

Town of Franklin



Planning Board

**March 24, 2014
Meeting Minutes**

2014 APR 30 PM 1:30
RECEIVED
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, Gus Brown, Building Commissioner, Jeffrey Nutting, Town Administrator, Peter Williams, GZA Environmental, Inc. and Liz Hoey, Planning Board Secretary.

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

7:00 PM Commencement/General Business

A. Approval of Meeting Minutes: February 24, 2014

Chairman Padula asked if there were any additions or deletions to the meeting minutes submitted for February 24, 2014. There was no comment from the Board.

Motion to approve the meeting minutes for February 24, 2014. Carroll. Second: David. Vote: 5-0-0

B. Limited Site Plan Modification: 5 Forge Parkway

Mr. Maglio stated that the transformer shall not be located within the drainage easement. Mr. Don Nielsen of Guerriere & Halnon, Inc., Engineering representative for the Applicant, stated that he has a revised plan for the Board in which the transformer is re-located. Chairman Padula stated that Applicant is not supposed to provide revised plans at the meeting and it should not happen again. Mr. Nielsen submitted the new plan for review. Mr. Maglio and the Board found no issue with the transformer location change out of the easement. The plan for endorsement at the next meeting will reflect this change.

Motion to approve the Limited Site Plan Modification for 5 Forge Parkway. Ballarino. Second: Carroll. Vote: 5-0-0

C. Limited Site Plan Modification: 4 Forge Hill Road

Ms. Dahlstrom stated that the Applicant is proposing the addition of 464 square feet of building, 788 square feet of sidewalk, and the removal of 279 square feet of sidewalk. She asked the

Applicant show the impervious coverage allowed at the site, as well as the total impervious coverage with both the proposed building and sidewalk additions. She added that if this is shown and all other Departments have no issues, the DPCD recommended that the Board votes on the plan as submitted. The Board had no comments on the plan. Mr. Maglio recommends that a note is added that the drainage for the walkway is pitched to the low spots to collect runoff. He added that there is no infiltration for the building additions and suggested that a drywall or rain garden is added. Mr. Neilsen stated that the plan for endorsement at the next meeting will reflect these changes.

Motion to approve the Limited Site Plan Modification for 4 Forge Hill Road. Carroll. Second: Ballarino. Vote: 5-0-0

D. Endorsement: 147 Pond Street – Tri-County Solar Panels

Mr. Maglio stated that all preview DPW comments were addressed; therefore he has no issue with the endorsement of the plan. The Board had no comment regarding the plan.

Motion to endorse the Limited Site Plan Modification for 147 Pond Street – Tri-County Solar Panels. Ballarino. Second: Carroll. Vote: 5-0-0

Motion for a 15 minute recess. Halligan. Second: Carroll. Vote: 5-0-0

7:15 PM PUBLIC HEARING – Initial
648-652 Old West Central Street
 (2) Special Permits and Site Plan
 Vehicular Service Establishment (VSE)
 Impervious Coverage (83% where 80% is allowed)

Documents Presented to the Board:

1. Letter dated March 5, 2014 from the DPCD to the Board
2. Letter dated March 24, 2014 from the DPW to the Board
3. Letter dated March 14, 2014 from GZA Environmental, Inc. to the Board
4. Letter dated February 28, 2014 from the Fire Department to the Board
5. Letter dated March 18, 2014 from the Board of Health to the Board
6. Letter dated March 19, 2014 from Charles Burkert of Cedar Realty Trust and its subsidiary, CSC Franklin Village LP to the Board
7. Letter dated March 13, 2014 from Antonio Pinto of Pinto Realty Estate to the Board
8. Letter dated February 20, 2014 from Richard Cornetta, Jr. of Cornetta, Ficco, & Simmler, P.C. to the Board
9. Application for a Site Plan and Special Permits (2) received February 20, 2014
10. Memorandum in Support of and Application for Special Permit (Allowance of Impervious Coverage) received February 20, 2014

11. *Memorandum in Support of and Application for Special Permit (Allowance of a Vehicle Service Establishment) received February 20, 2014*
12. *Certification of Ownership received February 20, 2014 (2 total)*
13. *Quitclaim Deed received February 20, 2014 (2 total)*
14. *Unofficial Property Records received February 20, 2014 (3 total)*
15. *Abutter's List Request Form received February 20, 2014*
16. *Abutters List*
17. *Public Hearing Notice*
18. *Legal Ad*
19. *Drawing entitled "Sight Distance Exhibit Plan XI" dated February 17, 2014 by Bohler Engineering*
20. *Drawing entitled "Sight Distance Exhibit Plan X2" dated February 17, 2014 by Bohler Engineering*
21. *Drawing entitled "Site Plan sheet 4" dated January 9, 2013 and revised through December 20, 2013 by Bohler Engineering*
22. *Drawing entitled "Site Plan sheet C-4" dated April 11, 2012 revised through May 15, 2012 by Bohler Engineering*
23. *Drawing Set entitled "Site Development Plans for Lisciotti Development 648 Old West Central Street" dated February 17, 2014 by Bohler Engineering*
24. *Drawing Set entitled "Franklin Retail Building" dated March 24, 2014 by Mangel Architects*
25. *Traffic Impact and Access Study dated February 12, 2014 by Ron Muller & Associates*
26. *Weekday Parking Demand schedule by Ron Muller & Associates received February 20, 2014*
27. *Environmental Notification Form dated February 18, 2014 by Bohler Engineering*
28. *Drainage Report dated February 20, 2014 by Bohler Engineering*

Motion to waive the reading. Carroll. Second: David. Vote: 5-0-0

Mr. Richard Cornetta, Jr. of Cornetta, Ficco, & Simmler, P.C. introduced both himself as the Applicants 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, Mr. John Cocker of Mangel Architects, project architect, and Mr. Ron Muller of Ron Muller & Associates, project traffic engineer.

Attorney Cornetta stated that he would provide an overview the project and then allow the consultants to speak. He stated that he understands that there are issue related to the project from various Boards and Commissions and that this meeting would be continued. He identified the property as 648-652 Old West Central Street on a 43,000 square feet parcel in a Business Zone and Water Resource District with both commercial uses and residences uses abutting the property. The parcel was recently rezoned to a Business Zone from Residential. There are currently three (3) parcels; the 1st was conveyed to the Applicant from the Town through an

RFP process, the 2nd is owned by the Applicant, and the 3rd is in the process of being acquired by the Applicant. On the three (3) lots, there are currently grass single family dwelling and garage. All lots would be combined to one (1) lot with the house and garage razed. There would be two (2) access driveways for the new site; one (1) on Old West Central Street and one (1) right in, right out only on Route 140. The Applicant has applied for two (2) special permits; Allowance of a Vehicle Service Establishment and Allowance of Impervious Coverage (83%). The Applicant has also applied to the Zoning Board of Appeals for two (2) variances; one (1) for sight distance as the by-law requires 400 feet of sight distance in either direction with a site serving twenty (20) or more cars and one (1) for an allowance of a Vehicle Service Establishment within 150 ft of another driveway serving twenty (20) or more cars. He added that the adjacent Franklin Skilled Nursing Building services thirty (30) or more cars.

Also, the Applicant filed with Design Review Commission on March 11 and will present before them again tomorrow evening. The commission asked them to change the building elevations, alter the landscaping, and modify the rooftop.

Attorney Cornetta stated that this not the first plan for the site. He explained that the Applicant met with Town Agencies several times in the past and the first plan did not include one (1) lot with a larger building. He added that the Applicant sought a MEPA review and the certificate is anticipated within the week. The MassDOT was involved with the location of the right in, right out driveway on Route 140. The MassDOT requested that this be located closer to the Interested 495 ramp as to avoid motorist using the entrance as a cut-through area.

Mr. Turner introduced himself the Project Engineer for Bohler Engineering. He explained that there are two (2) access points on site; one (1) at Route 140 and the other on Old West Central Street. He reiterated that they have coordinated with MassDOT regarding the Route 140 entrance. He stated that the building is approximately 9,000 square feet and is comprised of four (4) different tenants; a Starbuck's with drive-thru, a 1,400 square feet retail space, a 3,500 square feet medical office, and a 2,500 fast-casual restaurant space. Starbuck's and the restaurant will have seasonal outdoor seating. Fifty (50) parking spaces are proposed, which they feel is adequate to meet the demands based on offset peaks rates and complementing uses for parking demand. The drive-thru is located at the rear of the building and can accommodate eleven (11) vehicles in que, which exceeds the requirement. Pedestrian access is included from Route 140. He added that they have worked closely with Design Review Commission who requested additional screening along Route 140, as they consider this gateway into Town. The Applicant added shade trees consistent with Franklin's Best Practices Guidelines and two (2) retaining walls which will include climbing ivy for screening.

Mr. Turner explained the grading and drainage on site. He explained that there is 12'-15' feet of relief east to west with the high side at the existing commercial building on the easterly lot. There is ledge on site and the infiltration system is located at the deepest part of the ledge where the best soils are located. The stormwater infrastructure is located on the west side of the site where geotechnical testing showed it would be most receptive. It is designed to hold a 1" water quality volume with exceeds both the Franklin and DEP requirements. The systems includes deep sump hood catch basins and a proprietary mechanical storm water system. There is an isolated row in the chamber system which allows for sediment to settle out prior to infiltrating the ground. It is designed to work with the grades as the Route 140 entrance is 1'-0 lower than the building entrance and 2'-0 feet higher than 1st floor on the Old West Central Street side. The topographic issues warrant two (2) retaining walls; one (1) 8'-9' high on the east side which tapers off as it approaches the roadways and one (1) 5'-0" high on the west side.

Mr. Turner stated that the back of this site it graded for adequate visibility and sight distance which was a concern to the Town Engineer. The Applicant has received his comment letter tonight and will follow up with him regarding the issues. Mr. Turner explained that the impervious coverage exceeded the required limits but feels that collecting water from pavement or another type of surface to reduce the coverage would be similar disposal.

Mr. Turner stated that the connection for sewer will be from the existing infrastructure on Old West Central Street with a separate sewer connections for the café and restaurant. The other two (2) tenants will share a common water connection. The site will have two (2) different fire and domestic water lines on Old West Central Street. The electrical and telephone will be taken from an existing pole. The gas service from Old West Central Street will be utilized.

Motion to open and continue the public hearing for 76 Chestnut Street to April 7, 2014 at 7:30 PM. Carroll. Second: David. Vote: 5-0-0

Mr. Turner stated that the landscaping plan has changed from what was submitted to the Board to accommodate Design Review Commission requests for additional plantings on Route 140. The Commission requested seven (7) sweet gum trees which are vibrant in fall, provide a thick canopy, are high off the ground, are in the Best Management Practices, and are good in urban environment. There will also be a red maple on site to complement red gum trees. Evergreen ground cover is provided for screening from the street level. Shrubs and evergreens will screen the transformer. Fencing will be installed at retaining wall.

Mr. Turner explained that the lighting will be provided by overhead poles flanking the driveways and in the parking areas, providing safe and sufficient lighting for the site. The lighting on back of building will be for the drive aisle. All lighting will approach zero foot candles at the property boundaries as to limit disturbance to the abutters.

Mr. Muller introduced himself as a registered professional Traffic Engineer and principal of Ron Muller & Associates. He explained that the study was performed in accordance with all State and Local standards which includes three (3) components; an existing evaluation of traffic, an analysis of future conditions, and impact of traffic due to the project. For existing conditions, they performed traffic counts on Route 140 and Old West Central Street during weekday mornings, weekday afternoons, and Saturday afternoons based on site uses which would cause the most traffic. They also performed an evaluation of accident history at the intersection of Route 140 and Old West Central Street, an assessment of speed conditions, and sight distance at the proposed driveways. He stated that the Town's by-law requirement for sight distance is 400'. He feels that this is an arbitrary minimum, as sight distance is usually based solely on speed of traffic, which is why they did speed observations. At the Route 140 entrance, there is more than 500' sight distance. At one side of the Old West Central Street entrance, 285' is provided based on the curvature of the road and 35 mph (as requested by the Town Engineer). The observed speeds were 33-34mph which is in the 85th percentile speed as required by National and State standards for assessing speed limit, even though the speed limit is 25 mph. He added that 280' is the minimum desirable distance if someone were to slow down to 70% of their speed, as required by National and State standards. In the other direction, 300' is provided.

The traffic study includes a seven (7) year design horizon which adds population growth rates and includes anticipated traffic for all other approved, but not construed, development projects in Town. The numbers used were based on national standards and were combined to evaluate the impact. They found that the Intersection can accommodate these growth changes. He expressed concern with the east bound left turn lane at the intersection, as this currently backs up due to

excessive traffic. They have recommended to the MassDOT that the signal timing is changed to provide more green time for this lane. They will continue to work with MassDOT who sent them a letter stating that they concur with the review findings and will work on implementing the signal changes.

Mr. Muller stated that he used the national que study by Starbuck's and his own evaluation at a Starbuck's in Walpole warranted and 11 que and 10 que maximum; respectively. He was also asked to investigate the parking requirements for the site which can accommodate 50 total spaces. With information taken from national standards for each use and identified what each would occupy at peak hours, the maximum spaces occupied on a weekday is 41 and 46 on a Saturday.

Mr. John Cocker of Mangel Architects provided elevations drawings of the building. On the South elevation facing route 140, they have created 3 elements of the building facade and provided a 1'-6" roof parapet for screening. The building facade will be EIFS and the glazing will be aluminum storefront. Signage will be discussed with Design Review. This design extends around the building. Attorney Cornetta added that brick elements and color variation was added to the elevations/

Chairman Padula invited the public to speak. Mr. Lui Puga of 621 Old West Central Street expressed his concern with traffic, accidents, and remarked to the 2013 Franklin Master Plan referencing the intersection as a currently a high accident area. Ms. Ann Jordan of 664 Old West Central Street stated that she is a long time resident and is concerned with pedestrian safety, traffic, excessive speed and the proposed building uses.

Motion to open and continue the public hearing for 14 Ruggles Street to April 7, 2014 at 8:00 PM. Carroll. Second: David. Vote: 5-0-0

Ms. Sarah Brady, Owner of the two-family house that abuts the project site, stated that objects to this project and stated that she stood before the Board when the area was rezoned to Commercial last year to express concern that his type of project would be constructed. She is concerned with current driving conditions, exhaust exposure to her tenants whose windows will be located next to the idling cars in the drive-thru, and drainage run off into her basement. She would prefer a project with less traffic and trash and is opposed to the type of building proposed. She is worried about pedestrian traffic and inexperienced drivers from the High School, as there is no pedestrian access or crosswalk adjacent to the project site. She asked if the sewer lines were sufficient to handle the development.

Mr. Bill Chouinard of 649 Old West Central stated that there are other ways to develop the property and some development would an improvement however the proposed will cause issues as expressed by the others. The quality of life of this type of development should be taken into consideration, as the there are frequent accidents and property losses due to vehicles missing the turn. He feels that they will compress the sight, making it all pavements which will adversely affect noise to the abutters. He has worked in retail and understands what it's like to be a corporate neighbor. He feels that the 3rd party vendors and trash removal will bring early/late night deliveries and will not follow the restrictions set forth for delivery hours. Property values will be dimensioned. He feels that they site is too big for the space and are trying to meet minimum standards only. He would like to see a better proposal.

Ms. Theresa Babbin at 647 Old West Central stated that she agrees with all of her neighbors. She has been a long time resident and is located directly in front of the proposed driveway. She has also had damage to her property due to vehicles missing the turns.

Ms. Cheryl Curley of 9 Pond Street grew up in the area and her family also still lives in the area. She is Ok with development but would like hem to be proactive instead of reactive. There are many accidents near her home. She would like to see time restrictions on the building uses.

Ms. Donna Brady, sister to Ms. Curley, stated that she is vehemently against this project.

Mr. Peter Granville of 3 Jimmy Street is concerned with traffic congestion and the sight line reduction. He is also concerned with extending the green time at the light turning left from Route 140 onto Old West Central, as the que length is exceeded already. He feels that anyone is naive if they think that it won't be used as a pass because he sees it at other places in Town.

Charles Burket representing Cedar Realty Trust at Franklin Village stated that he submitted a letter to the Board and wanted to ensure that it is part of the record. He stated that he is concerned with the impacts as expressed by the others and as addressed in his letter. He feels that the levels of service to those traveling on Route 140 will be compromised but feels that the team assembled can work together to provide an acceptable project.

Ms. Dahlstrom stated that her letter provides general comments which she feels that the Applicant can accommodate easily. She added that she is concerned with the location of the dumpster. Also, she would like clarification on hours of removal, more queuing details are required on plan, and snow storage areas must be shown. She added that minimum illumination for safety and security along West Central Street and Old West Central Street may be acceptable; however current glare in this area of the site should be reduced to more acceptable levels as 1.2 foot candles. A determination of lighting will be need by the Planning Board. In regards to parking, by-law §185-21.B.(2).(b) states that retailing, medical, legal and real estate offices require one (1) space per 200 square feet of gross floor area plus one (1) space per separate enterprise. The Applicant is only including 22 spaces for medical and retail where an additional two (2) spaces are required for the separate enterprise. Under by-law §185-21.B.(2).(d), restaurants, theatres and assembly halls require one (1) space per 2.5 seats and if seats are not fixed, one (1) space per 60 feet of gross floor area. Based on the seating shown, 50 spaces are shown; however she calculated 61. Also, a sidewalk is required under by-law §185-28. The Planning Board can provide waivers for parking and the sidewalk.

Mr. Maglio stated that he is concerned with traffic operations due to the proposed dumpster site located at the entrance. Also, since the eastern retaining wall is almost 11'-0" feet tall, a detail design is required to show it can be constructed without an easement. If one is required, it should be prepared and executed prior to site plan approval. He does not agree with the infiltration rate used and feels that a test pit with soil evaluation is performed using MA storm water standards. Regarding the site distance, he has met with the traffic and site engineers and understands that it meets the minimum but needs further clarification. He added that it meets the MassDOT criteria, not Franklin's standards. Chairman Padula asked Mr. Maglio if HDPE, 12" reinforced concrete pipe is proposed. Mr. Maglio stated that but reinforced concrete is required. Chairman Padula asked if the drainage is off-site. Mr. Maglio stated yes and that it connects to the street system at a lower rate than existing. He questioned the flow and he's concerned if the existing can handle the proposed flow.

Chairman Padula stated that there are five (5) parking spaces that are backing into the travel lane for the drive through. He added that Mr. Maglio provided 27 comments. An audience member asked if she could get a copy of the letter and Chairman Padula stated that it's available to the public.

Mr. Williams stated that he has similar concerns as the DPCD and DPW. He feels that the entrances are in too close proximity to adjacent commercial businesses. Also, the entrance on Old West Central Street is impeding the site distances of the resident's driveway which could be unsafe. He added that there are no loading areas shown. Chairman Padula concurred. Mr. Turner stated that deliveries would be from a conventional box truck at the main access doors on the front of the building using parking spaces which would be coordinated with operations of the center. Chairman Padula stated that he is concerned with the use of trailer trucks instead and that it would be monitored.

Mr. Williams stated that the sight line is shown through the drive-thru line which would impede access. Chairman Padula stated that the sight line calculation includes a vehicle on the inside lane, not the outside line which could make a difference.

Mr. Williams added that he has concern with the existing utilities and connections. He asked that all the existing are shown, as it's not clear what's happening with the drainage. He disagrees with the type of soil used and the drainage analysis. Chairman Padula stated that Mr. William's 24 comments are to be addressed.

Chairman Padula read the letter from the Fire Department which stated that they have no comment or concern regarding the plan as submitted. He also read the Board of Health letter which voted to approve the site plan and special permits subject to municipal water and sewer connection, proper dumpster location, and full compliance with Chapter X of the Food Code. He stated that the letters from Cedar Realty Trust and Pinto Realty Estate would be added to the record.

Mr. Carroll stated that shrubbery is located within the site distance on Old West Central Street. Mr. Mueller stated that it would be grass, not shrubs. Mr. Turner stated that the landscaping will be established as to not affect the line of sight. He added that a bypass line would be available at the drive-thru isle and the tree canopy would be high enough as to not be in the line of sight. Mr. Carroll asked if the Old West Central Street entrance is directly across from a resident's driveway. Mr. Turner replied yes. Mr. Carroll stated that someone's headlights will be directly into someone's home and asked if it could be moved. Mr. Turner feels that moving it will not work with the operations or typography of the site.

Mr. Halligan asked why the site requires both a rear and front entrance, as no other site on Route 140 utilizes this configuration. Mr. Turner replied that the rear entrance's intent is to alleviate traffic congestion at the front entrance. He added that its intent is to bring people safely into the drive-thru. Mr. Halligan asked if the two (2) entrances are mandated by the State or if it could be eliminated. Attorney Cornetta replied both. Mr. Halligan asked if that could be shown on paper. Mr. Mueller added that it's beneficial from a traffic point of view. If eliminated, all traffic from 495 has to make a U-turn to utilize the front entrance. Mr. Halligan added that any stranger to the site would do this anyways, as they would not know about the back entrance. Mr. Mueller stated that he included half of the travelers to do this on his traffic study. Mr. Halligan stated that it would help with some of the neighborhood concerns. Mr. Mueller stated that its elimination could be taken into consideration however; he feels the traffic impact would be too great. Mr. Halligan asked if the Applicant would consider screening for the neighbor across the street. One of the residents stated that there is no room for screening.

Mr. Halligan questioned the legality of 83% impervious coverage approval. Attorney Cornetta stated that the Board could through a special permit and exceed the 80%. Ms. Dahlstrom clarified that the Board can issue a special permit for over 80%.

Attorney Cornetta stated that because of ledge on site, he could introduce pervious pavers to reduce to the impervious coverage to 80%. Mr. Halligan stated that it is a busy site and a quality development but questions if it fits. In his decision, he would like to know what the second restaurant would be; a small or large chain. He would like to see how it would work with Starbucks and if it served lunch, as this would cause significant traffic.

Mr. Mueller stated that the studies were performed using Starbucks business models and the other restaurant as fast casual. Mr. Lisciotti stated the intent is for the restaurant to be a Noodles & Company who is expanding in the Northeast with a lunch and dinner crowd. Noodles would open at 11:00 AM and Starbucks at 6:00 AM. Mr. Halligan stated that he would like research performed on particular tenant. He added another project down the street was approved with the restaurant names so that the Board knew the style and traffic that would be generated. He is concerned with a larger restaurant like McDonald's creating excessive traffic. Attorney Cornetta stated that they understand his concerns but asked the Board that this is a concern to the Applicant as the leases have not been signed.

Mr. Halligan stated that even if the whole building was a daycare center, the impervious coverage and site distance issues would still be evident. He added that he would like to hear about neighborhood problems more frequently when there are not projects involved, as the Applicant is not responsible for what it happening in the neighborhood today as expressed by the Citizens. He added that he understands the proposed site will it add more traffic. He clarified that the state of MA will not allow alcohol at a drive-thru window, as one Citizen questioned earlier.

Mr. Halligan asked what the proposed hours of operation would be, as a 24 hour drive-thru could be an issue. The Applicant replied no. He believes that Starbuck's hours would be 6:00 AM to 10:00 PM and Noodles would be 11:00 AM to 10:00 PM. Mr. Halligan stated that the hours will need to be incorporated for the Special Permit. He added that it's a busy site and if it was something like a medical building it would be easier, as a restaurant creates traffic.

Mr. Lisciotti spoke of various similar projects in other towns, which he included in his application. Mr. Halligan stated that he appreciates this but he is concerned with Franklin. He asked if there was any flexibly to downsize the project, as Mr. Lisciotti has to hear from all Boards that it's a busy site. Mr. Lisciotti stated that that property was owned by the Town and re-zoned with no opposition. He was the only bidder to the Town's RFP to purchase the property and has assembled the three (3) parcels. His original design fro the site included a 20% larger building with fewer spaces but was reduced after his first meeting with design review. Mr. Halligan stated that he was elected by the Town of Franklin to get the best job done for the site and community and wants to ensure that this happens.

Chairman Padula stated that he will make a request to hire an independent traffic consultant. He added that they Board does not see the see the project until three (3) days prior to the meeting. He stated that they will have a vote to allow the applicant to meet with GZA Environmental, Inc. and the Town Engineer to address all other concerns; including the neighbors. The Board will have to approve a waiver for parking. He is concerned with roof top screening and the shared dumpster. The Applicant stated that there would be two (2) shared dumpsters.

He added that the walk-in urgent care facility would allow anyone to come at anytime and parking has to be available. He is also concerned with traffic from a future development of another project close to the project site of which the Town is developing an RFP.

He is worried about the U-Turn with traffic at the intersection, as it will significantly tie up the intersection. He would also like clarification on delivery access and time schedules. By traffic coming into the drive-thru from both entrances, he feels that this will create a back up on Old West Central. He would like to see the dumpster moved. Other concerns include the HDPE pipe, cul-tech system, and roof drain. He asked that the project is downsized, as this is a concern of all Boards. He asked if there was any consideration to remove the drive-thru. The Applicant replied no.

Mr. Halligan suggested that they eliminate the outdoor seating in order to get people on and off of the property quickly. The Applicant stated that they would consider this.

Chairman Padula requested engineered plans for the 11'-0" retaining wall with railing. The Applicant is working with a structural and geotechnical engineer for this. Chairman requested snow storage locations and sidewalks on both sides of the site, as required by Zoning. The Applicant stated that they will be requesting a waiver for the elimination of the sidewalks.

Mr. Ballarino stated that the Board has denied a drive-thru for several establishments on Route 140.

Motion to continue the public hearing for 648-652 Old West Central Street to April 7, 2014 at 7:45 PM. Halligan. Second: Carroll. Vote: 5-0-0

Motion to hire an independent traffic engineer for 648-652 Old West Central Street to April 7, 2014 at 7:45 PM. Halligan. Second: Carroll. Vote: 5-0-0

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

Documents Presented to the Board:

1. *Email dated March 19, 2014 to Ms. Dahlstrom from Don Neilson of Guerriere & Halnon, Inc.*
2. *Letter dated March 3, 2014 from the DPW to the Board*
3. *Letter dated March 4, 2014 from the DPCD to the Board*
4. *Design Review Commission Decision Letters dated February 25, 2014 with approvals*
5. *Letter dated February 14, 2014 from the Fire Department to the Board*
6. *Form P – Application for Approval of a Site Plan received February 6, 2014*
7. *Certificate of Ownership received February 6, 2014*
8. *Zoning Board of Appeals Application Form dated January 28, 2014*
9. *Abutter's list request form*
10. *Abutter's List*
11. *Legal Ad*
12. *Public Hearing Notice*
13. *Site Plan entitled "Site Plan 76 Chestnut Street" by Guerriere & Halnon, Inc. dated February 4, 2014*

Mr. Don Neilson of Guerriere & Halnon, Inc requested a continuance until April 7, 2014 in an email dated March 19, 2014 to Ms. Dahlstrom.

Motion to continue the Public Hearing for 76 Chestnut Street to April 7, 2014 at 7:30 PM. Ballarino. Second: David. Vote: 5-0-0

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

Documents Presented to the Board:

1. *Email dated March 19, 2014 to Ms. Dahlstrom from Don Neilson of Guerriere & Halnon, Inc.*
2. *Letter dated March 5, 2014 from the DPW to the Board*
3. *Letter dated March 5, 2014 from the DPCD to the Board*
4. *Letter dated March 5, 2014 from the Building Department to the Board*
5. *Letter dated March 4, 2014 from GZA Environmental, Inc. to the Board*
6. *Email dated March 5, 2014 from Tia Ristaino-Siegel to the Board*
7. *Letter dated February 24, 2014 from the Fire Department to the Board*
8. *Design Review Commission record decision dated February 25, 2014*
9. *Design Review Commission approved drawing sheets and product cut sheets*
10. *General list of Permits and Comment from the Applicant received February 6, 2014*
11. *Application of a Site Plan and Special Permits (s) received February 6, 2014*
12. *Request for Special Permit Application from the Applicant received February 6, 2014*
13. *Certificate of Ownership received February 6, 2014*
14. *Quitclaim Deed fro 14 Ruggles Street received February 6, 2014*
15. *Form Q – Design Review Application received February 6, 2014*
16. *Application for a Special Permit received February 6, 2014*
17. *Abutters List Request Form*
18. *Abutter's List*
19. *Legal Ad*
20. *Public Hearing Notice*
21. *Drawings set entitled "Ruggle Street Apts" dated August 3, 2013 thorough September 23, 2013 by AD Architect*
22. *Drawing set entitled "Site Plan 14 Ruggles Street" dated November 12, 2013 through February 25, 2014 by Guerriere & Halnon, Inc.*

Mr. Don Neilson of Guerriere & Halnon, Inc requested a continuance until April 7, 2014 in an email dated March 19, 2014 to Ms. Dahlstrom.

Motion to continue the Public Hearing for 14 Ruggles Street to April 7, 2014 at 8:00 PM. Halligan. Second: Ballarino. Vote: 5-0-0

8:30PM **PUBLIC HEARING** – *Continued*
 Bogan Estates
 Preliminary Subdivision

Documents Presented to the Board:

1. *Letter dated March 20, 2014 from the DPW to the Board*
2. *Letter dated March 20, 2014 from the DPCD to the Board*
3. *Letter dated March 18, 2014 from the Board of Health to the Board*
4. *Letter from the Conservation Commission dated February 19, 2014 to the Board*
5. *Letter from the Fire Department dated February 14, 2014 to the Board*
6. *Memo from the Police Department stating "No Comment"*
7. *Form B – Application for the Approval of a Preliminary Plan received February 6, 2014*
8. *Certificate of Ownership received February 6, 2014 (2 total)*
9. *Legal Ad*
10. *Public Hearing Notice*
11. *Plan entitled "Bogan Estates Preliminary Subdivision in Franklin" dated January 28, 2014 and revised through March 18, 2014 by Guerriere & Halnon, Inc.*

Ms. Dahlstrom stated that she has no concerns and recommends approval of the Preliminary Subdivision for Bogan Estates. Mr. Maglio stated that the detention basin final design is outside of the wetland buffer zone.

Motion to approve the Preliminary Subdivision for Bogan Estates. Ballarino. Second: David. Vote: 5-0-0

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

Respectfully Submitted,



Liz Hoey
Planning Board Secretary