

**FRANKLIN PLANNING BOARD
PUBLIC HEARING MEETING
May 25th, 2011**

Call to Order: 7:03 p.m.

- Pledge of Allegiance.
- Roll Call

Present: Brian Colburn, Brian Sullivan, Mayor Merrifield, Michael Freeman, Ted Starkweather, Anthony Giunta, Powell Glenn, Marty Russo, and Planning and Zoning Administrator, Richard Lewis.

Absent: David Veysey, Anthony Daniel and Bob Sharon.

- Approval of Minutes: April 27th, 2011 Meeting

MOTION: Mayor Merrifield moved and Member Starkweather seconded to approve the minutes of the April 27th, 2011 meeting as submitted. All were in favor of approving the minutes as submitted.

New Business

- **P11-03:** Mass Investment Group, LLC, Owner/Applicant, requests a Special Use Permit to convert existing space (formerly the school area) into Assembly Space (to be used for entertainment, art shows, talent shows, standup comedy, open microphone nights, karaoke, and other activities for all ages), on the property located at 20 Canal Street, identified as Tax Map/Lot # 117-365-00 and 117-153-00, B-2 Zone (High-Density Business and Commercial District) and the Downtown Revitalization District.

The Mayor recused himself at this time, as he indicated that his work has a contract with Mass Investment Group.

Alex Gorelik stated that they are trying to develop the property at 20 Canal Street and bring in development that will be good for the entire City. He stated they are utilizing the space that used to be the school space. He stated it was previously used by one tenant and now will be used for multi-tenants, as the space will be rented for different venues.

Heidi Erhard stated that she is the event coordinator. She stated they are working under the Downtown Revitalization to provide a nurturing and cultural awakening. She stated the calendar of events includes, but is not limited to, comedy shows, art exhibits, karaoke, open mic, etc. He stated they are trying to bring visitors into Franklin that normally may not have come.

She stated that this type of use would help revitalize the city, would bring visitors in and creates more revenue for the City. The use would allow the city to compete against other communities, to be a civic destination. She stated there is ample parking and based on the 2007 plan done by Lepene Engineering and Surveying there are 150 spaces on the lot and close municipal parking as well. The building is accessible to the public and most activities will take place when the other businesses downtown are closed, so the parking spaces will be available. Each group that rents the space will have their own

insurance and will create a safe zone for before, during and after the events. Mass Investments will provide their own security to provide a worry free and enjoyable experience.

Heidi stated there will be different social events for different people, and there will be events for all age groups and for families. She stated that Charitable events will be able to be held there free of charge. She stated she is working to make Franklin a first rate destination spot.

Member Starkweather stated that currently there are vehicles and equipment in the parking spaces and asked if they would be gaining these spots and if these things would be moved. Heidi stated that they would be moved. She stated they are looking into having police at the events to make sure that parking is not a problem. She stated that with the parking off site, the parking is well over 150 spaces. She stated that there will not be any commercial trucks or vehicles with the businesses.

Member Starkweather asked if they were aware of the construction that will be taking place in the municipal parking area this summer. Mr. Gorelik stated they are aware and excited about these changes.

Member Starkweather asked who Big Cat Booking was. Alex Gorelik stated that this is irrelevant to what they are doing. Heidi stated there will not be any mash mob's or mosh pits. Mr. Gorelik stated their security will make sure these things are not happening.

Member Starkweather asked if the Security, for their company and the people that are coming in, will be screened, as they can be half of the problem. Heidi stated that they will be.

Richard Lewis asked Heidi what company she works for. She stated that she was hired by Mass Investments as their event coordinator. She works directly for Mass Investments.

Richard Lewis asked about Alcohol sales on the premises. Ms. Erhard stated that they are not applying for a liquor license and do not intend on serving alcohol. She stated they are looking to bring some fun acts and create family event like atmosphere.

Member Sullivan asked if they have spoken with the Opera House about coordinating events. Alex stated he would like to work with the Opera House and Heidi indicated though they have not yet contacted them, they would like to be able to work together with the opera house.

Member Colburn stated that as a housekeeping item, the board needs to accept the application.

MOTION: Member Sullivan moved and Member Starkweather seconded that the Franklin Planning Board accept the application from Mass Investment Group, LLC for a Special Use Permit for certain assembly uses and activities. All were in favor and the motion passed.

Public Comment

Paul Morrisette was present to speak. He stated that he is the owner of the Regal Auction House. He stated that he owns a lot of property on Central Street and between himself and Mass Investment they own approximately 60% of the square footage on Central Street.

He stated that Mass Investment is very professional and that this business is beneficial to the community. The parking is available. He stated the City needs this type of business and that this would be an inexpensive addition that he welcomes with open arms.

There were no further comments from the public. Public Comment closed.

Board Discussion

Richard Lewis stated that the parking plan developed by Lepene in 2007 does show 150 spaces; however, some of them are being utilized. He stated that given the time of the day of the events there is more flexibility for parking than what is shown. He stated there is ample parking in the general area and stated that he is willing to work with the applicant to maximize their parking situation and move things around.

Member Sullivan stated that based on the hours been different than the other businesses in the area, parking will be available. He mentioned that there is the possibility to park at the courthouse as well, that the walking distance is normal for this type of situation and there is adequate parking downtown.

Member Freeman asked if a permit would have to be pulled for each event. Mr. Lewis stated that for the type of use the SUP is necessary; however, the Fire Department issues assembly permits. He stated that Chuck and he have worked with the architect on the plans, and that each different use has a different layout plan for the use and the permit would be based on those generic plans. He stated that if there is a special event that needs a new plan then he will work with them on that.

Member Starkweather stated that the building has a fire alarm system and is sprinklered.

Richard Lewis stated that he sent the plans and memo to the municipal services, the fire department and the police department and he did receive some comments and his approval document did already cover the concerns that were brought forward.

MOTION: Member Sullivan moved and Member Giunta seconded that the Franklin Planning Board grant Conditional Approval for the Special Use Permit requested by Mass Investment Group, LLC, file P11-03, to allow certain assembly uses and activities to be held in a portion of the building located at 20 Canal Street. The approval is based on the draft conditional approval document prepared by the Planning Administrator and reviewed and revised, as needed, by the Franklin Planning Board. All were in favor and the motion passed.

□ Planning Board Rules of Procedure: Public Hearing

A complete copy of the proposed amendments is available in the Planning and Zoning Office, 2nd floor, Franklin City Hall. In summary, the changes are as follows:

- Describes how Alternate members are seated for a hearing and the conduct of Alternates;
- Removes references to timeframes that are established by state statute; and,
- Eliminates or reduces the language that already exists in Section 77, Planning Board, of the City Code

Richard Lewis stated that the changes are regarding RSA amendment for Alternate Members. He stated other changes are regarding timeframes and eliminating overlap with chapter 77, Planning Board from the

City Code Book. He stated that under the existing rules of amendment, changes need to be done at a public hearing and a formal public hearing will be held next month. He stated that the board should make a motion to extend the reading and then vote to adopt at next month's meeting.

MOTION: Member Giunta moved and Member Starkweather seconded to forego the reading of the changes and to hold a formal public meeting at the June 22nd meeting of the board. All were in favor and the motion passed.

Old Business

Public Comment

Other Business

Planner's Update

Sky Meadow Lane

Richard stated that he had been working with the developer of Sky Meadow on the roadway being finished; however, they were just foreclosed on. He stated that he had contact with the lending agency that held the letter of credit and the City has drawn the letter of credit. He stated the City received the check from the lender, in the amount of \$60,000, and the funds will be applied to the finishing of the roadway. He stated a Council Action Report has been done for the council's next meeting for them to accept the roadway, so that the city can send the letter to the owner's to have them deed over the roadway to the city. He stated one buyer did purchase the 8 vacant lots and the lot with the model home on it.

Brian Sullivan indicated that the Municipal Services Committee has met had made a favorable motion to proceed. He stated the City owns the water mains by default and there will be some work that is done by the City and some will be done by an outside company. Member Sullivan stated that it is fortunately a good thing that the board opted to require bonding on developments such as this and that this has worked in the City's favor.

Windfire Tavern

Richard Lewis stated that there is a plan that each of the members received this evening regarding an outside corral seating area at the Tavern. He stated that it would be corral type fencing with a few tables, in the front yard and outside of the setbacks. He stated that he does not have any real issues and that this is not a change in the nature of the business. He asked if the board wanted a formal meeting on this change or if it could be handled administratively, as this would be a seasonal use.

There was a brief discussion. The board stated that they did not want to hold up a business owner from keeping his business running well. They stated a formal hearing is not necessary and that Richard could handle the approvals. It was indicated that a yearly permit will be issued, to be revisited so that any problems or issues could be worked out. The board stated that they do not foresee problems with alcohol as this would be detrimental to the owner's business.

MOTION: Member Sullivan moved and Member Starkweather seconded that this minor change of outside seating being allowed at the Windfire Tavern (Previously known as the Wildfire Tavern) could be done by approval from the Planning and Zoning Administrator and did not need board approval. All were in favor and the motion passed.

- June discussion on Zoning Change for Bed and Breakfast in Lake Protection District.

Richard indicated that Bronwyn Asplund-Walsh would be in at the June meeting to discuss with the board the manner to either do a zoning change or allow Bed and Breakfast's in the LP Zone. He stated that the board will direct her at that time to see if maybe allowing in the zone, by a SUP would be the best way to go.

Mayor Merrifield stated that he would be stepping down during the discussion of this as he has been facilitating with the owner.

Richard stated that in June the board may be reviewing a subdivision application for the Hydro Electric Realty property on Gile Pond Road. The owner, Alan Larter, is coming before the ZBA for a variance to allow a small subdivision, of one lot, without frontage and that the Subdivision could be before the board if they receive approval. He stated currently the owner has a home in Sanbornton.

Adjournment

MOTION: Member Sullivan moved and Member Starkweather seconded to adjourn the May 25th, 2011 Regular Meeting of the Franklin Planning Board at 7:46 p.m. All were in favor and the motion passed. The meeting was adjourned at 7:46 p.m.

Respectfully Submitted,

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