

**FRANKLIN PLANNING BOARD
PUBLIC HEARING MEETING
October 24, 2018
7:00 p.m.**

Minutes

Call to Order:

☐ Pledge of Allegiance

☐ Roll Call: Present—Chairman David Liberatore, Scott Clarenbach, Christine Dzujna, Mayor Tony Giunta, Tim Flaherty, Tim Stangroom, Brian Barry, and Planning Director Richard Lewis. Absent: Jo Brown, Mike Freeman; Ted Starkweather, David Testerman and Donna Tully.

☐ Approval of September 26, 2018 Planning Board Minutes: A motion to approve the minutes was made by Member Dzujna and seconded by Mayor Giunta. Member Stangroom informed the board that he did not make the motion to adjourn as stated in the minutes, but if no one else remembered doing so, it could be left as is. Member Dzujna asked Planning Director Lewis what actions he took regarding Member Testerman's question about dealing with homeless people camping out on private property. Mr. Lewis stated that he passed the information to the Police Chief who will be incorporating it into his analysis of the situation. The Chairman called for a vote to approve the minutes as amended. **By a vote of 7-0-0 the motion passed.**

Planner Lewis directed the Board's attention to the memo he distributed regarding a visit from Sharon McMillin, the Administrator of the Winnepesaukee River Basin Program treatment plant on River Street, property that abuts the City Property. Ms. McMillin was unable to attend the meeting and sent her concerns/questions in an email to Mr. Lewis which he included in the memo, a copy of which is in the file.

Old Business: None

New Business:

P 18-12: Blue Planet Funding is seeking approval to subdivide parcel 123-403-00 [Tax Sheet T8; Conservation Zone] into two separate parcels. The 70-acre parcel is located at the end of River Street and is owned by the City of Franklin.

Mayor Giunta recused himself from the discussion due to his employment with Nobis. Mr. Patrick Attwater, with One80Solar, the construction company for the solar project, spoke for the applicant. He stated that they were close to moving forward with construction to start in the spring. They are currently working with Eversource on allowing them to interconnect the two systems and they need to subdivide the parcel into two lots. He then addressed the questions brought up by Ms. McMillin starting with access across the State's property, stating that they had a deeded access 50 feet in width.

This access is a clear shot to Manual Road and they will be negotiating with state to use the rest of the road. They will not be using this access route permanently. Once the Solar Array is built, they will only need to go into the property about once a month for maintenance and they will only be using a pickup truck, no heavy equipment.

Chris Nadeau, engineer with Nobis, spoke of the issue raised about the monitoring wells and the proposed accessway. He said that they would have no problem working around the wells. Three of the solar sites they are working on are on landfills and there have been no issues. There is no intention of going through the sludge mono-fill. There won't be any excavation or digging of holes, they just put posts into the ground. If they hit rock they screw augers into the ground. They won't be disturbing the PFOA monitoring. They will be negotiating access with the state.

Member Clarenbach said that Manual Road is horrible in the winter and asked if they would need access during that time. He also mentioned that the State maintains their road and that it would be prudent for the solar project to make arrangements with them to use their road. Mr. Attwater added that if there is a lot of snow, the solar panels won't be generating much power and there will be little need for maintenance of the property. Mostly, they will need to get in there to mow during the summer.

Member Stangroom asked about the stability of the soil since it has been used for many years as farmland. Mr. Attwater answered that the support poles are set deep enough in the ground so there is no issue with stability.

Member Clarenbach said it was unfortunate that Sharon McMillin couldn't be here tonight and suggested delaying the decision to the November meeting when the State representatives can be present. Planner Lewis said that an agreement between DES, the State treatment plant and the City won't be resolved tonight, but if the board wants to move forward with revised NOD, it will allow the applicant to move forward with the utility company. Mr. Attwater said they hoped to start construction in the spring.

Marge Wilson, 581 Prospect Street, an abutter, asked what benefit the City gets out of the solar project. Planner Lewis told her the city would get benefits from both the lease agreement and the pilot agreement. Member Clarenbach clarified that the City gets money from the lease of the property and the solar company doesn't have to pay property taxes. Mr. Attwater added that subscribers will get power at a lower rate. Replying to a question of the appearance of the solar panels, Mr. Attwater stated that the panels are about 3 feet high and that there are two panels stacked on top of each other.

The Public session was closed and the discussion brought back to the Board. Member Stangroom asked if the property is still leased to the Fifes for agricultural use. Member Clarenbach said that the lease is up at the end of this year, however they have an agreement with the state to raise cow corn on the property.

Approved Nov. 28, 2018

Chairman Liberatore called for a vote to accept the application as complete. A motion was made by Member Flaherty and seconded by Member Clarenbach. **By a vote of 6-0-0 with one recusal the motion passed.**

The discussion continued with Member Stangroom asking if tonight's decision just moves the project forward for them to seek permitting with the State and if they would be coming back in November. Planner Lewis indicated that the rest of the project development would be handled administratively with building plans, etc. Member Clarenbach argued that this is really the city who is the applicant since this is city property that has been under-utilized for years and that the benefits of the solar project are great, however, he felt that the applications should be continued at the November 28th meeting of the board. There needs to be meetings with all the parties involved which includes Sharon from the State, the City, the applicant and the engineers.

With no other discussion a motion was made by Member Stangroom for approve the application for subdivision with the conditions listed on the updated draft decision. Member Dzujna seconded the motion. A roll call vote was taken. Member Clarenbach voted nay. Members Barry, Liberatore, Flaherty, Stangroom and Dzujna all voted in favor of the application. **The motion carried by a 5-1-0 with Mayor Giunta recusing himself.**

Public Comment:

Other Business: Planning Director Lewis mentioned his October 17th memo discussing site plans. He stated that he felt strongly that the site plan has an important role to benefit all parties and that site plans shouldn't be minimized. Member Flaherty said that he got the impression at the meeting that no one on the Board was suggesting that site plans shouldn't be done. Planner Lewis said there was a sense of urgency for the two restaurant proposals when in reality there wasn't any urgency. Member Stangroom asked what the end result was on that discussion and Planner Lewis said that both Todd Workman and Marty Parichand were fine with that. Marty said there was no urgency on the Buell Block LLC project, that they were putting plans together for the restaurant/microbrewery and the changes to Marceau Park. During the bi-weekly meetings it was indicated that Buell Block would like to come in either in December or January for site plan approval.

Mayor Giunta commended the work and dedication of the Board and Planning Director Lewis at the previous meeting. Member Clarenbach reminded the Board that members should refrain from joining in a discussion on a joint email.

Planner's Update: None

Adjournment: Tim Stangroom / Tim Flaherty motioned / seconded to adjourn 7:38 PM.

- The next Planning Board regular meeting is scheduled for November 28, 2018 at 7:00 p.m. and the application dead line date is November 7, 2018.
Minutes Recorded by Cheryl Y. Fisher, Administrative Assistant Planning & Zoning