

Town of Franklin



Planning Board

December 21, 2015
Meeting Minutes

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Chairman Anthony Padula called the above-captioned meeting to order this date at 7:00 PM. Members in attendance: Joseph Halligan, John Carroll, Gregory Rondeau, Alternate Rick Power. Members not in attendance: William David. Also present: Bryan Taberner, Director, Planning and Community Development; Michael Maglio, Town Engineer; Amy Love, Program Coordinator.

7:00 PM Commencement/General Business

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

A. Certificate of Completion Form – H: 23 Hutchinson Street – Franklin TV

Michael Maglio stated GZA, the prior consultant, submitted a letter.

Chairman Padula read the exceptions noted in the letter and indicated although three items had not been completed applicant was asking for a certificate of completion.

Don Nielsen of Guerriere & Halnon, Inc., representing the applicant, stated the plantings had been done, but they did not make it through the winter and hot summer. A number of shrubs and trees were just planted in the woods area for the Conservation Commission. Plantings relative to the drainage basins were ornamental, but drainage basins and systems are functioning as proposed. Regarding issue of cooling condensers along outside edge of building, he stated he has not shown condensers on most buildings. They are part of the air conditioning aspect of the site. The sound issue may be of some consequence, but have provided information.

Peter Fasciano, Executive Director Franklin TV, explained some of the sound issues. From the last discussion he came away with impression that tests were going to be run to determine if sound barrier was necessary before it was installed. Based on conducted tests, when off the property cannot hear the generator.

Chairman Padula asked where the sound barrier is that was approved. He stated concern for abutting properties regarding sound bouncing off applicant's building and going to the neighbor's building. If it is part of the approved site plan, then applicant would have to apply for a site plan modification to remove the sound barrier. He asked if the approval was contingent upon a test.

Bryan Taberner stated he did not think there was anything agreed upon.

Chairman Padula stated he would like someone check to determine if there was any residual sound going into the neighborhood from the pumps.

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Mr. Nielsen stated the pumps run below 40 decibels; the sound is lower than the meter will read. A report was presented and he provided summary of said report of the sound levels. He showed the Planning Board members the location on the map of property and abutters.

Mr. Fasciano stated there is a Level 3 enclosure around the generator which is the highest level enclosure the manufacturer makes which greatly reduces the sound from the generator. He also stated more landscaping work was planned for the spring.

Chairman Padula noted there were no neighbors present at the meeting.

Mr. Fasciano stated the generator is an emergency generator and is started about one time per month for about 20 minutes to run the minimal test to ensure it is working. It is only for a power failure to allow station to run during power outage. He confirmed the sound tests done on the generator were done at full load, not idle. He noted the missing handicap sign was ordered last week; it should arrive in a few days and will get mounted immediately.

Mr. Maglio stated he would follow up with that.

Motion to Approve Certificate of Completion Form – H: 23 Hutchinson Street – Franklin TV. Halligan. Second: Carroll. Vote: 4-0-0 (4-Yes; 0-No).

B. Grant Application for Town Forest: Signature of Support

Chairman Padula read from a prepared letter which he and Planning Board members were asked to sign in support of the Grant Application for Town Forest.

Mr. Taberner stated many other departments are working on this application. He is looking for Planning Board support and hoping for Planning Board approval and signature on letter and vote to approve.

Chairman Padula asked if trail would impact anyone's privacy.

Mr. Taberner stated currently there are some trails that go over private property and those will be discontinued and rerouted to have less impact on adjacent properties.

Motion In Favor of Signing Letter in Support of Grant Application for Town Forest. Halligan. Second: Carroll. Vote: 4-0-0 (4-Yes; 0-No).

C. Acceptance of Meeting Minutes: December 7, 2015

Motion to Accept the December 7, 2015 meeting minutes. Halligan. Second: Carroll. Vote: 4-0-0 (4-Yes; 0-No).

7:05 PM **PUBLIC HEARING** – *Continued*
 5 Kenwood Circle
 Site Plan Modification

Documents presented to the Planning Board:

1. *Email dated December 18, 2015 from Phil Paradis, BETA Group, Inc., to Amy Love, Department of Planning and Community Development*
2. *Site Plan for 5 Kenwood Circle, with Revision date September 7, 2001, Sheets 1-4, Received by Planning September 8, 2015*

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3. Memorandum dated December 8, 2015 from George Russell, Conservation Agent, to Franklin Planning Board
4. Letter dated September 10, 2015 from Philip Paradis, BETA Group, Inc., to Chairman Padula Franklin Planning Board
5. Memorandum dated September 10, 2015 Department of Planning and Community Development to Franklin Planning Board
6. Letter dated September 10, 2015 from Michael Maglio, Town Engineer, to Chairman Padula and Members of the Planning Board
7. Letter/Response to Review Comments with no date from Walter Lewinski, Engineering Design Consultants, Inc., to Planning Board Received by Planning August 18, 2015
8. Letter dated June 23, 2015 from Peter Bemis, Engineering Design Consultants, Inc., to Planning Board
9. Application for Approval of a Site Plan, Received by Planning June 16, 2015
10. Certificate of Ownership Received by Planning June 16, 2015
11. Town of Franklin Board of Assessors Abutters List Request Form Received by Board of Assessors June 22, 2015
12. Abutters List Report, Town of Franklin, June 10, 2015
13. Franklin Planning Board Public Hearing Notice Received by Town Clerk June 23, 2015

Peter Bemis, Engineering Design Consultants, addressed the Planning Board. He showed plans dated September 21, 2015 which were reviewed by BETA Group, Inc., and seen by the Planning Board at the last meeting when reviewing this project. Applicant secured the required Order of Conditions from the Conservation Commission.

Motion to Close the Public Hearing for 5 Kenwood Circle, Site Plan Modification. Halligan. Second: Carroll. Vote: 4-0-0 (4-Yes; 0-No).

Motion to Approve Site Plan Modification for 5 Kenwood Circle. Halligan. Second: Rondeau. Vote: 4-0-0 (4-Yes; 0-No).

7:10 PM **PUBLIC HEARING** - Continued
 300 & 340 East Central Street
 Special Permits (3) & Site Plan

Documents presented to the Planning Board:

1. Letter dated December 21, 2015 from Richard R. Cornetta, Attorney at Law, to Chairman Padula, Franklin Planning Board
2. Letter dated December 16, 2015 from Michael Maglio, Town Engineer, to Chairman Padula and Franklin Planning Board
3. Letter dated December 16, 2015 from Philip Paradis, BETA Group, Inc., to Chairman Padula, Franklin Planning Board
4. Letter dated December 9, 2015 from Wayne Morrill, Jones & Beach Engineers, Inc. to Town of Franklin Planning Board, RE: Site Plan Review
5. Memorandum dated September 21, 2015 from Department of Planning and Community Development to Planning Board
6. Memorandum dated October 13, 2015 from George Russell, Conservation Agent, to Franklin Planning Board
7. Memorandum dated October 13, 2015 from Franklin Board of Health to Franklin Planning Board
8. Memorandum dated September 26, 2015 from G.B. McCarraher, Fire Chief to Department of Community Planning and Development

9. *Memorandum in Support of Application for Special Permit Convenience Store and Filling (Fueling) Station dated August 21, 2015 from Richard R. Cornetta, Attorney at Law to Planning Board*
10. *Memorandum in Support of Application for Special Permit Motor Vehicle Service Station dated August 21, 2015 from Richard R. Cornetta, Attorney at Law to Planning Board*
11. *Memorandum in Support of Application for Special Permit Shopping Center dated August 21, 2015 from Richard R. Cornetta, Attorney at Law to Planning Board*
12. *Application for Approval of a Site Plan-Form P, Received by Planning August 18, 2015*
13. *Application for Special Permit for Retail Shopping Center with no date*
14. *Application for Special Permit for Convenience Store and Fueling Center with no date*
15. *Application for Special Permit for Automobile Service Center with no date*
16. *Two (2) Certificates of Ownership with Fax Date August 12, 2015*
17. *Letter dated August 14, 2015 from Wayne Morrill, Jones & Beach Engineers, Inc. to Town of Franklin Planning Board, RE: Waiver Request Letter*
18. *Deed with Property Address 340 East Central Street, Franklin, MA dated December 24, 1998*
19. *Norfolk Registry District Land Court Document regarding Ficco's Bowladrome with Registered date December 4, 1963*
20. *Ground Lease between Ficco's Bowladrome, Inc., and Franklin MA, Properties, LLC dated October 25, 2015*
21. *Ground Lease between Keigan Family Trust, LLP and Franklin MA, Properties II, LLC dated July 14, 2014*
22. *Three (3) Letters of Authorization with dates August 11, 2015, August 12, 2015, August 13, 2015*
23. *Abutters List Report, Town of Franklin, August 11, 2015*
24. *CAI Property Card for 300 East Central Street dated July 29, 2015*
25. *CAI Property Card for 340 East Central Street dated July 29, 2015*
26. *300 & 340 East Central Street - 300' Abutters Map with Fax Date August 12, 2015*
27. *Franklin Zoning Board of Appeals Detailed Record and Decision September 24, 2014*
28. *Franklin Planning Board Public Hearing Notice Received by Town Clerk August 18, 2015*
29. *Shops at Franklin 300 East Central Street Pylon Sign Specifications with Revision date June 30, 2015*
30. *Shops at Franklin 340 East Central Street Pylon Sign Specifications with Revision date June 30, 2015*

Special Permits: (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.

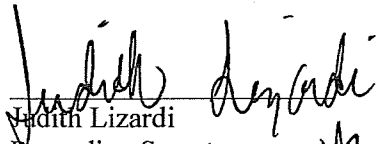
(Note: Although Chairman Padula had activated Alternate Greg Rondeau at the September 14, 2015 Planning Board Meeting, as of the November 3, 2015 Town Elections, Mr. Rondeau became a full member of the Planning Board.)

Chairman Padula stated a letter dated December 21, 2015 had been received requesting a continuance to the January 25, 2016 Planning Board Meeting.

Motion to Continue the Public Hearing for 300 & 340 East Central Street to January 25, 2016.
Carroll. Second: Rondeau. Vote: 3-0-1 (3-Yes; 0-No; 1-Abstain). Mr. Halligan abstained as he is associated with the development.

Motion made to adjourn. Rondeau. Second: Carroll. Vote: 4-0-0. Meeting adjourned at 7:18 PM.

Respectfully submitted,


Judith Lizardi
Recording Secretary 