

## Town of Franklin



TOWN OF FRANKLIN  
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## Planning Board

April 7, 2014  
 Meeting Minutes

Chairman, Anthony Padula called the above-captioned meeting to order this date at 7:00 p.m. Members in attendance: Joseph Halligan, Gregory Ballarino, John Carroll, William David, and alternate Gregory Rondeau. Also present: Beth Dahlstrom, Town Planner, Bryan Taberner, Director of Planning, Mike Maglio, Town Engineer, Gus Brown, Building Commissioner, Mark Cerel, Town Attorney, and Liz Hoey, Planning Board Secretary.

Chairman Padula stated that the meeting would be recorded for broadcast.

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

**A. Endorsement:** 81-P Plan, Rescind of Subdivision, Prestige Hill, Rescind Planning Board Covenant

*Chairman Padula abstained from this meeting item.*

Ms. Dahlstrom stated that the purpose of the application is to re-combine the three parcels as shown on as Lot 1, Lot 2 and Prestige Hill Road together into new Lot 7 and abandon the subdivision known as Prestige Hill. The Planning Board will need to vote to rescind the Form F – Covenant for Prestige Hill dated November 3, 1997. She recommends that the Planning Board vote to endorse the above referenced 81-P Plan and rescind the Covenant. Mr. Cerel asked that separate votes are performed to rescind the subdivision, rescind the covenant and to endorse the 81-P.

*Motion to vote to rescind the subdivision at Prestige Hill. Carroll. Second: David. Vote: 4-0-1*

*Motion to vote to rescind the covenant at Prestige Hill. Carroll. Second: David. Vote: 4-0-1*

*Motion to endorse the 81-P plan dated March 25, 2014 by Bruce E. Wilson, Jr. Engineering & Survey Services entitled "Plan of Land in Franklin, MA". Carroll. Second: David. Vote: 4-0-1*

**B. Endorsement:** Limited Site Plan Modification: 5 Forge Parkway – New England Treatment Access Cultivation Facility

Mr. Maglio stated that all comments have been addressed on the plan.

*Motion to endorse the limited site plan dated February 29, 2014 through March 28, 2014 by Guerriere & Halnon, Inc. entitled "Limited Site Plan Modification 5 Forge Parkway". Halligan. Second: Ballarino. Vote: 5-0-0*

**C. Endorsement:** Limited Site Plan Modification: 4 Forge Hill Road – Benchmark Assisted Living

*Motion to endorse the limited site plan dated January 29, 2014 through April 2, 2014 by Guerriere & Halnon, Inc. entitled "Limited Site Plan Modification 4 Forge Hill Road". Halligan. Second: Ballarino. Vote: 5-0-0*

**D. Endorsement:** Preliminary Subdivision, Bogan Estates

*Motion to endorse the Preliminary Subdivision plan dated January 28, 2014 through March 28, 2014 by Guerriere & Halnon, Inc. entitled "Bogan Estates Preliminary Subdivision". Halligan. Second: Carroll. Vote: 5-0-0*

**E. Limited Site Plan Modification:** 656 King Street, Emeritus at Franklin Assisted Living

Mr. Maglio stated that the proposed relocation of the vegetative screening will require fewer disturbances to the water resource areas. He recommends that the Applicant solicit input from the neighbors for whom the screening is being installed, as it was an issue during the approval process.

Mr. Neilsen stated that he has applied for a variance with the ZBA to amend the plantings as approved. Their initial public hearing was two (2) weeks ago. The Applicant was asked to go to the Planning Board and Conservation Commission to ensure there are no warranted changes. If so, the ZBA is looking for comments for their next meeting on April 24, 2014. He added that the Abutters were notified by certified mail and their requests were met.

Chairman Padula asked if the Board found any issues with the proposed limited site plan modification. Mr. Halligan asked for clarification regarding the changes. Mr. Neilsen stated that thirty-three (33) green giant arborvitae would be planted along the westerly and southwesterly property lines. There was concern with the original location that they may not grow to their extent due to limited sunlight. They are now relocated to the top of slope for better screening and more sunlight exposure. Mr. Halligan asked if the neighbors accept the changes.

An abutter, Ms. Deborah Murphy of 17 Forest Street, stated that she is ok with the changes. She added that no other abutters were present. She has received the updated plan and was wondering if other abutters have seen it, also. She added that she was unaware that a large mound with screening would be installed, as she thought it would be a 3% grade increase only.

Mr. Halligan told Ms. Murphy that she can't speak for the other Abutters and asked if her situation was better with the proposed changes. She replied yes, but she would like to see the oak tree line replaced with arborvitae. Mr. Neilsen stated that they will return to the Board for official approval of the amended plan.

**F. Approval of Meeting Minutes: March 10, 2014**

Chairman Padula asked if there were any additions or deletions to the meeting minutes submitted for March 10, 2014. There was no comment from the Board.

***Motion to approve the meeting minutes dated March 10, 2014. Halligan. Second: Carroll. Vote: 5-0-0***

**7:15 PM**      **PUBLIC HEARING** – *Initial*  
***Village at Cook's Farm***  
 Special Permit and Site Plan  
 Use Multiple Single Family Homes in RVII Zoning District

*Documents Presented to the Board:*

1. *Letter dated April 7, 2014 from GZA Environmental, Inc. to the Planning Board*
2. *Letter dated April 2, 2014 from the DPW to the Board*
3. *Letter dated April 2, 2014 from the Conservation Commission to the Board*
4. *Letter dated April 4, 2014 from the Department of Planning to the Board*
5. *Letter dated March 18, 2014 from the Board of Health to the Board*
6. *Statement from the Police Department to the Board stating "No Comment"*
7. *Email dated March 28, 2014 from the MassDEP to the Conservation Commission*
8. *Letter dated March 11, 2014 from Guerriere & Halnon, Inc.*
9. *Letter dated March 19, 2014 from the Conservation Commission to Mr. Don Neilsen of Guerriere & Halnon, Inc.*
10. *Application for Approval of a Site Plan and Special Permit(s) received March 11, 2014*
11. *Certificate of Ownership (2 total) received March 11, 2014*
12. *Memorandum in Support of Application for a Special Permit received March 11, 2014*
13. *Sewer Evaluation Memorandum from Guerriere & Halnon, Inc. received March 11, 2014*
14. *Abutters List received March 11, 2014*
15. *Abutters List (Wrentham)*
16. *Public Hearing Notice (2 total – Franklin and Wrentham)*
17. *Legal Ad*
18. *Design Review Decision dated March 25, 2014*
19. *Email dated April 6, 2014 from Mr. Bryan Lary of 2 Russet Hill Road to the Board*
20. *Geosystem Geoblock 5150 Porous Pavement System product data*
21. *Plan dated February 24, 2014 by Guerriere & Halnon, Inc. entitled "Plan of Land East Central Street"*

22. Plan dated February 25, 2014 by Guerriere & Halnon, Inc. entitled "Easements Plan of Land"
23. Plan dated February 26, 2014 by Guerriere & Halnon, Inc. entitled "Plan of Land Owned by Village at Cooks Farm, LLC East Central Street"
24. Plan set dated March 10, 2014 by Guerriere & Halnon, Inc. entitled "Site Plan for Village at Cooks Farm"
25. Plan set dated March 7, 2014 by The MZO Group entitled "Village at Cooks Farm"
26. Plan set dated March 10, 2014 by Hawk Design Group, Inc. entitled "Village at Cooks Farm"

*Motion to waive the reading. Halligan. Second: Ballarino. Vote: 5-0-0*

The following parties introduced themselves; Mr. Craig Ciechanowski, Esq. of Doherty, Ciechanowski, of Dugan & Cannon, P.C., Counsel to the Applicant, Mr. Ron Roux, Applicant and Mr. Don Neilsen of Guerriere & Halnon, Inc., Engineer for the Applicant. Other professionals for the project were available for questions if required.

Mr. Ciechanowski stated that the Applicant proposes fifty-five (55), single family condominium style houses on 20 acres of land on East Central Street near the Wrentham town line. The property is located on parcels currently known as the Cooks Farm property and a portion of Franklin Country Club driving range. The property is located in the Residential VII zoning district. The Bylaw allows for four (4) units per 20 acres of upland. The Applicant is seeking a special permit, as 16 ½ acres of upland are provided. He added that two-thirds of the perimeter is bound by the country club with 1,600 linear feet of frontage on East Central Street.

Mr. Ciechanowski stated that the Village-style development would allow for the front of the homes to face the green, open space with garage access from an alley. Sidewalks would be provided. Two (2) parking spaces are provided with a two (2) car garage. He added that a requirement of the by-law is that the streets and infrastructure remain private. With condominium style ownership, it would be a single lot, not individual house lots. Therefore, the property and infrastructure maintenance would be performed through the condominium association.

Mr. Ciechanowski stated that 47% of the land is open space with significant areas that would remain undeveloped. He stated that ZBA approval is required, as the site is in the water resource overlay district to allow impervious coverage at 39% of upland. Also, the Mass Highway will have to issue three (3) curb cut permits.

Mr. Neilsen stated that the intent is to maintain a 10'-0" minimum above the ground water table and to set fill grades with a 4'-0" minimum and foundation at 2'-0" for drainage. A crossing will be required at Uncas Brook, which will require approval from both the Conservation and Planning Boards.

Chairman Padula asked if the DEP has approved the project. Mr. Neilsen stated that the DEP only provides files numbers and offers comments

Mr. Neilsen stated the site soils are "A" type; sands and gravel. The stormwater systems will include a Tech system with no surface drainage ponds located on site. Also, they are not in a NHESP area. He added that 58 units are allowed on the 14.55 upland acres of the site; however

55 units will be built. This calculates to a density of units per upland of 3.78 units where 4 are allowed. Spacing is 15' 10' need fire protection and will be provided for every home

Mr. Neilsen stated Roadway will have a vertical concrete curb, 4'-0" grass strips, and 5'-0" sidewalk sections available to every home. Internal sidewalks will connect the access drives around the Commons. The roadways are 20'-8" paved, super elevated with a 40" shoulder of drainable, grass paver Geoblock 5150 units capable of supporting a fire engine. The one-way alleyways are 18'-0" in width. They will be constructed the same as the primary roads. There are no cul-de -acs or end streets. A temporary section of access road is required at the limits of Phase I up to Unit 17. When Phase I is complete, Phase II will allow Road A and Road B to be extend to Road C and a connection to Route 140.

Mr. Neilsen stated that each home has a sidewalk. All utilities are underground in the alley way. Sewer and water will be installed per DPW standards. The Town Council and DPW will have to approve water and sewer connection map amendments. The DPW is currently evaluating sewer at Red Gate Road, Hillside Nursery and Milligan Street.

***Motion to open the public hearing for 76 Chestnut Street to be continued at the conclusion of the public hearing for Cooks Farm. Halligan.***

Mr. Neilsen stated that roof drainage will be collected and mitigated to the underground drainage system.

Mr. Maglio stated there are a number of comments due to the size and scope of the project. The DPW is in the process of a sewer study by a consultant with results due in May. He added that pump station information is needed, along with fire flow testing on site. He is concerned with one connection utilizing an old cast iron pipe on East Central Street. Also, under Phase 1 the roadway will only have one (1) outlet which will exceed the 600'-0" limit for a dead end street. Phase III would also pose this problem. He stated that the sight distance analysis did not address intersection sight distance. The proposed roadways utilized a uniform cross slope with catch basin with impervious pavers. Mr. Maglio would prefer to see asphalt berm for better control, as he is concerned with spillover from the pavers. He would also like clarification on each drainage systems as far as inverts, as there is different information on different plans. He added that future review of supplement materiel may pose further comments.

Chairman Padula asked if the Town's existing water capacity could handle the new development. Mr. Maglio stated that the water capacity seem less of an issue than sewer. He added that fire flow testing for pressure is the biggest concern.

Chairman Padula asked if the water system would be looped before Phase I is complete. Mr. Maglio stated that this a concern and needs to be further discussed with the Applicant

Mr. Halligan and Mr. Maglio discussed the size of the existing lines in place and proposed on site.

Chairman Padula stated that there is the letter from the Conservation Commission. Mr. Neilsen stated that they are on the agenda for the next Conservation Commission meeting.

Ms. Dahlstrom stated that the Applicant appeared before Design Review Commission on March 25, 2014 where the Commission voted recommend approval of the landscape plans, approval of the building elevation plans as to exterior design, materials and colors as presented, and all signage is to be applied for at a later date, but the style noted in the landscaping plan would be

acceptable. She added that the applicant is scheduled to appear before Conservation Commission on April 10, 2014 for a Notice of Intent for future roadway consideration.

Ms. Dahlstrom stated that some DPCD comments can be resolved through discussion. She would like clarification regarding the fencing on site. She asked if the opportunities for passive and active recreation will be available to the entire Franklin community or just the residents of the Village at Cook Farm. Mr. Ciechanowski replied it would be just for the residents as there are no walking trails or fields. The DPCD feels the applicant should provide additional details to demonstrate the project is consistent with Town need.

Ms. Dahlstrom recommends the applicant provide additional information to support the criteria that Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development. At this point in time, there is not sufficient data to determine if sewer capacity is sufficient.

The DPCD would like further details as to how the project will not destroy or cause substantial damage to any environmentally-significant natural resource, habitat, or feature or, if it will, proposed mitigation, remediation, replication or compensatory measures are adequate. Of the 9.3 acres of the property that are proposed open spaces, she asked how many of these acres are a wetland resource. The Applicant did not have the answer at this time.

DPCD recommends the above Special Permit application be continued until the above issues can be addressed. In addition, DPCD recommends adequate time be allowed for the applicant to file with the Zoning Board of Appeals and to allow the Conservation Commission to review the plans and provide input to the Planning Board. DPCD believes it will be in the best interest of all involved to resolve some outstanding issues prior to meeting at the next Planning Board meeting as further review of the plans as submitted is warranted.

Mr. Williams stated that due to the size and complexity of the project, he has numerous comments. He noted that the large office space on the first floor of the house #2 layout could easily be converted into a bedroom which would effect the water and sewer capacities. He asked that the plan scale to be adjusted as to make the plans easier to read. He suggests that additional test pits are performed to ensure consistency on site. One of the retention basins requires additional details. Also, he would like the inline and chained catch basins eliminated. He would like the watershed areas separated for the stormwater report. He is concerned with the catch basins installed within the Geopavers and calculations should be provided. Chairman Padula asked if there was concern from the Applicant in regards to Mr. William's comments. Mr. Neilsen replied no. Mr. Neilsen provided further clarification regarding the catch basin drainage.

Mr. Halligan stated that he voted for the rezoning of the parcel and in favor of a project of this type. He was concerned with the style of the homes which could be achieved with a special permit. He understood that there would be renderings of the homes before approved. He would like to see all styles of the homes that are anticipated for the project to ensure the project quality is high. He also would like to see community parking due to the narrow roads due to safety concerns. He requested a place where visitors could park on holidays other than the street.

Mr. Carroll asked if there was a road in front of building 1-9 or just an alley way. The Applicant replied that just a road. Mr. Carroll asked where do visitors park or fire trucks access the houses. He is concerned with the road size.

Mr. Ciechanowski stated that what he is proposing is consistent with what the by-law requires; an 18'-0" alley way and 20'-0" roadway with a 4'-0" shoulder which allows for parking. There

are also two (2) parking spaces in driveway and no parking in the alley way. He feels that this complies with the zoning by-laws and to ask for more is to more than what is required.

Mr. Ciechanowski stated that there were several housing designs submitted as part of the plan set and presented to design review. Mr. Halligan stated that he thought that there would be more to ensure it would fit the character of the neighborhood. Mr. Ciechanowski stated that they would supply this information. Mr. Roux reviewed what was presented in regards to styles and landscaping which were five (5) custom homes. Mr. Halligan stated that he would want all styles at part of the special permit. Mr. Roux stated that there will be eight (8) styles with five (5) different looks. Mr. Halligan stated that he wants to ensure as part of the special permits that all Phases would have the same high-quality project.

Mr. Halligan reiterated that community parking should be addressed. Mr. Roux stated that the driveways are 20' long and when they aren't sufficient, the shoulder side of road would be utilized, with no parking on the curb side. Mr. Roux stated that the parking for the houses would be along the shoulder and walk on the sidewalk to the house.

Chairman Padula asked how long the phase I alley way would be. Mr. Neilsen stated 1,100'-0". Chairman Padula understands the concerns from the Board regarding 18'-0" wide roads and agrees. He feels that with the width of the driveway, roadways, and parking spaces, it is going to be difficult to back out of the driveway and maneuver cars easily on the street. He does not agree in 18'-0" roadway width, even though it's the law. He expressed concern with the location of snow after plowing multiple storms, as the roadway width will shrink.

***Motion to open the public hearing for 648-652 Old West Central Street to be continued at the conclusion of the public hearing for 76 Chestnut Street. Halligan. Second: Ballarino. Vote: 5-0-0***

Mr. Navdeep Aurora asked what kind of disturbance is anticipated during construction and what will be done to accommodate the adjacent residents and commercial business, as he owns two (2) near the site.

Mr. Roux stated that typical home and roadway construction can be expected on site, with no ledge. Mr. Neilsen stated that sewer and water line work will be performed on East Central Street.

Mr. Paul Chelli of 6 Pearly Lane stated that he is representing the Citizen's Committee who is in favor of the project and feels that the Applicant will be able to address all concerns. He is adamant to ensure that a project of this nature will fit into the area.

Ms. Dahlstrom stated that GZA's review having to do with overlapping issues for planning and conservation will share reports. Conservation will utilize their independent consultant that they have on retainer for any additional issues. They will not require duplicate services.

Mr. Cerel stated that the Applicant has the obligation to comply with both the by-law and special permits criteria for this project.

*Motion to continue the public hearing for the Village at Cook's Farm to April 28 at 7:45 PM. Halligan. Second: Carroll. Vote: 5-0-0*

*Motion to open the public hearing for 14 Ruggles Street to be continued at the conclusion of the public hearing for 648-652 Old West Central Street. Halligan. Second: Carroll. Vote: 5-0-0*

**7:30 PM**      **PUBLIC HEARING** – *Continued*  
                   **76 Chestnut Street**  
                   **Site Plan**

*Documents Presented to the Board:*

1. Letter dated April 6, 2014 from the DPW to the Board
2. Letter dated April 3, 2014 from the DPCD to the Board
3. Letter dated March 18, 2014 from the Board of Health to the Board
4. Letter dated April 2, 2014 from Janet Vignone of Vignone and Vignone to the Board
5. Letter dated March 31, 2014 from J. Theodore Morine of Denis Maher Co. to the Board
6. Design Review Commission Decision Letters dated February 25, 2014 with approvals
7. Letter dated February 14, 2014 from the Fire Department to the Board
8. Form P – Application for Approval of a Site Plan received February 6, 2014
9. Certificate of Ownership received February 6, 2014
10. Zoning Board of Appeals Application Form dated January 28, 2014
11. Abutter's list request form
12. Abutter's List
13. Legal Ad
14. Public Hearing Notice
15. Site Plan entitled "Site Plan 76 Chestnut Street" by Guerriere & Halnon, Inc. dated April 2, 2014 and revised through April 2, 2014
16. Plan entitled "Pre-Development Plan" by Guerriere & Halnon, Inc. dated March 24, 2014
17. Plan entitled "Post-Development Plan" by Guerriere & Halnon, Inc. dated March 24, 2014

Mr. Neilsen stated that he is representing the Applicant, Mr. Sean Wise. Mr. Neilsen stated that he has been before ZBA who approved the change of use. He referenced the letter from the independent consultant, Denis Maher Co. regarding the water resource district. He added that changes to the plan include a handicap access location, elimination of one (1) parking space, and drainage modifications. He stated that a fenced area was added to store a 90 gallon dumpster to be picked up privately. The recyclables will be picked up by the Town. He also added a sidewalk along Chestnut Street

Chairman Padula stated that there was concern with removal of the abutter's driveway. Mr. Neilsen stated that a letter from the abutter's attorney was submitted stating that they will grant an easement as necessary and will provide a driveway.



Ms. Dahlstrom stated that Denis Maher Co. concluded that the groundwater beneath the lot will not adversely affect the recharge of water quality of the wells. The DPCD recommends that the public hearing is closed and to vote on the plan as submitted.

Mr. Maglio asked that several notations were added to the plan for clarity.

Mr. Halligan stated that the pitch of the driveways allows water to drain into the roadway. Mr. Neilsen reviewed the elevations and drainage on site, stating that a portion will drain onto the street. Chairman Padula stated that since the driveway is new, all drainage should stay on site. Mr. Halligan stated that he is concerned with this and would like to see it revised, as it's been an issue in the past.

***Motion to close the public hearing for 76 Chestnut Street. Halligan. Second: Carroll. Vote: 5-0-0***

***Motion to approve, with standard conditions, the Site Plan entitled "Site Plan 76 Chestnut Street" by Guerriere & Halnon, Inc. dated April 2, 2014 and revised through April 2, 2014. Halligan. Second: Carroll. Vote: 5-0-0***

**7:45 PM**      **PUBLIC HEARING** – *Continued*  
**648-652 Old West Central Street**  
 (2) Special Permits and Site Plan  
 Vehicular Service Establishment (VSE)  
 Impervious Coverage (83% where 80% is allowed)

The Applicant requested a continuance for the public hearing in a letter dated April 3, 2014 from Mr. Richard Cornetta to Ms. Dahlstrom.

***Motion to continue the public hearing for 648-652 Old West Central Street to April 28, 2014 at 8:00 PM. Ballarino. Second: Carroll. Vote: 5-0-0***

**8:00 PM**      **PUBLIC HEARING** – *Continued*  
**14 Ruggles Street**  
 Site Plan and Special Permit

The Applicant requested a continuance for the public hearing in a letter dated April 2, 2014 from Mr. Don Neilsen to the Board.

***Motion to continue the public hearing for 14 Ruggles Street to April 28, 2014 at 8:15 PM. Carroll. Second: David. Vote: 5-0-0***

***Motion made to adjourn. Carroll. Second: David. Vote: 5-0-0***

Respectfully Submitted,

  
 Liz Hoey  
 Planning Board Secretary