

**FRANKLIN PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING –
COUNCIL CHAMBERS
Wednesday, August 12th, 2015 at 7:00 p.m.**

Call to Order: Chair Brian Colburn called the meeting to order at 7:02 p.m.

- Pledge of Allegiance
- Roll Call

Present: Brian Colburn, Mayor Ken Merrifield, Brian Sullivan, Ted Starkweather, David Testerman, Timothy Stangroom, Planning and Zoning Director, Richard Lewis, and Planning and Zoning Assistant, Angela Carey.

Absent: Tim Flaherty, David Veysey, Jo Brown, Michael Freeman, Anthony Giunta, and Powell Glenn.

There were no alternates present this evening to be seated.

- ❖ Approval of Minutes: July 22nd, 2015.

MOTION: Member Starkweather moved and Mayor Merrifield seconded to approve the minutes of the July 22nd, 2015 Planning Board Meeting. All were in favor of approving the minutes as submitted.

Old Business

At this time, Mayor Merrifield recused himself.

- P15-011: HRES Franklin, LLC, Owner; Jake Seaton, Agent; Gorrill and Palmer Consulting Engineers, Inc., Engineers, request site plan review of the Family Dollar Site, regarding conformance to the current Site Plan Approval issued on March 26, 2014, and to review possible modifications to address drainage and site stabilization issues. The property is located at 785 Central Street, Tax Map/Lot # 147-401-00, B-1 Zone (Low-Density Business and Commercial District), New Map # N9.

Richard Lewis stated that he received another new plan from the applicant at quarter of five this evening. He stated that a final agreement has been reached per Doug Murray with the Hamels. The new plans outlined a longer granite curb, per the Hamel's request, and Hunt agreed to complete this work. Hamel was not excited about the tip down, so this has been removed. The Hamel's have agreed to the responsibility for the water running down the curb.

Mr. Lewis added that during the rain storms yesterday, both Brian Sullivan and he (at different times) went out to the site. Water is running off the road and down the hill and there isn't much water running directly off the Hamel's property and down the hill. The sidewalk area needs to be rebuilt so that the water from the roadway is going where it is supposed to and not onto the Hamel property or down the hill, eroding the ground and into the Family Dollar lot.

The plans came in too late to get a letter from the City Engineer, Mike Vignale. Richard stated he did speak with him at about 5:30 and the fact that the Hamel's have agreed to the responsibility of the water flow down the curbing, he believes these changes are okay.

Member Stangroom asked if the curbing was going to be on the Family Dollar property and if the fence was still going to be put in. Mr. Lewis stated that Figure 1 highlights the curbing and figure 2 covers the fence.

Member Stangroom asked if the fence was going to start ½ way down, Mr. Lewis stated he believes it goes the entire way and Mr. Reynolds stated it would start 10' off the curb line. Member Stangroom asked why it wouldn't start in the area of the roadway and Mr. Reynolds stated it is and is starting 10' off the curb at the roadway.

Attorney John Bisson, for HRES, stated that there were changes as of 5:00 p.m. but that was due to HRES and the Hamel's coming to an agreement. He stated that a construction easement has been put into place that will last till November 1st. He stated he is hoping that this can be approved this evening and that he would not like to see it pushed off any further.

Member Stangroom asked if they had spoken with the abutter and if there as a discussion on who is responsible for the curbing. Mr. Reynolds stated that as the curbing is completely on the Family Dollar property that they would be responsible for the upkeep.

Mr. Lewis stated that in the material that was passed out for the board this evening, there is a copy of the construction schedule and stated that the construction easement has been pushed out to November 1st. It was indicated that all construction that needs to be done on the Hamel property needs be scheduled with them so that it doesn't affect their business. Attorney Bisson stated that it will be scheduled with them.

Public Comment: None.

Board Discussion

Mr. Lewis stated that he passed out materials this evening that included amendments to the draft approval. He stated a few items are being deleted or amended. He stated that changes are:

1. Finding "a" would be modified to include the revised dates of the approved plans.
2. That items d would be replaced with the new item d that was in the handout and states, "the abutting property owners, the Hamel's, asked for, and the applicant agreed to, additional curbing down the common property line. Per the request of the Hamel's, this curb line does not include a paved run off apron for stormwater that would follow the curb line. The Hamel's, through their attorney, are assuming "full responsibility for water" coming down the curb line."
3. That condition #1 would be corrected to include the revision dates of the final plans.
4. That condition #2 would be deleted and replaced with the following wording: "Per finding "d", the abutting property owner [currently the Hamel's] are responsible for the management of the stormwater that runs down the curb line along the common property line with the Family Dollar store. If any erosion occurs at the end of the granite curb line as the water runs towards the stormwater basin or the nyloplast field drain, the eroded areas shall be re-graded and stabilized to prevent adverse impacts to the stormwater basin."
5. And a new condition #3 will be added that states: "The Hamel's shall be provided with a signed version of this approval document and it shall be recorded in the Merrimack County Registry of Deeds and referenced to the deed for their property. The Hamel's or their representative shall provide the Planning Office with a copy of the recorded document."

MOTION: Member Sullivan moved that the Franklin Planning Board adopt and approve the draft approval document prepared by the Planning Director regarding the proposed

modification of the site plan approval for the “Family Dollar” project, including the amendments to the draft decision that the board received this evening and discussed, which included the addition of the wording on the date of the revised plans to finding “a”, the replacement of finding “d” with the new wording for finding “d”, the new dates of the plans being added to condition 1, the wording in condition 2 to be replaced with the wording that the board received this evening and discussed, and the addition of the new condition #3 as was provided to the board and discussed this evening. All were in favor and the motion passed.

The Mayor returned to the board at this time.

New Business: None.

Public Comment: None.

Other Business: None.

Planner’s Update

Richard Lewis stated that there will be no meeting on August 26th, as no new applications were submitted. He stated he is not aware of anything coming in for September 23rd, but plans on the board meeting in September for discussions on the Master Plan, if all else runs smoothly and he is able to put together information for that meeting.

Adjournment

MOTION: Mayor Merrifield moved and Member Starkweather seconded to adjourn the meeting of August 12th, 2015 at 7:16 p.m. All were in favor and the meeting was adjourned.

Respectfully submitted,

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