

**FRANKLIN PLANNING BOARD
PUBLIC HEARING MEETING
January 26th, 2011**

Call to Order: 7:07 p.m.

- Pledge of Allegiance.
- Roll Call

Present: Brian Colburn, Mayor Merrifield, Brian Sullivan, Anthony Giunta, Powell Glenn, Robert Sharon, Michael Freeman, Ted Starkweather, Anthony Daniel, Timothy Stangroom (late) and Planning and Zoning Administrator, Richard Lewis. Marty Russo was late and arrived at 7:34 p.m.

Absent: David Veysey.

- ❖ Seating of Alternates in place of absent regular voting members: At this time, as there was a full board of voting members, no alternates were seated.

- Approval of Minutes: November 17th, 2010 Meeting Minutes

MOTION: Member Sharon moved and Member Starkweather seconded to approve the minutes of the November 17th, 2010 meeting as submitted. Member Colburn indicated that on page five, fifth paragraph, last sentence, the word speculation should be replaced with specifications. All were in favor of approving the minutes as amended.

Old Business: None.

Other Business

- Non-conforming structures draft amendment; possible public hearing on February 23rd, 2011.

Richard Lewis stated that he would like the board to schedule a public hearing regarding changes to the non-conforming structures ordinance which would modify the ordinance to resolve conflicts between the ordinance and the RSA's.

MOTION: Member Sullivan moved and Mayor Merrifield seconded to schedule a public hearing for February 23, 2011, at 7:00 p.m. to consider an amendment to sections 305-18.B and C of the Franklin Zoning Ordinance relative to improvements to nonconforming lots and the expansion of and additions to non-conforming structures. All were in favor and the motion passed.

New Business

- P11-01:** Richard D. Edmunds and Frank M. Edmunds, Applicants/Owners; Theodore Kupper, PE, Agent, request Site Plan approval to construct and operate a 360 ton per hour packaged asphalt manufacturing plant in an existing permitted, industrial zoned gravel pit, including a 50' x 100' maintenance building and aggregate stockpile areas, on property located on the northwest corner of NH Route 3 and Punch Brook Road, identified as Tax Map/Lot # 103-406-00, I-1 Zone (Industrial District). If the Board votes to accept application based on a motion that it meets the submission requirements, the public hearing will start immediately. If the application is not accepted the hearing will be continued to the next meeting of the Board.

Richard Lewis discussed the memo presented to the Board tonight where he outlined three issues, minor in his mind, that need to be considered prior to acceptance of the application: 1) the title block is not located in the right place on the plan; 2) there is no signature block on the plan; and, 3) the slopes greater than 15% are not identified with cross hatching or shading. He stated that the location of the title block meets the intent, the final approved plan can contain the signature block, and if shading for slope over 15% is put on the plan it will create confusion on the plan. The

mayor asked about the other waivers that are being requested and Richard Lewis stated that the checklist is what the board needs to go by for accepting of the application and that these are the only three outstanding issues for the acceptance process; the other waivers can be dealt with as the public hearing progresses.

Member Freeman and Member Starkweather indicated they need to recuse themselves at this time. Chair Colburn then seated Members Stangroom and Sharon in their place.

MOTION: Member Sullivan moved and Member Sharon seconded that the Franklin Planning Board approve the requested waivers discussed in the application materials presented by the project engineer as the waivers would not be contrary to the spirit and intent of the regulations and conformance would pose an unnecessary hardship to the applicant, and they moved to accept the site plan application from Richard Edmunds for the proposed asphalt plant to be located on Punch Brook Road, file number P11-01.

There was a lengthy discussion. Member Giunta stated that KV Partners has not looked at the air quality or the noise. He stated they received information from the City Attorney; however the ordinance is vague. He stated it is not in good practice to accept the application before the issues of the noise and nuisance ordinance are reviewed by the City Council. The noise ordinance does not protect the abutters or the applicant as it stands now and could be troublesome in the future. Member Giunta asked the Mayor if the City Council should clarify the ordinance.

Member Colburn stated that he would like to clarify for the board that the noise ordinance and issues are not an issue for acceptance. Richard Lewis stated that he would agree with this as it is not included on the checklist for acceptance.

Mayor Merrifield stated that Member Giunta has a good point and if we accept the application that the board would be locked into the ordinance as it is in place currently. If the City Council adopts ordinance changes they would not apply to the application, as the application is locked into the ordinances as they are at the time of the acceptance.

Richard Lewis stated that once the application is accepted the Zoning Ordinance in affect is locked in. He stated the applicability of non-zoning items on acceptance is not clear. He stated that once an application is submitted for acceptance the board needs to act within thirty days [RSA 676:4(I)]. He stated he believes the board would be on shaky legal ground if they were to say they are going to hold off on acceptance of an application until they have a new noise ordinance.

Member Sullivan asked if it could be a condition of approval that the approval is contingent on City Council review and revisions to the noise ordinance. Chair Colburn indicated that based on the letter from the City Attorney, you can't make a condition that they adhere to a future ordinance. Mr. Lewis stated he would like to speak with the City Attorney regarding this issue. Mayor Merrifield stated that he would like guidance from the City Attorney, and asked if a draft condition relative to noise could be put in; but stated that the board cannot water down an ordinance as part of the conditions.

Member Stangroom read RSA 676-14, regarding the higher standard being applicable. Member Colburn stated there is no other regulation regarding noise so the issue of higher standard is not in affect.

Member Giunta wanted clarification on whether the board cannot vote to accept the application based on the noise ordinance. Richard Lewis stated that the checklist explains what items must be present in order for the board to accept an application. He stated that this is not one of the items listed in the checklist, he stated that it can however be discussed and a condition of approval could be set based on the discussion.

Member Giunta stated he would like to make a motion to have the City Council revise the noise ordinance as soon as possible. He stated that Attorney Callen has also addressed numerous reasons as to why the board should not accept the application.

At this time, the board took a ten (10) minute recess to review the materials submitted by Attorney Callen.

Brian Colburn asked Richard Lewis for clarification. Richard Lewis stated that he spoke with the City Attorney during the break and his recommendation is that the board needs to act based on the ordinance that is in effect today. He stated changes are not part of the acceptance process, but can be applied to other aspects of the approval or denial. Mr. Lewis added that the applicant was before the board in August with a preliminary application, which locks the board into the ordinances that were effect in August. Mayor Merrifield stated that there was no submission at that time of a formal application or an acceptance of an application and was just a discussion. Mr. Lewis indicated that the City Attorney advised that based on the Land Use Regulations, the Preliminary hearing locks the ordinances in.

Member Giunta referenced the letter from Attorney Callen and asked about the applicant's waiver requests. Richard Lewis stated that Provan & Lorber originally used an outdated list for the waiver requests, but they have now submitted a corrected list that has been distributed to the Board and other interested parties.

The language of the ordinances and regulations were discussed further. A roll call vote was then completed on the motion to accept this application. The board voted as follows:

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| Member Colburn – In favor | Mayor Merrifield – Not in favor |
| Member Daniel – In favor | Member Sullivan – In favor |
| Member Giunta – Not in favor | Member Glenn – Not in favor |
| Member Russo – In favor | Member Sharon – In favor |
| Member Stangroom – Not in favor | |

The motion to accept the application and approve the waivers needed for acceptance passed by a vote of 5-4 in favor of the motion.

Chair Colburn stated that at the November Meeting the board discussed incorporating the presentation and public comment into this meeting.

MOTION: Mayor Merrifield moved and Member Sharon seconded that the Franklin Planning Board accept and incorporate by reference into the record for the P11-01 application all of the information submitted by the abutters and the public on the matter at the November 17, 2010 hearing for the site plan application for the Edmunds Asphalt Plant. All were in favor and the motion passed.

The board also moved as follows:

MOTION: Member Sullivan moved and Mayor Merrifield moved that the Franklin Planning Board vote to release the confidential correspondence between the Planning Department and the City Attorney regarding the Edmunds Site Plan application [P11-01]. The Board finds that the release of this correspondence does not adversely impact any legal proceedings or compromise attorney/client privilege.

Mayor Merrifield made a point to the board that if the board votes to release this information, that any future correspondence would be released as well.

All were in favor and the motion passed.

Member Colburn asked that when the abutters spoke that they stay focused and do not repeat another abutter and if they agree with another abutter to just state that. He stated that if someone is going to speak for numerous abutters then the board will make a decision at that time as to whether they will add more time. He also indicated that a letter was received from the consulting engineer and asked that the applicant discuss the points in the letter.

Chris Seufert was present as the attorney for RD Edmunds. He then introduced the members of the project team: Ted Kupper, Project Engineer; Tom Hartshorn, Project Manager; Peter Shauer, Soil Scientist; Tim Goldthwaite, drainage, stormwater, and roads; and, David Saladino, Traffic Engineer.

Tom Hartshorn then gave an overview of the project. He stated this is a batch plant type process, the plant has been updated for air handling, the new burner meets or exceeds the requirements, and the plant is aged but it is the best for the economy.

Ted Kupper stated the property is located on the corner of Route 3 and Punch Brook Road. The lot is over 17 acres, and the grade rises to the west. He stated the entrance is proposed midway up the frontage of the lot. The main [easterly] entrance will circulate traffic through the lot. There will be a 50x100 foot storage building, silo, coal bins, 4 large tanks of bitumen or #2 oil, rotary dryer (which dries the aggregate and raises the temperature, Hot elevator with materials stored on top (when a certain mix is called for the proper amount of aggregates are released to make the mix, the process takes 60 seconds to make one batch). The westerly entrance will be for the trucks bringing the aggregates in to fill the bins. The front loader will then move the materials between bins.

The distance from the plant itself to the closest neighbor's property line is 300' and 600' feet to the closest neighbor's house. Mr. Kupper stated all existing sloped areas will be stabilized. He stated there will be a secondary containment area for the #2 fuels and bitumen in case of any spill; also absorbent material will be kept on site in case it is necessary. Mr. Kupper stated there will not be any significant amounts of refuse generated, so there will be no dumpster. He stated the lighting will be the minimum amount required to safely light areas where people would be moving, including the parking lot areas and the areas where workers would occupy, and all the lighting will be downcast. Jersey barriers are being put in for wheel stops at the aggregate dumping area where the trucks will dump the aggregate over the 2 to 1 slope. The bins will contain the majority of the material. The gravel bin walls are constructed of concrete blocks. There will be four tanks on the premise, two for bituminous and two for fuel, and they won't know how much fuel they will use and how often the tanks will be filled until the plant is up and running.

Mr. Kupper stated there was a question regarding the number of days the business would be up and running. He stated typically asphalt plants run 120 days a year; however, the amount of days the business can be up and running is based on CO₂ emissions and set by EPA. The best case scenario is 240 days, so this is what they are basing everything on. Mr. Kupper stated that in NH the typical numbers of days per year are 120-180.

Mr. Hartshorn stated that in a batch plant there is not normally excess material or waste but an area will be designated for excess processing materials and RAP. Mr. Kupper stated that RAP is Recycled Asphalt Product; which is removed from roadways during the reconstruction and repaving process; a portion of this is brought back, ground up and mixed into the containers.

The Air Quality permit has been submitted to NHDES and they will determine the height of the stack and the number of days that the plant can be in operation.

Tim Goldthwaite spoke on drainage and stormwater management. He stated the lot will be relatively flat in the area where the plant will be constructed and the soil is sandy, which will absorb a lot of water. He stated that seven rain gardens will be put in, and that run off from the paved areas would be into bark mulch and into the sandy soil. There will be a catch basin and manholes, which also are acceptable treatments by DES.

Mr. Goldthwaite stated that as far as the driveway runoff, it will be directed towards a swale which will collect it, slow the flow down, and send it into the rain garden. He stated the infiltration rate is 5"/hour and a note will be added to the plan.

Mr. Kupper stated that they will supply maintenance procedures for all of the stormwater management systems. Mr. Goldthwaite stated that the drainage report has the maintenance procedures; however, if it determined that more is needed then he will get the information to the board.

David Saladino was present to speak about the traffic patterns. It was indicated that in the letter from Mike Vignale that the increase in traffic does increase delays and queue lengths are a small amount at Punch Brook Road intersection with Route 3 but the effects of the increased delays and queue lengths are minimal. Mr. Saladino stated the increase is approximately 1 second. He stated that the measured distance required for existing and stopping site distance at the intersection of Route 3 and Punch Brook Road meets the minimum requirement. It was indicated that the corner site distance is less than the minimum stopping site distance for westerly driveway and easterly driveway. They indicated that they will be heeding Mike Vignale's recommendations for trimming back brush and potential side slopes to fix this issue. Mr. Saladino stated that they will review and get in contact with Mike Vignale regarding improvements to ensure that minimum stopping sight distances will be provided for both driveways in both directions.

Mr. Saladino stated that whether a 10 wheeler can maneuver out of Punch Brook Road onto Route 3 is that it is already being done. He stated that for a short distance a truck may travel in the wrong lane turning right, or on the shoulder, when turning left. He stated that the second page shows this information.

Peter Schauer spoke about the soils. He stated there test pits were dug 25-30' deep and there was sand all the way through and no water. He stated there will be rapid permeability on site. Attorney Seufert asked if there was any question in Mr. Schauer's mind that the plant couldn't be built where they want to build it and it was indicated there is no question in his mind and they definitely could build it there.

Mr. Kupper stated that noise has been a big issue with the abutters and this is the most difficult to convey. Hauke Manufacturing Company, who manufacturer's the burner, stated this is the largest conveyor of noise for the plant and then the conveyor and trucks will add to the noise levels.

The burner is 96 decibels measured at 6' away and the decibels drop as you move further from the burner. He stated that at 30' away, the decibel levels are 84'. He gave the board a handout that showed the burner and the decibels based on distance. He stated that the second page of the handout is the decibel ratings of common noises.

Mr. Kupper stated that when there is more than one source of noise, the noises are not additive, but are accumulative. This means that two lawnmowers at 90 decibels each do not become 180 decibels. He indicated that the noise you would hear from the burner, being 90 decibels, at 300' would be equivalent to 2 lawnmower's at the same distance. When you get to the closest house, the noise would be even more decreased. He stated if you were mowing a lawn at the end of the football field, it is equivalent to lawnmowers at one end while you were standing at the other. When calculating the 600', you are now listening to two lawnmowers again, but you are now two football fields away.

He stated the noise is higher than background noise, but it will not be obnoxious or obtrusive. He stated that the noise level will not be higher than background noise at the industrial/residential zone line.

Board Questions

Member Sullivan asked if DES is looking at 360 tons/hour and Mr. Kupper stated yes, but ultimately should be less. Member Sullivan asked about an update on the status of the DES permits. Mr. Kupper stated that: 1) the permit for the application for the above ground storage tanks has not been submitted yet; the Air Quality Permit is under review, and DES is beginning the computer modeling and will go as far as including Webster Valve and the Hospital in their analysis, DES has 90 days to act and they have had the permit for 40 days. They have asked that a public hearing be scheduled and it is possible that will be conducted in March or April; the AOT permit, for drainage, has been submitted and received comments and the project engineer will provide the necessary materials to DES. Mr. Kupper stated that the EPA stormwater is typically applied for by the developer just prior to beginning construction on the site and isn't a permit that is applied for at this stage.

Chair Colburn asked if at the property line the noise would be greater than what they have today and Mr. Kupper stated that it would. It was indicated that currently there is a gravel crushing plant on the other side of the road from this property, and that the noise of a gravel crushing plant exceeds the noise of an asphalt plant.

At this time there was some discussion and clarification on the noise levels and decibels. It was indicated that some contributors to the noise will be, the burners, the trucks idling, and the vibrating screen.

It was asked if there would be pumps on site for the filling of trucks. Mr. Kupper stated there would not be and that the #2 fuel would only be used for the operating of the plant and will be directly piped to the plant itself. Chair Colburn stated the reason why he asks is because you can't have infiltration areas in what is considered hot spots, such as gas station, filling stations and etc.

There was also discussion about the stopping site distances and site distances. It was indicated that both need to be reviewed further. It was indicated that there is currently 1 car every 2-3 minutes on Punch Brook Road. The traffic report used a 30-mph speed limit for Punch Brook Road in their calculations. It was indicated that a truck coming out into oncoming traffic would have to decrease their speed up to 70%.

There was discussion on moving the location of the driveways and it was indicated that they can be moved, but the applicant was not sure if this would allow them to meet the requirements. This will be reviewed further.

It was indicated that the existing intersection at Route 3 and Punch Brook Road may need some improvements. There is not an adequate turning radius and Punch Brook Road is pretty narrow with ditches on either side. Mr. Kupper stated that dump trucks already travel the road frequently and he is not aware of any problems.

Member Colburn asked if the dump area for the aggregate will function given the impacts to the slope where the materials are deposited. Mr. Kupper indicated that the largest rock would be approximately ¾" and wouldn't be large rocks so the applicant expects the slopes to remain stable. Mr. Kupper stated that he would speak with Mike Vignale about how to better address the issues that are outstanding.

Public Comment

It was indicated that each member of the public would have 4 minutes to speak.

9:30 p.m. Jed Callen, Attorney for Rousseau's, Kendrick's and Tomaszewski and Hammond, was present to speak. He thanked the board for how they handled things in the last meeting. He stated that the issues he would like to discuss are as follows:

1. Request for waivers. He stated that the waivers for acceptance were addressed earlier. He stated he would urge the board to deny the waivers for trees, landscaping, buffers and screening. It was indicated that additional buffers may need to be required.
2. Traffic. The traffic report identifies serious traffic problems for site distances and stopping site distances. It was indicated that the distances are inadequate and should be reviewed further and the proposed needs to meet the requirements and be sufficient for the road and not cause additional problems. Out of the eastern drive the site distance is suppose to be 390'; however, they only have 200' available.
3. Noise. He stated the plant sounding like two lawnmowers is for the burners only. Other noises will be going on to include, vibrators, shakers, front end loaders, vehicles and dumping of materials.
4. Pollution. Purpose of the Site Plan Regulations in C-1, talks about the prevention of pollution. The pollutants include light, noise, odors, pollutants, and smoke soot. The pollutants from the site could endanger the welfare, health and safety of the abutters and the general public. DES Air Quality looks at the combustion stack; however the issues such as the emissions from the hoppers, silos, trucks and stacks also need to be reviewed. The board can set tighter emissions rules with their conditions on the property than what the State currently has. It was stated that prevention methods are available, to include curtains and other sources.

Mr. Callen stated this is a 43 year old plant and indicated that little information about leaks and spills and RAP have been given. He stated that the board does not have to approve an old plant even if they believe it is necessary and the owner can come up with a new plant.

Chair Colburn stated that points were raised about emissions and prevention measures have been investigated. Mr. Hartshorn stated that he has not seen a plant in the state of NH with curtains around the loading chute. He stated the plant will utilize new bag houses as the primary dust collectors for the site. Mr. Hartshorn stated that all aspects of the plant will either meet or exceed the standards required.

9:57 p.m. Greg Davall was present to speak. He stated that there will be additional noise. He stated that each hopper has a vibrator and baghouse blowers can be over 100 decibels. Mr. Davall submitted into the record his comments, which he read from the sheet with attachments. Mr. Davall spoke about a Pike operated warm-mix plant in Poland Maine that is state of the art and which could be an example of what could be built in Franklin.

Member Russo stated that article on the warm-mix plants indicate that the mix must be reheated before placement on some types of roadways. He asked if this can be used on the state roads in New Hampshire without reheating. Mr. Davall stated he did not know that answer and that the biggest concerns are volatiles, smells, blue smoke and noise.

10:13 p.m. Ten Minute break

Leland Hammond was present to speak. He showed the board a video of a truck at an asphalt plant idling while getting filled. His concerns are the emissions, the turn radius', traffic and that the emissions are from the truck from the site to the location of the work being completed.

Kathy Kendrick stated her concerns are the noise. She stated the gravel pit is currently already a 24-7 business and you can hear it. She stated that the decibels of the warning buzzer required by OSHA, needs to be added into the equation. Mr. Kupper stated they are going to use warning lights and not buzzers. Kathy Kendrick stated that the city has been working on improving its image and approving this plant would damage that image.

Bill Kendrick, 761 South Main Street, stated he is concerns about the dust and the noise and smell. He stated his parents bought the house in 1974. He has bought hit from them. He stated the balloons could be seen from his house. He stated that Mr. Edmunds met him at the site, as he was concerned about the height and was told the mounds of dirt would be removed for the placement of the plant.

Mr. Kendrick stated that everything Mr. Edmunds has done is smoke and mirrors and if this is approved we won't know what he will do after approval. He stated just the asphalt trucks driving by his house will emit toxins.

Betty Tobey stated that she has spent her life trying to upgrade the quality of life and she stated that the noise would be increased. She stated that by adding a second item the decibels increase 10 fold. She stated that 100 decibels is 1 billion times louder than 10 decibels. She stated the things that will affect her quality of life are health, noise and traffic.

Nita Tomaszewski stated that she is located in the conservation zone and stated that from her property you can hear the gravel pit all the time. She asked who she needed to complain to on the noise of the gravel pit and Mayor Merrifield stated that those noise complaints need to be made to the Police Department. She then read the history of Franklin, as it is located on the home page of the Cities website. She stated the history of Franklin needs to be preserved.

10:42

Chuck Farmer stated that this lot is located in the Industrial Zone and that this is where the plant belongs. He stated that it won't be able to be smelt at the lake, as was previously indicated. He asked how can the city allow Webster Valve to put up numerous smoke stacks and then deny this application, and there were no complaints when Webster Valve was asking for their approval. He indicated that Route 3 is equipped to handle this traffic and that the business will add to the tax base and will offer jobs. He added that he doesn't believe that the abutters will hear the plant or be able to smell it.

Paul Blackford was present to speak, 191 Summit Street. He stated that there will be a ton of trucks that will be at a dead stop on Route 3, on a 24/7 basis. He stated 100 trucks a day, 4 trucks every hour, will back up traffic, creating a dangerous situation.

Ken Milender, 98 West Main Street Warner, NH, was present to speak. He stated that he is a licensed geologist and a geotechnical engineer. He stated that DES air quality division will make sure that the plant is designed to and follows all rules. The DES water department will make sure there are no ground water contaminates. He stated that this type of business is needed and regulatory. He stated that from everyone that he has spoken with about the Edmunds, they will bend over backwards for their neighbors and the engineer has a good reputation and a good relationship with DES. He stated that a conscience owner, a good design team and working under strict regulations will make this plant be a positive addition.

10:48

Holly Bersaw, 216 Smith Hill Road, said that she is located a mile from the pit and she can still hear the gravel put now, this entire travel area of Route 3, to Smith Hill Road, is very dangerous already.

Tucker Noack, 5 Pasture Drive, stated he is on the Upper Merrimack River Local Advisory Board and is concerned about a 43 year old plant with 43 year old Standards. It was indicated that this plant would have to meet the current standards that are set now.

Mr. Noack spoke about fugitive emissions and winds carrying these emissions into the river and polluting the Merrimack River.

Vicki Rister, 317 Smith Hill Road, stated that she came from Virginia Beach and lived a few miles from a Navy Base. The jets that flew over her house were suppose to be 65 decibels, but you couldn't play outside or talk on the phone when the jets were flying. The neighbors in the area of the base sued and the government settled. She stated that with her living 6 miles away she received 10,000 for the decrease in her quality of life.

Ralph Dixon, new owner, worries about the noise all night long. He then gave out DES handouts regarding pollution that were entered into the record. He stated that his concern is there is no enforcement from DES, and wanted to know what would happen when the plant closed.

Stella Noyes, 88 South Main Street, stated that she has worked in the health care profession as a respiratory therapist. She stated the pollutants in the air could cause health problems. She stated that people who don't smoke, but live on busy roadways have died from emphysema and cancer. She stated that Bitumen can cause cancer and she is concerned.

11:02 p.m.

Brian Colburn stated that the public comment portion of tonight's meeting is closed. He stated it would be continued to the meeting on the 23rd. The board then went over the concerns that should be addressed in the next meeting. Richard Lewis stated that by getting a copy of the minutes they should be able to get all the concerns that were brought forward this evening.

Some additional concerns included:

1. Need to sit down with Mike Vignale and go over the issues addressed in his letter and revise the plans.
2. Traffic- stop sight distances and traffic.
3. Sight distances.
4. Noise- regular noise versus the noise from this type of plant. Trucks backing up, alarms, shakers, burners, etc. Need a total amount of noise at any given time and the affect it will have on the abutters.
5. That the applicant needs to go through the minutes and get all other information necessary.
6. Emission controls, fugitive emissions, blue smoke, pollutants.

7. Contact DES for air quality issues and investigate what type of controls will be in place and what the emission levels are that are allowed.
8. Location of eastern driveway.
9. Off-site improvements of Route 3 and Punch Brook intersection.

Mr. Kupper stated that he understands the issue of the noise and will look into getting a consultant to review this issue. He stated they will evaluate the eastern driveway. He asked about the traffic issue with intersection of Punch Brook Road and Route 3, and asked how extensive the board will be looking, widening the roadway, turn lanes or acceleration lanes, where do they go and how do they proceed? He asked how extensive the board wanted the landscaping plan, and stated they will do the lighting plan to try and reduce the amount of waivers.

Member Sullivan stated that regarding the landscaping plan, they just need to supply something. He stated that if all they plan on doing is loaming and seeding, then do a plan to that extent, show stabilization of the slopes and add the stormwater management to the plan as well. He stated that the existing vegetation should be shown as well.

Chair Colburn stated that the applicant should speak with Mike Vignale about intersection improvements. He stated maybe Punch Brook Road could be widened to keep vehicles from turning into the other lane. He stated the turn radius needs to be adjusted for trailers and not just 10 wheelers.

11:26

Richard Lewis stated that the fugitive emissions and plans to reduce emissions as much as possible should be submitted.

It was asked if anyone had gone and visited other plants as they indicated that they were going to and it was stated that it was not done.

Chair Colburn stated that he would like to know what EPA's standards on emissions are and that if there is anything that the applicant can do to lower emissions they should be done. Member Sullivan stated that any avenue's being done to reduce noise should also be identified. Mr. Kupper stated that he would encourage the board to invite DES [which looks at the burners, heaters, stacks and particulate emissions, and mirrors EPA requirements] to the next meeting to clear up a lot of these issues. He indicated an acoustical engineer will be engaged.

MOTION: Member Giunta moved and Member Russo seconded that the Franklin Planning Board continue the public hearing for P11-01 to 7:15 p.m. on Wednesday, February 23rd, 2011. All were in favor and the motion passed.

Public Comment: None.

Planner's Update: None.

Adjournment

MOTION: Member Sullivan moved and Mayor Merrifield seconded to adjourn the January 26th, 2011 Regular Meeting of the Franklin Planning Board at 11:39 p.m. All were in favor and the motion passed. The meeting was adjourned at 11:39 p.m.

Respectfully Submitted,

**Angela M. Carey,
Planning and Zoning Office
Assistant to the Administrator**