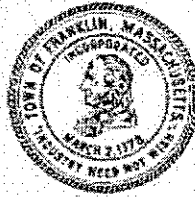


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Town of Franklin



Planning Board

**January 26, 2015
Meeting Minutes**

2015 MAR 16 AM 10:17

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 Wierling, Town Planner.

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

7:00 PM Commencement/General Business

A. Release of Covenant: 646 Old Farm Road (Lot 190, Meadowbrook Estates)

Ms. Wierling, Department of Planning and Community Development, stated she received a request from the attorney of the Law Offices of Heaney & Small, LLP. They have a client who is looking to sell his house and discovered that they have not had a release from the covenant on their lot from the Planning Board which is Lot 190 for 646 Old Farm Road. The subdivision was approved in 2000, and it appears that this portion of the road has not been accepted by the Town. However, after talking with the Town Attorney, he indicated that this should be no reason that the Planning Board would not release this lot as it appears as the work has been completed. Since the house is occupied that is an indication that the lots have long since been released by default.

***Motion for Release of Covenant: 646 Old Farm Road (Lot 190, Meadowbrook Estates).
Carroll. Second: David. Vote: 4-0-0***

B. Form H: Certification of Completion: 5 Forge Parkway

Ms. Wierling stated that BETA Group, Inc., did some site inspections and indicated that the final inspections verify that the items on the plan have been completed including sidewalk work, electrical work, landscaping work, parking space markings. Some pictures for review have been included.

Chairman Padula stated that some of the pictures are marked incomplete. He asked if there were supposed to be shrubs for the screening of the transformer.

Mr. Don Nielsen, Engineer for Guerriere & Halnon, Inc., stated that there are pictures in the packet that were sent to the Planning Board that indicate the shrubs have been planted, and it is

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part of the Form H that has been submitted, as well. When the shrubs were not yet planted they were concerned with the landscaping not being completed, so they loamed, seeded and hydro-seeded and the landscaping is done and the shrubs are in place.

Ms. Wierling referenced that within the submitted packet there is a picture from BETA Group, Inc., of the transformer that shows no shrubbery, but then the picture from Mr. Nielson shows the shrubs have been installed.

Motion to approve Form H: Certification of Completion: 5 Forge Parkway. Halligan. Second: Carroll. Vote: 4-0-0

C. Limited Site Plan Modification: 26-28 West Central Street, East Coast Driving School

Mr. Don Nielsen and Mr. Joseph Evans, Applicant and Owner of East Coast Driving School, introduced themselves. Mr. Nielsen said they were requesting limited site plan modification for purposes of change of use. The site was formerly Rick's Restaurant. East Coast Driving School is presently located on East Central Street, and they are working with Mr. French to relocate to this location. They anticipate that they will have classrooms with classes held for children to obtain licenses. There are office spaces to the rear. The office space to the front of the building will manage the children that come for schooling. This site is in the center of Town in the Downtown Commercial Zoning District with 36 parking spaces on site which is enough to accommodate the use. Primarily, children that will be coming there will be dropped off and picked up by parents. Will do improvements to inside of building and if they choose to do improvements outside of building, including signs, will go before Design Review Commission.

Chairman Padula asked if they would come back to Planning Board if they were to do anything to the exterior of the building.

Mr. Nielsen stated they were only thinking of painting the exterior of the building.

Mr. Halligan stated that the Planning Board did not want to incur any problems as happened with another building across the street in which the Planning Board did not approve the exterior colors on the limited site plan. Would like the colors that are currently on the building to be approved as part of the limited site plan, and if the exterior colors are going to be changed, have to come back to the Planning Board for approval.

Chairman Padula clarified that Design Review Commission is a recommending committee to the Planning Board.

Mr. Evans stated that he would probably change the exterior colors of the building.

Ms. Wierling confirmed that the change in color would come back to the Planning Board as a discussion item.

Chairman Padula stated that this would be one of the conditions of approval.

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Ms. Wierling confirmed that if there are any changes to the exterior of the building such as paint colors, façade changes or landscaping it must be included and reviewed again by the Planning Board. Signs need to go through Design Review Commission. Ms. Wierling stated she has spoken to Mr. Nielsen about lighting that is being repaired and new lighting proposed. If the lighting is not being utilized currently, what will the impact on adjacent sites be when it is used again. When it was approved previously it was older-style lighting, so the spillage onto adjacent properties is something that should be questioned.

Chairman Padula indicated he is not concerned with lighting spillage as the site is not abutting a neighborhood; it is abutting commercial properties.

Motion to approve Limited Site Plan Modification: 26-28 West Central Street, East Coast Driving School. Halligan. Second: Carroll. Discussion: Chairman Padula requested adding amendment to limited site plan modification indicating that if Applicant decides to change color of the building's exterior he will come back to the Planning Board. ***Vote: 4-0-0***

D. Approval of Meeting Minutes: November 20, 2014 & December 15, 2014

Chairman Padula asked if there were any additions or deletions to the meeting minutes submitted for November 20, 2014. There was no comment from the Board.

Motion to approve the Meeting Minutes for November 20, 2014. Carroll. Second: David. Vote: 4-0-0

Chairman Padula asked if there were any additions or deletions to the meeting minutes submitted for December 15, 2014. There was no comment from the Board.

Motion to approve the Meeting Minutes for December 15, 2014. Carroll. Second: David. Vote: 4-0-0

E. Discussion: Field Change, Swahn Estates

Chairman Padula recused himself.

Mr. Don Nielsen and Jeff Swahn, Applicant, introduced themselves. Mr. Nielsen discussed the As-Built and the Form H relative to the construction of Swahn Estates. Private driveway approved by Planning Board in 2013. As part of the As-Built it was indicated that the roadway profile was not exactly as required by the approved design. High point of roadway construction prevents approved drainage swale from properly capturing runoff from the roadway. Water cannot leave the road and stays trapped. Mike Maglio, Town Engineer, and Matt Crowley, Engineer from Beta Group, made inspection and looked at process to provide possible solution. Mr. Nielsen said they would like to extend swale another 45 feet. With the extension, based on the As-Built and grading, will be able to drain all water from the pavement and driveway will perform the way it was designed. He stated they did not want to do this activity without providing notification to the Planning Board. The Engineers' general consensus is to extend swale up the left-hand side of driveway. Work still needs to be done on the sidewalk apron and minor landscaping and seeding.

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Mr. Halligan asked for the reason that it did not work as planned.

Mr. Nielsen stated it was an error in construction.

Mr. Halligan referenced the end of the road concern with the apron and said it did not meet ADA standards.

Mr. Nielsen said this was noted in the Form H as well. They would like to fix the drainage now to make it safe from ice. The apron will be done in April with better weather.

Ms. Wierling stated both Town Engineer and Consulting Engineer have agreed solution being presented is sufficient and approve it being a field change. Form H must be submitted. Ms. Wierling would like to confirm that Planning Board approves signing off on Occupancy Permit.

Motion to approve Field Change, Swahn Estates. Carroll. Second: David. Vote: 4-0-0

7:15 PM **PUBLIC HEARING** – *Continued*
505 West Central Street – Lot 1
Midas Auto Service & Tires
Special Permit & Site Plan Modification

Motion to open the public hearing and continue the public hearing for Midas Auto Services & Tires to February 9, 2015, at 7:15 PM. Carroll. Second: David. Vote: 4-0-0

Motion made to adjourn. Carroll. Second: David. Vote: 4-0-0. Meeting adjourned at 7:23 PM.

Respectfully submitted,



Judith Lizardi
Recording Secretary