

**DRAFT FOR REVIEW****Town of Franklin**

TOWN OF FRANKLIN  
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**Planning Board**

**August 22, 2016  
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, William David, Gregory Rondeau, Alternate Rick Power. Members absent: None. Also present: Michael Maglio, Town Engineer; Bryan Taberner, Director, Planning and Community Development; Kristin Kaczmarek, Planner.

**7:00 PM Commencement/General Business**

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

**A. 20 Liberty Way – Limited Site Plan (to be continued)**

Ms. Kaczmarek stated she spoke to the applicant this afternoon and they still have to go to the Conservation Commission. They will be back to the Planning Board after that.

**B. Partial Bond Release – Autumn Hill Estates**

Mr. Maglio stated the original subdivision was approved in 2002. There is a remaining cash bond of approximately \$39,000. Based on a recent inspection and items still to be completed, he recommended the bond not be reduced at this time until more work is accomplished.

**C. Discussion – Aubuchon Fence**

*Mr. Halligan recused himself.*

Mr. Taberner stated that earlier this year the Planning Board approved a limited site plan for the new Aubuchon at the Horace Mann Plaza. Instead of the standard 6 ft. fence that was proposed, applicant would like to go with something better looking, a rod-iron type fence. Since it is a better fence and will improve the site, Mr. Taberner stated he thought it did not require any formal site plan approval. He just wanted to make sure the Planning Board was aware of this for when applicant returns for a Form-H.

Chairman Padula stated he agreed with Mr. Taberner that it is aesthetically better.

*Mr. Halligan re-entered the meeting.*

**D. Meeting Minutes Approval – August 8, 2016**

*Motion to Approve the August 8, 2016 meeting minutes. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).*

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7:05 PM      **PUBLIC HEARING** – *Initial*  
***Maple Preserves – 469 Maple Street***  
Preliminary Subdivision

*Documents presented to the Planning Board:*

1. *Letter dated July 27, 2016 from Michael Maglio, Town Engineer, to Franklin Planning Board*
2. *Memorandum dated August 11, 2016 from Department of Planning and Community Development to Franklin Planning Board*
3. *Memorandum dated July 12, 2016 from George Russell, Conservation Agent, to Franklin Planning Board*
4. *Memorandum dated July 15, 2016 from G. B. McCarraher, Fire Chief, to DCPD*
5. *Letter dated July 8, 2016 from William Buckley, Bay Colony Group, Inc., to Franklin Planning Board*
6. *Form B, Application for Approval of a Preliminary Plan with Received by Planning date July 11, 2016*
7. *Certificate of Ownership with Received by Planning date July 11, 2016*
8. *Town of Franklin Board of Assessors Abutters List Request Form with Received by Planning date July 11, 2016*
9. *Abutters List Report dated April 4, 2016*
10. *Franklin Planning Board Public Hearing Notice with Received by Town Clerk date August 1, 2016*

Mr. William Buckley, Engineer of Bay Colony Group, Inc., addressed the Planning Board and stated Mr. Mark Carroll, applicant, was in attendance at the meeting. Mr. Buckley stated the proposed project is a 10-lot, single-family subdivision located on a 16.4 acre parcel on the west side of Maple Street. Currently, the property is vacant and a wooded area. There are two wetlands on the property which have been confirmed by the Conservation Commission. There are two other wetlands that are not on the property, but impact the property. It is about a 12 percent grade going along Maple Street. The elevation varies. He described the current runoff for the area; there is no current drain system on Maple Street, it just runs down the gutter. Most of the proposed lots will have frontage off of the new roadway which is 56 ft. wide and 26 ft. of pavement going in 600 ft. from the edge of the layout to the center of the cul-de-sac. There are two lots which have frontage off of Maple Street; they will be asking for a special permit for a special driveway for those as the higher elevations have been taken into consideration.

Chairman Padula confirmed they will be coming in for special permits for the two lots for a common driveway. He asked if these two lots were going to be a separate subdivision. He stated he does not know how applicant can mix two ANR lots with a subdivision.

Mr. Buckley stated they would do it however the Planning Board would like to do it. He suggested that it would be part of the subdivision, but perhaps not part of the covenant. Because the access is off of the existing roadway, a permit could be pulled anyway. But, if the Planning Board would like them to file an ANR for those two lots and then the special permit, they could do that also.

Chairman Padula noted that those two lots have no access to the main subdivision with the eight lots being referred to. He asked if Lot 10 could gain access off of Maple Street.

Mr. Buckley stated those two lots could gain access off of Maple Street, but it would be a very steep driveway and the town has regulations on that.



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Chairman Padula confirmed that the proposed common driveway would be crossing two proposed drainage easements. He noted all the drainage is supposed to be contained on the lot. He confirmed that the applicant still needed to go to Conservation Commission and it was not determined if Lot 4 was going to make it due to the wetlands.

Mr. Buckley stated he was confident Lot 4 would make it according to the bylaws. He is proposing Parcel A for a stormwater system area; a basin will be put on this lot at the lowest portion of the site. There will be a normal street-drain system on the new roadway. Also, along Maple Street proposing to put in some catch basins along the existing roadway to allow some runoff to be captured; there will be some water quality improvement. He described the two proposed easements.

Chairman Padula stated he believes Lots 9 and 10 should be separated from the subdivision.

Mr. Buckley stated he would discuss that with the Planning Department.

Mr. Maglio stated this is just a preliminary submission so there are no drainage calculations to review. No town sewer is available at this location; each lot has its own septic system. If applicant is going to tie into town water system, approval of a water map amendment by the Town Council will be required. Applicant is requesting waiver for one sidewalk on the proposed roadway. This request has been typically granted when the developer proposes to install vertical granite curb along both sides of the roadway. Proposed curbing was not evident on the preliminary plans.

Mr. Buckley stated he is aware of the vertical granite curbing for the sidewalk waiver.

Ms. Kaczmarek stated the preliminary plan meets the requirements for the preliminary plan contents. The proposed detention basin in Parcel A will need to be addressed to make sure it meets the amendment to the subdivision regulation setbacks. Requirements for the common driveway will need documentation that the maintenance and liability will be the responsibility of the private parties of the driveway. Will want to see street trees, trees to be retained, stone walls, etc., regarding design standards.

Mr. Buckley stated they will take another look at the stone walls currently on the property.

Chairman Padula read a letter from Mr. George Russell, Conservation Agent.

Mr. Ronald Seyffert, owner of 1 Franklin Springs Road which abuts the area to be the retention pond, noted his property is low already and he has had no water in the basement or drainage issues around the property. He is concerned about the runoff going into the holding basin and if it will have impact on his property such as water in his basement or flooding of the backyard. He wanted to be on record as voicing his concern that he has never had a problem with water.

Chairman Padula confirmed that Mr. Maglio heard the concern stated by Mr. Seyffert. He stated the applicant meets the requirements for the preliminary. As the plan was brought to the Planning Board it can be approved, but applicant should know that Chairman Padula requests Mr. Maglio, Mr. Taberner and town planner talk to Mark Cerel, Town Attorney, to find out how Lots 9 and 10 should be handled.

Mr. Halligan stated applicant is showing a driveway into Lot 9; it is only Lot 10. He noted that even without the private road the applicant could still develop those two lots.

Mr. Rondeau suggested another route for the main roadway to get to the lots.

Mr. Buckley stated he would look at it.

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***Motion to Approve the preliminary plan for Maple Preserves, 469 Maple Street, Preliminary Subdivision. Halligan. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

7:10 PM      **PUBLIC HEARING** – Continued  
***South Hill Estates***  
Definitive Subdivision Modification

*Documents presented to the Planning Board:*

1. Letter dated August 22, 2016 from George Russell, Conservation Agent, to Mark and Deborah Aldo
2. Memorandum dated August 17, 2016 from Department of Planning and Community Development to Franklin Planning Board
3. Erosion Control Matting Information with Received by Planning date August 11, 2016
4. Letter dated August 2, 2016 from Michael Maglio, Town Engineer, to Franklin Planning Board
5. Memorandum dated August 2, 2016 from George Russell, Conservation Agent, to Franklin Planning Board
6. Memorandum dated August 2, 2016 from George Russell, Conservation Agent, to Franklin Conservation Commission
7. Letter dated August 1, 2016 from Bruce Wilson, Guerriere & Halnon, Inc., to Franklin Planning Board
8. Form R: Franklin Planning Board Subdivision Waiver Request F-3185, #2 Version I, with Received by Planning date August 1, 2016
9. Form R: Franklin Planning Board Subdivision Waiver Request F-3185, #2 Version II
10. Form R: Franklin Planning Board Subdivision Waiver Request F-4026, #1 Versions I and II
11. Town of Franklin Planning Board Public Hearing Notice with Received by Town Clerk date unreadable (Amy, do you have a better copy in which the date is readable?)
12. Certificate of Ownership with Received by Planning date July 18, 2016
13. Town of Franklin Board of Assessors Abutters List Request Form with Received by Planning date July 19, 2016
14. Abutters List Report dated July 19, 2016
15. Definitive Subdivision Modification of South Hill Estates Plan Sheet 1 of 1 with revision date August 11, 2016

Mr. Bruce Wilson, Principal of Guerriere and Halnon, Inc., was present at the meeting.

Ms. Kaczmarek stated a revised plan was received for Garnet Drive after the last meeting. The applicant was asked to come back in to submit one plan. This plan shows the sidewalk on one side, the vertical curb, and the 2:1 slope with the erosion control mat. The plan also has a note indicating the end of the public road which was requested to be put on the plan. Applicant went to Conservation Commission on August 18, 2016 and were approved. She read the four suggested conditions of approval. She added a fifth suggested condition regarding when the stop-work order from the Conservation Commission will be lifted. She noted the applicant is asking for three waivers. Also, department needs to see a private road covenant for the portion of the road which is to remain private. She stated the recommendation is that the Planning Board vote on the plan and the waivers as submitted.

Chairman Padula stated the Planning Board has a letter from the Franklin Fire Department dated August 22, 2016. He stated this should be item #6 under conditions of approval. He noted this hearing is for a modification so he really does not need to close the public hearing, but he will.

***Motion to Close the public hearing for South Hill Estates, Definitive Subdivision Modification. Carroll. Second: David. Vote: 5-0-0 (5-Yes; 0-No).***



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*Motion to Approve Waiver #1, §300-13.A – Sidewalks: Install one sidewalk on the left side of the roadway rather than the 2005 approved sidewalk on the right side of the roadway. Halligan. Second: David. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve Waiver #2, §300-13.B – Grass Plots: Eliminate 1 ft. from the grass plot, to allow a 3 ft. shoulder. No first given. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).*

*Motion to Approve Waiver #3, §300-13.C – Slopes: Grade the slope at 2:1 to eliminate the need for the retaining wall. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).*

Chairman Padula stated the following six (6) conditions of approval:

1. Town of Franklin shall not be responsible to maintain, plow, or service any portion of the private road. (Mr. Taberner stated he did not know if it needed to go to the Town Council for approval before being endorsed by the Planning Board.)
2. Franklin municipal trash service will not be provided. Owners shall be responsible for arranging their own refuse removal service.
3. An erosion control mat will be installed as shown on the plan to stabilize the proposed 2:1 slope on the west side of Garnet Drive.
4. Vertical granite curbing will be installed as shown as approved on the July 14, 2005 Certificate of Vote.
5. Conservation Commission letter of August 22, 2016 comments from Mr. George Russell: "At their August 18, 2016 meeting, the Conservation Commission voted to issue the Order of Conditions for the above project. In approving this project, the Commission also voted that the stop work order that was previously issued for this project will remain in force until such time as evidence of the recording of these Orders in the Registry of Deeds is submitted to my office. When this evidence is submitted, the stop work order will automatically be lifted."
6. Chairman Padula read the Letter of August 22, 2016 from Mr. McCarraher, Fire Chief, and included said letter in the conditions of approval.

*Motion to Approve the above six (6) conditions of approval. Halligan. Second: Carroll. Vote: 5-0-0 (5-Yes; 0-No).*

7:15 PM

**PUBLIC HEARING** – Continued  
**100 Financial Park – Warehouse Development**  
 Site Plan

*Documents presented to the Planning Board:*

1. Memorandum dated August 17, 2016 from Department of Planning and Community Development to Franklin Planning Board
2. Letter dated July 7, 2016 from Michael Maglio, Town Engineer, to Franklin Planning Board
3. Letter dated July 21, 2016 from Greg Lucas, BETA Group, Inc., to Franklin Planning Board
4. Letter dated July 12, 2016 from Greg Lucas, BETA Group, Inc., to Franklin Planning Board
5. Memorandum dated July 21, 2016 from Department of Planning and Community Development to Franklin Planning Board
6. Letter dated July 20, 2016 from Daniel Mills, MDM Transportation Consultants, Inc., to Franklin Planning Board
7. Letter dated June 17, 2016 from Matthew Crowley, BETA Group, Inc., to Franklin Planning Board
8. Memorandum dated June 16, 2016 from Department of Planning and Community Development to Franklin Planning Board

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9. *Letter dated June 10, 2016 from Douglas Hartnett, Highpoint Engineering, Inc., to Franklin Planning Board*
10. *Memorandum dated May 12, 2016 from G. B. McCarraher, Fire Chief, to Franklin Planning Board*
11. *Letter dated May 11, 2016 from George Russell, Conservation Agent, to Douglas Hartnett, Highpoint Engineering*
12. *Memorandum dated May 3, 2016 from George Russell, Conservation Agent, to Franklin Planning Board*
13. *Memorandum dated May 3, 2016 from Franklin Board of Health to Franklin Planning Board*
14. *Town of Franklin Planning Board Public Hearing Notice with Received by Town Clerk date May 2, 2016*
15. *100 Financial Park, Warehouse Development, Site Development Plans, with revision date June 13, 2016*

Mr. Douglas Hartnett, Principal of Highpoint Engineering, and Mr. Will Deshler of CRE Management, the applicant for the project, addressed the Planning Board. Mr. Hartnett stated since the last Planning Board hearing one month ago they have since obtained approval by the Conservation Commission and order of conditions was issued today.

Ms. Kaczmarek stated the applicant has responded to all comments regarding the revised Traffic Impact and Access Study received on July 6, 2016. BETA provided comments on the revised study and all outstanding issues have been resolved. The applicant has responded to all comments made by the Town departments and BETA regarding the site plan. She stated the recommendation is to close the public hearing and vote on the plan and waiver as submitted and on the recommended special conditions of approval. She read out loud the ten (10) special conditions of approval dated August 22, 2016.

Chairman Padula confirmed the one waiver was for parking.

Mr. Halligan stated this is a water resource area and they must abide by the rules and regulations. As well, he stated that due to the school being there and public safety, the light should be up and running prior to occupancy. He stated the school was agreeable to this. He suggested additional wording be added to special condition of approval #1 to include the light working prior to occupancy. As they do not currently have a tenant, Mr. Halligan stated that the applicant will have to work it out with the school as to who will be needing occupancy first.

Chairman Padula stated special condition of approval #2 is gone.

***Motion to Close the public hearing for 100 Financial Park, Warehouse Development, Site Plan. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

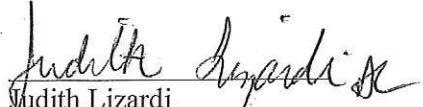
***Motion to Approve Waiver #1, §185-21 (A) (4) – Parking Requirements: The applicant is requesting a reduction in required parking from 1,106 spaces to 752 spaces. The waiver is requested due to existing building tenant use and the proposed warehouse parking demand is lower than what off-street parking regulations require. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

***Motion to Approve 100 Financial Park, Warehouse Development, Site Plan. Carroll. Second: Rondeau. With Special Conditions of Approval dated August 22, 2016 with the following changes: Item #1 will include "will be installed prior to occupancy;" Item #2 will be eliminated. In total, there are nine (9) special conditions of approval. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No).***

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*Motion to Adjourn. Carroll. Second: Rondeau. Vote: 5-0-0 (5-Yes; 0-No). Meeting adjourned at 7:49 PM.*

Respectfully submitted,

  
Judith Lizardi  
Recording Secretary



