

Franklin Zoning Board of Appeals
For Meeting Held On
Thursday, July 24, 2014
355 East Central Street
Franklin, MA 02038

FRANKLIN
ZONING BOARD
2014 AUG 11, AM 9:47
RECEIVED

Members Present
Bruce Hunchard
Robert Acevedo
Timothy Twardowski

864 Lincoln St. – Athena Health Care Assoc. Inc.
Abutters: See List

Applicant is seeking a variance to construct, operate and maintain a 138 bed Skilled Nursing Home Facility in a Rural Residential 1 Zone. The building permit is denied without a variance from the ZBA. The board is in receipt of a letter from Attorney Richard Cornetta, representing the applicants requesting a continuance to August 21, 2014 at 7:35 PM. Motion by Tim Twardowski to continue to August 21st at 7:35 PM seconded by Robert Acevedo. Unanimous by board.

417 Coronation Drive – Brian and Chantel Schools
Abutters: None present

Applicant is seeking a special permit for an accessory dwelling unit. The building permit is denied without a special permit from the ZBA. Appearing before the board are Paul Bonner and Brian Schools. Applicant would like to convert the existing garage into an in-law apartment. There will be no addition all work will be interior. The occupants will be Paul and Jeanine Bonner, parents of owners. Motion by Tim Twardowski to close public hearing. Seconded by Robert Acevedo. Unanimous by board. Motion by Robert Acevedo to grant the special permit for 417 Coronation Dr. Seconded by Tim Twardowski. Unanimous by board.

1330-1342 West Central St. – Acme Jazz, LLC
Abutters: See List

Applicant is seeking building permit to construct a 236 unit multi-family development. The building permit is denied without a comprehensive permit from the ZBA. Appearing before the board is Mark Vaughn, Attorney for applicant, Phil Cordeiro, Engineer, Chris Santoro, Architect, Jim Hamilton, representative of applicant. We are seeking a comprehensive permit for the property located at 1330-1342 West Central St. The site consists of approximately 12 acres of land. We are proposing two – four story buildings along with a clubhouse. The majority of the units will be one bedroom units (144 or 61%). Two bedroom units will comprise of 29% and the remaining 10% will be three bedroom units. That is really something being dictated by Mass Housing as part of our site approval requirement. We have had many meetings with town officials and have tried to take a lot of that feedback and incorporate it into the site design. Our goal is to

make this a friendly process and a productive dialogue. Our intent is to provide a high quality residential community. We believe it is an ideal location for this use. The site is very close to MBTA, 495 and 140 interchange and is also close to shopping and dining. The site also abuts the Franklin State Forest we view that to be a very attractive amenity for future residents to be able to enjoy everything that forest has to offer. Board: Is there an easement on this property? Atty. Vaughn: Yes, there is and we will get into the specifics in our presentation. Because this would be a rental development the town will be able to count all of the 236 units towards its affordable housing inventory even though only 25 % of the units would actually be designated as affordable and by doing this that would put the town over its 10% threshold in terms of its affordable inventory which has some positive benefits for the town in the future. Phil Cordero: We have a property located along West Central Street very near to the town of Bellingham town line it is just shy of 12 acres, there is a portion of the property that is wet and has been filed with the Conservation Commission so we are designating that non-buildable. The existing parcel is primarily vacant land and again most of it is wet in the back but the front is upland. We do have a number of structures, one being a residential structure and a couple being old store fronts, manufacturing locations with associated foundations. It was our intent to demolish all of the existing structures as a part of the process. Step one in what we needed to do was to identify with the Historic commission if any of these properties had value under there by-law, and the demolition delay permit that's inherent to the towns by-law. We did identify that the existing residential structure located directly adjacent to West Central Street is of historic value, according to the Historic Commission it is the fifth oldest property in town. I do want to note that it is a concern to us and has been factored into the design. We are proposing about 1.7 parking spaces per unit under the calculation in the by-law. We do have the clubhouse amenity area located closest to West Central Street so our residents would enter the property through a central corridor drive-way where they would then be able to turn East or West depending upon whatever building they wanted to go to. The Central corridor would extend all the way down to the rear of the property where we will have some secondary parking. There is a 16 foot easement existing that runs from West Central Street to the property corner and it actually runs off our property back to the state forest. Our intention is to modify that easement and actually put it inside our central corridor roadway so that people visiting the wooded area can continue down the driveway. We will provide 4 parking spaces and some sort of sign for trail head access with a turn-around for people to be able to leave. The plan as we have presented and applied for meets the current zoning setbacks, the parking has a zero setback in the Industrial Zone. We wanted to make the plan as compliant with zoning as possible to minimize the amount of variances that we had to request. One of the comments via the fire department is that they would like some consideration to their ladder trucks. What we will do is go back and speak to the Fire Department to certainly provide access. We have a 50 foot truck modeled through this site in terms of access I don't know how long the ladder truck is but, we will work with them to provide access. It will also provide access for delivery trucks, loading

trucks, ambulances, fire trucks, school busses so there is certainly sufficient space for all of those to navigate around the property. We wanted also to be sure that there were certain amenities included for the residents such as the club house and pool deck area, that will all be worked out later but we wanted to commit to that idea. We are also going to commit to providing some sort of play area for the kids. The development will rely on municipal systems so we are going to connect to town water and sewer. We did meet with the Town to determine that capacity existed in the existing municipal systems for this development and the town has committed that it is there. We were asked to provide a dedicated turning lane so we have provided a 6 car stacking queue separated from the main flow of traffic so that residents coming into the site can be pulled out of the main stream of traffic to keep that efficiency going towards the signal and keep traffic flowing as much as possible. We have to seek permits with MASS DOT it is a state roadway so we will have to coordinate the final detail with them. We have the commuter railway about a half mile away so we are committed to investigate the feasibility of extending the sidewalk about 900 feet, that too has to be coordinated with MASS DOT. That is the overview of the project.

Board: Did you investigate any placement of sidewalks to the Westerly direction to Maple St? Phil Cordero: We did not but we are aware of the commentary that came from the Town of Bellingham, Planning Board to make that connection from the site going to the intersection. It is our understanding that there is a master plan in the works with Mass DOT to redo that intersection. We have requested those plans to see if there is an opportunity to intergrade something there. We are not prepared to say that we can't do it or wont do it but we do need to do a little bit of homework to see if it can be done.

Board: See letters attached from Dept. heads. That will have to be worked out with them.

Chris Santoro (architect): general overview of architecture, vegetation, siding, pitch roofs, ceiling heights, etc. (see plans)

Board: These are four story buildings? Chris: Yes.

Mark Cerel (Town Attorney): How are you going to take the historic structure into account? Chris: As mentioned there is a historic foundation that is located just adjacent to the entrance. We went out to site with the historic commission and the building commissioner to determine if there was any value in the building itself. The structure itself didn't have any value to it but, its location and existence does. What we agreed to was the granite sill that exists out there will remain in place. We will demolish the structure but leave the sill. The entrance has been shifted not to impact that foundation. We have agreed to put some sort of sign or marker to describe the property or maybe some old photographs marking the sill.

Atty. Mark Vaughn: I understand that the Town may want to have a peer review for both civil and traffic as well.

Board: Most comments mention a second egress whether that be an emergency egress or some other way in and out of the property.

Atty. Mark Vaughn: I am not sure that the site lends itself for a full second egress although we are evaluating it.

Board: We have a letter that was submitted from the Maggiore Co. (see attached)

Abutter: Roland Doloff Jr: I would like a fence to stop any trash and residents from entering my property.

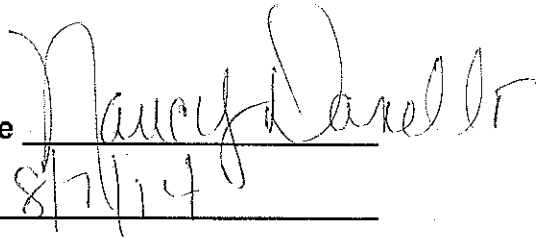
Board: Atty. Vaughn we are going to ask for some peer review, some names have been thrown at you Peter Williams, a Civil

Engineer, Bob Machard from MDM and Mark Borbowski for the facilitation of these meetings and to write the decision when the time comes. Atty. Mark Vaughn: I have spoken to my client and they are fine with that. We will be providing the funding to the town for that. Motion by Tim Twardowski to hire the above mentioned as consultants to the board. Seconded by Robert Acevedo. Unanimous by board. Motion by Tim Twardowski requesting \$15,000.00 be paid to the Town of Franklin for payment to consultants. Seconded by Robert Acevedo. Unanimous by board. Motion by Tim Twardowski to continue to September 18, 2014 @ 7:30PM. Seconded by Robert Acevedo. Unanimous by board.

- Motion by Robert Acevedo to approve minutes of June 19, 2014. Second by Tim Twardowski. Unanimous by the Board.
- The board is in receipt of a letter (see attached) from Eastern Management Development, Inc. requesting that the board release the remaining balance of \$4,500.00 on an Earth Removal Bond that was posted May 9, 2006. We are also in receipt of a letter (see attached) from the Building Commissioner, Lloyd Brown who is recommending the funds be released. Motion by Tim Twardowski to release the remaining bond. Seconded by Robert Acevedo. Unanimous by board.
- Motion by Robert Acevedo to keep the chairs of the ZBA as they currently exist. Seconded by Tim Twardowski. Unanimous by board.

Motion by Timothy Twardowski to adjourn. Second by Robert Acevedo. Unanimous by the Board.

Signature



Date

