

**FRANKLIN PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING –
COUNCIL CHAMBERS**

Wednesday, February 27th, 2013 at 7:00 p.m.

Call to Order: 7:01 p.m.

- ❑ Pledge of Allegiance
- ❑ Roll Call

Present: Mayor Ken Merrifield, Brian Colburn, Anthony Giunta, Ted Starkweather, Tim Stangroom, Michael Freeman, Bob Sharon, and Planning and Zoning Administrator, Richard Lewis.

Absent: David Veysey, Brian Sullivan, Powell Glenn and Tony Daniel.

Member Sharon was seated in place of absent voting member Daniel; and, Member Stangroom was seated for absent voting member Glenn.

- ❑ Approval of Minutes:

❖ December 12th, 2012 Minutes

MOTION: Member Starkweather moved and Mayor Merrifield seconded to approve the minutes of the December 12th, 2012 Planning Board Regular Meeting. All were in favor of approving the minutes.

New Business:

- ❑ **P13-01:** Wayne E. Burgess, Owner/Applicant; Bryan L. Bailey Associates, Inc., Engineer/Agent, requests Subdivision approval for a subdivision to create two new lots (for a total of three lots) on property located at 725 Salisbury Road, Tax Map/Lot # 046-403-00, C Zone (Conservation District). The primary lot will have the existing home and will be 59.13 acres; lot two will be 12.00 acres; and, lot three will be 12.01 acres. The minimum lot requirement for the zone is 5.17 acres. The applicant is requesting certain waivers due to the size of the proposed lots.

MOTION: Mayor Merrifield moved and Member Starkweather seconded to accept the application of Wayne Burgess for a proposed subdivision on Salisbury Road, Application file P13-01. All were in favor and the motion passed.

At this time, Richard Lewis stated that he had received a phone call today from an abutter who is coming to the meeting tonight. He stated that the board may want to move onto other agenda items and come back to this item later in the meeting. The consensus of the board, with approval from the applicant, was to move the item to the end of the meeting. The applicant indicated that if he was late he would appreciate the board doing the same thing for him so he was okay with moving this item.

- ❑ Election of Officers
 - Chair

Mayor Merrifield nominated Brian Colburn and Member Giunta seconded the nomination. There were no further nominations. Member Colburn accepted the nomination.

Member Giunta moved and Member Starkweather seconded to close nominations. All were in favor.

All were in favor of Member Colburn continuing as the Chair of the Planning Board, motion passes.

- o Vice Chair

Mayor Merrifield nominated Tony Giunta and Member Stangroom seconded the nomination. There were no further nominations. Member Giunta accepted the nomination.

Mayor Merrifield moved and Member Starkweather seconded to close nominations. All were in favor.

All were in favor of Member Giunta being the Vice Chair of the Planning Board, motion passes.

Other Business

- Minor Modification for the PSNH Substation on Webster Lake Road

Richard Lewis stated that PSNH would only be utilizing the lights during an emergency, so there is no significant change.

MOTION: Mayor Merrifield moved and Member Sharon seconded that the Franklin Planning Board approve the installation of the emergency lighting at the PSNH Substation on Webster Lake Road; this plan revision is found by the Board to be a minor modification which does not trigger the need for a re-opening of the Site Plan approval, issued July 25, 2012.

Member Starkweather asked Richard if this was permanent lighting that would only be turned on in the case of an emergency and Richard stated it was. Member Starkweather indicated he would rather see lights being installed for emergency purposes only, then permanent lights being installed that would be on all the time.

All were in favor and the motion passed.

- Minor/Administrative Modification for a 2005 Subdivision off of Prospect/Pleasant Street

Richard Lewis stated this is an older project, having received subdivision approval in 2005. He stated there was a reduced copy of the plan in the back of the package. He stated lot 3 is 52 acres and they would like to be able to access the lot utilizing the existing common driveway off of Prospect Street that serves 2 other lots. Mr. Lewis met with the fire chief and some concerns were brought forward which included the private way would need to be named, and the house numbers would change based on the street name, that upgrades would need to be done and they would need to make sure that there was enough area for turnarounds for fire apparatus. He stated that upon issuance of a building permit a release of municipal liability will need to be completed and a CO wouldn't be issued until all Fire Department concerns were addressed.

Mr. Kirk Johnston asked for clarification. The board indicated that if the owner wished to subdivide the 52 acre lot any further, that a roadway built to city spec's would have to be constructed creating frontage on a city accepted and approved right of way. It was stated that any future subdivision would need approval from the Planning Board and that only one building is allowed on the existing lot per the Zoning Ordinance.

MOTION: Mayor Merrifield moved and Member Freeman seconded that the Franklin Planning Board approve a minor modification to the October 26, 2005 subdivision approval, and permit Lot 3, shown on the approved plan, which has frontage on Pleasant Street, to also

be allowed to access the lot for a single family house through the existing common driveway off of Prospect Street. The compelling reasons for this approval are as outlined by the Planning Director in his memo of 02/26/2013. All were in favor and the motion passed.

Chair Colburn asked that a note be placed in the file that if there is a request in the future for a subdivision of this lot, that we notified Mr. Kirk Johnston, 509 Prospect Street.

Back to..... New Business:

- **P13-01:** Wayne E. Burgess, Owner/Applicant; Bryan L. Bailey Associates, Inc., Engineer/Agent, requests Subdivision approval for a subdivision to create two new lots (for a total of three lots) on property located at 725 Salisbury Road, Tax Map/Lot # 046-403-00, C Zone (Conservation District). The primary lot will have the existing home and will be 59.13 acres; lot two will be 12.00 acres; and, lot three will be 12.01 acres. The minimum lot requirement for the zone is 5.17 acres. The applicant is requesting certain waivers due to the size of the proposed lots.

The application was already accepted earlier in the meeting.

Mr. Wayne Burgess was present to speak. He stated that he has requested waivers due to the size of the lots. He stated the engineer did a locus map and there is little elevation change throughout the lot. He stated the waivers are an attempt to save him \$3,000-\$4,000. He stated he has someone interested in the northerly lot. He stated that he owned land in Washington NH and worked with the town who bought the property from him. He stated the large lot would give the State of NH access to their landlocked lot behind this lot and he is trying to negotiate with the State to take over this parcel.

Mr. Burgess stated he met at the site with Elizabeth Ashton from the State of NH, Department of Transportation, about the location of the driveway and the driveway will be moved about 100' (toward Salisbury) to create better site distance. He stated the large lot has an existing driveway.

Member Stangroom asked if the number of 83.1 acres that was on the application, if this needed to be changed to the 83.14. Mr. Lewis stated the plan will be recorded and as long as the data is right on the plan that is what is important.

Public Comment: None.

Board Discussion

Chair Colburn asked about the 4 to 1 ratio for width versus length. Richard Lewis stated that this is a subdivision item that can be waived by the board. Member Stangroom asked if there were any existing structures and Mr. Lewis stated that the larger 59 acre parcel has a structure. Mr. Burgess stated this is a hunting camp and he is planning on asking the Fire Department if they want to use it for training purposes. Member Stangroom asked if there were any setback issues and it was indicated there were not.

MOTION: Mayor Merrifield moved to approve the subdivision, referenced as P13-01, of Wayne E. Burgess to create two new lots on Salisbury Road. The existing lot is approximately 83 acres and is referenced as Tax Map and Lot 046-403-00. The findings and conditions of the Board are as contained in the draft Decision to Approve, or as modified by the Board after the close of the public hearing, with the addition of wording to be added to Discussion and Findings letter c, to read: "At the public hearing the issue of a waiver for the ratio of the lot

depth to the lot width measured at the front setback line was discussed.” All were in favor and the motion passed.

Old Business: None.

Public Comment: None.

Planner’s Update

Richard Lewis stated the office has been pretty busy. He stated that he has been working on a grant application to FEMA and DOS (Department of Safety) regarding the culvert on Haynes Brook, which is over 50 years old. He stated they are looking at getting the filings to the Feds and the State to replace the culvert and allow for a larger flow of water.

Mr. Lewis stated that Todd Workman placed his property into a conservation easement on Lake Shore Drive. His focus now has been on the downtown. He stated that Mr. Workman purchased the Antique Market and that he is getting input and ideas for downtown revitalization. He stated that Todd has been speaking with the owner of a Mountain Bike company and he has spoke with Dave Sinclair about making mountain bike trails on Todd’s property. He stated there are indoor mountain bike establishments and he has been looking at mill buildings regarding this.

Mr. Lewis stated that Mr. Workman is utilizing the 2006 Plan NH Charrette for what happens and how to the downtown area. He stated the Charrette is being used for positive re-development opportunities. Mr. Lewis stated that the recent approval by the City Council to adopt RSA 79-E for tax exemption for upgrades to properties may come into play on this project. He stated that Mr. Workman will have to apply to the City Council and record the covenant. He stated that this may spur some changes to the downtown.

Mayor Merrifield asked if we would provide him with the current membership of the Heritage Commission as the commission has been dormant for a number of years and some discussion and approval from the commission may be necessary for this project. Richard Lewis stated that the list may include some people that are no longer interested in being on the commission.

Adjournment

MOTION: Mayor Merrifield moved and Member Starkweather seconded to adjourn the meeting of February 27th, 2013, at 7:40 p.m. All were in favor and the meeting was adjourned.

Respectfully submitted,
Angela M. Carey
Planning and Zoning
Assistant to the Administrator