

**FRANKLIN PLANNING BOARD
PUBLIC HEARING MEETING
September 28, 2016
7:00 p.m.**

Minutes

Call to Order:

- Pledge of Allegiance.

- Roll Call
Present: Brian Colburn, Michael Freeman, Kenneth Merrifield, Brian Sullivan, Tim Stangroom, Ted Starkweather, David Testerman, David Veysey and Tim Flaherty. Absent: Jo Brown, Glenn Powell, and Anthony Giunta. David Veysey is seated for Mr. Powell and Tim Flaherty is seated for Anthony Giunta.

- Approval of Minutes from the August 24, 2016 meeting of the Planning Board. Mayor Merrifield moved to approve the minutes and Member Starkweather seconded. There were no corrections. All were in favor.

Old Business: None

New Business:

- **P16-07:** Greg, Michael, Brian & Christine Disco, owners and Frank Yerkes LLS, applicant are requesting a boundary line adjustment between two lots in the Lake Protection District, Map/Lot 032-052-00 (32 North Shore Lane) and Map/Lot 032-054-00 (33 North Shore Lane) thereby transferring a 4,811 sq. ft. triangle with the leach field easement to Lot 032-054-00.

Mayor Merrifield moves to accept application which is seconded by Member Freeman. All are in favor.

Christine Disco, co-owner of the property stated that basically they want to tie the property with the leach field to the house it serves. There is no public comment. There are no other questions from the Board and the Mayor makes a motion to approve the application, referenced as P16-07, of Greg Disco, et al, to adjust the boundary lines between parcels 032-052 and 032-054, with the conditions outlined in the draft decision reviewed by the Board. The motion is seconded by Member Starkweather. There is no further discussion. By a vote of 9-0-0 the reference boundary line adjustment is approved with the associated conditions. The signed decision is on file.

- **P16-08:** Jill Jordan, owner and Fieldstone Land Consultants, applicant are seeking approval to subdivide Tax Map/Lot 097-091-00 (137 Lawndale Ave, R-2 District) to create two lots that meet the area requirement, with both lots having 117.38' of frontage on Lawndale Avenue.

Member Sullivan moves to accept application which is seconded by Member Starkweather. All are in favor.

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Christopher Guida with Fieldstone Land Consultants presented the application as a straight forward splitting of the existing lot into two lots, both with 117 feet of frontage and approximately 9.9 acres each. The existing house is on municipal water with a 4 K leach field. Member Stangroom inquired about any structures on the second lot. Mr. Guida stated that there were no existing structures but the site is suitable for a house and septic. Chairman Colburn had Planner Lewis highlight the waiver requests: 1) Steep slope [no steep slope exists, 2) USGS elevation datum [datum used is assumed]. Regarding the required length to width ratio of the lots, the depth should not be more than four times the width so they are okay.

There is no public comment. Member Sullivan moved to approve the application. Member Starkweather seconded. By a vote of 9-0-0 Franklin Planning Board approved the referenced subdivision with the listed conditions. The signed decision is on file.

- **P16-09:** Joshua LoneWolf (Primal Hardware, LLC) applicant and Graves & Moore Companies, Inc. owner are seeking approval of a Special Use Permit for 181 Central Street (Map/Lot 117-272-00, B-1 District) to establish a light industrial use [fabrication of molded products] in the middle and lower levels of the existing building. Office space and an apartment [subject to ZBA approval] will use the remaining areas.

Mayor Merrifield moved to accept the application and Member Starkweather seconded. All were in favor.

Joshua LoneWolf, owner and founder of Primal Hardware outlined his plans for the light industrial use of the building on 181 Central Street. The operation is discrete, quiet and sales are only online. In the front of the building will be two office spaces; one for his own use and the other as a possible rental. In addition there will be an apartment to house one of their employees. He had already discussed the plans with the Code Officer and is bringing the building into compliance. The Board brought up the question of signage and parking. Primal Hardware will not have any external signs and parking isn't an issue. There is enough space to park 4-5 vehicles. Mr. LoneWolf's intent is to strip the paint off the bricks and make the building presentable. He also wishes to install motion activated lighting in the alleyway to increase security.

With no public comment, Mayor Merrifield moved to approve the Special Use Permit, referenced as P16-09 for Primal Hardware, LLC to allow the establishment of a light industrial activity in the main and lower floors of the property located at 181 Central Street, tax map/lot 117-272-00, in the B1 Zoning district. This approval is granting conditional subject to the findings and conditions outlined in the draft approval document reviewed by the Board. The motion was seconded by Member Starkweather and passed by an 8-1-0 vote.

- **P16-10:** Eversource, owner and VHB applicant, are seeking site plan approval for updating the existing substation off Webster Lake Road (Map/Lot 076-001-00, 076-408-00 and 077-026-00, R-1 District) with new transmission equipment, a control house and associated equipment upgrades.

Mayor Merrifield recused himself since he had conversations with both Eversource and the abutters. Member Starkweather moved to accept the application of Eversource for an expansion of the Webster Substation for a public hearing. Member Veysey seconded.

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Dave Fenstermacher from VHB, project engineer representing Eversource introduced Celine Biladeu Electrical Engineer for Eversource who presented an overview of the power system. This substation dates back to the 1950's, and it is an important link in the transmission system connecting generation stations to use in homes and businesses. The Webster Substation serves a good part of central New Hampshire.

Dave Fenstermacher added that they will be replacing the three old transformers with two new ones. The Daniel switch yard which will be fenced will have 45,000 sq. feet of gravel pad. The control house inside will monitor the new equipment. There are three points of access, one off Webster Lake Road, one that accesses the lower end of the site and the Co-Op and one off Carr Street. They propose to put in the pad and stabilize the road for the equipment, and then add a gate for security. There will be an infiltration system in compliance with AOT, NHDS review. Overhead wires will connect Webster Substation to Daniel Substation. They will need to clear cut all the old trees from that area to prevent them from toppling the lines in a storm. Two lots have already been purchased, the houses removed, the land loamed and seeded along with the septic filled in and covered. The cleared area will be replanted with smaller evergreen trees. To a question asked by Member Starkweather, Mr. Fenstermacher replied that they had no plans to expand into the area of Colby Avenue. Addressing the question of the snowmobile trail, he answered that the trail wouldn't be blocked by the new plans. The President of the Lakes Region Snowmobile Club confirmed that and the fact that he had already been in contact with Eversource.

Safraz Chaudhary [57 Carr Street] was concerned that the high voltage wires would be coming across his property. He was assured that the new high power lines were just internal to the site and that the lines crossing his property wouldn't be affected. Mr. Chaudhary then asked about the decline in property values once the trees were cut. Charlotte Elliot [125 Webster Lake Road] expressed the same concern and also mentioned that the existing trees not only blocked the view but helped to muffle the whine of the transformers. Both parties requested that they not cut down the trees since the proposed trees for replanting would take years to grow enough to form any sort of buffer.

Pat Pinault, project engineer for Eversource, stated that the seventy to eighty foot pines were a hazard to the power lines in a storm. Mr. Fenstermacher added that three old transformers were nearly twice as loud as the two new transformers that would replace them.

Aaron Ritter [101 & 123 Webster Lake Road] asked about the height of the poles. After being told that the poles would be less than fifty feet, he too was upset about the clear cutting and the affect this would have on his family and his neighbors. Mr. Fenstermacher assured him that they would work with all the property owners and were considering putting up 6 foot poly-vinyl privacy fences on their property along with some additional landscaping.

With no additional comments from the public, Chairman Colburn brought the discussion back to the Board. He asked about the possibility of putting the wires underground or if that wasn't possible, rotating the building on the site away from the big trees. Mr. Pinault stated that placing the wires underground would cost 10 times as much and that they had to consider the rate payers. As far as relocating the site, there wasn't space because of the distance between the lines and the clearance to the substations.

Member Sullivan advised that the species of trees be selected with caution given to diseases that impact viability. He suggested that they consider arborvitae in staggered rows, three deep to act as a buffer.

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Planner Lewis recommended that a condition might be added that a landscape company provides a package for the tree replacement program that included disease resistant plants and that the package should be reviewed by city staff.

Member Freeman asked if Eversource had considered putting up higher poles and moving the wires above the existing tree height. He was told that there were restrictions of the pole heights and that most residents don't like the higher poles and wires.

Member Starkweather asked about the rumor that this project was affiliated with the Northern Pass Project, but was assured that Eversource was only trying to upgrade old equipment.

Chairman Colburn asked why they couldn't rebuild in place, but was told there was no room to build beside it, and that they couldn't shut down the site for 3-4 months to rebuild since the site feeds electricity to the region. As for the mobile substation they will bring in for the project, it can only handle one of the three high voltage lines coming into the substation. Chair Colburn expressed frustration at the fact that Eversource came in 3-4 years ago with an expansion plan which was approved. When asked if this was all that needed to be done, the answer was yes but now another application is being presented. Chair Colburn stated that the Board has a certain responsibility to look after the residents and asked whether there was another group of engineers with their own project who will be asking for more changes?

Mr. Pinault answered that the substation they are planning to build has space for another breaker to serve more load. The consideration is that it is good for 10 years.

Member Testerman asked how long it would take to get a new transformer should someone take one out. The answer was thirty weeks not including the installation time. Member Stangroom asked about bringing the wires in further south near the snowmobile trail, going further west and south and then back to the east. The response was that they couldn't go under and over the existing line. The cost would be prohibitive.

Member Starkweather asked Mr. Lewis what sort of actual power the Planning Board had regarding their acceptance or denial of this plan or the conditions they can impose. Mr. Lewis answered that the utilities are essential services, that the earlier discussion regarding a landscaping package was a valid option. He mentioned that there were multiple conditions the Board could put on the approval, i.e. underground wires, etc. but that he wasn't sure these conditions or a denial would hold up in superior court. When Chair Colburn asked about any site plan regulations about maintaining the existing vegetation, Mr. Lewis quoted section 'f' of 402-5 that a submitted plan should include a landscaping plan and that if landscaping is necessary for buffering it should be maintained for perpetuity.

Chairman Colburn suggested that the hearing be continued until next month so that more definitive information and documentation regarding the cost of underground placement, other possible routes or types of lines could be supplied along with a landscaping package that can be viewed by the city and the abutters. Mr. Lewis reminded the Board that the deadline date for submissions is October 5th for the October 26th meeting and suggested that the applicant be given an extension until October 19th to submit the materials. He hoped that Eversource would have already met with the abutters in that time and

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discussed the issues with them. The abutters were told that they would not receive another mailing, but that they are welcome to attend the meeting and have their questions, suggestions and concerns heard.

Mr. Fenstermacher wanted it clarified that the additional landscaping materials would not be tied to the site plan but just be part of the overall project. He was told that was the case.

Chairman Colburn looked for a motion to continue the hearing on October 26th with all new materials submitted to Mr. Lewis by October 19th. Moved and seconded by Members Testerman and Sullivan. All were in favor.

Public Comment: None

Other Business: Member Starkweather mentioned he attended a meeting put on by the New Hampshire Municipal Association that discussed Senate Bill 146 which would require any municipality that has a zoning ordinance to allow one accessory dwelling unit [ADU] in any zoning district where any single family dwellings are allowed. The new law allows municipalities to impose certain, but limited conditions on the ADU. Mr. Stangroom asked about property tax increase for rental income people? What is the overall impact to the people? Mr. Lewis answered that he guessed it would increase the value but that it depended on the size of the unit. Planner Lewis stated that the existing zoning ordinance language for family apartments will need to be revised to bring it into conformance with the new state statute that takes effect next year. He will provide the Board with background information and draft language.

Planner's Update: We had some good workshops on the mission statement. Ninety-nine percent of the work is completed on the public utility infrastructure section. I am going to pick away at the land use section; economic development, the downtown, Franklin for a lifetime project and Permacitylife. A lot has been coming forward which I can use as a foundation for drafts for the other sections. I plan to work on sections and give you a finish draft product. We have a good city website where we can get the full draft out to the public.

Member Flaherty asked if any of the current projects are moving forward. Mr. Lewis answered that the CATCH project will start building in the next couple of weeks. The restaurant in Toad Hall is going forward with renovations. The microbrewery has been in contact with Mr. Sullivan about water issues. Member Freeman asked about statistics on the number of building permits issues per year. Mr. Lewis answered that those statistics are submitted yearly to the finance director and it is included in the FY 17 budget. I think the number of permits we issue is pretty constant at about 175 – 185 range. We're not seeing a lot of new family homes; mostly small projects.

Adjournment: Member Starkweather moved to adjourn. Seconded and all in favor. Meeting adjourned at 8:50 p.m.

The next Planning Board regular meeting is scheduled for October 26, 2016 at 7:00 p.m. and the application dead line date is October 5, 2016.