

DRAFT FOR REVIEW

Town of Franklin



Planning Board

TOWN OF FRANKLIN
TOWN CLERK

2015 SEP 29 AM 10:14

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**September 14, 2015
Meeting Minutes**

Chairman Anthony Padula called the above-captioned meeting to order this date at 7:00 PM. Members in attendance: Joseph Halligan, John Carroll, Gregory Ballarino, William David, Alternate Gregory Rondeau. Also present: Beth Wierling, Town Planner; Michael Maglio, Town Engineer; Bryan Taberner, Director, Planning and Community Development; Jeff Nutting, Town Administrator; Gus Brown, Building Commissioner; Philip Paradis, BETA Group, Inc.

7:00 PM Commencement/General Business

Chairman Padula announced the meeting would be video and audio recorded for the public's information.

A. Acceptance of Meeting Minutes: August 10, 2015

Motion to Approve the August 10, 2015 meeting minutes. Ballarino. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

B. Endorsement: Site Plan Modification, Phase II – 400 East Central Street – Planet Chrysler Jeep Dodge Ram

Mr. Halligan recused himself.

Beth Wierling, Town Planner, stated the "Phase II Site Plan Modification – Planet Chrysler Jeep Dodge Ram" is being presented for endorsement. The Planning Board approved the Site Plan with Standard and Special Conditions at the August 10, 2015 Planning Board meeting. All issues have been addressed and endorsement recommended.

Motion to Endorse Site Plan Modification, Phase II for 400 East Central Street – Planet Chrysler Jeep Dodge Ram. Carroll. Second: Ballarino. Discussion: Chairman Padula stated he had spoken with the zoning enforcement agent today and there is a punch list; they are using the parking lot, the screening and fencing is not up, and the stumps were not taken out. This should be remedied. *Vote: 4-0-0 (4-Yes; 0-No).*

Chairman Padula requested a recess for fifteen minutes. Motion to Recess. Carroll. Second: Ballarino. Vote: 4-0-0 (4-Yes; 0-No).

Mr. Halligan reentered the meeting.

7:15 PM **PUBLIC HEARING**
300 & 340 East Central Street
Special Permits (3) & Site Plan

DRAFT FOR REVIEW*Documents presented to the Planning Board:*

1. *Memorandum dated September 10, 2015 from Department of Planning and Community Development to Franklin Planning Board*
2. *Letter dated September 10, 2015 from Michael Maglio, Town Engineer, to Chairman Padula and Members of the Planning Board*
3. *Letter dated September 11, 2015 from Philip Paradis, BETA Group, Inc., to Chairman Padula, Franklin Planning Board*
4. *Letter dated September 3, 2015 from Conservation Commission to Mr. Donald Nielsen*
5. *Memorandum dated September 3, 2015 from Franklin Board of Health to Franklin Planning Board*
6. *Memorandum in Support of Application for Special Permit to Allow Establishment of a Convenience Store and Filling (Fueling) Station, Received August 21, 2015 by Town of Franklin Town Clerk*
7. *Memorandum in Support of Application for Special Permit to Allow Establishment of a Motor Vehicle Service Station, Received August 21, 2015 by Town of Franklin Town Clerk*
8. *Memorandum in Support of Application for Special Permit to Allow Establishment of a Shopping Center, Received August 21, 2015 by Town of Franklin Town Clerk*
9. *Application for Approval of a Site Plan – Form P Received by Planning August 18, 2015*
10. *Application for Special Permit to construct a 121,600 s.f. retail shopping center in the C2 Commercial Zone*
11. *Application for Special Permit to construct a 4,500 s.f. convenience store and fueling center in the C2 Commercial Zone*
12. *Application for Special Permit to construct a 2,371 s.f. automobile service center in the C2 Commercial Zone*
13. *Certificates of Ownership (2) Fax date August 12, 2015*
14. *Letter dated August 14, 2015 from Wayne Morrill of Jones & Beach Engineers, Inc. to Franklin Planning Department*
15. *Deed dated December 24, 1998*
16. *Ground Lease between Ficco's Bowladrome and Franklin MA Properties, LLC dated October 25, 2013*
17. *Ground Lease between Keigan Family Trust, LLP and Franklin MA Properties II, LLC dated July 14, 2014*
18. *Letter of Authorization dated August 11, 2015*
19. *Letter of Authorization dated August 12, 2015*
20. *Letter of Authorization dated August 13, 2015*
21. *Abutters List Report dated August 11, 2015*
22. *CAI Property Card, 300 East Central Street, Town of Franklin, MA dated July 29 2015*
23. *CAI Property Card, 340 East Central Street, Town of Franklin, MA dated July 29 2015*
24. *Franklin Planning Board Public Hearing Notice Received June 23, 2015*
25. *Town of Franklin Zoning Board of Appeals Detailed Record and Decision September 24, 2014 for 340 East Central Street to be used for the construction, operation, maintenance and use of a gasoline filling station and the above ground storage of gasoline in excess of five hundred fifty (550) gallons within the Water Resources District*
26. *Town of Franklin Zoning Board of Appeals Detailed Record and Decision September 24, 2014 for 340 East Central Street to be used for the construction, operation, maintenance and use of a motor vehicle service or repair facility including the above ground storage of hazardous materials in excess of five hundred fifty (550) gallons within the Water Resources District*
27. *Drawing created by Poyant Signs, Inc., for 300 East Central Street with revision date June 30, 2015*
28. *Drawing created by Poyant Signs, Inc., for 340 East Central Street with revision date June 30, 2015*

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The three (3) Special Permits included: (1) to construct a shopping center with a total footprint of 40,000 square feet or greater, (2) to construct a filling station in the Commercial II Zoning District, (3) to construct a motor vehicle service/repair station in the Commercial II Zoning District.

Mr. Halligan recused himself.

Motion to Waive the reading. Carroll. Second: Ballarino. Vote: 4-0-0 (4-Yes; 0-No).

Chairman Padula activated Alternate Greg Rondeau.

Richard Cornetta, Attorney representing the two applicants, Franklin MA Properties, LLC, and Franklin MA Properties II, LLC, addressed the Planning Board. He introduced Wayne Morrill, Consulting Engineer, of Jones and Beach Engineers, Inc., and gave the Planning Board an overview of the existing conditions and the proposed development plan. The site is the former Ficco's Bowladrome and Keigan Chevrolet properties. The site is comprised of two separate lots. Collectively the combined development would be approximately 14.11 acres. It is proposed to develop both sites, but keeping a distinction between the two properties. Lots will not be combined although permitting and developing the lots as one; the lot lines will remain intact. All setbacks will have to be complied with as if it were two separate lots. Reasoning behind this is for leasing and contractual concerns with existing owners.

Proposal is for commercial retail shopping center with approximately fifteen buildings. There are planned improvements for travel ways for pedestrians and motor vehicles as well as a signalized intersection. One point of relief they are seeking is a MassDOT access permit as this is a MA highway. MassDot is reviewing traffic analysis at this time. After applicants hear back they will discuss traffic analysis with Planning Board. Applicants seeking three (3) special permits and site plan approval from Planning Board, filing Notice of Intent with Franklin Conservation Commission, and filing NOI with MA EPA. They have already acquired a number of variances from Zoning Board of Appeals. This is Commercial II Zoning District and also in the Water Resource District.

Mr. Cornetta stated that as a reference note, Lot 9 is the Keigan Chevrolet site and Lot 10 is the Ficco's Bowladrome site. Lot 9 is for the planned use of the filling station and the motor vehicle service facility; they have obtained variance. Lot 10 has the access drive that borders CVS; they have obtained variance. In addition, two variances from ZBA for free standing signage were obtained. Still need to go to Design Review. They have received comment letters from various departments including BETA Group and will be addressing those comments with their development team.

Wayne Morrill reviewed the site plan drawings. He stated on the Ficco site they will be removing the current building while on the Keigan site they will be keeping the existing building and utilizing it for future development. All parking will be shared with cross-connection between the two sites. Three driveways proposed. Large radiuses in driveways for ease of use for the trucks coming in and out. They are proposing 77% impervious coverage over the two lots. Two parking fields proposed: Ficco lot with 304 parking spaces, Keigan lot with 126 parking spaces, Bike racks also on site. Connection between the Keigan building and the Big Y is proposed. Drainage is handled by three underground infiltration systems: two on the Ficco lot, one on the Keigan lot. A fourth system will be proposed within the fueling station. All drainage on site is handled by catch basins. One detention pond behind building in the Ficco lot proposed. All properties will have fire and domestic water connections. Underground utilities for electric, cable and natural gas are proposed. Landscaping includes many plantings, large variety of ornamental trees, shrub, grasses and ground cover. Lighting will be 20 ft. high to cast down to ground and include wall mounted lights with shields. Applicants asking for two waivers from Planning Board: Section 11 stormwater management, and parking for the multi-uses on the site.

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Jeff Nutting, Town Administrator, stated they are working with developer to work out any easement language on the relocation of the water pipe in the entrance to the well field in the back. Easement will remain between Ficco's and Keigan, but it will be shifting slightly.

Ms. Wierling stated main comment regards parking and requested applicant provide additional details to determine how the uses will work with each other and sharing of the parking as applicant is asking for a reduction in the parking. Additional use details could result in the need for more or less parking needs for proposed buildings. Lighting issues are noted. Also, this is just a preliminary review by the Planning Department. As outstanding issues are resolved, there may be additional comments. Questioned if there was an error on the drawing sheets as three (3) pylon signs are noted, but ZBA only issued variance for two pylon signs—one on Lot 9, one on Lot 10.

Mr. Cornetta indicated this was not an error and he is working with the Building Commissioner on interpreting sign bylaw language to determine responsibilities of applicant. Considering an additional pylon sign exclusive to the service station.

Mike Maglio, Town Engineer, stated plans were reviewed and he had a number of comments, but based on size of project the applicant's engineer will probably be able to work through them. Key concerns included if applicant is working with MassDOT about the proposed traffic signal. Drainage for 100-year storm should be provided. Applicant must provide comparison of peak run-off volumes. Also, the summary table indicates that the total peak runoff rate for the 50-year storm exceeds pre-development levels. The project cannot increase the rate or volume of runoff from pre-development conditions. He recommended against storing snow inside the open stormwater basin at the rear of the site.

Philip Paradis, BETA Group, stated their letter identifies many comments. Concerns included how they located the seasonal high ground water elevation as it affects stormwater management of the site. This is a large project; recommended to sit down with applicant and make a plan as to how to address all concerns.

Mr. Cornetta agreed the engineers should get together to address issues and work to resolution.

In response to Planning Board comment, Mr. Morrill stated it had been thought to open connectivity with both Big Y and CVS, but it would be in violation with the Big Y as both establishments are selling the same type of product. One or the other had to be picked, so they selected Big Y.

Regarding the connection, Mr. Cornetta said some issues will have to be worked out contractually with Big Y and he will report back at a subsequent meeting.

Chairman Padula stated concern about removing snow off site as it is not common practice.

In response to questions by Planning Board, Mr. Morrill stated retention basin in rear of Keigan site will be checked for pollutants, and gas station will have containment system in case of spillage.

Chairman Padula stated in bylaw all drainage pipe is reinforced concrete pipe and if less than 42 inches require extra-heavy.

Motion to Continue the Public Hearing for 300 & 340 East Central Street to September 28, 2015 at 7:10 PM. Ballarino. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

7:30 PM **PUBLIC HEARING**
 150 Emmons Street
 Horace Mann Square

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Site Plan

Documents presented to the Planning Board:

1. *Design Review Commission Record of Decision with date of hearing September 8, 2015 for items addressed: site plan, landscaping and lighting*
2. *Design Review Commission Record of Decision with date of hearing September 8, 2015 for items addressed: façade and elevation*
3. *Memorandum dated September 9, 2015 from Department of Planning and Community Development to Franklin Planning Board*
4. *Letter dated September 9, 2015 from Michael Maglio, Town Engineer, to Chairman Padula and Members of the Planning Board*
5. *Memorandum dated September 3, 2015 from Franklin Board of Health to Franklin Planning Board*
6. *Letter dated September 11, 2015 from Philip Paradis, BETA Group, Inc., to Chairman Padula, Franklin Planning Board*
7. *Drawings by Landry Architects Received by Planning August 20, 2015*
8. *Franklin Planning Board Public Hearing Notice Received by Planning August 20, 2015*
9. *Letter dated August 19, 2015 from Donald Nielsen to Franklin Planning Board*
10. *Application for Approval of a Site Plan – Form P dated August 17, 2015*
11. *Certificate of Ownership dated August 17, 2015*
12. *Form Q – Town of Franklin Design Review Application*
13. *Abutters List Request Form Received Board of Assessors August 12, 2015*
14. *Abutters List Report dated August 13, 2015*
15. *Horace Mann Square & 150 Emmons Street, Franklin, MA plans by Guerriere & Halnon, Inc.*

Also in attendance: Lisa Piana, Executive Director, Franklin Downtown Partnership; Matt Kelly, Town Councilor; Tom Mercer, Town Councilor.

Mr. Halligan reentered the meeting.

Chairman Padula recused himself.

Motion to Waive the reading. Carroll. Second: Halligan. Vote: 4-0-0 (4-Yes; 0-No).

Richard Cornetta, Attorney representing the applicant introduced Roger Calarese, applicant; Donald Nielsen, Consulting Engineer of Guerriere & Halnon, Inc., and Patrick Dunford, Traffic Consultant of VHB.

Mr. Cornetta provided an overview and stated this is the site of the former Town Hall and Recreation Department. Property is 36,073 square feet. Existing structure will soon be vacant. As such, building will be taken down. Proposal is for 9,393 s.f. commercial retail building to be developed with associated paved parking area for 37 vehicles. Mr. Calarese has also agreed to develop a 4,025 s.f. park and green space area to serve as the site of the Horace Mann statue commissioned by the Town. Applicant is seeking site plan approval.

Donald Nielsen provided an overview of the site and green space area and discussed the plan design. He noted a considerable portion of the original town hall site has been eliminated to accommodate intersection improvements. He also noted the access to park and sidewalks. Proposal is to put in private well to be used for drip irrigation to maintain shrubs. Operational maintenance of park area will be done by Calarese Properties. Four (4) parking spaces dedicated to snow storage were noted on site plan. He stated that Design Review noted light spread onto adjacent property so post and height may be decreased.

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Mr. Calarese is trying to stay consistent with the lighting on Emmons Street. There are no parking spots required for this project as it is Downtown Commercial, but provided parking anyway.

Ms. Wierling stated the applicant has requested that the Planning Board vote to waive the traffic impact and access study by BETA Group and the fee associated with that.

Mr. Halligan said this is rather a unique situation as roads are being developed as a joint effort between the Town and the State. As such, any suggestions will have no bearing as Mr. Calarese will not be able to make any improvements to the roads as it is all determined by the Town and the State. Also, as a piece of property that does not even require parking, he questioned how a traffic study is done. Mr. Halligan stated he does not agree with an external traffic study, but would like to hear Mr. Dunford's statements.

Patrick Dunford addressed the board and provided a brief overview of traffic study done for this project. He relied heavily on information from Town's 2010 traffic study, and reviewed design plans. He did traffic counts and personally watched the traffic flow. Also, tried to look about seven years in future and adjusted traffic counts. A key component would be the variety of small retail shops. He used data from uses similar to this project and made assumptions based on the proposed uses. The focus is on safe and secure site access and not to create any undue traffic situations. There is lots of interaction with pedestrian traffic from schools and foot traffic. Impulse or pass by traffic is not creating additional traffic. Expect negligible delays waiting to exist site and only at peak times. With multiple access points will be able to spread traffic out and not expect delays. Not going to see big impact. Met with DPW and MassDOT, they are going to move line a few feet closer to site to allow through traffic to get around waiting vehicles. This only impacts a change in road striping. He sees no traffic concerns as ample parking and circulation should work effectively. As an engineer, there will be no impacts.

Jeff Nutting commented on the unknown conditions of traffic flow and stated he did not think additional traffic study is required.

Mr. Halligan asked BETA what type of calculations they could do just on the internal lot.

Mr. Paradis stated he does not disagree with the arguments presented, and he does not know what additional can be done to make this site more accessible.

Ms. Wierling asked if there was an estimate of the number of potential tenants at this site as that could impact the traffic access and circulation. The traffic study provided indicates the space is envisioned to include a coffee shop and general retail space, but there has been discussion about pizza shops and other uses. This would impact how things could happen at the site. Showing proposed area for delivery trucks and delivery plan could impact traffic access and circulation at the site. She requested applicant remove from the plan note that snow storage will be removed off site. In regards to light spillage, while abutting property owner may allow for spillage, it is not a good practice in Town. Therefore, it should be reduced ahead of time and shown on the plan. She also recommended review of fees to be discussed.

Mr. Maglio stated he had only a few comments which were mostly technical and for applicant's engineer. He wanted to note the Landscape Details call out "Brick Pavers, Concrete Unit Pavers, or Granite Pavers" for the park area. He strongly advised against using concrete unit pavers, especially if this area will have salt applied during the winter months, as they tend to deteriorate rather quickly.

Mr. Paradis stated he has little issue with the development. As was noted, improvements with stormwater being realized with Town and some technical paperwork items need to be corrected. Landscape items were addressed as well.

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Mr. Nielsen stated they would return to the next Planning Board meeting regarding reduced lighting spillage.

Mr. Nutting provided background of property and indicated there is a signed purchase and sale agreement. He stated he is very excited about this aesthetically and economically. There is a committee established for the statue and have worked with applicant on many of the items. He asked Planning Board for approval of this application.

Matthew Kelly, owner of building adjacent to the proposed development, addressed the Planning Board. He stated he has met with applicant and is very happy to have proposed development located next door. He has no problem with lighting spillage as the area tends to be dark at night; he looks forward to working with applicant to find solution to lighting problem. He stated he is eager to see development of the property and voiced support for project.

Jim Shultz, resident, asked if the green space area will have any accommodations for electrical and water for the public. Mr. Cornetta stated not that he is aware of. Mr. Shultz asked if the four parking spots that will be used for snow removal in the winter will impact the walking area between the abutting properties. Mr. Nielsen stated the actual plan is slightly different than the visual shown and there will be not impact. Mr. Shultz asked where the signage was going to be placed and the height of the proposed shrubs. Mr. Nielsen showed the proposed signage on the plans and stated the shrubs will be less than three feet.

Motion to Waive the fees for the peer review for the traffic study for the project. Carroll. Second: Ballarino. Vote: 4-0-0 (4-Yes; 0-No).

Mr. Halligan stated this public hearing will be continued to September 28, 2015 at 7:20 PM.

Motion to Continue the Public Hearing for 150 Emmons Street to September 28, 2015 at 7:20 PM. Carroll. Second: Ballarino. Vote: 4-0-0 (4-Yes; 0-No).

Chairman Padula reentered the meeting.

7:45 PM **PUBLIC HEARING** – *Continued*
 210 Grove Street
 Site Plan Modification

Documents presented to the Planning Board:

1. *Memorandum dated September 10, 2015 from Department of Planning and Community Development to Franklin Planning Board*
2. *Letter dated September 9, 2015 from Walter Lewinski, Engineering Design Consultants, Inc., to Planning Board Received by Planning September 8, 2015*
3. *Letter dated September 1, 2015 from Philip Paradis, BETA Group, Inc., to Chairman Padula, Franklin Planning Board*
4. *Letter dated September 9, 2015 from Philip Paradis, BETA Group, Inc., to Chairman Padula, Franklin Planning Board*

Peter Bemis, Engineering Design Consultants, addressed the Planning Board. He provided a revised plan for 210 Grove Street which addressed comments by BETA Group and provided additional detail on existing site conditions.

Mr. Paradis stated BETA Group provided letter on September 9, 2015 which addressed the revised plans.

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Mr. Bemis stated the item regarding catch basin hoods has been added to the plans, and all other items have been addressed.

Mr. Paradis commented on vegetation maintenance of the swales and invasive species on site. Also, an operation and maintenance plan required for the stormwater management system. Mr. Bemis stated it was on the plan, but not in the packet; it was \$2,500.00 annually.

Ms. Wierling stated applicant had addressed all comments. She stated Planning Board will need to provide a waiver of parking spaces. For Tenant One, applicant is requesting 50, whereas 89 spaces are required. For Tenant Two, applicant is requesting 63, whereas 108 spaces are required. A waiver is needed for total of 84 spaces short.

Mr. Bemis stated there were areas that parking could be expanded on site without rendering any more impervious, but historically there has not been any demand. If tenants have demand over spaces provided, he stated applicant will return to Planning Board for limited site plan modification.

Mr. Maglio stated all comments have been addressed.

Motion to Close the Public Hearing for 210 Grove Street. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve as a Waiver to make determination on parking for Tenant One that 50 spaces are provided as 89 are required, and for Tenant Two that 63 spaces are provided as 108 are required. Carroll. Second: Ballarino. Vote: 5-0-0 (5-Yes; 0-No).

Motion to Approve Site Plan Modification for 210 Grove Street. Ballarino. Second: Carroll.

Discussion: Chairman Padula added amendment to the approval that requires that applicant return to the Planning Board if there are more than two tenants or any retail tenants. ***Vote: 5-0-0 (5-Yes; 0-No).***

7:50 PM **PUBLIC HEARING** – *Continued*
 5 Kenwood Circle
 Site Plan Modification

Documents presented to the Planning Board:

1. *Memorandum dated September 10, 2015 from Department of Planning and Community Development to Franklin Planning Board*
2. *Letter dated September 10, 2015 from Michael Maglio, Town Engineer, to Chairman Padula and Members of the Planning Board*
3. *Letter dated September 9, 2015 from Walter Lewinski, Engineering Design Consultants, Inc., to Planning Board Received by Planning September 8, 2015*
4. *Memorandum dated September 9, 2015 from George Russell, Conservation Agent, to Beth Wierling, Town Planner*
5. *Letter dated August 25, 2015 from George Russell, Conservation Agent, to Peter Bemis*
6. *Letter dated September 1, 2015 from Philip Paradis, BETA Group, Inc., to Chairman Padula, Franklin Planning Board*
7. *Letter dated September 10, 2015 from Philip Paradis, BETA Group, Inc., to Chairman Padula, Franklin Planning Board*

Peter Bemis, Engineering Design Consultants, addressed the Planning Board. He stated they have addressed all comments expect for a few housekeeping items. The second plan sheet shows proposed stormwater treatment unit that may affect curbing at entrance; he will be adding note to plan. Annual budget for the O&M is added for \$2,500.00 annually. He stated he is addressing Conservation

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Commission comment letter and plans to file Notice of Intent with Conservation Commission after approval is received from Planning Board.

Chairman Padula stated Planning Board can give positive outlook, but will not give approval until applicant receives approval from Conservation Commission. Planning Board can approve, but not endorse until Conservation Commission approves.

Bryan Taberner, Director, Planning and Community Development, stated that he recommended not approving until Conservation Commission approves.

Mr. Bemis stated this was not a problem.

Motion to Continue the Public Hearing for 5 Kenwood Circle to October 19, 2015 at 7:00 PM. Carroll. Second: Ballarino: 5-0-0 (5-Yes; 0-No).

Motion made to adjourn. Carroll. Second: Ballarino. Vote: 5-0-0. Meeting adjourned at 8:45 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary