

**FRANKLIN PLANNING BOARD
PUBLIC HEARING MEETING
November 13, 2019
6:00 p.m.**

Minutes

Call to Order:

☐ Pledge of Allegiance

☐ Roll Call: Present-Chairman Liberatore, Jo Brown, Tim Flaherty, Tim Stangroom, Donna Tully, & Mayor Tony Giunta. Member Tully was seated for Kathy Lauer-Rago. Rob Sargent and Christine Dzujna were late due to a concurrent Library meeting. Absent-Kathy Lauer-Rago and David Testerman

☐ Approval of October 23, 2019 Planning Board Minutes: Member Stangroom had noted a couple corrections to be made. A motion to accept the amended minutes was made by Member Flaherty and seconded by Member Tully. The motion carried by a vote of 4-0-2 with two members abstaining since they were not in attendance at the Oct. 23rd meeting.

Old Business: None

New Business:

P 19-12: Richard & Frank Edmunds, owners, are seeking approval to subdivide Lot 091-020-00 into 4 residential lots ranging in acreage from 5.166 to 7.173 acres. The property is located at 425 Hill Road, in the Conservation zoning district.

Member Brown and Mayor Giunta motioned for the application to be accepted as complete. All were in favor.

Tim Bernier and Dick Edmunds were present. Mr. Bernier told the Board that the property was in the conservation district and the subdivision was intended to create four single-family residential lots, all but one having the required frontage of 400 feet. The exception is just shy of the frontage by about 8 feet. The Zoning Board of Adjustment has already given them a variance for the lack of required frontage. All four lots are large. This was previously a gravel pit. Mr. Bernier said they are requesting three waivers, one for scale. Due to the large size of the property, they are using 1 inch = 80 feet, as opposed to the norm of 1 inch = 50 feet. The second waiver is for the width of the lot at the setback, due to the inside of the curve of the road. However, they still have 400 ft of frontage. And lastly, for the 4 lots, the requirement for stormwater management and erosion control. Instead of that they have submitted an extensive report for where the proposed houses would be on the lots. For single family homes this isn't a big concern. The property is also on state highway, and the State will only allow three curb-cuts, so two of the lots will share a driveway thus reducing the amount of asphalt and impervious surface. They are still working at getting the driveway permits approved. They are just waiting for a signature.

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No one from the public chose to speak.

The public hearing was closed. Planner Lewis mentioned the driveway permit from NH DOT as reference in finding B on the first page of the draft approval. He said when they approach the day when they receive the mylars for signature, he will work with the Assessing Department to get the specific map and lot numbers. Lot one will probably keep the parent lot number of 091-020-00. As pointed out in memo, Planner Lewis recommended that the board approve the waivers as presented.

Mayor Giunta made a motion to approve the subdivision request which was seconded by Member Brown. **By a vote of 5-0-0 the motion carried.**

P 19-10: Bradley & Deborah Parker, owners, are seeking subdivision approval for a Boundary Line Adjustment taking approx. 25 feet of road and shoreline frontage from Tax Map 032-017-00 [making lot less conforming] and adding it to Tax Map 032-016-00. Both properties are located in the LP [Lake Protection] zoning district. Member Brown motioned to accept application as complete. Member Stangroom seconded the motion. By a vote of 5-0-0, the motion carried.

Deb Parker said they were seeking a boundary line adjustment. The red cottage with the attached barn at 223 Lake Shore Drive has been in her family since 1957. They have recently purchased the yellow house across the street at 220 Lake Shore Drive. Associated with that property is the lake front section listed as 032-017-00. The idea is to take 25 feet of frontage from that property and give it to 223 Lake Shore Drive, still leaving 160 + feet of frontage to go with 220 Lake Shore Drive.

Planner Lewis asked if the plan currently before the board will get recorded first, before the trust plan. Ms. Parker said that was the case. Ms. Parker asked about the waiver for putting in rebar instead of granite bounds.

No one from the public chose to speak. Chairman Liberatore asked Planner Lewis about the waiver and Lewis stated that based on his understanding all the iron pipe bounds had been installed, he included Finding D, which stated that no waiver was necessary. However, as the subdivision regs calls for granite bounds, a waiver is technically required, but he believes this is covered. Mayor Giunta motioned approval. Member Brown seconded. **By a vote of 5-0-0 the motion carried.**

P 19-11: Bradley & Deborah Parker, owners, are seeking subdivision approval for a Boundary Line Adjustment of 63.231 acres from parcel 092-401-00 to be added to parcel 073-011-00 [100 Pine Colony Road].

A motion to accept the application as complete was made by Mayor Giunta and seconded by Member Brown. Approval was granted by a vote of 5-0-0.

Ms. Deb Parker stated that in 2015, they bought the house with its two-acre property at the end of Pine Colony Road. They also purchased the land behind it, a 129-acre piece that fronts on 3-A. In May 2015, they came before the Zoning Board for a variance from Lot/Yard to put in a garage at 100 Pine Colony Road. At that time, they considered doing a boundary line adjustment, but it wasn't until now that they decided to take 65+ acres from the larger parcel and add it to the Pine Colony Road property. That adjustment takes in the whole Lake Protection area for that property. She also has a waiver on this application for the bounds. They needed to put in rebar because of the ledge up there near the power line.

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Planner Lewis said he had advised not to accept the waiver, but now doesn't have a problem with the Board modifying that waiver. He expressed surprise that the abutter, the Department of Fish and Game, hadn't already had that location bounded. Ms. Parker said that the property goes high up and then drops off steeply and it is all ledge.

Public: none

Back to Board: Mayor Giunta motioned for the Board to grant the requested waiver. Member Brown seconded. By a vote of 5-0-0 the motion to approve the waiver carried. Member Brown motion to approve the Boundary Line Adjustment which was seconded by Mayor Giunta. **By a vote of 5-0-0 that motion carried.** Planner Lewis informed the applicant that there were a couple map and lot errors on the plan that needed to be corrected before the final mylars are recorded.

P 19-09: Peabody Home [owner/applicant] is seeking site plan approval for the construction of a new 3-story, 62,000 sq. ft. assisted living community to replace the existing facility at 22-24 Peabody Place [Map/Lot 117-138-00] in the B-1 [Low density business & commercial] zoning district.

Members recused: Mayor Tony Giunta, Jo Brown and Tim Stangroom. Mayor Giunta said that a quorum exists as long as the recused members stayed for the hearing. Planner Lewis said that this hearing was going to be continued until next month and there would be no vote taken. Member Tully was seated for Member Rago for voting purposes.

Motion to accept application as complete was made by Member Tully and seconded by Member Brown. The motion carried by a vote of 4-0-0.

Attorney Chris Seufert, Chairman of the Board for Peabody Home, introduced the members present to speak on the application. Chris Nadeau with Nobis group, indicated the site plan showing Peabody Home, a 62,000 sq. ft., 3-story building that will be constructed in two stages. The first phase is the 41,000 sq. foot section. The present residents will stay in place in the original structure. When phase one is complete, the residents will be moved into the newly constructed section, the original building will be demolished and they will start phase two, an additional 21,000 square feet. The site is serviced by city sewer and water. There is also natural gas. They are proposing an emergency generator to power the building if necessary. There is access all the way round the building to accommodate fire trucks. Nobis has already met with fire and municipal services and they will be updating the plans as per recommendations from those departments. The Fire Department wants a fire hydrant on the site and they also asked for a gate. Much of the site is within the 100-year flood plain. As part of Peabody Home's financing through rural development, an escape route is required. They are proposing a gated access in the dry area that goes back to the Fire Department. The Fire Department also asked for a remote gate. Peabody Home is considering that. The design plan includes river walks and a memory garden which will be an enclosed garden. An ADA assessable walkway will go around the entire building.

Mr. Nadeau told the Board that they had submitted a full storm water drainage report. Essentially there are three drainage depressions on the site that will allow the water to percolate into the ground which has good drainage. There is one drainage collector out front, one on the south side entrance and a larger retention area in the back next to the river. All the storm water that is generated from the site will find its way into the retention areas. They are decreasing the amount of flow leaving the site by 75 percent in a fifty-year storm, and decreasing the peak flow rates off the site by 50% in a fifty-year storm.

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Currently there is a little bit that comes off the cottage that goes into the Unitarian Church property. That will be reduced to zero.

Gerry Menke, architect from EGA Architects, Newburyport, MA, said they've made some tweaks to the project. One is enclosing the memory garden with a continuous corridor so there is now a walkway loop through that whole piece. They also converted two independent living apartments into four assisted living apartments increasing the number of apartments to seventy-four. The exterior of the building has not changed. They have received a Zoning Board of Adjustment request for seven feet in additional height. The roof peak will be 42 feet from ground level. The building will appear to be 2-1/2 stories. Design elements have been drawn from the downtown, and in particular, the Unitarian Church.

Open to Public-no one spoke.

Public comment was closed. Planner Lewis said that given to the size of the facility, they will need a permit from the Winnepesaukee River Basin program. One of the enhancements to include in the design is a kitchen grease trap on the outside of the building. There has been a discussion with Captain Steve Reale, Code Officer for the City, which included a review of the National Fire Codes. A team from the architectural firm are tasked to deal with those issues. To ensure a smooth transition, it has been recommended that they bring in State officials to deal with any issues in advance. One issue that came up during the discussion was the lack of a driveway on the east side of the building. In order to reach the upper stories with the ladder truck, the ground that is shown as grass in the landscape design will need to be reinforced to support the heavy fire equipment. With the second hearing in December, some of these issues can be resolved. Others may end up as conditional approval items. Planner Lewis stated that in all, it was a very productive meeting. Between now and December it will be determined whether another meeting is necessary.

Chairman Liberatore asked about the time frame for the project. Attorney Seufert said they hope to break ground in April or May of 2020. The Chairman also asked how they managed to arrive at a zero-drainage flow into the Unitarian church property. Mr. Nadeau described the curbed parking area and the change in the ground pitch which will direct the flow into the retention pond. Planner Lewis added that there are still some components of the project that will need to go to the Heritage Commission in January. Chairman Liberatore asked if Planning approval would come first or afterward. Planner Lewis felt this could be a condition of the approval.

Member Brown made a motion to continue the discussion to the December meeting. This was seconded by Member Tully. **By a vote of 6-0-0 the motion carried.**

Public Comment:

Other Business: Planner Lewis mentioned that the terms of office for several members of the Board would end January 1, 2020. He asked for those members wishing to seek reappointment to email him and he'll pass it on to the City Manager's office.

Planner's Update: Packers Outlet is coming down later this week. Cumberland Farms is still a work in progress. An application has been submitted to the EPA for some additional funding to do some further assessment of the property. Cumberland Farms is working on a conceptual site plan. They may be on the schedule for the January or February Planning Board meeting. Member Sargent said he has a problem with the December 11th meeting next month due to a

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conflict with the Library Board meeting. The Planner asked if those members able to vote on Peabody will be able to come on December 18th. The majority of the members said they could attend the December 18th meeting.

Adjournment:

Member Brown/ and Chairman Liberatore motioned for adjournment at 07:05pm. All were in favor.

- The next Planning Board regular meeting is scheduled for December 11, 2019 at 6:00 p.m. and the application dead line date is November 20, 2019. If the December 18th date is confirmed a notice of the date change will be posted on the City Website.

Minutes recorded by Cheryl Y. Fisher, Administrative Assistant, Planning & Zoning.