

**FRANKLIN PLANNING BOARD MINUTES
REGULAR MEETING AND PUBLIC HEARING – COUNCIL CHAMBERS
Wednesday April 27, 2016 at 7:00 p.m.**

Call to Order: Chairman Colburn called to order the joint meeting of the Franklin Planning Board and the Heritage Commission at 7:03 p.m.

- ❑ Pledge of Allegiance
- ❑ Roll Call

Present: Brian Colburn, Michael Freeman, Ken Merrifield, Jo Brown, Brian Sullivan, Tim Stangroom, Ted Starkweather, David Testerman, Anthony Giunta, David Veysey, Tim Flaherty, and Planning and Zoning Director, Richard Lewis

Absent: Powell Glenn

Member Veysey is seated for Member Glenn.

Present for the Heritage Commission: Mike Mullavey, Glen Feener, Bob Lucas, Paul Trudel, Jeff Whitney and George Dzujna.

Approval of Minutes: Members Merrifield / Brown moved and seconded to approve the minutes of March 23rd. Approved unanimously with no corrections.

Old Business: None.

New Business

- ❑ **P16-05: Franklin Light and Power Limited Partnership, Owner and Applicant; requests a modification to a June, 2008 Site Plan, Subdivision, and a Special Use Permit approval for work associated with the rehabilitation of the mill located at 100 Memorial Street, identified as Tax Map/Lot # 117-143-00, B-2 Zone (High-Density Business and Commercial District) into fifty-four (54) residential condominium units. The modification seeks approval for 45 residential apartment units, with some revisions to the 2008 approved site development plan.**

Anthony Giunta recused himself from the Board since he works for Nobis Engineering, which prepared plans for this project. Mayor Merrifield stated that he had recused himself from the 2008 hearings on this property, but with the change in ownership, he sees no conflict or other reason to step down. Director Lewis referred to his memorandum of 12 February 2015 to City Manager Elizabeth Dragon regarding his membership with the Board of Directors of CATCH. For the purposes of this project he has stepped down and recused himself from any and all discussions with the CATCH Board of Directors.

Motion to Accept the Application: Members Merrifield /Brown moved and seconded to accept the application; all in favor.

Mike Reed, Senior VP of CATCH, Kyle Barker of Warren Street Architects, and Ting Chang of Nobis were representing the Owner and Applicant. They presented an overview of the project and the changes from the 2008 approval being proposed. Key issues discussed include:

- ✓ 45 units are proposed instead of the original 54;
- ✓ CATCH is using both low income and historic tax credits to help underwrite the project costs; both carry with restrictions on rental costs and uses;
- ✓ The exterior changes are conforming to national Park Service historic rehab requirements; the building has been studied extensively to determine design components and what colors and window treatments are appropriate;

there is a balance between retaining the historic industrial look of the building and the need for residential re-use;

- ✓ Windows will be a dark maroon [a color used in the industrial past] and energy efficient;
- ✓ CATCH designed the interior layout to help create separate “neighborhoods” [with 4-7 units per neighborhood] within the building so that a good sense of the community is created for the residents; community spaces for residents to share are being incorporated;
- ✓ Brick walls will be left in the common spaces; floors will be refinished; over the new or improved doorways, awnings will be installed to match the key exterior design features;
- ✓ Some of the industrial “artifacts” located in the building may be re-purposed for public art or display;
- ✓ The courtyard in the “U” section of the parcel will be converted to an outdoor common space and play area; the courtyard will have a gate off of Memorial Street to separate it from the sidewalk;
- ✓ The drainage will be upgraded, and new utility [water, sewer, gas] lines will be installed; Nobis is working with the City on some of the design components for this work; and,
- ✓ There is a slight reduction in the amount of impervious cover on the site, so there will be overall drainage and water quality improvements;

Member Testerman asked about air conditioning units? It was indicated that no hanging window units are allowed; floor models with small vents are permitted.

Member Starkweather questioned the handicap provisions built into the plan, the amount of handicap accessible areas within the buildings, the lack of an elevator, and the number of handicap parking spaces. Mr. Barker quoted ADA regulations that stated that in a large building only 5% needs to be handicap accessible. Regarding parking spaces, the law only requires one space for up to 25 residents, 2 spaces for the 46 expected at full occupancy. In response to a related question on elevators, it was again mentioned that there is no requirement for an elevator to be installed, and CATCH has worked to make the building as accessible and user-friendly as possible for all residents and visitors.

Member Flaherty asked about snow removal. It was stated that CATCH will utilize the grass strips along the parking area for storage, and if necessary, snow will be removed off site, or maybe using the grass area adjacent to the river.

Member Sullivan expressed his concerns regarding the sewer system tie-ins with the city’s existing system which he acknowledged as being in poor condition. He was particularly concerned about backflow in the basement apartments and the possibility of a power failure which would prevent the pumps from working through that section of the building. Ms. Chang and Mr. Reed stated that they would build in the necessary features to assure there wouldn’t be a problem. A question about securing the trash receptacles arose due to a concern of illegal dumping. Mr. Sullivan indicated that he has worked with Nobis on some design issues, and he feel strongly that additional discussions will need to be held, along with field verifications on certain features such as pipe sizes, elevations of critical connection points, and other important design requirements to satisfy the City’s standards. Ms. Chang from Nobis indicated that they are committed to working with the City on all outstanding utility and design issues. Mr. Sullivan also mentioned the porous pavement feature from the 2008 plans. For parking areas that are used all year round porous pavement can be a challenge due to sands & silts clogging the systems; this is why the porous pavement paving area at Griffin Beach is closed in the winter.

Member Veysey voiced concerns about insufficient on-site parking since there is only one parking spot per apartment. Alternative overnight parking areas were mentioned as a solution to multi-car tenants. It was discussed that the 2008 approval had conditions about the review of the number of parking areas once the building was occupied. It was mentioned that parking is always an issue in a dense urban setting such as this parcel. Member Sullivan mentioned that dealing with parking into the future will involve a cooperative discussion between the City and CATCH.

Several members asked about the trash storage area and the fencing, with no front gate. Mike reed indicated that this design was used at other CATCH projects, and the trash haulers wanted no front gate to better facilitate access by the trucks. The question was also raised about the truck being able to negotiate the overhead wires. The concern was

expressed by members that the public may dump items in the trash container area, CATCH will look at that issue more once construction starts.

Member Starkweather inquired about a signed agreement with Algonquin (the former owner of the hydro facility) which abuts the subject property, and the easements for the use of a small portion of the parking spaces shown by CATCH. Mr. Reed informed the Board that they were in communication with Algonquin and expected an agreement to be reached.

Member Freeman asked about signage, and expressed his hope that sign pollution will not occur. It was answered that some of the "signs" shown on the plan already exist. CATCH will work to limit their signs as much as possible.

Members of the Heritage Board asked about exterior changes to the building, i.e. emergency exits, outdoor lighting, doors and windows. They were assured that the applicants were committed to seeing that the outside of the building was kept historically accurate, that no exterior stairways would be added, and that the lighting in the parking lot and grounds would be chosen with a view of maintaining an industrial feel. Architect Barker reiterated the fact that all exterior design work has been carried out in conjunction with the assessments conducted by the historical architect and the National Park Service criteria.

It was asked if CATCH proposed building any formal common areas [for BBQ'ing for example] on the area adjacent to the river; Mr. Reed stated that nothing formal will be created; but tenants may end up using that area for common outdoor activities.

On the question of what happens if the property is sold by CATCH sometime in the future, it was indicated that the restrictive periods resulting from the tax credits remain in effect. On the issue of whether CATCH might abandon the tax credit option in the future. Mr. Reed saw no reason to abandon the tax credits in the foreseeable future and plans on submitting paperwork regarding the historical tax credits within the next 30 days

Chair Colburn asks the members of the Heritage Commission if they have any other questions. Member Whitney asks about exterior doors [how many and colors]; Mr. Barker states that 3 new doors will be added, and all doors will mimic the existing industrial look and character of the existing doors. Again, the color will be dark maroon, which was selected by the historical consultant, who took samples from existing doors and windows.

Member Lucas asked if the trim and window color will be used consistently throughout the exterior upgrades; Mr. Barker stated yes. Member Feener asked about fire egress; Mr. Barker indicated that the fire codes will be considered for all windows, doors, and awning / canopy design features. Member Lucas asked about exterior lighting. Mr. Barker stated that the parking lot poles will be square mounted heads, with the lights having a downward angle to best illuminate the parking area for public safety. Lighting the courtyard will be built into bollards located in certain portions of the area.

General Public Comment:

Mr. Leigh Webb spoke of the use of tax credits for this project and of the desirability of supporting such plans for the revitalization of the downtown area.

Annette Andreozzi also applauded the project and pleaded to the applicants that should they chose to dispense with the tax credits, that they present whatever new exterior variations to the Board so that they can judge it based on the city of Franklin's historic criteria.

Bob Lucas, speaking as a member of the public asked about traffic and the light at Smith Street. A discussion of potential traffic problems followed with Chairman Colburn stating that the traffic signal at Smith Street was installed with this project in mind.

Chair Colburn asked the Heritage Commission to take their vote first. It was moved and seconded that the Franklin Heritage Commission approve the proposed improvements to the RiverBend Mill building at 100 Memorial Street. The Commission finds that the improvements are in keeping with the historic nature of the mill building and all of the exterior and window repairs have been approved by the applicable federal and state agencies.

Mayor Merrifield motioned that the Franklin Planning Board approve the Site Plan and Special Use Permit for Franklin Power and Light, LP, application P16-03, for the proposed redevelopment of the mill building located at 100 Memorial Street, with the conditions listed in the draft approval document reviewed by the Board; seconded by Member Starkweather.

Member Sullivan proposed an amendment to section 'h' of Discussion and Findings and the conditions to include the following: "and coordinate with the Municipal Services Director at the time of verification."

Amendment moved and seconded, and this language is incorporated into the draft decision.

Member Veysey proposed an additional amendment regarding the number of parking spaces. In it he asked that under Decisions and Conditions, section 3, that the on-site parking be reviewed after 75% occupancy instead of 6 months at 100% occupancy. Mr. Reed gave other examples of similar projects where the need for more than one parking space per unit has not occurred. Members Starkweather and Sullivan agreed that this is something the municipal staff can work out later. The potential exists that City parking codes may need to be revised by the City council.

On a question from Director Lewis to Mike Reed on the parking, Mr. Reed indicated that having 2 vehicles per unit is not typical at other CATCH properties.

There was no second to this proposed amendment.

On the main motion to grant approval for this Site plan and Special Use Permit modification, the vote was unanimously approved, 9-0-0.

Other Business: The Planning office received a request from R & F Land Development for an extension to the subdivision approval for the project at the end of Finch Drive. The Board has already issued 2 extensions for this project. Director Lewis indicates his perspective is that, since the plan is recorded and there have not been any changes to the zoning or subdivision regulations that impact this approved project, there is no real good reason to deny this request. Members Merrifield & Starkweather moved and seconded to grant the extension. Member Sullivan raises the issue of the lack of the City's acceptance of Kidder Drive as a City street, and whether this non-acceptance should be linked to the extension request. After some discussion, it was decided that Kidder Ave was a separate matter and it was not appropriate to link the two topics. The vote was taken and all members voted in favor [9-0-0] to issue the extension.

Planner's Update: Director Lewis indicated that he has been working with the Downtown Business Coordinator, who was hired by the City using the USDA Rural Development funding, on a variety of business re-development issues. One specific topic is the update to the Tax Increment Financing [TIF] plan. A new draft is underway and it will be presented to the City Council later in the summer. This revised plan will utilize the April 1, 2016 property values for the starting point of determining added values for the downtown TIF District. He also mentioned that there is a lot of positive energy on the downtown initiatives.

Adjournment motion: Members Starkweather/Veysey moved and seconded to adjourn the meeting of April 27, 2016 at 9:36 p.m. All were in favor and the meeting was adjourned.