feet	175'	N/A	No Frontage
Lot Depth	feet	200'	1,100'	
Front Yard	feet	40'	N/A	
Side Yard	feet	30'	36'	
Rear Yard	feet	30'	47'	
Max. Height of Bldg/Stories	feet	40/3	9.5' Racking	15' Energy Storage Units
Max. Impervious Coverage of Existing Upland	%	70%/80%	28.0%	2.9 acres of the 10.5 acres

Bellingham Assessors Parcel 32-007 Zoned I - Industrial				
Large ground-mount systems		Required	Provided	Notes/Bylaw Section
Minimum Lot Area	square feet	60,000	429,937	
Frontage	feet	200'	1,026	
Front Yard	feet	20' / 100'	53'	
Side Yard	feet	10' / 30'	37'	See note 2.
Rear Yard	feet	20' / 100'	N/A	See note 1.
Maximum Bldg. Height	feet	45'	9.5' Racking	15' Energy Storage

Notes:
 1. Increase to 100 feet for industrial buildings facing or adjoining a Residential, Suburban, or Agricultural District.
 2. For industrial or commercial uses, increase to 30 feet where adjoining an Agricultural, Suburban, Residential, or Multifamily District or residential use.



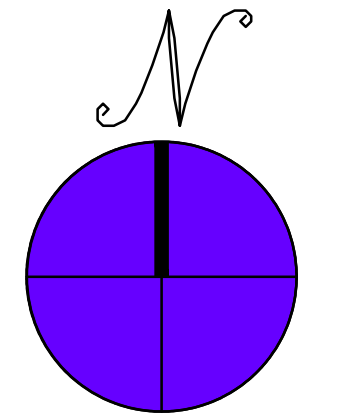
ENTRY DRIVE DETAIL

SCALE: 1" = 20'

SEEDING SPECIFICATIONS

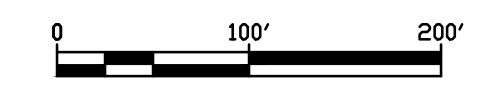
LOCATION	NAME/SPECIES	SUPPLIER	SEEDING RATE
A/B	BETWEEN AND UNDER SOLAR PANELS REBEL TALL FESCUE, CHEWINGS FESCUE OR HARD FESCUE ERNMX-129: CONSERVATION SHADE MIX	SEEDLAND.COM ERNST	5#/1,000 SF
C	OUTSIDE OF FENCE ERNMX-179: BUTTERFLY & HUMMINGBIRD GARDEN MIX	ERNST	30#/ACRE

1. BETWEEN DECEMBER 1ST AND APRIL 1ST, EACH TYPE OF SEED SHALL HAVE AN ADDITIONAL 1#/1,000 SF OF WINTER RYEGRASS OR GRAIN RYE GRASS SEED.
 2. IT SHALL BE THE SUB-CONTRACTORS RESPONSIBILITY TO ENSURE THAT THE PROJECT LIMIT OF WORK IS STABILIZED (IN ACCORDANCE WITH LOCAL, STATE, AND FEDERAL REGULATIONS/REQUIREMENTS/PERMIT APPROVALS) DURING THE LENGTH OF THE PROJECT.
 3. ALL DISTURBED AREAS SHALL BE RESTORED WITH 4" MINIMUM TOPSOIL & SEED PER SEEDING SPECIFICATIONS LISTED IN THIS TABLE.



LAYOUT AND MATERIALS PLAN

SCALE: 1" = 100'



THIS DOCUMENT IS PROVIDED BY BORREGO SOLAR SYSTEMS, INC. TO FACILITATE THE SALE AND INSTALLATION OF A SOLAR POWER SYSTEM FROM BORREGO SOLAR SYSTEMS, INC. REPRODUCTION, RELEASE OR UTILIZATION FOR ANY OTHER PURPOSE, WITHOUT PRIOR WRITTEN CONSENT IS STRICTLY PROHIBITED.



186 MAPLE STREET
 BELLINGHAM, MA 02019

PROJECT NUMBER:
 905-2400

REV	DATE	DRAWN	CHECKED	RELEASE LEVEL
1	12/05/19	MB	RS	ENGINEERING PLAN SET
2	03/05/20	MB	RS	DEVELOPMENT ENGINEERING PLAN SET
3	04/01/20	BM	TG	CD SET FOR REVIEW
4	06/01/20	BM	TG	CD SET FOR REVIEW
5	10/09/20	BM	TG	CD - ISSUED FOR CONSTRUCTION
6	12/09/20	BM	TG	CD - ISSUED FOR CONSTRUCTION
7	02/03/21	BM	TG	CD - ISSUED FOR CONSTRUCTION

SCALE: 1" = 20'
 ARE VALID ONLY WHEN PLOTTED
 ARCH D 24" X 36"

C-3.0
 LAYOUT AND MATERIALS PLAN

Town of Franklin



Planning Board

TOWN OF FRANKLIN
TOWN CLERK

2019 OCT 23 P 4: 34

RECEIVED

October 23, 2019

Teresa M. Burr, Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038

CERTIFICATE OF VOTE

Site Plan

Map 239 Lots 011 & 013

Site Plan: "186 Maple Street Solar Site Use Plan 4,000 kW AC STC Rated Solar Electric System"

Owner: LMP Properties, LLC
256 Summer St
Dover Fox Croft, ME 04426

Applicant: Borrego Solar Systems, Inc
55 Technology Drive
Lowell, MA 01851

Prepared By:
Surveyor/ Engineer: Borrego Solar Systems, Inc., Lowell, MA
Dated: July 23, 2019 through October 2019
Property Location: Map 239 Lots 011 & 013

Dear Mrs. Burr:

Please be advised that at its meeting on Monday, October 21, 2019 the Planning Board voted (5-0-0), upon motion duly made and seconded to **APPROVE, with conditions**, the above referenced Site Plan. The Conditions of Approval are listed on page 2-3, attached hereto. **Both the Certificate of Vote as well as the conditions of approval shall be referenced on the site plan.**

Sincerely,

Anthony Padula, Chairman
Franklin Planning Board

cc: Owner/Applicant/ Applicant's Engineer
Building Commissioner/DPW- Engineering
BETA
File

CERTIFICATE OF VOTE

Site Plan

Map 239 Lots 011 & 013

1. The Planning Board will use outside consultant services to complete construction inspections upon the commencement of construction. The Franklin Department of Public Works Director, directly and through employees of the Department of Public Works and outside consultant services shall act as the Planning Board's inspector to assist the Board with inspections necessary to ensure compliance with all relevant laws, regulations and Planning Board approved plan specifications. Such consultants shall be selected and retained upon a majority vote of the Board.
2. **Actual and reasonable costs of inspection consulting services shall be paid by the owner/applicant before or at the time of the pre-construction meeting. Should additional inspections be required beyond the original scope of work, the owner/applicant shall be required to submit fees prior to the issuance of a Final Certificate of Completion by the Planning Board (Form H). Said inspection is further outlined in condition #1.**
3. No alteration of these plans shall be made or affected other than by an affirmative vote of the members of the Board at a duly posted meeting and upon the issuance of a written amended decision.
4. All applicable laws, by-laws, rules, regulations, and codes shall be complied with, and all necessary licenses, permits and approvals shall be obtained by the owner/applicant.
5. Prior to the endorsement of the site plan, the following shall be done:
 - The owner/applicant shall make a notation on the plan that references the conditions and dates of this Certificate of Vote.
 - A notation shall be made on the plans that all erosion mitigation measures shall be in place prior to major construction or soil disturbance commencing on the site.
 - All outstanding invoices for services rendered by the Town's Engineers and other reviewing Departments of the Town relative to their review of the owner/applicant's application and plans shall have been paid in full.
 - The owner/applicant shall submit a minimum of six copies of the approved version of the plan.
6. All required improvements specified in this Certificate of Vote shall be constructed within a one-year period unless the Board grants an extension. No final Certificate of Occupancy shall be issued until all requirements of the approved plan have been completed to the satisfaction of the Board unless the applicant has submitted a Partial Certificate of Completion for the remainder of the required improvements. The applicant's engineer or surveyor, upon completion of all required improvements, shall submit a Certificate of Completion. The Board or its agent(s) shall complete a final inspection of the site upon filing of the Certificate of Completion by the applicant. Said inspection is further outlined in condition #1.
7. Prior to any work commencing on the subject property, the owner/applicant shall provide plans to limit construction debris and materials on the site. In the event that debris is carried onto any public way, the owner/applicant and his assigns shall be responsible for all cleanup of the roadway. All cleanups shall occur within twenty-four (24) hours after first written notification to the owner/applicant by the Board or its designee. Failure to complete such cleanup may result in suspension of construction of the site until such public way is clear of debris.
8. The owner/applicant shall install erosion control devices as necessary and as directed by the Town's Construction Inspector.
9. Maintenance and repair of the parking area, water supply system, sewer pipes, electric distribution system, and stormwater system shall be the responsibility of the owner/applicant and shall never be the responsibility of the Town and the Town shall never be required to perform any service, repair or

maintenance with respect to said areas, or any of the aforementioned systems within the subject property. The Town will never be required to provide snow plowing or trash pickup, with respect to the subject property.

10. **Prior to construction activities, there shall be a pre-construction meeting with the owner/applicant, and his contractor(s), the Department of Public Works and the Planning Board's Inspector.**

SPECIAL CONDITIONS OF APPROVAL

Site Plan

Map 239 Lots 011 & 013

1. Applicant shall enter into a monetary agreement (PILOT) at the sole discretion of Administration and the Town of Franklin prior to commencement of construction.
2. A Surety bond in the amount of \$270,000.00 shall be issued by a surety company acceptable to the Town of Franklin prior to commencement of construction.
3. Applicant will install an 8ft green chain linked fence with green slats and plantings per plan number C-3.0, as submitted to the Planning Board on October 21, 2019 and included in the endorsed set of Site Plans.
4. Applicant is to provide an Operation and Maintenance manual prior to the commencement of construction.
5. Applicant is to start construction within 2 years of the signed Certificate of Vote.



Anthony Padula, Chairman
Franklin Planning Board

Town of Franklin



Planning Board

**March 8, 2021
Meeting Minutes**

Chair Anthony Padula called the above-captioned **Remote Access Virtual Zoom Meeting** to order this date at 7:00 PM. Members in attendance: Joseph Halligan, William David, Gregory Rondeau, Rick Power. Members absent: associate member Jennifer Williams. Also present: Michael Maglio, Town Engineer; Amy Love, Planner; Matthew Crowley, BETA Group, Inc.; Maxine Kinhart, Administrative Staff.

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

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

Chair Padula read aloud the Zoom platform call-in phone number and the Zoom link which were also provided on the meeting agenda.

A. Field Changes: 105 Constitution Blvd – Marijuana Cultivation

Mr. Rondeau recused himself.

Mr. Crowley reviewed his letter to the Planning Board dated March 4, 2021, regarding the proposed field changes, which was provided in the Planning Board’s meeting packet. He noted that the provided stormwater analysis demonstrates that peak runoff rates and total runoff volumes will remain below the pre-development conditions; conformance to all other stormwater management standards will be maintained. He stated that the accessible parking space located at space 34 should be relocated to space 31 so it is adjacent to an accessible aisle. A ramp should also be provided to the sidewalk from the accessible aisle. He stated that the applicant should provide a revised detail for the outlet control structure.

Chair Padula read aloud the applicant’s engineer Mr. Mark Santora’s letter to the Planning Board dated February 27, 2021, which was provided in the Planning Board’s meeting packet. Mr. Santora commented on and explained the reasoning for each of the six proposed field changes and requested the Planning Board’s approval of the listed minor modifications to the site plan approval. Mr. Ankur Rungta commented on the request to eliminate the grease trap and stated no kitchen-type activities will take place at this location. Planning Board members indicated no concerns on the proposed six changes. Mr. Maglio stated that he has discussed the proposed changes; he indicated no concerns. Mr. Halligan confirmed the changes will be made on the final As-Built before sign off.

Motion to Accept Field Changes for 105 Constitution Blvd, Marijuana Cultivation. Halligan. Second: Power. Roll Call Vote: Padula-YES; Halligan-YES; David-YES; Power-YES. Vote: 4-0-0 (4-Yes; 0-No).

Mr. Rondeau re-entered the meeting.

B. Meeting Minutes: January 25, 2021, February 8, 2021 & February 22, 2021

Motion to Approve the Meeting Minutes for January 25, 2021. Halligan. Second: David. Roll Call Vote: Padula-YES; Halligan-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve the Meeting Minutes for February 8, 2021. Halligan. Second: David. Roll Call Vote: Padula-YES; Halligan-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve the Meeting Minutes for February 22, 2021. Halligan. Second: David. Roll Call Vote: Padula-YES; Halligan-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – *Continued*
Olam Estates – 900 Washington Street
Definitive Subdivision
Documents presented to the Planning Board are on file.
TO BE CONTINUED

Chair Padula stated that the applicant requested a continuance of the public hearing to March 22, 2021.

Motion to Continue the public hearing for Olam Estates, 900 Washington Street, Definitive Subdivision, to March 22, 2021. Rondeau. Second: David. Roll Call Vote: Padula-YES; Halligan-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0-0 (5-Yes; 0-No).

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

Ms. Love reviewed her letter to the Planning Board dated March 2, 2021, which was provided in the Planning Board’s meeting packet. She noted that the applicant filed with Conservation Commission and received recommendation from Design Review Commission. She stated that the applicant submitted a revised parking schedule increasing the number of spaces from 30 to 39.

Mr. Edward Cannon, attorney on behalf of the applicant, summarized the plan modifications in response to the Planning Board’s previous comments. He reviewed the changes which included, but were not limited to, that they have provided enhanced traffic flow around the building to allow for extended queuing, provided a parking report from Stonefield Engineering to demonstrate sufficient parking, widened access around the facility to 20 ft., and provided drop off, pick up, and other operational procedures. He further summarized additional plan modifications for the Planning Board’s consideration, which included, but were not limited to, remove 5 ft. sidewalk on the south side of the parking lot, relocate crosswalk to the southwest, reduce sidewalk in front of facility to 8 ft. width, shift site layout 7 ft. south to provide additional parking along retaining wall, and have a total of 39 parking spaces.

Ms. Amanda Cavaliere of Guerriere & Halnon, Inc. reviewed the proposed Site Plan Modification pointing out the revisions outlined by Mr. Cannon. She requested feedback from the Planning Board. Mr. Rondeau asked about parking spaces in the cul de sac, snow storage, and access to the cul de sac. Mr. David asked about snow storage, the shift of 7 ft. to the southwest toward the Wendy’s parking lot to add additional parking spaces, and whether there was enough space allotted to the parking spaces. Chair Padula asked about screening in the parking lot. Ms. Cavaliere provided the dimensions of the parking spaces. She stated that she did not have the landscaping plan, but they can provide screening. She stated the road width was 18 ft.; the

fire department requested it be widened to 20 ft. She discussed the needed waiver from Conservation Commission.

Mr. Cannon noted the cul de sac issue and stated that the Planning Board was going to check with Town Counsel. Ms. Love stated she spoke with Town Attorney Mark Cerel; it was agreed in the beginning when the subdivision was built that the cul de sac would not be paved. Mr. Halligan stated the Special Permit pertains specifically to Wendy's as they have a drive-through window. Mr. Cannon stated that there is a covenant recorded at the Registry of Deeds between the owner of the subdivision when it was developed and the Town of Franklin that it would not be paved, in perpetuity. Mr. Halligan requested minutes from that meeting regarding the Special Permit and the cul de sac. He stated that it was designed for low traffic use, not high generation traffic. Chair Padula noted that the applicant is showing four parking spaces in the cul de sac. Mr. Rondeau stated it is a safety concern. He stated this was presented to get the Wendy's open. It all came about in pieces. He stated that the Planning Board was told it would be low volume which is why the cul de sac got waived for paving.

Mr. Cannon requested to hear from Town Counsel and asked for feedback from the Planning Board regarding the proposed changes. Chair Padula stated he would not ask the Planning Board members for a straw vote tonight. Mr. Cannon asked that at the next meeting Town Counsel weigh in on the impact of the covenant that is on record. He will send a copy of the covenant to Ms. Love. Mr. Halligan asked Mr. Cannon why they do not want to put in the cul de sac. Mr. Cannon stated that they feel strongly that the access, parking, and the way these sites operate has an excellent safety record, and this site would be no different; the expense of having to build out the cul de sac would not be necessary. Discussion commenced by Planning Board members on the benefits of the cul de sac and other safety concerns. Chair Padula asked about legal concerns regarding the ownership of the cul de sac. Mr. Cannon stated that when the Town Attorney weighs in on the covenant, it will become clear.

Motion to Continue 515 West Central Street, Site Plan, to March 22, 2021. David. Second: Rondeau. Roll Call Vote: Padula-YES; Halligan-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0-0 (5-Yes; 0-No).

7:20 PM **PUBLIC HEARING** – *Continued*
S-21-01 Subdivision Stormwater
Documents presented to the Planning Board are on file.

Chair Padula stated that this was sponsored by the administration. As provided in the Planning Board's meeting packet, he reviewed the proposed Bylaw Amendment S-21-01 Chapter 300, Subdivision of Land Article IV. Design and Construction Standards, a bylaw to amend the Code of the Town of Franklin at Chapter 300, subdivision of land. He stated that it is not enacted by the Town Council. Ms. Love stated that this came from the DPW regarding the MS4 permit and then went through the administration. Chair Padula confirmed that it came from Public Works Director Brutus Cantoreggi then through the Town Council. He explained that any amendment or change to the Subdivision Control Law comes from the Planning Board and is voted on by the Planning Board. Ms. Love stated she agrees. She stated this has not gone in front of Town Council. It is an administrative error in typing the document; it should read Franklin Planning Board, not Town Council. Chair Padula stated that this was not proposed by the Planning Board Chair or any Planning Board member. He does not know how it got in front of the Planning Board as it did not go through the process.

Mr. Bryan Taberner, Director of Planning and Community Development, commented on the proposed bylaw amendment. He stated the when it says sponsored by, in this case it means recommended. These are recommended changes coming from the administration for the Planning Board's consideration. He stated that he understands that the Subdivision Regulations are the Planning Board's regulations, and they are for the Planning Board to amend as appropriate. He clarified that these are recommended changes the administration

is looking to make happen. Chair Padula stated such changes should begin with a discussion meeting by the Planning Board and then go through the process; however, this was advertised as a public hearing put on the Planning Board’s agenda. He does not agree with this. He also does not agree with the MS4 as he has explained in previous meetings. They are not controlled by the EPA; they go under Mass DEP. They cannot attempt to satisfy both. The Town of Franklin has some of the strictest laws among the surrounding communities.

Mr. Andrew Bissanti, Town Council member, stated that it is refreshing to hear Chair Padula speak on this. He stated that this process has been fragmented and confusing. He stated that Chair Padula is correct in his assumptions that we cannot, as a Council and as a Town, try to make EPA and DEP happy on all levels. He stated that he was confused in September when the Town Council was told that if they voted for the stormwater utility it would get them off their back. However, that has not been the case. Chair Padula stated we will never get them off our back. He is not on their cheerleading team as much as Mr. Cantoreggi is. He stated that the people who the Town hires as advisers do not live in Franklin and are advising us to do these different things. But, when making the decisions, the elected officials living in the town have to look at what is being advised; in the end, we are the ones voting on the recommendations. Most of the changes are education to the public about stormwater. He stated that he does not believe we have to tax the people with utility taxes as we are already keeping up with the education.

Motion to Close the public hearing for S-21-01 Subdivision Stormwater. Rondeau. Second: David. Roll Call Vote not taken. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Deny revision S-21-01 Subdivision Stormwater. Rondeau. Second: David. Roll Call Vote: Padula-YES; Halligan-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0-0 (5-Yes; 0-No).

7:15 PM **PUBLIC HEARING** – *Continued*
S-21-02 Subdivision Street Lights
Documents presented to the Planning Board are on file.

Chair Padula stated that this item also did not go through the discussion process. He agrees with what is on it; he does not agree with the process it went through.

Mr. Maglio stated that at the last meeting Mr. Halligan asked about the process when street lights are accepted. He stated that as a result, a change in wording is proposed which he read aloud: In case of accepted street lighting, the developer, contractor, or association of customers shall contract with the local utility company to initially provide electricity for light operation. Once the Planning Board accepts the final project and releases all bonds, and all previous charges for electricity usage are paid to date, the Town will then assume responsibility for payment of electricity usage.

Chair Padula asked questions about other sections of the Street Lighting Bylaw Revisions document. Mr. Maglio discussed the fixture type and specifications. He stated these are recommendations; it is up to the Planning Board. Chair Padula requested the description of the lighting be provided in the regulations. If the description needs to be changed in the future due to technology, it can be changed. Mr. Maglio confirmed that he would add in the lighting requirements.

Motion to Close the public hearing for S-21-02 Subdivision Street Lights. Halligan. Second: David. Roll Call Vote: Padula-YES; Halligan-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve S-21-02 Subdivision Street Lights with the changes as discussed. Halligan. Second: David. Roll Call Vote: Padula-YES; Halligan-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0-0 (5-Yes; 0-No).

Chair and Member Comments

Chair Padula noted that years ago there was a Board of Selectmen before the Town Council form of government was accepted. He reviewed that zoning was accepted by the Planning Board. He stated the Subdivision Control Law was accepted in Franklin in 1954 by the Planning Board.

Motion to Adjourn the Remote Access Virtual Zoom Planning Board Meeting. Halligan. Second: David. Roll Call Vote: Padula-YES; Halligan-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 8:18 PM.

Respectfully submitted,

Judith Lizardi,
Recording Secretary

Town of Franklin



Planning Board

**March 22, 2021
Meeting Minutes**

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

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

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

Chair Padula read aloud the Zoom platform call-in phone number and the Zoom link which were also provided on the meeting agenda.

A. Field Change: 340 East Central Street

Mr. Halligan recused himself.

Ms. Love stated that that applicant submitted a field change for the location of the pylon sign as shown on the plans. She noted that the applicant needs to apply with the Design Review Commission for the pylon sign.

Mr. Maglio stated that he has no issues with the location. Mr. Crowley stated that BETA was not requested to review the sign location. Mr. Rondeau asked if the turn radius for a tractor trailer would be enough so the truck did not run over the island. Mr. Maglio stated that if there is a concern, the designer should provide a turning template to verify. Mr. Erik Poulin of Jones & Beach Engineers, Inc. stated that a WB-50 truck works on that turn taking a left and right; sight distance was also checked, and no obstructions were found.

Motion to Accept Field Changes for 340 East Central Street. Rondeau. Second: David. No Roll Call Vote Taken. Vote: 4-0-0 (4-Yes; 0-No).

Mr. Halligan re-entered the meeting.

B. Field Change: Amego – Washington Street

Ms. Love reviewed that the applicant submitted a narrative and revised Site Plan to explain the field changes; these changes will be reflected on the final as-built, when submitted.

Mr. Edward Cannon, Attorney on behalf of Amego, stated that Mr. Chris Keenan of Quinn Engineering, Inc. and Mr. Bill Masiello of William J Masiello Architect, Inc. would review the proposed changes. Mr. Keenan stated that they were proposing minor changes related to the finalized building designs. He reviewed the proposed changes as outlined in his letter to the Planning Board dated March 12, 2021, which included, but were not limited to, the following: unit walkways located in front of the residential units were revised to show rounded transitions at their intersections with the common sidewalk, building footprints were adjusted to match the jogs and doorway locations shown on the building plans, spot grades in grassy areas were revised to accommodate building footprint and doorway locations, utility equipment in the form of electric transformers, HVAC equipment, generators have been added from the building mechanical plans, and fence gate locations were added to the yard enclosures behind each unit. He stated they were also requesting precast concrete curb rather than the vertical granite which was approved.

Chair Padula questioned the dumpster location and the trash truck turning movement. Mr. Keenan stated that the trash truck vehicle maneuvers were reviewed. Mr. Crowley reviewed the trash truck vehicle movements as shown on the plans. Mr. Masiello stated that the trash truck schedule will be controlled by Amego. Chair Padula stated that the Planning Board does not approve precast concrete; they approve reinforced concrete curbing. Mr. Keenan stated that this is an approximately \$30,000 cost savings to switch to precast concrete curb. Planning Board members indicated this is allowed for other developers; they agreed it cannot be monolithic.

Motion to Accept Field Change: Amego – Washington Street. Rondeau. Second: David. Roll Call Vote: Padula-YES; Halligan-YES; Rondeau-YES; David-YES; Power-YES. Vote: 5-0-0 (5-Yes; 0-No).

Chair Padula stated that all entryways, the 30 ft. radiuses, would be granite, and then they would transition to the reinforced concrete. Mr. Keenan stated they can do that.

C. 81-P ANR: Bent Street

Ms. Love stated that the purpose of the plan is to move lot lines among two properties as depicted on the plan of land. Both lots shown on the plan conform to zoning.

Mr. Maglio stated that he had no comments or issues with the plan.

Chair Padula stated that on the Certificate of Ownership, under Section A, a Type of Plan should be circled before this is endorsed.

Motion to Approve 81-P ANR: Bent Street. No Motion or Second Made. Roll Call Vote: Padula-YES; Halligan-YES; Rondeau-YES; David-YES; Power-YES. Vote: 5-0-0 (5-Yes; 0-No).

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

Chair Padula confirmed that the applicant requested a continuance of the public hearing to April 5, 2021.

Motion to Continue the public hearing for 27 Forge Parkway, Site Plan. Halligan. Second: Rondeau. Roll Call Vote: Padula-YES; Halligan-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – *Continued*
Olam Estates – 900 Washington Street
Definitive Subdivision
Documents presented to the Planning Board are on file.
TO BE CONTINUED

Chair Padula stated that the applicant requested a continuance of the public hearing to April 5, 2021.

Motion to Continue the public hearing for Olam Estates, 900 Washington Street, Definitive Subdivision, to April 5, 2021. Rondeau. Second: David. Roll Call Vote: Padula-YES; Halligan-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0-0 (5-Yes; 0-No).

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

Ms. Love reviewed the following comments from the March 8, 2021, Planning Board meeting as outlined in her memorandum to the Planning Board dated March 15, 2021: 1. Planning Board expressed concern about the snow storage locations and cul de sac pavement. 2. DPCD provided meeting minutes from the original subdivision approvals waiving the pavement of the cul de sac. 3. Planning Board asked that the owners of the roadway be part of the application since the parking spaces and curbing will be within the cul de sac. 4. DPCD has not received any new or revised plans for the March 22, 2021 meeting.

Mr. Edward Cannon, Attorney on behalf of the applicant, stated that they were going to have the lot owners of Midas and Wendy’s provide a letter to the Planning Board; he questioned if the Planning Board wants them to join the application. He asked if feedback from Town Counsel Mark Cerel has been provided regarding pavement of the cul de sac. He stated they have a plan that shows as much pavement as possible in the cul de sac. Mr. Halligan stated that he spoke with Mr. Cerel who suggested that as the transformer was in the middle of the cul de sac, perhaps a small island could be created for the transformer and pave all around it.

Ms. Amanda Cavaliere of Guerriere & Halnon, Inc. stated that they were before Conservation last Thursday to provide them with an update. She noted that Conservation has their own bylaws and specifics; Conservation did not want to make further comments regarding the cul de sac until final plans were submitted. She stated that revised design plans were not provided to Conservation as this time as items such as impervious coverage will have an impact.

Chair Padula stated that a conforming plan with impervious coverage and paving locations is needed before the applicant can move forward with Conservation. He stated that before the Planning Board votes, the applicant should show option plans to the Planning board. Ms. Cavaliere stated that they currently have a plan that shows as much paving as they can do without impacting the buffer zones; they do not have a plan showing an island for the transformer. She showed the color rendering and noted the revised parking layout including the reduced sidewalk and removed parking spaces from the cul de sac. She discussed the location of the cul de sac, location of the transformer, paving, and impervious coverage.

Chair Padula stated that the Planning Board has concerns about the snow storage, cul de sac, pavement, parking spaces, and screening between this lot and the Wendy’s property. Mr. Cannon requested guidance from the Planning Board. Chair Padula stated that if the cul de sac revision is acceptable, Mr. Cannon would have to include releases from the other owners. He asked if the Planning Board members were in favor of moving forward. Planning Board members commented on Ms. Cavaliere’s rendition. Ms.

Cavaliere stated that snow storage would be addressed in the next rendition. Mr. Halligan stated that his biggest concern is parking and the amount of traffic; he reviewed that the applicant proposed that every seven to nine minutes there may be 30 to 40 vehicles coming in at a time. This is not a low-volume project. He stated that it is a great layout, but for a different use. Chair Padula noted the difficulty of having parking spaces in the queuing line/drop-off line. Mr. Halligan stated that makes the situation even worse. He asked why is a queuing line needed if people are going to park and bring their child to the door. Ms. Williams stated agreement about having parking spots in the queuing line with the high volume of people coming in and out at a given time. Chair Padula stated he did not want to approve a chaotic site.

Mr. Cannon stated that they submitted a detailed study provided by Stonefield Engineering regarding the traffic and parking. Mr. Rondeau stated agreement with Mr. Halligan. He stated that all three parcels have to be taken together as this will be compiled traffic; it has to be made safe. Mr. Halligan asked how many of the applicants other five sites are two-story buildings and on a tight site such as this location. Mr. Manoj Gandhi, applicant, discussed his other sites and stated some are two-stories in other states.

Chair Padula requested Ms. Love have Town Counsel Mark Cerel get in touch with Mr. Cannon regarding his questions about the application being modified to include the other owners. Ms. Love stated she would verify with Mr. Cerel. Mr. Halligan asked if the Planning Board is going to give the applicant direction on what the Planning Board wants. Chair Padula stated that at this point, the site dictates the direction. It seems like the applicant's option is to do the cul de sac revision; he has 35 parking spaces, and the Planning Board will have to make their decision on that. Once the applicant has the releases from the other owners, the Planning Board will have to make a decision.

Motion to Continue 515 West Central Street, Site Plan, to April 5, 2021. Halligan. Second: David. Roll Call Vote: Padula-YES; Halligan-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0-0 (5-Yes; 0-No).

Chair and Member Comments

Chair Padula stated that all the Planning Board members and a lot of townspeople have a concern about the queuing at Starbucks. Mr. David stated that he does not know what else can be done except putting a detail police officer there. He has gone by numerous times and seen Starbucks' employees in the queuing lane, but they are not doing anything; the vehicles are still queuing in the street. The Town has to push some authority on the store for them to hear what we are saying. It is getting worse. In the future, the Planning Board should change the rules and require longer queuing lines. Chair Padula provided some history regarding Starbucks and the queuing lines. He noted an independent traffic study was required; however, the applicant ended up picking out the engineering firm to do the study. The traffic consultant assured the Planning Board that there would be no queuing problem. Chair Padula stated that now there is a queuing problem from both sides of the street. This is unacceptable; it is dangerous. Planning Board members discussed the Starbucks problem and the possibilities of changing the regulations. Chair Padula stated this issue falls on the Zoning Enforcement Officer Gus Brown and the Traffic Safety Officer from the Police Department as this is a public safety issue. He stated the queuing line regulations need to be changed. He stated that the Planning Department needs to bring this to the Town Council for consideration; the bylaws have to be changed. Mr. Halligan noted that no business can create a nuisance on a public way; it can be shut down. Mr. Rondeau suggested a police detail and Starbucks must pay the bill as they cannot create a disturbance on a public way. He noted that on some occasions people are queuing on Rt. 140 for the Dunkin Donuts. Mr. Halligan suggested turning the bypass lane into a queuing line to get everyone off the street. Planning Board members discussed the possibility of changing the zoning bylaws for queuing, parking for child care facilities, and parking for specialty uses such a tasting rooms and breweries.

Motion to Adjourn the Remote Access Virtual Zoom Planning Board Meeting. Halligan. Second: David. Roll Call Vote: Padula-YES; Halligan-YES; David-YES; Rondeau-YES; Power-YES. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 8:21 PM.

Respectfully submitted,

Judith Lizardi,
Recording Secretary

Town of Franklin



Planning Board

**April 5, 2021
Meeting Minutes**

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

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

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

Chair Padula read aloud the Zoom platform call-in phone number and the Zoom link which were also provided on the meeting agenda.

A. Final Form H: 45 Forge Parkway – YMCA

Ms. Love stated that the Planning Board approved a Limited Site Plan Modification on May 7, 2018, allowing the applicant to install a covered concrete slab to be used as a picnic area. The applicant has provided a Final Form H and final As-Built plan. She stated that BETA has provided an onsite observation report with pictures.

Mr. Crowley confirmed that everything was installed that was depicted on the plans. He stated that there are still some disturbed soils; they expect the applicant will loam and seed those areas when the weather turns favorable.

Motion to Approve Final Form H: 45 Forge Parkway – YMCA. Rondeau. Second: David. Roll Call Vote: Padula-YES; Halligan-YES; Rondeau-YES; Power-YES; David-YES. Vote: 5-0-0 (5-Yes; 0-No).

B. 81-P ANR: Prospect Street

Ms. Love reviewed that the applicant has submitted a Form A application for 81-P Plan review to accompany the plan of land for Franklin and Bellingham located on Prospect Street, dated February 26, 2021, to create six buildable lots; the lots shown on the plan conform to zoning. The frontage of the lots is all in Franklin; the applicant will have to go to Bellingham, as well, for signatures on the ANR plan for the back area.

Motion to Recommend Signing the 81-P ANR: Prospect Street. Rondeau. Second: David. Discussion: Mr. Maglio confirmed the applicant is proposing six lots with frontage on Prospect Street in Franklin;

he has not seen any plans as to what the developer is proposing to do in Bellingham. Roll Call Vote: Padula-YES; Halligan-YES; Rondeau-YES; Power-YES; David-YES. Vote: 5-0-0 (5-Yes; 0-No).

C. Street Acceptance: Brandywine Drive & Charles Drive from Station 0+00 to Station 2+51.71

Ms. Love reviewed that this roadway and subdivision was approved by the ZBA under Mass. Chapter 40B Law. The laws require that the Planning Board recommend all street acceptances to the Town Council prior to the Town Council accepting the roadway.

Chair Padula stated that 40Bs do not come before the Planning Board; they go before the ZBA. They are not built to subdivision standards or Town roadway standards, as such there is no curbing, catch basins are in front of driveways, no concrete driveway aprons, etc. He explained it has not been built to Planning Board standards or Town standards for roadway building as they are exempt. Therefore, he would advise to not recommend for street acceptance. Mr. Rondeau stated that he agreed with Chair Padula.

Mr. Maglio stated that this project has a long history which ended in a lawsuit with the Town. There was a recorded judgement agreement; one of the conditions is that the construction of the project should be in full compliance with Planning Board rules and regulations in effect as of March 2, 2002. He reviewed the history of the project from the prospective of the Town Engineer's office.

Chair Padula confirmed this project was in litigation and reviewed some of the issues. He stated this 40B did not come before the Planning Board. The only thing the Planning Board had privy to was bond reductions and retention basins. He reiterated that this was not built to Planning Board rules and regulations or Town standards. Planning Board members and Mr. Maglio discussed the Planning Board requirements at that time.

Motion to Not Recommend Street Acceptance: Brandywine Drive & Charles Drive from Station 0+00 to Station 2+51.71. Power. Second: Rondeau. Roll Call Vote: Padula-YES; Halligan-YES; Rondeau-YES; Power-YES; David-YES. Vote: 5-0-0 (5-Yes; 0-No).

D. Discussion: Countryside Estates – Sidewalk

Ms. Love reviewed that an email was received by a Countryside Estates resident's attorney regarding not installing the sidewalk; the email is included in the Planning Board's meeting packet.

Chair Padula stated that at the request of one of the homeowners, he visited the site. He stated that he told the homeowner he would see what he could do to remedy the problem; he also spoke with the developer, Mr. Joel D'Errico, regarding the problem. He stated that in the interim, homeowner Chris Walsh hired an attorney who has seemingly given the Planning Board and ultimatum. As such, his and the Planning Board's freedom to attempt to handle this problem is taken away as it is now a legal matter; therefore, the Planning Board will stand with building it the way it was approved on the plan. Ms. Love stated she will provide a response to the attorney that it should be built the way it was approved. Chair Padula explained that when an applicant hires an attorney, it takes away the negotiation aspect of the Planning Board. Mr. Halligan confirmed with Chair Padula that if the attorney withdrew his letter, the Planning Board would be able to negotiate. Chair Padula read aloud the letter from the attorney. Planning Board members discussed the approved plans, sidewalks, occupancy regulations, and the homeowners' concerns.

Town Planner Comments

Ms. Love discussed that the Community Perseveration Committee of which Mr. Halligan is a member is holding a meeting about open space and recreation. The Town Administrator wanted her to notify the Planning Board to see if they were interested in watching the meeting; as well, the Planning Board is welcomed to attend the EDC meetings which are usually held once per month. She noted that if three or more Planning Board members attend, it would be a quorum; therefore, she would need to post a meeting

that the Planning Board would be present. However, if members attended but did not speak, she would not need to post a meeting. She asked the Planning Board members to let her know if they plan to attend the meetings.

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

Chair Padula stated that the applicant requested a continuance of the public hearing to May 10, 2021.

Motion to Continue the public hearing for Site Plan - 27 Forge Parkway, Site Plan Modification, to May 10, 2021. Halligan. Second: David. Roll Call Vote: Padula-YES; Halligan-YES; Rondeau-YES; Power-YES; David-YES. Vote: 5-0-0 (5-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – *Continued*
Olam Estates – 900 Washington Street
Definitive Subdivision
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 to May 10, 2021. She stated that the decision deadline was April 22, 2021; the applicant has granted the Planning Board a decision deadline of July 1, 2021.

Motion to Continue the public hearing for Olam Estates, 900 Washington Street, Definitive Subdivision, to May 10, 2021. Halligan. Second: Rondeau. Roll Call Vote: Padula-YES; Halligan-YES; Rondeau-YES; Power-YES; David-YES. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Accept the decision extension for Olam Estates, 900 Washington Street, Definitive Subdivision, to July 1, 2021. Halligan. Second: Rondeau. Roll Call Vote: Padula-YES; Halligan-YES; Rondeau-YES; Power-YES; David-YES. Vote: 5-0-0 (5-Yes; 0-No).

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

Ms. Love stated that the applicant requested a continuance of the public hearing to April 26, 2021.

Motion to Continue 515 West Central Street, Site Plan, to April 26, 2021. Rondeau. Second: Power. Roll Call Vote: Padula-YES; Halligan-YES; Rondeau-YES; Power-YES; David-YES. Vote: 5-0-0 (5-Yes; 0-No).

Chair and Member Comments

Mr. Andrew Bissanti, resident and Town Council member, stated that the stormwater utility fee item is scheduled to be discussed at the Town Council meeting on April 7, 2021. He stated that he is speaking as a concerned resident and wanted the Planning Board members to know. Chair Padula stated he would attend the meeting.

Motion to Adjourn the Remote Access Virtual Zoom Planning Board Meeting. Halligan. Second: David. Roll Call Vote: Padula-YES; Halligan-YES; Rondeau-YES; Power-YES; David-YES. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 7:45 PM.

Respectfully submitted,

Judith Lizardi,
Recording Secretary