

## Town of Franklin



## Planning Board

May 12, 2014  
Meeting Minutes

2014 JUN 18 AM 10:12  
TOWN OF FRANKLIN  
RECEIVED

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

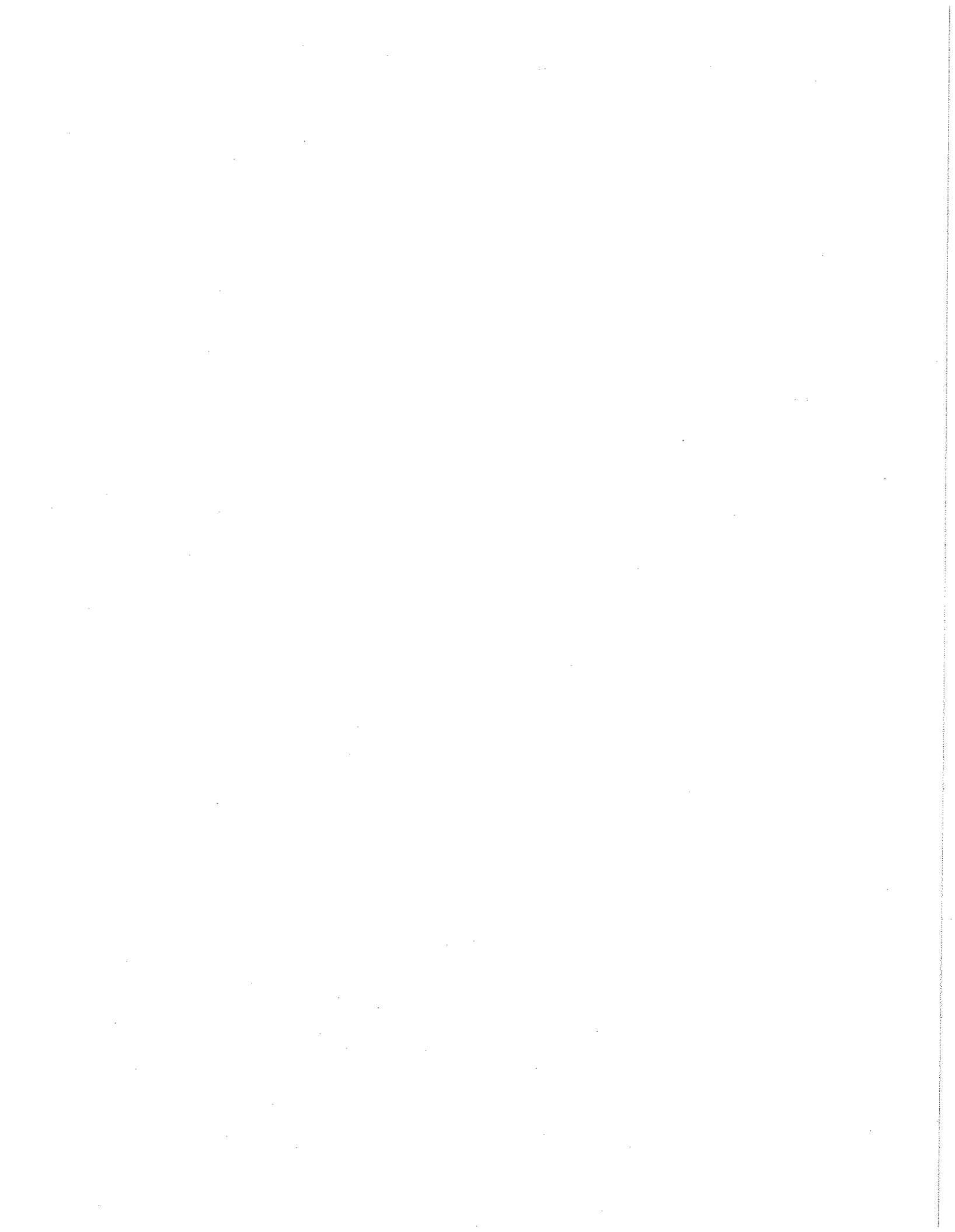
Chairman Padula stated that the meeting would be recorded for broadcast.

**7:00 PM Commencement/General Business****A. Discussion: 37-41 East Central Street**

Mr. Brad Chaffey, Property Owner and Mr. Rick Goodreau, Engineer from United Consultants, Inc. introduced themselves. Mr. Chaffey stated that they are presenting an alternative development plan in lieu of what was previously approved for the property by the Board on November 4, 2013. He stated that there are two (2) reasons for the changes. Firstly, the economics of commercial lending provide more risk than anticipated due to the downtown's transition in rents. Secondly, since the Downtown development project went out to bid and is starting soon, he fears that utility work for both projects will cause delay. Therefore, the alternate plan provides a way for his project to begin and be out of the public way before Downtown work begins. Mr. Chaffey stated that the 23,000 square feet, mixed-use commercial building that was approved is now split into two (2) buildings and phased. He added that the parking lot is similar and the front commercial building is now 64' x 80' instead of 64' x 120'.

Mr. Goodreau referenced a draft plan that was submitted to the Board. He stated that the two (2) buildings will be phased such that the first phase will extend the driveway, parking lot and the rear building. The second phase would include the building located closer to East Central Street. Mr. Goodreau stated that the property is a split zone with residential V and downtown commercial. The rear building would include apartments which would require a special permit in the residential V zone. Also, a special permit for impervious coverage would be required; however it is not in water resource district. He added that the utilities are relocated from the original plan location, as to not interfere with the Downtown utility work.

Chairman Padula recused himself from the discussion.



Mr. Halligan stated that the residential V zone requires 100' frontage. The Town Attorney will have to be contacted to see if this is required in a split zone. It may be a special permit. The parties decided that further research is required since the rear zone does not have frontage.

All parties discussed the two (2) buildings. Mr. Goodreau stated that Phase 1 would include the new, rear building and phase 2 would include demolition of the existing building and construction of the new, front building. The front building would include parking 8'-0" below grade with commercial use on the 1st and 2<sup>nd</sup> floors and a 3rd residential level. The rear building would include parking 8'-0" below grade and a handicap unit, along with two (2) levels of residential. All parking will be in compliance with code. Mr. Halligan stated that clarification is required in regards to the definition of a "story".

Mr. Rondeau asked if the Applicant reviewed the proposal with the Fire Department. Mr. Goodreau stated they did and he requested that the rear building utilizes a sprinkler system.

Mr. Halligan asked that all easement issues are resolved prior the Applicant submitting an application.

**B. Endorsement:** 656 King Street, Emeritus (Landscaping Plan)

Ms. Dahlstrom stated that the Board approved the application for a Limited Site Plan for "Landscaping Alternative, Emeritus at Franklin Assisted Living 656 King Street" located at 656 King Street on April 28, 2014. The Applicant is requesting endorsement for the Limited Site Plan Modification. The Applicant has addressed all outstanding issues and placed the Certificate of Vote on the plan as required. As long as DPW and all other Departments, Commissions and Boards have no issues, the DPCD recommends the Planning Board endorse the Limited Site Plan. She added that planting locations shall be reviewed during the Form H inspections process; therefore in order to complete inspections, the Board must endorse the approved Limited Site Plan Modification.

There was no comment from the DPW.

*Motion to endorse plan entitled "Landscaping Alternative – Emeritus at Franklin, 656 King Street" dated February 19, 2014 and revised through May 6, 2014 by Guerriere & Halnon, Inc.. Halligan. Second: Carroll. Vote: 4-0-0*

**C. Approval of Meeting Minutes:** April 7, 2014

Chairman Padula asked if there were any additions or deletions to the meeting minutes submitted for April 7, 2014. There was no comment from the Board.

*Motion to approve the meeting minutes for April 7, 2014. David. Second: Carroll. Vote: 4-0-0*

**D. Approval of Meeting Minutes:** April 28, 2014

Chairman Padula asked if there were any additions or deletions to the meeting minutes submitted for April 28, 2014. There was no comment from the Board.

**Motion to approve the meeting minutes for April 28, 2014. Carroll. Second: David. Vote: 4-0-0**

**7:15 PM**      **PUBLIC HEARING** – *Initial*      *Adv.: Apr. 28, 2014 & May 5, 2014*  
***Bogan Estates***      *Abut.: April 23, 2014*  
 Washington Street  
 Definitive Subdivision

*Documents Presented to the Board:*

1. *Letter dated May 8, 2014 from the DPW to the Board*
2. *Letter dated May 8, 2014 from the DPCD to the Board*
3. *Letter dated May 6, 2014 from the Board of Health to the Board*
4. *Form C – Application for Approval of a Definitive Plan received April 22, 2014*
5. *Form R – Subdivision Waiver Request (Five (5) total)*
6. *Certificate of Ownership (Two (2) total)*
7. *Stopping Site Distance explanation*
8. *Abutter's List Request Form received April 16, 2014*
9. *Certified Abutter's List received April 16, 2014*
10. *Public Hearing Notice*
11. *Legal Ad*
12. *Plan set dated April 8, 2014 entitled "Bogan Estates Definitive Subdivision" by Guerriere and Halnon, Inc. of Franklin, MA*

**Motion to waive the reading for Bogan Estates. Halligan. Second: Carroll. Vote 4-0-0**

Mr. Don Neilsen of Guerriere and Halnon, Inc. introduced himself as the Applicant's Engineer. He stated that a preliminary plan was approved on February 24, 2014 and endorsed on April 7, 2014 by the Board. However, there are proposed changes from the approved plan. This includes the relocation of the access road to the North side of the site to enhance sight distance. This road is the same length as the original with similar drainage. The plan proposed the same number of lots; one (1) 81-P lot which is not part of sub-division, three (3) single family lots, and one (1) non-buildable lot for drainage. He stated that percolation tests were performed with the Board of Health. Also, test pits were performed for drainage; however Mr. Maglio has requested that one (1) additional is performed. He added that wells are shown on the plan he and will approach the Town Council regarding a water extension. He stated that several waivers were requested including; construct one (1) sidewalk where two (2) are required on both sides of the road, to install vertical granite curbing in lieu of slant granite curbing, reduce pavement width from 26' to 24', to fill 5' above or below road grade, and to allow stormwater drainage components to be located on a separate lot not conforming to zoning requirements. He further discussed the lots sizes and stated that in regards to requirements zoning by-laws, there could be additional lots proposed on site if the Applicant wished; however they have chosen this option. One section of a lot is in a water resource district; however the 2-3% coverage falls below the requirements of the ZBA hearing process.

The Board provided no comment.

Mr. Maglio stated that the DPW recently obtained traffic data in the vicinity of the site which warrants the sight distance to be assessed at 500'. Also, he asked that the driveway access for the ANR lot is relocated to the subdivision road. He added that the cul-de-sac radius should be reduced to a 45' radius to meet current standards. He would also like the sidewalk to end at the driveway. He would like an additional test pit and the associated report data. Mr. Neilsen and the Applicant stated that the ANR lot driveway relocation would not be an issue. Mr. Neilsen needs to research if the sight distance will work and the ANR lot driveway relocation. The Applicant stated that he has no issue with the relocation of the ANR lot driveway relocation.

Ms. Dahlstrom stated the plan shows wells and septic on the properties which need to be coordinated with the Board of Health to ensure proper procedures are followed for obtaining permits. Also, the Applicant will need to file a Street Name Approval Form prior to plan endorsement. The DPCD recommends continuing the public hearing until the above issues are resolved.

***Motion to continue the public hearing for Bogan Estates until June 2, 2014 at 7:30pm. Carroll. Second: David. Vote: 4-0-0***

**7:30PM**      **PUBLIC HEARING** – *Initial*      *Adv.: Apr. 28, 2014 & May 5, 2014*  
                  ***Mount View Farms***                      *Abut.: April 23, 2014*  
                  880 Upper Union Street  
                  Subdivision Modification

*Documents Presented to the Board:*

1. Letter dated May 8, 2014 from the DPW to the Board
2. Letter dated May 7, 2014 from the DPCD to the Board
3. Letter dated May 6, 2014 from the Board of Health
4. Form C-1 – Application for Approval of Modification Plan received April 22, 2014
5. Certificate of Ownership received April 22, 2014
6. Abutter's List Request Form received April 22, 2014
7. Certified Abutter's List received April 22, 2014
8. Public Hearing Notice
9. Legal Ad
10. Plan set dated April 2, 2014 entitled "Mount View Farms" by Frank O. Waterman of Blackstone, MA

***Motion to waive the reading. Halligan. Second: Carroll. Vote: 4-0-0***

Mr. Bruce Wilson of Frank O. Waterman Associates introduced himself as a representative for the Applicant, Mr. John Marguerite. He stated that a private subdivision was approved for the site in 2007 and the Applicant is now requesting an additional lot. He stated that the private road is currently 12' wide and Mr. Maglio asked that an additional 6' are required.

Mr. Wilson stated that there is a private well and sewer, with no new impact to the street. He added that additional pavement will need to be taken into account for drainage. Also, the drainage ditch may need to be expanded. He is looking for input from the Board in regards to what else needs to be performed on site for approval.

Chairman Padula stated that he was on the Board when the plan was approved in 2007 based on a hardship for a private roadway, cul-de-sac, and one (1) lot only; as the Applicant could not show a conforming subdivision. He stated that now the Applicant is proposing a two (2) lot subdivision. He stated that regulations must be followed to show a conforming private road and subdivision. He added that the private road is not completed as approved in 2007. The parties discussed drainage options; however there is no original drainage report. Mr. Wilson stated that Mr. Marguerite would share the expense of maintaining the street and the same waivers will be requested as in 2007.

Mr. Maglio stated that based on the limited information submitted, the roadway shall be a minimum of 18' wide, the roadway and drainage should remain private, drainage calculations are required, and a long-term management plan should be provided for drainage. Chairman Padula asked if 18' wide is the Town's minimum standard. Mr. Maglio stated that this is the AASHTO standard minimum. Chairman Padula stated that this is not in the Town's by-laws.

Ms. Dahlstrom stated that based on the limited information submitted, the Applicant must submit a separate Form R for any waivers being sought and the Applicant will need to provide a stormwater management report. The DPCD recommends continuing the public hearing until the above information is received.

Mr. Carroll asked if a fire hydrant would be installed. Mr. Marguerite stated there is one located at the end of the road and one of the waivers would be to eliminate the fire hydrant on site.

Chairman Padula asked that a copy of all waivers that were approved in 2007 are provided with the next submission.

Mr. Halligan asked if anyone in the past had come for this same application and been denied. Chairman Padula stated no. There was consideration given for a hardship for one (1) lot.

Mr. Halligan asked if an 18' wide private way has been approved in the past. Chairman Padula stated yes for a private way; however this is a subdivision. He asked that a conforming subdivision to be shown for the property. The Applicant stated that the closet hydrant will be provided.

The Applicant asked how to submit as a private way and comply with general laws. Chairman Padula stated that there are not separate laws for a private way. When it's granted, there is a covenant that states the Applicant will maintain the road which comes with the approval of the plan. Mr. Marguerite asked how he would submit for a covenant. Chairman Padula stated that you don't until the subdivision is approved that meets all requirements of the by-laws. He reminded that the Fire Chief has to sign off on the plan and this should be treated as a new application for a subdivision. Mr. Marguerite stated that he is willing to upgrade the existing private way without submitting a new subdivision since the lots, sewer, and drainage are in place. He added that he will install the previously approved curbing.

***Motion to open the public hearing for 648-652 Old West Central Street to be continued at the conclusion of the public hearing for Mount View Farms. Halligan. Second: Carroll. Vote: 4-0-0***

Mr. Marguerite asked if there was a way to work with the Town Engineer to work on the project. Mr. Wilson stated that technically the second lot would be submitted as an 81-P if the original

site plan was built as approved. Chairman Padula disagreed because there were stipulations in the approval for one (1) lot only since he could not meet subdivision regulations. Chairman Padula stated that it is up to the Board as how to proceed. Ms. Dahlstrom stated that the application on file can be submitted; however it is insufficient for all Departments and Boards to review. In order for another lot to comply, there are health and safety issues that need to be addressed. She suggested that Mr. Williams reviews the submittal and does not feel that Mr. Maglio should review the plan with them as that is not the proper way to make a submission. Mr. Halligan asked if the Board could provide direction to the Applicant. Ms. Dahlstrom stated that anything other than standard regulations require waivers and that nothing from the previous applications stands, as it's a whole new application. Mr. Halligan asked if Mr. Williams has reviewed plans in past projects. Ms. Dahlstrom stated yes and confirmed that they must complete the submission including waivers, safety issues, and a drainage report.

***Motion to continue the public hearing for Mount View Farms until June 2, 2014 at 7:45pm. Carroll. Second: David. Vote: 4-0-0***

**7:45 PM**      **PUBLIC HEARING** – *Continued*    *Adv.: March 3, 2014 & March 10, 2014*  
**648-652 Old West Central Street**    *Abut.: February 26, 2014*  
 (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 May 8, 2014 from the DPCD to the Board*
2. *Letter dated May 8, 2014 from the DPW to the Board*
3. *Letter dated May 12, 2014 from GZA Environmental, Inc. to the Board*
4. *Letter dated April 1, 2014 from the Police Department to the Board*
5. *Memorandum dated May 12, 2014 from Kim Hazarvartian of TEPP LLC in Salem, NH to the Board*
6. *Zoning Board of Appeals Decision #1 Notice received May 28, 2014 to Deborah Pellegri, Town Clerk*
7. *Zoning Board of Appeals Decision #2 Notice received May 28, 2014 to Deborah Pellegri, Town Clerk*
8. *Letter #1 dated May 7, 2014 from Mr. Austin Turner of Bohler Engineering in Southborough, MA to the Board*
9. *Letter #2 dated May 7, 2014 from Mr. Austin Turner of Bohler Engineering in Southborough, MA to the Board*
10. *Letter #3 dated May 7, 2014 from Mr. Austin Turner of Bohler Engineering in Southborough, MA to the Board*
11. *Letter dated April 24, 2014 from Ron Mueller & Associates of Hopkinton, MA to Mr. Jonathan Gulliver of MassDOT District 3*
12. *Design Review Decision April 22, 2014*

13. *Supplement to the Design Review Decision April 22, 2014*
14. *Design Review Decision March 25, 2014*
15. *Letter dated February 28, 2014 from the Fire Department to the Board*
16. *Letter dated March 18, 2014 from the Board of Health to the Board*
17. *Letter dated March 19, 2014 from Charles Burkert of Cedar Realty Trust and its subsidiary, CSC Franklin Village LP to the Board*
18. *Letter dated March 13, 2014 from Antonio Pinto of Pinto Realty Estate to the Board*
19. *Letter dated February 20, 2014 from Richard Cornetta, Jr. of Cornetta, Ficco, & Simmler, P.C. to the Board*
20. *Email dated March 31, 2014 from Mr. Mike Maglio to Ms. Beth Dahlstrom*
21. *Application for a Site Plan and Special Permits (2) received February 20, 2014*
22. *Memorandum in Support of and Application for Special Permit (Allowance of Impervious Coverage) received February 20, 2014*
23. *Memorandum in Support of and Application for Special Permit (Allowance of a Vehicle Service Establishment) received February 20, 2014*
24. *Certification of Ownership received February 20, 2014 (2 total)*
25. *Quitclaim Deed received February 20, 2014 (2 total)*
26. *Unofficial Property Records received February 20, 2014 (3 total)*
27. *Abutter's List Request Form received February 20, 2014*
28. *Abutters List*
29. *Public Hearing Notice*
30. *Legal Ad*
31. *Letter dated March 25, 2014 to Mr. Jonathan Gulliver of MassDOT from Ms. Anne Jordan on behalf of the Old West Central Street Residents*
32. *Drawing sheet entitled "Drive Up Window Queuing" dated February 17, 2014 by Bohler Engineering of Southborough, MA*
33. *Drawing Set entitled "Site Development Plans for Lisciotti Development 648 Old West Central Street" dated February 17, 2014 and revised through May 7, 2014 by Bohler Engineering of Southborough, MA*
34. *Traffic Impact and Access Study dated February 12, 2014 by Ron Mueller & Associates*
35. *Weekday Parking Demand schedule by Ron Mueller & Associates received May 7, 2014*
36. *Saturday Parking Demand schedule by Ron Mueller & Associates received May 7, 2014*
37. *Environmental Notification Form dated February 18, 2014 by Bohler Engineering*
38. *Drainage Report dated February 20, 2014 by Bohler Engineering*



Mr. Richard Cornetta, Jr. of Cornetta, Ficco, & Simmler, P.C. introduced 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, and Mr. Ron Mueller of Ron Mueller & Associates, project traffic engineer.

Mr. Cornetta stated that the ZBA granted two (2) variances on April 24, 2014 including a reduction of sight distance on Old West Central Street from 400' down to 250' and distance between driveways from 150' down to 70'. He added that the Design Review Commission provided letters of recommendations for elevations, landscaping, and lighting. He reminded that Board that at the last meeting, an independent traffic consultant was hired by the Board and agreed upon by the Applicant who has provided a review letter provided. Also, the Applicant stated that the project has received a MEPA approval. Mr. Cornetta stated that the Engineers have met with Mr. Maglio several times to review concerns from his review letter in a good faith effort to address them. He added that at plan change includes a special permit for impervious coverage exceeding the 80% on site so that the special permit is not required even though the Board does not like the pavers.

Mr. Maglio stated that the loading area shown for larger trucks conflicts with available parking and recommended restrictions on delivery hours. Also, the plans reference that "Significant snow accumulations to be removed off site" and stated that "Significant" requires definition on the plans. Also, he does not approve of the pervious pavers in the parking area around the catch basins as it will affect drainage. Mr. Maglio added that his previous concerns with the site soil conditions and infiltration rates have not been addressed and must be determined by a licensed soil evaluator in accordance with NRCS methods. Therefore, all drainage comments are outstanding.

***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: 4-0-0***

Chairman Padula stated that the Applicant is proposing HDPE pipe. Mr. Maglio stated that the regulations require reinforced concrete pipe with 42" of cover.

Ms. Dahlstrom stated that there are several comments from her previous review letter that have not been addressed. These include that two (2) additional parking spaces are required the separate enterprises which brings the total number of required spaces to 24 in lieu of 22 and similar comments as to Mr. Maglio's snow removal concerns. She added that there are consistency issues on the plans. She would like to discuss the hours of operations for the VSC, trash collection, and deliveries. Also, the criteria for special permits will need to be read into the record.

Mr. Williams questioned the sight distance methods used and asked that the correct number of parking spaces are shown as Ms. Dahlstrom stated. He stated that there are concerns with the loading areas within the existing parking spaces and conditions are required to avoid conflict. His prior comments in regards to the water/sewer lines and Siamese connection were not addressed. He also agrees with Mr. Maglio regarding the snow removal concerns. He added that the retaining wall sub-drain is close to the infiltration areas so it's location needs to be clarified

so show where it will discharge. He also has concerns with the calculations similar to Mr. Maglio.

Chairman Padula asked if the Board had to hire a licensed soil evaluator. Mr. Maglio stated no, that the Applicant will hire one and the Departments will review the reports. Chairman Padula asked if Mr. Williams was referring to the retaining wall at the abutter's property line. Mr. Williams stated yes.

Mr. Halligan stated that he is not fond of pavers and prefers the special permit for impervious coverage. He asked if the outdoor seating was calculated in the parking lots. Ms. Dahlstrom stated that they are in her calculation; however it is a matter of opinion. Mr. Halligan agreed that they should be included. He added that the rear exit is still a concern. Mr. Halligan questioned how the Applicant received MEPA approval without Board approval of the site. Mr. Williams stated that it is not approval, it's an information process and anyone can then file comments. Then MEPA will state they've met requirements of the information process to further peruse State permits.

Mr. Rondeau asked if the fence at the outdoor seating area will obstruct the site distance. Mr. Turner stated they are slatted which will allow for adequate site distance.

Mr. Carroll asked if the Old West Central Street driveway could be eliminated, as he foresees issues regarding its use as cut-thru location. Also, he feels it would allow more room on site. Chairman Padula agreed and stated that he feels this driveway is the one (1) major issue with this site and discussed his traffic concerns. He added that considerations with a special permit are safety and vehicular traffic within the site.

Mr. Cornetta stated that this issue was discussed at the ZBA and believes it is a safe access point and provide for better internal circulation. He stated that the traffic consultant will explain why it would eliminate unnecessary trips that will occur at the intersection. Chairman Padula disagreed, stating that it will provide a longer queuing lane. MassDOT prefers the additional entrance point. Mr. Mueller stated that the driveway is important and its elimination would require a right in, right out only on Route 140. He feels that the driveway eliminates u-turn delays and cut-thru traffic. He added that the traffic data distribution shows that 20% of the traffic for the site will come from Old West Central Street, which would have to use the intersection if the driveway was removed. Also, truck deliveries need the entrance, as tractor trailers can't make a u-turn. Chairman Padula stated that the Applicant advised the Board previously that all deliveries would be made via a box truck. Mr. Mueller stated that is correct, however the entrance was designed to accommodate a tractor trailer truck. The driveway can exceed sight distance requirements. He added that there are a number of safety enhancements for the site and adjacent uses. He feels the entrance is vitally important for site to function properly and reduce impact at the intersection. Chairman Padula stated during rush hour, this entrance would be very busy. Mr. Mueller stated that the traffic data considered these critical times and proved that it does work safely and efficiently. Mr. Halligan asked if Mr. Mueller has studied similar Starbucks with locations close to the highway. Mr. Mueller stated yes as the closest representation is in Walpole at Route 1 and Route 27 which had a maximum of 10 cars in que. He added that the national studies recommended 10 cars and the Franklin site can accommodate 11.

Mr. Halligan noted that some locations are built without driveways. He asked Mr. Mueller as a licensed, practicing traffic engineer, does he feel that this is a trouble-free site plan for what is applied for. Mr. Mueller responded that he is very comfortable with length of the drive-thru que. He agrees that there is a lot going on at the site but feels that it's similar to other buildings on Route 140 such as the DCU bank. Mr. Halligan stated that this is not the same drive-thru but Mr. Mueller feels the traffic movement conflicts are similar. Mr. Halligan asked if he would stamp this plan for approval and Mr. Mueller replied yes.

Mr. Carroll asked if it would be a great hardship to close the driveway. Mr. Cornetta stated yes and the site will be compromised. Chairman Padula added that the State is concerned about state highway traffic so they will support the means of egress, as they are not concerted with the Town's roadways. Mr. Lisciotti stated that without the rear exit there are no tenants. Mr. Halligan asked if there are there two (2) means of egress in Walpole. Mr. Mueller stated no, as it is in a shopping center. Mr. Halligan asked if there are any Starbucks with this scenario. Mr. Mueller stated not that he has studied.

Mr. Kim Hazarvartian of TEPP LLL stated that he conducted the independent traffic review of the site plan and provided a memorandum to the Board. He added that he attended the ZBA hearings and performed multiple field assessments during peak hours. He continued to review the memorandum which included scope, location, conditions, and general comments of the traffic impact and access study (TIAS). He stated that TIAS substantially comports with applicable professional practice, the extent of the TIAS study area is adequate, site-traffic volumes at the study-area limits are not so high that the study area needs be expanded, and that TIAS does not include accidents along Old West Central Street between West Central Street and Pond Street. He added that he checked the Massachusetts Department of Transportation (MassDOT) accident records and did not find a significant accident history; however the Applicant should confirm this. In regards to the Central Street / Old West Central Street / Franklin Village driveway signalized intersection, he stated that the TIAS analyzed that the existing Central Street eastbound left-turn queues do not fit within the existing storage lane. The MassDOT could consider extending green time for this movement. He added that the Applicant did look into this signal extension with MassDOT, which should be pursued.

In regards to the Old West Central Street driveway, Mr. Hazarvartian stated that the proposed sight distances are at least 285', which is adequate and appears achievable. However, there are numerous trees that may pose an issue. He recommends preserving these sight distances by controlling vegetation and with appropriate snow removal on and off the site. He suggested that the Applicant increase the corner radii of the Old West Central Street/proposed driveway intersection as practicable, as they are 6'-10'. Typically, driveway intersections permitted by MassDOT frequently have radii of 30', although he added that he does not feel that a full 30' is required at this particular driveway intersection.

Mr. Hazarvartian stated that the Applicant should respond to the potential for a left-turn lane on the Old West Central Street westbound approach to the proposed driveway intersection, including advantages, disadvantages and practicability. He stated that the Old West Central Street/proposed driveway intersection location is adequate in terms of traffic operations and safety. However, the Applicant should respond to the concept of a single driveway shared with

the existing office development to the east. Such a single shared driveway could be desirable, but not required, for access management along Old West Central Street. Site distances are adequate.

Mr. Hazarvartian stated that the proposed site plan does provide for general traffic circulation, drive-thru queuing and parking movements and is adequate; however the proposed site is tight, particularly near its northeast corner and the Old Central Street driveway. He stated that the proposed driveway throat, to separate Old West Central Street and the drive-thru lane, is about one car length long. The proposed corner radii are 6'-10' between Old West Central Street and the drive-thru lane which fits a passenger car, which encompasses a larger sized vehicle. He stated that the box truck does not make this u-turn. He suggested easing the radii. He stated that traffic will enter the site, exit the site, enter the drive-thru lane and make parking movements in close proximity. He added that Applicant should respond if measures are practicable and available to desirably further separate traffic conflicts on the site. It does provide the room for movements but there is room for improvement. In addition, he suggested the following; provide a well-defined plan to monitor and manage drive-thru operations, particularly if longer queues than anticipated develop, provide a well-defined plan to monitor and address parking since it's tight, and provide a well-defined plan for snow removal, to ensure driveway sight distances, drive-thru operations, on-site traffic circulation and parking.

Chairman Padula asked if patrons using the drive-thru and Old West Central Street driveway would create a bottle neck. Mr. Hazarvartian responded that the volumes on site are not sufficient for long term bottle neck. He explained that the morning peak hours yield around 200 vehicles in one hour which is an average of 3-4 per minute. Since they are using 3 directions, there is enough time and not a steady stream. He did add a recommendation that the drive-thru exit stop signs should be relocated so that Route 140 vehicles have the right of way.

Mr. Halligan asked in Mr. Hazarvartian's expert opinion was he comfortable with the queuing at Starbucks. Mr. Hazarvartian replied that with the information given and his experience with these types of sites he is, however things can change in the future. Mr. Halligan asked for today only and he replied yes. In regards to the shared driveway, Mr. Halligan added that it is not fair to depend on another site for approval and this site should be treated as an independent site to work on it's own. He asked Mr. Hazarvartian as a licensed, practicing traffic engineer, does it work and is it safe. Mr. Hazarvartian replied that the site is safe as shown with adequate sight distance and room for everything to happen, but it is tight. Mr. Halligan asked if Mr. Hazarvartian could put a stamp on it, would he approve it. Mr. Hazarvartian stated that he would have to look at more detail but based on what is shown, the site distances work but the radii need to be increased. He added that the parts are there and it works.

Ms. Sarah Brady, an abutter of the site, stated that she rents the adjacent property. She is concerned with the impervious coverage and her location downhill from the site. She is also concerned with bedroom windows overlooking the drive-thru. She originally did not agree with the re-zoning of the area as commercial development but understood that was the direction that the Town was going in. She added that the Board stated that they would make sure the quality of life was not affected. She is concerned with the queuing cars outside the bedroom windows, which could be a child's room. She added that Franklin's master plan pushes properties that are rentable and affordable and that she would accept the project if the drive-thru was eliminated. In the re-zoning process, she did not know that a drive-thru would be proposed. She stated that the area are listed in the master plan as the most accident prone area in Town. Also, according to her

conversations with the ZBA chairman, if this creates more traffic she will have to re-locate her driveway. She is also concerned with the truck traffic and the residential area. She has a major issue with the drive-thru.

Chairman Padula stated that the Town Engineer is working on the retaining wall between the sites to mitigate discharge. Mr. Maglio stated that a cut off wall was not designed and has not been detailed. He added that there are many outstanding comments regarding drainage. Chairman Padula stated that this needs to be addressed. He added that the Town Council approved the zoning change and the Board just recommended it. He said that she was present at that meeting. Ms. Brady stated that at that time, she asked that they keep in mind that they are residential and abutters in the past have fought with petitions. Chairman Padula stated that she agreed to be included within the zoning change. Ms. Brady stated that she did not know that there was an option not to be. Mr. Halligan asked if it was a two-family with two driveways. She stated yes. Mr. Halligan stated that the Applicant's property line crosses her driveway. Ms. Brady stated that this was a pre-existing to when she bought the property. She said this has been an issue in the past. Mr. Halligan stated that she owns half of her driveway and she will retain the entire use of her existing driveway. She stated that she has considered this.

***Motion to continue the public hearing for 648-652 Old West Central Street to June 2, 2014 at 8:00 PM. Halligan. Second: Carroll. Vote: 4-0-0***

**8:00 PM      PUBLIC HEARING – Continued    Adv.: Feb.24, 2014 & March 3, 2014**  
**14 Ruggles Street                            Abut.: Feb. 19, 2014**  
 Site Plan and Special Permit

*Documents Presented to the Board:*

1. Letter dated May 12, 2014 from Mr. Dana Franco to the Board
2. Letter dated May 8, 2014 from the Fire Department to the Board
3. Letter dated May 6, 2014 from the Board of Health to the Board
4. Letter dated May 18, 2014 from the Board of Health to the Board
5. Letter dated April 24, 2014 from the DPW to the Board
6. Letter dated March 26, 2014 from Ms. Christine Symmes to the Board
7. Letter dated March 5, 2014 from the Building Department to the Board
8. Letter dated March 4, 2014 from GZA Environmental, Inc. to the Board
9. Email dated March 5, 2014 from Tia Ristaino-Siegel to the Board
10. Letter dated February 24, 2014 from the Fire Department to the Board
11. Design Review Commission record decision dated February 25, 2014
12. Design Review Commission approved drawing sheets and product cut sheets
13. General list of Permits and Comment from the Applicant received February 6, 2014
14. Application of a Site Plan and Special Permits (s) received February 6, 2014
15. Request for Special Permit Application from the Applicant received February 6, 2014
16. Certificate of Ownership received February 6, 2014
17. Quitclaim Deed fro 14 Ruggles Street received February 6, 2014
18. Form Q – Design Review Application received February 6, 2014
19. Application for a Special Permit received February 6, 2014
20. Abutters List Request Form
21. Abutter's List
22. Legal Ad

23. *Public Hearing Notice*
24. *Drawings set entitled "Ruggle Street Apts" dated August 3, 2013 thorough September 23, 2013 by AD Architect*
25. *Drawing set entitled "Site Plan 14 Ruggles Street" dated November 12, 2013 through February 25, 2014 by Guerriere & Halnon, Inc.*
26. *Drawing entitled "Grading, Utility, & Landscaping Plan" dated November 12, 2013 through April 22, 2014 by Guerriere & Halnon, Inc.*

The Applicant, Mr. Dana Franco, submitted a letter to the Board dated May 12, 2014 in which he withdrew the application for site plan and special permit at 14 Ruggles Street without prejudice.

***Motion to accept the Applicant's request for withdrawal without prejudice at 14 Ruggles Street Halligan. Second: Carroll. Vote: 4-0-0***

***Motion made to adjourn. Carroll. Second: David. Vote: 4-0-0***

Respectfully Submitted,



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Liz Hoey  
Planning Board Secretary