

**FRANKLIN PLANNING BOARD
PUBLIC MEETING
January 26, 2022 6:00 p.m.
City Hall, Council chambers**

Minutes

Call to Order: 6:00 p.m.

Attendance: Dave Libertore, Chair; Ted Starkweather, City Councilor; Tim Flaherty; Christine Dzujna; Rob Sargent; Kathy Lauer-Rago; Mayor Jo Brown; Christine Sheedy, Seth Creighton, Planning Director; James DeBernardo, Alternate.

☐ **Pledge of Allegiance**

☐ **Approval of Minutes from 12/8/2021.** Member Lauer-Rago made a motion to accept the minutes, seconded by Mayor Brown. **Motion carried 6-0-2** with members Sargent and Dzujna abstaining due to absence at that meeting.

☐ **New Business:**

- **P22-01:** Marvin Gardens Rentals, LLC and Julie Fournier, owners, are requesting a Lot Line Revision between Tax Map 76-114 (53 Webster Ave) and Tax Map 76-82 (53 Lark St). The revision will annex 400 Sq. feet from the Lark Street property to the Webster Avenue property. The properties are located in the LP [Lake Protection] zoning district.

Web Stout, Surveyor for the applicants, spoke on the application. He explained that it was a very simple adjustment to the lot line due to buildings at 53 Webster Ave being on the lot line. In order to remedy this, they are asking to move the lot line to annex 400 square feet from the Lark Street property to the 53 Webster Ave property. This will allow the buildings to be entirely on their own property.

Chairman Libertore opened it up to the public but no one was there to speak on it. He brought it back to the Board. Mayor Brown made a motion to accept the application, seconded by Member Dzujna. **Motion to accept carried 8-0-0.** Mayor Brown then made a motion to approve the application as complete, seconded by Member Sheedy. **Motion carried 8-0-0.**

- **P22-02:** Franklin Home for the Aged Association, DBA Peabody Home, owner, is seeking an amendment to an existing approved site plan. The amendment is to change the existing single phase site plan into a two-phase site plan. The property is located at 22-24 Peabody Place, Map/Lot 117-138-00 in the B1 [Low-density Business & Commercial] zoning district.

Mayor Brown made a motion to accept the application as complete, seconded by Councilor Starkweather. Motion carried 8-0-0. Member Dzujna recused herself due to conflict of interest. She is a Corporate Member of the Peabody Place and the co-chair for the newly established Peabody Place Auxiliary. Alternate Member DeBernardo was seated in her place.

Chris Nadeau, engineer for the applicant, spoke on the application. Mr. Nadeau explained how the buildings would be built in two phases as originally planned but it hadn't been clear that the entire project would be completed in 2 phases. He explained that there had been concerns about emergency access as the initial road and parking area would be completed in phase two when the original building comes down. They made some modifications to allow for emergency vehicles access during the construction of the second building. Mr. Nadeau explained that the Fire Department has reviewed the plan and approved of it.

Chairman Libertore asked Director Creighton for his input on the revisions. Director Creighton explained that the Technical Staff (FFD, MSD, FPD) has reviewed and discussed the changes and have approved it.

Mayor Brown asked for clarification on the pathway that runs along the river and what type of material will be used, specifically if it is wheelchair accessible. Mr. Nadeau explained it is a hardpack and was designed specifically for wheelchairs and those with walking/mobility challenges. It will be completed in phase 2. With no other questions from the Board, Chairman Libertore asked for any public comment. There was none so it was brought back to the Board. Mayor Brown made a motion to approve the revised plan, seconded by Member Flaherty. **Motion carried 8-0-0.**

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Member Dzujna returned to her seat and Member DeBernardo resumed his Alternate status.

- **P22-03:** Tyag Realty, LLC, owner, is seeking Site Plan Approval with Special Use Permit for renovation of and expansion to an existing “Motor vehicle-oriented business” (fueling station). The property is located at 221 South Main Street, Map/Lot 099-006-00 in the B1 [Low-density Business & Commercial] zoning district.

Councilor Starkweather made a motion to accept the application as complete, seconded by Mayor Brown. **Motion carried 8-0-0.**

Mark Antonia, engineer, spoke to the application. He explained the intent is to reinstall pumps, tanks and canopies that were removed in 2016. He also mentioned that, due to the location of the diesel pumps and canopy, they will also be looking for a variance from the Zoning Board of Adjustment. He went through the design, explaining that the canopy of the prior fueling pumps had been removed. They are proposing adding two pump stations with separate underground tanks; one 12,000-gallon diesel tank and one 10,000-gallon split tank for premium and regular gasoline. The diesel pumps would be at the southern end of the lot. He explained each fueling area would have a canopy with runoff into a drywell to reduce runoff into the stormwater drains. Their proposal includes six fixtures for lights and two new poles for the truck fueling pumps. He walked through the light-trespass generated by the new fixtures, construction details and the final design for the canopies. He also spoke to some of the questions that Director Creighton had brought up via an email regarding drainage from the railroad bed behind the property. He explained that drains to South Main Street into the city stormwater drains. He also explained that the proposed placement of the rear canopy would allow for more green space and less impervious surface.

Member Flaherty asked about parking spaces. Mr. Antonia explained there will be 24 spaces, the requirement is only 11. Handicap spaces will be on either side of the building.

Mayor Brown asked when the previous tanks were removed, to which Mr. Antonia replied 2016 and the canopy was removed last summer.

Member Dzujna asked if they will be able to accommodate snowmobilers that use the trails behind the property. Mr. Antonia explained that there is not currently a trail or corridor for them to access the station, but they could certainly use the gas if a corridor was available.

Chairman Liberatore asked Director Creighton for his input and any concerns he has with the project. Director Creighton walked through a number of concerns he has:

- The lighting plan doesn’t propose specific fixtures and show footcandles expected so it’s not clear if there would be light-trespass issues for the residents across the street
- Traffic – there are currently 4 curb cuts when only 2 are needed. That can be confusing and cause safety problems getting in and out of the facility.
- Drainage – while he applauds the canopy collection system, anything that hits the pavement will need to be treated prior to getting into the wastewater system.
- Landscaping – they have proposed 2 trees replacing one huge oak tree but the plan doesn’t specify tree species proposed. It also needs more shrubbery/grass for aesthetics. If it looks more inviting, they will see the return on investment with more traffic.
- Architecture – He would like to see more detail/colors on the canopy, as to exactly what is proposed for logos, etc.

Director Creighton made the suggestion that the Board continue having the discussion, get public input, but ultimately continue the application to another meeting so the applicant can address some of the safety concerns. Chairman Liberatore asked if the distance between the diesel plumps and the store was any concern. Director Creighton said that it was questionable if the sightline from the store to the pumps was adequate.

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Member Starkweather suggested that saddle fuel pumps fill much faster and should be considered. He also said that curb cuts do not have to remain where they currently are, he has concerns about the business being open 24 hours and has drainage concerns due to the elevation of the property. He said historically the snowmelt at that property has run into the street causing ice issues. He suggested they get the correct railway ROW information before any construction begins.

Member Dzujna confirmed that she also recalled flooding issues at that property. Member Flaherty asked what timeframe they are looking at to begin construction. Mr. Antonia said as soon as possible. Mayor Brown said the ice/water issues will need to be addressed. She also said that she has been inside the store and it has greatly improved but she agrees with Director Creighton that improvements are needed to the outside.

Chairman Liberatore opened it up to the public for comment.

Delaney Carrier, abutter (owner of 256, 270 and 274 South Main Street), spoke that he is generally in favor of the project but has concerns with the stream that runs under the old railroad bed and past the diesel tanks. Contamination issue were a constant problem in the past as well as the ice/water runoff. He expressed concerns about the impact on water quality for the residents across the street as well as the river which is where the runoff ends up.

Chairman Liberatore brought it back to the Board. Mayor Brown made a motion to continue the application to the March 23, 2022 meeting so the applicant can address the concerns that have been brought up. Motion seconded by Member Dzujna. **Motion carried 8-0-0.**

☐ **Old Business:** None

☐ **Public Comment:** None

☐ **Other Business:**

- Annual election of officers: Chairperson, Vice-Chairperson, Secretary: David Liberatore said he would be happy to remain as Chairman if the Board agreed. Christine Dzujna volunteered to be Vice-chair, and Kathy Lauer-Rago agreed to hold the position of Secretary. There were no objections to any of the assignments.
- Appointment of member to Capital Improvement Plan Committee: Alternate James DeBernardo asked for clarification on what this position entails and what the time-commitment would be. After an explanation from Director Creighton on how that committee functions, he agreed to serve as the Planning Board representative. Chairman Liberatore said he would be an alternate on that committee.

☐ **Planner's Update:** Director Creighton shared that Cumberland Farms is moving forward, all the paperwork is in place and they should break ground in April. The Chinburg project at Stevens Mill is looking at making some changes to the number of apartment units and square footage and that he felt it should probably come back to the Planning Board for review. The Board all agreed that they would like to see the plan changes prior to approval. Finally, he shared that Mill City Park has the first "feature" in place in the water and is on track to be completed by spring.

☐ **Adjournment:** Mayor Brown made a motion to adjourn, seconded by Member Dzujna. **Motion carried 8-0-0.** Meeting adjourned at 7:12 p.m.

- The next Planning Board regular meeting is scheduled for February 23, 2022 at 6:00 p.m. and the application dead line date is February 2, 2022.

Respectfully submitted,

Judy Bibbins
Planning and Zoning Administrative Assistant