

Town of Franklin



Planning Board

February 24, 2014
Meeting Minutes

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 TOWN OF FRANKLIN
 PLANNING BOARD

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, Mike Maglio, Town Engineer, and Liz Hoey, Planning Board Secretary.

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

7:00 PM Commencement/General Business

A. Limited Site Plan: 147 Pond Street, Tri-County Vocational School

Mr. Steve Dockray, Tri-County Superintendent, introduced Mr. Jose Reis, Program Manager at Sun Edison, Mr. John Roy, Business Manager at Tri-County, Mr. Saad Kahn, Project Engineer at Sun Edison, and Mr. Steve Bernstein, Engineer. Mr. Dockray stated that 85% of the school's power will be generated from the ground mounted system with a cost of \$0.09/kW over a 20 year lease. He added that the \$1.8 million in savings will be passed to the member Towns; Franklin included. At the end of the 20 years lease, they can buy out the lease or remove the panels.

Mr. Reis stated that the system will be ground mounted, fixed tilt panels with 330 Watt modules manufactured by Sun Edison. He stated that the Engineer is present for any questions. Mr. Reis added that the project location is an existing wooded area. The trees will remain to screen the panels from the neighbors. He presented a rendering showing the proposed trees and solar array. Met with the Town Engineer and addressed his comments in the latest design.

Chairman Padula asked how large the buffer zone is adjacent to the residual housing. The Engineer stated that 35'-0" is provided around the site, as required by zoning. The applicant outlined the setback requirement. Chairman Padula asked if any noise would be generated. The Applicant stated that the only noise is a small hum from the generator located centrally on the project site.

Mr. Halligan stated that he has concern with getting the on site power from the site to the existing off site power lines, as this has been a problem with past solar projects. The Engineer stated that there is an existing pole on site that they will tie into and no work will be performed off site. Mr. Halligan asked to clarify if they would be selling power off site. The Engineer stated that they are not selling power to the grid, as Tri-County will use 85% of the power on premise and not sell back to the grid. Mr. Halligan stated that he is concerned about neighbors due to another project where new poles went in off site to sell power to the grid. The Applicant stated that the documents from utility company show work on site only and he guarantees this.

Mr. Maglio stated that the original submission posed serious drainage concern. The revised plan is a good concept but he still has concerns. He would like a summary report with more detailed calculations and backup for review, as to ensure that drainage will not affect the surrounding area. At this time, he still has drainage concerns as shown on the drainage plan and needs to review the whole submittal and it might require the Applicant to come back.

Ms. Dahlstrom stated she has similar concerns as Mr. Halligan but feels it's been addressed. She asked that the Applicant update the approval block on the drawing set.

Chairman Padula read a letter from the Fire Department which stated that they have no issue with the project.

Motion to the continue the hearing for the limited site plan at 147 Pond Street, Tri-County Vocational School under General Business until March 10, 2014 at 7:00pm. Carroll. Second: Halligan. Vote: 5-0-0

B. Endorsement: 5 Forge Parkway - Site Plan

Ms. Dahlstrom stated that the Plan titled "New England Treatment Access Cultivation Center" dated December 9, 2013 and revised through February 19, 2014 is being presented to the Planning Board for Endorsement. The Planning Board approved the Site Plan with Standard Conditions at the January 27, 2014 Planning Board Meeting. All issues have been addressed and the Certificate of Vote has been indicated on the plan as required prior to endorsement. The DPCD recommends the Planning Board endorse the above referenced Site Plan.

Motion to endorse the site plan by Guerriere & Halnon, Inc. entitled "Site Plan Modification - New England Treatment Access" dated December 9, 2014 and revised through February 19, 2014. David. Second: Halligan. Vote: 5-0-0

7:15 PM PUBLIC HEARING – initial
Bogan Estates
Preliminary Subdivision

Documents Presented:

1. Letter dated February 18, 2014 from the DPCD to the Board
2. Letter dated February 19, 2014 from the DPW to the Board
3. Letter dated February 19, 2014 from the Conservation Commission to the Board
4. Letter dated February 14, 2014 from the Fire Department to the Board
5. Application for Approval of Preliminary Plan (Form B) received February 6, 2014
6. Certificate of Ownership
7. Public Hearing Notice
8. Legal Advertisement
9. Site Plan by Guerriere & Halnon, Inc. entitled "Bogan Estates - Preliminary Subdivision" dated January 28, 2014

Mr. Don Neilsen of Guerriere & Halnon, Inc. stated that the Applicant's intent is to build this subdivision for immediate family members. Originally, there was a request for six (6) lots; however the current plan is for four (4). He stated that the proposed road is less than the 600' maximum length and all lots are at least 60,000 square feet. There is one (1) non-conforming parcel for the drainage basin and they are requesting a waiver. The intent is to put wells on the property and the water is not shown on the current plan. The Fire Chief supports and recommends water but the map amendment process will have to follow with the Town. They are in a Residential I zone with three (3) neighbors on an 11 acre parcel. The percolation tests have not been performed, which can be done all year round. Chairman Padula asked if there are abutting wetlands. Mr. Neilsen stated yes, and it's noted on the plan.

Mr. Maglio stated that Mr. Neilsen has addressed his concerns. He asked that the detention basin not encroach the wetlands buffer and needs to be presented to the conservation commission if left as it's shown.

Ms. Dahlstrom stated that any waivers needed have to be indicated because it is not currently clear. She added that due to time limitations based on the submission date, the Board will need a letter from the Applicant approving additional time for voting if they do not wish to vote on the project at the meeting on March 24, 2014. Mr. Neilsen stated that this would not pose an issue.

Mr. Sean Ahearn of 893 Washington Street stated that he is in support of the project but wanted clarification as to where the new driveway would be located in reference to his existing driveway across the street. Mr. Neilsen reviewed the plan with Mr. Ahearn.

Motion to continue to the Public Hearing for the Preliminary Subdivision – Bogan Estates until March 10, 2014 at 8:30 PM. Carroll. Second: Halligan. Vote: 5-0-0

C. Approval of Meeting Minutes: January 27, 2014

Chairman Padula asked if there were any additions or deletions to the meeting minutes submitted for January 27, 2014. There was no comment from the Board.

Motion to approve the meeting minutes from January 27, 2014. David. Second: Carroll. Vote: 5-0-0

D. Discussion: Mount View Farms

Mr. John Marguerite introduced himself, stating that he would like to discuss adding an additional private lot to a previously approved plan by another Owner for Mount View Farms. He stated that he would finish the plan and adding a cul de sac with a more desirable design. He added that if a road is put in, he could create enough frontage and setbacks for zoning requirements of a new lot. Also, sewer and drainage would have to be improved upon and would like to have a discussion about it.

Mr. Ballarino stated that he was the only member of the current Board that was part of the Board at the time of the previous approval for the property.

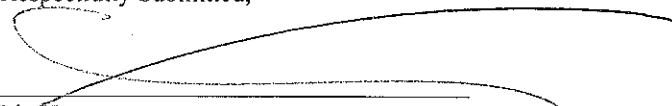
Chairman Padula stated that a two (2) lot subdivisions was previously approved and that drainage couldn't conform due to ledge on site. He added that there was sewer brought to the existing house and there is no place for drainage. He asked why the cul de sac or roadway was not completed. Mr. Marguerite stated it was due to financial reasons and personal issues of the Owner. Chairman Padula stated that the Board approved the plan as a hardship and one (1) lot was approved only with a road and cul de sac; which was never completed. He asked that Mr. Marguerite provides a conventional subdivision plan to see if another parcel will fit. However, he does not feel that it will conform. Chairman Padula stated that he will not add another lot just to finish the roadways and that the property needs to be fixed as approved for the previous Owner.

Mr. John Marguerite stated that with the frontage and size of the lot, he feels that it will conform. Chairman Padula stated that it's not a conventional subdivision. There is no drainage and it does not conform, as the frontage is on a private way. Mr. Marguerite compared this project to another project that was approved; however Chairman Padula does not feel it's the same situation before subdivision rules came into affect.

Mr. Halligan asked what they could tell him to pursue his project. Chairman Padula sated that he should submit a Conventional subdivision plan and he will consider how it's better for the Town of Franklin to add another lot. Mr. Halligan asked if waivers would be required. Chairman Padula stated yes, there would be many. Ms. Dahlstrom stated that the waiver was granted to wave the cul de sac requirement since there was one (1) lot. Mr. Maglio added that the road currently functions as a private driveway and that a letter from the previous Town Engineer stated that waiver was for one (1) house and two (2) houses would warrant a public street. The parties discussed the ledge issue on site. Mr. Marguerite said that he will meet with an Engineer to see if the project is feasible.

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

Respectfully Submitted,



Liz Hoey
Planning Board Secretary