

**FRANKLIN PLANNING BOARD
PUBLIC MEETING
November 09, 2022 6:00 p.m.
Franklin City Hall, Council Chambers**

Minutes

Call to Order: 6:00 p.m.

Attendance: Chairman Dave Liberatore, Tim Flaherty, Alternate Councilor Ted Starkweather (seated for Councilor Valerie Blake), Kathy Lauer-Rago, Alternate James DeBernardo (seated for Christine Sheedy) Rob Sargent (arrived at 6:15), Christine Dzujna (arrived at 6:15). (Absent: Mayor Jo Brown, Councilor Valerie Blake, Christine Sheedy, Alternate Donna Tully). Staff present: Planning Director Seth Creighton; Planning and Zoning Administrative Assistant Judy Bibbins

☐ **Pledge of Allegiance**

☐ **Approval of Minutes from 9/28/2022.**

Member Flaherty made a motion to approve the minutes, seconded by Councilor Starkweather. **Motion carried 5-0-0.**

☐ **New Business:**

P22-12: Tropic Star Developments, owner, is seeking Site-Plan review with Special Use Permit to construct a motor-vehicle oriented business (gas station with convenience store) containing 5 dual-sided retail motor fuel dispenser and a 4,350 sf convenience store with indoor and outdoor seating, on-site parking, stormwater management system, and other related utilities/site improvements. The property is located at 901 Central Street, Map/Lot # 148-052-02 in the B1 and RS zoning districts.

Member Flaherty made a motion to accept the application as complete, seconded by Councilor Starkweather.

Motion carried 5-0-0.

Jim Mitchell from Tropic Star Development, owner, spoke to the application. He explained that he had an informal meeting on November 3, 2022 with Fire Captain Steve Reale, Municipal Services Director Justin Hanscom and Planning Director Creighton to go over the technical parts of the site plan for truck-turning radius, fire safety concerns, curb cuts and water/sewer connections. He had also just made contact with Leigh Webb from the Historical Society to arrange the removal of any historically significant documents from the property prior to demolition. He then turned the presentation over to Garrett Piccirillo from Greenman-Pederson, Inc. who is the civil engineer on the project.

Mr. Piccirillo spoke to each page of the site plan and highlighted the abutters, existing conditions, demolition plan, site plan, market size, fueling stations, parking and dumpster placement. He explained they are proposing to reduce the curb cuts to make it safer for traffic and still maintain the turning radius for fire apparatus and fuel trucks. He also explained the stormwater treatment plan to protect the groundwater and the extra protections they've incorporated around "spill areas."

Mr. Piccirillo spoke to the waiver from the Underground Utilities requirement. They are requesting a waiver only for the existing pole on the back of the property that currently has pole-mounted transformers and provides service to the adjacent commercial properties. The remainder of the utilities will be underground. He also highlighted key aspects of the landscaping plan including the planting of trees along Dany Drive and Central Street, shrubs

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throughout the lot and providing adequate screening from the residential property located behind the lot. There will be a trash enclosure with slat-fencing and landscaping to minimize visibility. He also highlighted the truck turning pattern for tankers and fire apparatus. There is a full photometrics plan in accordance with City ordinances and he spoke to the building elevations.

Councilor Starkweather referenced sheet 2 of 14, Existing Conditions, and asked if the storage building and tires would be removed. Mr. Mitchell responded that all the garbage from the back of the lot will be removed including the tires. Councilor Starkweather followed up with a question about contaminated soils. Mr. Mitchell responded that they have confirmed an underground tank used for heating oil and they already have a plan in place to remove it completely. He explained they are very familiar with contaminated soil and how to dispose of it.

Member Rago asked if there was any plan for Electric Vehicle charging stations. Mr. Mitchell responded that they did not feel there was a need to include those currently, but there is space available if future market conditions indicate a need to add that functionality.

Councilor Starkweather asked if the trees were salt-resistant. Mr. Piccirillo confirmed they are. Councilor Starkweather followed up with questions about the seating areas and if there would be food preparation. Mr. Piccirillo said they would be serving prepared foods but no full food preparation onsite. Councilor Starkweather then made a suggestion for a stand-by generator and generator pump because there isn't one in the area within 7 miles. Mr. Mitchell said that was at the developer's discretion, but he agreed that it was a good idea.

The presentation was then turned over to Jeff Dirk from Vanasse and Associates, Inc. who performed the traffic impact study. He covered the highlights of a lengthy traffic study including a comparison of traffic on Route 11 between March and August, traffic patterns, speed, and wait times at lights. He explained the standards of site distance and speed and the need for clear site lines around all driveways. He also covered the impact of the project and how wait times and volume of traffic may increase along with how to mitigate it with adjustment to the light timings.

Chairman Liberatore asked if there were any questions from the Board on the traffic study. There were none. He then solicited questions from the public but no members of the public were present. Hearing was closed and brought back to the Board. Director Creighton highlighted the condition of the property, the potable water conditions and that the required survey will add another boundary marker to the lot. He made the suggestion of adding local art to the false window on the side of the building. He also explained that everything the Planning Office has requested of this project has been discussed with the applicant and the applicant agrees to meet these conditions.

Councilor Starkweather asked what the timeline was for this project. Mr. Mitchell explained that they plan to demo the buildings in January, remove the tank and begin digging in March and have the site stable by late summer/early fall of 2023. Member Rago gave them accolades for the presentation and made a request that the art not be controversial or political in any way. It was also agreed that it should not involve a kayak either as there is more to Franklin than just kayaking. Mr. Mitchell agreed that they could honor those requests. Member Sargent asked if there were any similar facilities in the area they could look at for comparison. Mr. Mitchell offered Rochester and Newfields as similar in design. There were no other questions or comments from the Board.

Member Flaherty made 3 motions:

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"I move to approve the Special Use Permit for P 22-12: motor vehicle-oriented business (fueling station) proposed to be located at 901 Central St, Tax Map 148 Lot 15-2. The approval is consistent with the draft decision provided by the Planning Director, with any amendments made by the Board and noted in the minutes."

Motion was seconded by Member Dzujna. **Motion carried 7-0-0.**

"I move to approve the Waiver request of Site Plan Regulation 402-5.i to allow for the proposed overhead utilities to remain at the rear of the site. The approval is based on the reasons the applicant submitted and those the Planning Director offered."

Motion was seconded by Member Dzujna. **Motion carried 7-0-0.**

"I move to approve the Site Plan application P 22-1: for a motor vehicle-oriented business (fueling station) and retail sales (convenience store), to be located at 901 Central St, Tax Map 148 Lot 15-2. The approval is consistent with the draft decision provided by the Planning Director, with any amendments made by the Board and noted in the minutes."

Motion was seconded by Member Dzujna. **Motion carried 7-0-0.**

☐ **Planner Update:**

Director Creighton gave a quick that update that the Board would see a draft of the Water Protection Ordinance. He also shared a picture of the Irving facility in Rochester that was referenced by the applicant.

☐ **Adjournment:**

Chairman Liberatore made a motion to adjourn, seconded by Member Dzujna. **Motion carried 7-0-0. Meeting adjourned at 7:12 p.m.**

- The next Planning Board regular meeting is scheduled for December 14, 2022 at 6:00 p.m. and the application deadline date is November 16, 2022.

Respectfully submitted,

Judy Bibbins

Planning & Zoning Administrative Assistant