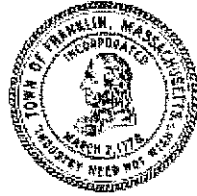


# Town of Franklin



## Planning Board

July 21, 2014  
Meeting Minutes

2014 SEP 18 AM 10:32  
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: Bryan Taberner, Planning Director, Beth Wierling, Town Planner, Mike Maglio, Town Engineer, Peter Williams, GZA Environmental, Inc., Gus Brown, Building Commissioner, and Liz Hoey, Planning Board Secretary.

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

### 7:00 PM Commencement/General Business

#### A. Discussion: 391 East Central Street – Franklin Art Center

Ms. Linda Devine, Owner of the Franklin Arts Center, stated that her business is currently located at 5 Main Street. They sell local art and teach art lessons with 2-10 students in a class. Both she and her husband have a Master Degree in Visual Arts and her classes follow the Massachusetts curriculum for visual arts. In their plan to move, she has spoken to the Town about relocating to 391 East Central Street. The Building and Planning Departments asked her to speak to the Board regarding how the Center will operate in the new location. She stated that the drop-off class sizes will remain the same and will not require any additional parking than what is currently provided for the old tenant.

Mr. Brown stated that he had concern with the lessons and not the retail. He asked that Ms. Devine provide a schedule and recommend that they come before the Board to discuss. He also recommended that the Owners are involved, who were present in the audience. He has concern that the parking may interfere with the other businesses. After some research and noting that there are currently (2) vacancies on the property, Mr. Brown stated that he doesn't believe parking will be an issue at this time. However, he has informed the Owners of the building that as the vacancies are filled, the uses will need to be discussed and reviewed by the Board in order to evaluate parking.

Chairman Padula asked for clarification as to where 391 East Central Street is located. It was clarified that it is where Village Photo was located. Mr. Brown stated that he reviewed the parking studies for the site performed in 1988, 1994 and 2003. Parking calculations included a variance from the ZBA where they granted 105 parking spaces. Mr. Brown stated that at this point, he does not recommend sending Ms. Devine to Board, he just wanted a general discussion.

Ms. Devine clarified the hours of operation; pre-school is drop-off for 1.5 hours in the morning, after school drop-off is from 3:30pm-5:00pm with no more than 10 kids, and there is a 12:00pm-2:00pm drop off with 2-4 kids on some days. The restaurant and bike shop opens at 11:00am. The Board asked about the current use. Mr. Halligan stated that it does not pose an issue at current but as Mr. Brown suggested, it should be reviewed as future tenants move in.

**B. Discussion:** Form H Draft – 323 West Central Street, Forever French

Mr. Terry Scalzo introduced himself. He was under the impression that the items on the draft Form H were already waived but it shows open items. Item one is in regards to removing dead vegetation and site cleanup. He stated that they are in the process of attempting to remove the bamboo but have removed it once and it came back thicker. His research on removal has shown that it takes several years to completely remove it. He is trying every week with proper products. He is not sure how to proceed with landscaping clean up. Mr. Scalzo stated the rear parking lot cross hatching was not in place due to the retaining wall and the removal of one (1) parking space. The Form H also states that the parking space striping is not in compliance. Chairman Padula asked if they were striped in same location as the plan. Mr. Scalzo replied yes, and they are 9' x 18'. Mr. Scalzo requires clarification regarding parking. Mr. Scalzo stated that another item on the Form H referenced the stabilization of all areas and believes that this falls under the bamboo issue. In regards to the final as-built plan, Mr. Scalzo stated that he has spoken to Jim Sullivan and utilized the AutoCAD information regarding drainage and dimensions from Guerriere & Halnon, Inc. to develop the as-built, which includes the removal of waived items.

Mr. Maglio stated that he has reviewed the items in field that were waived. Chairman Padula stated that the parking issue was waived. He stated that in regards to the vegetation, he accepts the attempt to remove it. Mr. Maglio clarified that the parking spaces and spacing are adequate. Chairman Padula stated that he has concern with the stone utilized in the islands in lieu of green space. Ms. Webber stated that Guerriere & Halnon told her it should be gravel. Mr. Neilsen confirmed this and stated that due to the elevation changes, it is a safety issue. Mr. Scalzo asked if the Board would like to see literature on the bamboo issue. Mr. Maglio stated that with the exception of the as built, all other items are waived and acceptable. Mr. Maglio clarified that it has to be certified by an Engineer. Mr. Scalzo asked if Mr. Neilsen would stamp it or if he could have an outside Engineer provided a stamp. Chairman Padula stated that a stamp is required, even if it's not Mr. Neilsen.

**7:15 PM**      **PUBLIC HEARING** – *Continued*  
***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 July 16, 2014 from GZA Environmental, Inc. to the Planning Board*
2. *Letter dated July 17, 2014 from the DPW to the Board*
3. *Letter dated June 17, 2014 from the DPCD to the Board*
4. *Letter dated June 11, 2014 from the Fire Department to the Board*

5. *"No Comment" Statement from the Police Department dated June 11, 2014*
6. *Letter dated May 6, 2014 from the Board of Health to the Board*
7. *Letter dated April 29, 2014 from the Planning Board to the Conservation Commission*
8. *Design Review Decision dated March 25, 2014 (with attachments)*
9. *Letter dated June 18, 2014 from Guerriere & Halnon, Inc. to the Conservation Agent*
10. *Letter dated June 17, 2014 from the Conservation Agent to Guerriere & Halnon, Inc.*
11. *Letter dated May 1, 2014 from the Conservation Agent to the Conservation Commission*
12. *Letter dated May 8, 2014 from the Conservation Commission to the ZBA*
13. *Letter dated May 15, 2014 from the Conservation Agent to the Conservation Commission*
14. *Letter dated April 23, 2014 from the Conservation Commission to Guerriere & Halnon, Inc.*
15. *Letter dated March 19, 2014 from the Conservation Commission to Guerriere & Halnon, Inc.*
16. *Letter dated April 22, 2014 from the Conservation Commission to the Board*
17. *Letter dated April 8, 2014 from the Conservation Commission to the Board*
18. *Letter dated April 2, 2014 from the Conservation Commission to the Board*
19. *Email dated March 28, 2014 from the MassDEP to the Conservation Commission*
20. *Letter dated April 15, 2014 from Guerriere & Halnon, Inc. to the Conservation Commission*
21. *Memorandum in Support of Application for a Special Permit received July 16, 2014 from Mr. Craig Ciechanowski*
22. *Memorandum in Support of Application for a Special Permit received June 6, 2014 from Mr. Craig Ciechanowski*
23. *Memorandum in Support of Application for a Special Permit received March 11, 2014 from Mr. Craig Ciechanowski*
24. *Letter with attachments dated April 4, 2014 from Mr. Ron Roux to the Design Review Board*
25. *Letter received June 6, 2014 from Guerriere & Halnon, Inc. to the Board*
26. *Letter dated June 5, 2014 from Guerriere & Halnon, Inc. to the Board*
27. *Letter received June 6, 2014 from Guerriere & Halnon, Inc. to the Conservation Commission*
28. *Letter dated June 5, 2014 from Guerriere & Halnon, Inc. to the Board*
29. *Letter dated May 29, 2014 from Mr. Theodore Morine to the ZBA*
30. *Letter date May 27, 2014 from Guerriere & Halnon, Inc. to Mr. Theodore Morine*
31. *Letter dated April 25, 2014 from Mr. Randall Bragdon to Kaari Hayward*
32. *Application for Approval of a Site Plan and Special Permit(s) received March 11, 2014*

33. *Certificate of Ownership (2 total) received March 11, 2014*
34. *Sewer Evaluation Memorandum from Guerriere & Halnon, Inc. received March 11, 2014*
35. *Abutters List received March 11, 2014*
36. *Abutters List (Wrentham)*
37. *Public Hearing Notice (2 total – Franklin and Wrentham)*
38. *Legal Ad*
39. *Email dated April 6, 2014 from Mr. Bryan Lary of 2 Russet Hill Road to the Board*
40. *Geosystem Geoblock 5150 Porous Pavement System product data*
41. *Traffic Impact and Access Study received April 8, 2014 by Vaness & Associates, Inc.*
42. *Stormwater Report dated March 10, 2014 and revised through June 3, 2014 by Guerriere & Halnon, Inc.*
43. *Soil Report by the USDA dated March 10, 2014*
44. *Plan set dated March 10, 2014 by and revised through June 19, 2014 Guerriere & Halnon, Inc. entitled "Site Plan for Village at Cooks Farm"*
45. *Plan set dated June 5, 2014 by The MZO Group entitled "Village at Cooks Farm"*

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. Mr. Ciechanowski stated that since the last meeting, the ZBA granted two (2) special permits for earth removal and impervious coverage. Also, the Order of Conditions for the project is in place and the water/sewer permit was submitted with Town Council He added that the plan set reflects the Town's consultant and Town department's comments.

Mr. Maglio stated that the DPW's concerns have been addressed. He does concur with several of Mr. Peter William's comments.

Ms. Wierling stated that water/sewer maps from the Town Council will be required. Also, the Board shall discuss any special conditions and waivers prior to closing the public hearing.

Mr. Jeff Nutting, Town Administrator, stated that the Fire Department, DPW, and DPCD are all satisfied with previous issues. He added that the Town Council held the 1<sup>st</sup> reading for the water/sewer maps. Mr. Nutting feels that the water/sewer upgrades will greatly benefit the Town since the systems are outdated. He added that this project should move forward and will serve a nice segment of the Franklin Community.

Mr. Richard Cornetta introduced himself as the Counsel to the Cook family who owns the land. He stated that the property was acquired in 1823 and served as the unofficial entry way for the Town as a farming community. Currently, it is in a dilapidated state. The Cook family is happy that the family name will be preserved in the unique project and they are encouraged with it's open space. On behalf of the Cook family, Mr. Cornetta asked that the Board votes favorably for the project.

Mr. Barry Zide, President of the Franklin Country Club, continues to support the project and general use of the land, as it's an improvement to the property. He will be able to move the golf

practice facility, netting and poles. He added that Mr. Rue has been professional and forthright to work with. He hopes that the Community finds this project favorable.

Mr. Halligan wanted clarification that of the (55) proposed homes, (40) will have the (8) styles submitted with the plans. Mr. Rue stated that there are (8) styles for (40) units. They have submitted (2) styles of floor plans with (5) versions of each for a total of (10) styles. They are all similar with the exception of the end units which will be different due to the road curvature. In the end, the architecture filed with the (10) units is consistent throughout. The intent is for the project to resemble (55) different custom homes with the same architectural style.

Chairman Padula stated that all styles will be part of the site plan and special permit. Mr. Rue did not intend this. He asked how many floor plans are required, as each one is custom to the Owner of the home. He added that the intent was to file the (10) styles and if something was changed during the building permit process, it would be reviewed by the appropriate parties. Chairman Padula stated that the intent is to ensure that all units are the same caliber and quality through the site. Mr. Rou conquered. It was clarified the submitted styles would be filed with the final plan set for (10) houses. The other house will look a little different but the same caliber. Mr. Ciechanowski stated that this would also be regulated by condominium documents.

Chairman Padula added that all drainage will be in place for emergency issues. It was clarified that each phase would accommodate this issue by permanent or temporary means.

Mr. Carroll asked for clarification regarding home size and style. Mr. Roux stated that he dimension will vary slightly. They will be no more than three (3) bedroom homes and will be stated in condominium documents.

Mr. Halligan asked if the hearing could be closed prior to the water/sewer amendments. Mr. Nutting stated that the 2<sup>nd</sup> reading is in the Town Council Agenda for July 30, 2014.

***Motion to close the public hearing for the Village at Cook's Farm except for the receipt of the water/sewer amendment acceptance from the Town Council on July 30, 2014. Halligan.***  
***Second: Carroll. Vote: 5-0-0.***

**7:30 PM**      **PUBLIC HEARING** – *Continued*  
***Mount View Farms***  
 880 Upper Union Street  
 Subdivision Modification

Chairman Padula read a letter from the applicant requesting a continuance of the public hearing.

***Motion to continue the public hearing for Mount View Farms until August 4, 2014 at 7:15 pm. Halligan. Second: Ballarino. Vote: 5-0-0.***

**C. 81-P: Washington Street- Lot 1**

Ms. Wierling stated that the lots are located within the Rural Residential I Zoning District. All lots shown conform to lot requirements associated with this zoning district. The plan will create

Lot 1 at 60,000 square feet and the remaining land of 9.487 acres which is not a separate buildable lot. This 81-P plan is the result of the Bogan Estates project.

***Motion to endorse the 81-P for Washington Street- Lot 1 Approval Not Required (ANR) Plan dated April 7, 2014 prepared by Guerriere & Halnon, Inc.. Halligan. Second: Ballarino. Vote: 5-0-0.***

**D. Endorsement:** 800 Chestnut Street – Adirondack Club

Ms. Wierling stated that the Board approved the plan at the June 20, 2013 meeting. The DPCD recommends endorsement of the plan.

***Motion to endorse the Limited Site Plan Modification entitled “Adirondack Club – 800 Chestnut Street” dated June 10, 2013 and revised through July 7, 2014 by Guerriere & Halnon, Inc. Ballarino. Second: David. Vote: 5-0-0***

**E. Approval of Meeting Minutes:** June 16, 2014

Chairman Padula asked if there were any additions or deletions to the meeting minutes submitted for June 16, 2014. There was no comment from the Board.

***Motion to approve the meeting minutes dated June 16, 2014. Ballarino. Second: Carroll. Vote 5-0-0***

***Motion for a seven (7) minute recess. Carroll. Second: Ballarino. 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)

*Documents Presented to the Board:*

1. *Letter dated July 17, 2014 from the DPCD to the Board*
2. *Letter dated July 17, 2014 from the DPW to the Board*
3. *Letter dated July 18, 2014 from GZA Environmental, Inc. to the Board*
4. *Letter dated April 1, 2014 from the Police Department to the Board*
5. *Letter dated June 6, 2014 from the Board of Health to the Board*
6. *Letter dated June 2, 2014 from the DPW to the Board*
7. *Letter dated February 28, 2014 from the Fire Department to the Board*
8. *Memorandum dated May 12, 2014 from Kim Hazarvartian of TEPP LLC in Salem, NH to the Board*
9. *Zoning Board of Appeals Decision #1 Notice received May 28, 2014 to Deborah Pellegrini, Town Clerk*

10. *Zoning Board of Appeals Decision #2 Notice received May 28, 2014 to Deborah Pellegrini, Town Clerk*
11. *Design Review Decision April 22, 2014*
12. *Supplement to the Design Review Decision April 22, 2014*
13. *Design Review Decision March 25, 2014*
14. *Letter dated July 16, 2014 from Terracon to Mr. Gregg Lisciotti*
15. *Letter dated July 2, 2014 from Bohler Engineering to the Board*
16. *Email dated June 26, 2014 from Terracon to Mr. Austin Turner of Bohler Engineering*
17. *Saturday Parking Demand schedule by Ron Mueller & Associates received May 7, 2014*
18. *Weekday Parking Demand schedule by Ron Mueller & Associates received May 7, 2014*
19. *Saturday Parking Demand schedule by Ron Mueller & Associates received July 3, 2014*
20. *Letter #1 dated April 3, 2014 from Bohler Engineering to the Board*
21. *Letter #2 dated April 3, 2014 from Bohler Engineering to the Board*
22. *Letter #1 dated May 7, 2014 from Mr. Austin Turner of Bohler Engineering to the Board*
23. *Letter #2 dated May 7, 2014 from Mr. Austin Turner of Bohler Engineering to the Board*
24. *Letter dated April 24, 2014 from Ron Mueller & Associates to Mr. Jonathan Gulliver of MassDOT District 3*
25. *Letter dated May 27, 2014 from Mr. Austin Turner of Bohler Engineering to the Board*
26. *Letter dated May 27, 2014 from Terracon to Bohler Engineering*
27. *Memorandum in Support of and Application for Special Permit (Allowance of a Vehicle Service Establishment) received May 28, 2014*
28. *Letter dated May 21, 2014 from Ron Mueller & Associates to the Board*
29. *Letter dated March 19, 2014 from Charles Burkert of Cedar Realty Trust and its subsidiary, CSC Franklin Village LP to the Board*
30. *Letter dated March 13, 2014 from Antonio Pinto of Pinto Realty Estate to the Board*
31. *Letter dated May 23, 2014 from Mr. Clifford Trautman to the Board*
32. *Application for a Site Plan and Special Permits (2) received February 20, 2014*
33. *Memorandum in Support of and Application for Special Permit (Allowance of Impervious Coverage) received February 25, 2014*
34. *Memorandum in Support of and Application for Special Permit (Allowance of a Vehicle Service Establishment) received February 20, 2014*
35. *Certification of Ownership received February 20, 2014 (2 total)*
36. *Quitclaim Deed received February 20, 2014 (2 total)*
37. *Unofficial Property Records received February 20, 2014 (3 total)*
38. *Abutter's List Request Form received February 20, 2014*

39. *Abutters List*
40. *Public Hearing Notice*
41. *Legal Ad*
42. *MEPA ENF*
43. *Letter dated March 25, 2014 to Mr. Jonathan Gulliver of MassDOT from Ms. Anne Jordan on behalf of the Old West Central Street Residents*
44. *Drawing Set entitled "Site Development Plans for Lisciotti Development 648 Old West Central Street" dated February 17, 2014 and revised through July 1, 2014 by Bohler Engineering of Southborough, MA*
45. *Traffic Impact and Access Study dated February 12, 2014 by Ron Mueller & Associates*
46. *Drainage Report dated February 20, 2014 and revised through July 1, 2014 by Bohler Engineering*

Mr. Richard Cornetta, Jr. of Cornetta, Ficco, & Simmler, P.C. introduced himself as the Applicant's representative and Mr. Greg Lisciotti as Principal of Franklin Retail, LLC and the Applicant for the project. He also introduced Mr. Matt Smith and Mr. Austin Turner of Bohler Engineering, project engineers, and Mr. Ron Mueller of Ron Mueller & Associates, project traffic engineer. Mr. Cornetta stated that several issues and comments were addressed, including site meetings with the Departments.

Mr. Turner stated that numerous items specific to drainage were addressed since the last meeting. After review with Mr. Maglio and Mr. Williams on site, the infiltration rate design was confirmed. A total of four (4) test pits and six (6) infiltration tests were performed with the results submitted to the Board. This confirmed the results of the initial geotechnical report. The infiltration rates used in the new design were reduced by half as requested by the DPW and Mr. Williams, and the calculations still meet or exceed the requirement. Mr. Maglio had concerns with the interpretation of the seasonal high water table elevations. Mr. Maglio, Mr. David McKearney of the Board of Health, and a soil evaluator from Bohler Engineering met on site to review the soil conditions. It was determined that the assumptions made in the original design were acceptable. Mr. Turner stated that Mr. Maglio is now satisfied with the drainage design.

Mr. Mueller stated that an original parking analysis was submitted based on ITE studies. This showed comparison for all uses throughout the course of the day to determine how the uses will interact, as parking is shared. His initial study confirmed that the Peak demand is on Saturday with 46 spaces. This is 10% of reserved capacity, as there are 50 spaces proposed. Since the Noodles restaurant parking was in question, Mr. Mueller visited Noodles in Shrewsbury on a Saturday to perform a parking count. The peak time parking he calculated was 36 spaces. Therefore, he believes the 50 spaces provided are adequate. The Shrewsbury Noodles is in a large retail plaza with no drive-thru.

Mr. Turner stated that loading operations were proposed to coordinate with the parking demand peaks for each use. He anticipates a box truck will utilize a parking space. A larger truck would accommodate 8-10 spaces when Noodles is closed and loaded away from the front entrances.

Mr. Halligan stated that the deliveries will be quick due to pre-packaged items. He likes that the hours are off-set.



Mr. Cornetta stated that the Applicant is willing to pay for the independent traffic engineer to review the new data but he hasn't received confirmation from the Town. Ms. Wierling stated that the independent traffic consultant currently is reviewing the information but does not have a report yet.

Chairman Padula stated that there is a by-law that trailer trucks are not allowed to back into spaces. He is concerned that box trucks will not be the only vehicle making deliveries. Mr. Turner stated that MA DOT required that a trailer truck can be accommodated. They will have to enter from Old West Central Street only and exit on Route 140. He stated that it can maneuver in the parking lot when cars are parked.

Mr. Cliff Trautman introduced himself and stated that he previously submitted questions to the Board. He asked questions regarding the parking space sizes. It was confirmed that all spaces meet the Code requirements. He also had concern with the location of the handicap spaces that are located near the sidewalk with no easy access onto the walkway. Mr. Turner confirmed that the sidewalks are handicap accessible with appropriate ADA ramps. Mr. Trautman asked if the signage would be located on the Old West Central Street entrance. Mr. Turner stated no. The sign on Route 140 will be internally lit and approved by Design Review.

***Motion to open the public hearing for Planet Chrysler Jeep Dodge and continue it at the conclusion of the public hearing for 648-652 Old West Central Street. Carroll. Second: David. Vote: 5-0-0***

Mr. Trautman asked if the height of the vegetation in the sight lines could be modified and stated that there were conflicting notes. Mr. Turner stated that after speaking with the Departments, plantings were eliminated from the site lines and relocated to buffer areas.

Ms. Anne Jordan of Old West Central Street stated that she is still concerned with the size of the proposal. She feels parking is an issue and would like to see if outside seating is accounted for. Ms. Wierling stated that 61 are required, including outdoor seating; therefore a waiver is required. She is concerned with long term idling of the delivery trucks. She asked that the ignitions are turned off. She is putting her trust in the Board as elected members that this the best option for the site, as she would like to be able to sell her house someday. She asked that the best design is considered for the sake of the neighbors and the neighborhood.

Mr. Bill Shanard of 649 Old West Central stated that Mr. Liscotti helped address concerns and hopes that the Board will continue to work with him to make it possible. They have spoken about buffers like fencing at the residential properties and would like to know how they would be affected by local zoning issues.

Ms. Sarah Brady who abuts the property is not opposed to the commercial development but would like it to respect the fact that it abuts residential property. She has concerns with run off into her property, fumes from the drive-thru adjacent to bedroom windows, noise, and start times.

Ms. Cheryl Curly of Pond Street asked if there was any thought to the left turn only lane on Old West Central Street. Mr. Turner stated that a left turn lane was incorporated into the new submission.

Mr. Maglio stated that his drainage issues were resolved. He had concerns with loading and proposed hours close to a residential area. He also is concerned with the constructability of the retaining wall on the property lane. He added that the left turn lane can be easily taken out with re-stripping if it appears that it does not help with traffic. He feels that a 6:00am delivery is too early and in the rest of Town, the start time is 7:00am.

Ms. Wierling stated she is also concerned with delivery hours and drive-thru start time. She added that trash collection should also be considered as a special condition. She stated that typically, snow storage is required on-site and if not required for this project, it would set precedence around Town. Therefore, snow storage should be shown on the plan in line with the by-laws. She added that a lighting determined is needed. Also, a parking waiver is required. Any other special conditions should be discussed prior to the close of the public hearing. The special permit for impervious coverage is not required due to the use of the impervious pavers.

Mr. Halligan questioned the snow storage issue. Ms. Wierling stated that the by-law requires on-site snow storage. Mr. Halligan feels that the Owner will handle removing the snow because it means fewer customers. Chairman Padula agrees with Ms. Wierling that monitoring 3" of snow on site is not feasible. Attorney Cornetta understands the concern. He stated that the 3" was initially chosen as the amount to monitor before removal and considered excessive. He feels that if parking is taken over by snow, the Owner of the site will make certain that the snow is removed. The intent was not for the Town to monitor the 3". He feels that the Owner will be diligent in snow removal and he has no objection to finding a place on the approval. Mr. Halligan stated that he has never seen an Applicant that wants to pay to remove the snow. Mr. Cerel stated that the requirement is to show space adequate for snow storage and if not shown, any alternative is not enforceable by the Town. Mr. Turner stated that a discussion item was to have snow storage along the Rt. 140 corridor perimeter. If the site requires more, the operations team will remove it from the site. Mr. Nutting stated that he would like to see the Applicant utilize parking spaces for storage, as he has never seen snow storage waived in the past. He feels that snow removal is not feasible and a larger waiver for parking would be a better option. If snow storage was waived on this site, it would set a bad precedence for future projects. Attorney Cornetta stated that they are agreeable to the Mr. Nutting's suggestion and would hate for it to hold up the project. The Board agreed with Mr. Nutting's suggestion for additional parking spaces to be waived. These spaces could still be utilized when there is no snow, as they will still be striped.

Mr. Williams stated that the he is awaiting comments from the independent traffic engineer and has no further comment.

Chairman Padula anticipates that the public hearing will be closed at the next meeting. Mr. Cerel reminded the Board that the special permit is for the VSE drive-thru, not for the other restaurant. All criteria should focus on this use. He added that the special permit refers to the site plan so there will be one (1) vote only.

*Motion to continue the public hearing for 648-652 Old West Central Street until August 4, 2014 at 7:45. Halligan. Second: David. Vote: 5-0-0*

**8:00 PM**      **PUBLIC HEARING** – *Initial*  
*Planet Chrysler Jeep Dodge*  
 Site plan

The Applicant requested a continuance until the August 4, 2014 meeting.

*Motion to continue the public hearing for Planet Chrysler Jeep Dodge until August 4, 2014 at 7:30. Carroll. Second: Halligan. Vote: 5-0-0*

**8:15 PM**      **PUBLIC HEARING** – *Initial*  
*Villages at Oak Hill*  
 Limited Site Plan Modification & Special Permit

*Documents Presented to the Board:*

1. *Letter dated June 27, 2014 from the Fire Department to the Board*
2. *Letter dated July 18, 2014 from the Fire Department to the Board*
3. *Letter dated July 17, 2014 from the DPW to the Board*
4. *Letter dated June 20, 2014 from Heritage Design Group to the Board*
5. *Special Permit Criteria by Heritage Design Group received June 10, 2014*
6. *Application for Approval of a Limited Site Plan and Special Permit(s) received June 10, 2014*
7. *Certificate of Ownership received June 10, 2014*
8. *Town of Wrentham Abutter's List received June 10, 2014*
9. *Abutter's List received June 10, 2014*
10. *Legal Ad*
11. *Public Hearing Notice*
12. *Stormwater Report by Heritage Design Group dated June 2014*
13. *Drawing Set entitled "Site Plan Modification for the Village at Oak Hill" dated May 20, 2014 and revised through June 20, 2014 Heritage Design Group of Whitinsville, MA*

Mr. Eric Bazette of Heritage Design Group and Mr. Bruce Wheeler of Franklin MEWS introduced themselves. Mr. Bazette stated that Mr. Wheeler is the new Owner of the project which had previously failed. The revisions are for the remaining units in effort to finish the project. The site is off Washington Street near the Bellingham town line. Currently, there are several buildings constructed in the development. Mr. Bazette stated that to complete the project, they propose to turn the remaining larger buildings into smaller buildings to be more marketable. With this, several proposed three (3) and four (4) units will be built as two (2) units instead. The total number of units will be same. He added that they will replace the restaurant with a new clubhouse and eliminate thirty (30) parking spaces to reduce impervious area. They will also eliminate the proposed pool, tennis courts and bocce courts. One area of the constructed wetlands will also be removed, which has gone before the Conservation Commission. He added that the DPW requested additional calculations for drainage. Tuscany Drive will be extended further than originally designed. The Fire Department provided a letter which commented that this new length will exceed the 600 foot subdivision road length regulation. Mr. Bazette stated that this road is similar to one that is already in place on site. The Fire Department

also commented on the use of sprinklers in the units due to their remote nature. Mr. Bazette stated that sprinklers are not required in buildings with two (2) units or less. He stated that they have met with Conservation who requires more documentation in regards to previous reports. Chairman Padula asked for clarification if the existing roadway over 600 feet included the rotary. Mr. Bazette stated that it does not.

Chairman Padula asked if the recreation area would be replicated in another area. Mr. Bazette stated no, as it would be an improvement in drainage and a decrease in imperious area.

Mr. Carroll asked if the revised units are the same design as the original. Mr. Bazette stated that the architecture is consistent. The difference is that the sprinklers will be eliminated.

Mr. Maglio stated that he has the same issues as the Fire Department. He added that the existing buildings are all sprinkled. Also, the drainage calculations require additional information.

Ms. Wierling deferred to the Town Engineer and Fire Department regarding drainage and site safety. She stated that the site plan meets the by-law requirements.

Mr. Bazette confirmed that he has received the Fire Department's letter. Ms. Wierling continued to read the letter to the Board.

Mr. Sam Oppenheim, a resident of the Village at Oak Hill, stated that they have spoken to Mr. Wheeler regarding concerns. Mr. Oppenheim stated that he is concerned with decreasing the size of the units. He is concerned with safety since they are not sprinkled, as the older population does not move quickly during an emergency. Therefore, all of the exiting units will also be unsafe for the over 55 population. He would like to see them built as the original design with sprinklers if feasible. He added that removal of the recreation areas is concerning, as the residents were looking forward to these facilities. He agrees that the clubhouse instead of a restaurant is acceptable. He feels that parking will be an issue for guests, as it has been in the past. He stated that that after speaking with the Town Planner, she stated that the parking should remain the same as on the approved plan. This is concerning to him since the Applicant proposes removal of the parking.

Mr. John McKinley, a resident of the Village at Oak Hill, agrees with Mr. Oppenheim's concerns. He particularly would like to have the recreation areas established. He added that the trust will take care of the facilities. The community center is already smaller than anticipated.

Mr. Tony Desilva, a resident of the Village at Oak Hill, is concerned with the existing erosion problem due to stormwater in several areas. He is concerned with the inflow and outflow of the design for the new units. He hopes that the Conservation Commission will review this. Like the others, he is concerned with the recreation removal which reduces his common area and value of his property. There is no compensation for it's removal. In regards to the wetlands, the storm erosion problems appear to be serious and should be taken into consideration.

Mr. Nutting stated that the Board should not approve the project without sprinklers in all buildings and should not be removed to save money.

Mr. Cerel stated that the Board shall be consistent with the 600 foot road length regulation in the by-laws which in place due to a safety and access issue. He added that the Board has always been consistent in not granting waivers to eliminate this.

Ms. Wierling asked that if the Applicant is proposing parking changes, it must be reflected on the plan set.

Ms. Carol Gady, a resident of the Village at Oak Hill, stated that she is in a three (3) unit without sprinkler and is wondering if they will be added. Also, she stated that there is only one (1) entrance into the facility and if there is an accident on Washington Street, she can't access her units. Chairman Padula stated that he was on the Board for the original project. He added that there was only one (1) entrance proposed at that time. He remembers that the recreation area was an important factor during the approval. He stated that the will not vote to exceed the 600 foot road length. He asked Mr. Cerel if someone buys into a site which states in the added that certain items will be included, could it be changed. Mr. Cerel stated that it depends on the project documents, contractual rights, and if the public amenities were a factor in the project approval. Therefore, the issue is both public and private.

Mr. Halligan asked if there are a condominium documents and if they were financed upon what was built. Mr. Cerel stated that they would have to be reviewed and contractors do have the right to change things. He added that he has not reviewed the actual documents and it's not a simple issue.

Ms. Wierling read the senior village by-law and criteria to approve it which addressed open space and recreation.

Chairman Padula asked if a new Owner would assume responsibilities of the old Owner. Mr. Cerel stated that this is subject to the conditions of their predecessor and would have to come to the Board for any changes to the original submission.

***Motion to continue the public hearing for the Villages at Oak Hill to August 4, 2014 at 8:00 PM. Carroll. Second: David. Vote: 5-0-0***

The Chairman announced that an executive session will be held for Eastern Management and Development Vs. Franklin Planning Board - Pending Litigation

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

Respectfully Submitted,

  
Liz Hoey  
Planning Board Secretary