

**FRANKLIN PLANNING BOARD
PUBLIC MEETING
November 10, 2021 6:00 p.m.
City Hall, Council chambers**

Minutes

Call to Order: 6:04 p.m.

☐ **Pledge of Allegiance**

☐ **Roll Call:** In attendance – David Liberatore, Chair; Mayor Jo Brown; Christine Sheedy; Tim Flaherty; Kathy Lauer-Rago; Ted Starkweather; Donna Tully, Alternate – seated for Rob Sargent; Planning Director Seth Creighton. Absent: Rob Sargent; Christine Dzujna due to Library Trustees meeting.

☐ **Approval of Minutes from 8/25/2021.** Motion to approve the minutes as written made by member Flaherty; seconded by Member Sheedy. **Motion passed 6-0-1** with Member Rago abstaining due to absense from that meeting.

☐ **New Business:**

- ☐ 41 Riverview Dr, Map-Lot 115-024-000 is seeking Planning Board review and recommendation on their request to build/occupy a new home with garage on a private road, Riverview Dr. NH RSA 674:41 requires the Planning Board to offer a recommendation to the City Council on this matter.

Director Creighton gave an overview of RSA 674.41 requiring Planning Board approval and a recommendation to the City Council to approve construction on a Class VI Road. It was acknowledged that this should have been done prior to the building permit being issued. Also, the ambiguity of which three seasons a “3-season” residence is approved for can be argued. so he recommends the approval so as to clean up the process and issue a Certificate of Occupancy for year-round use.

Mayor Brown asked for clarification that it was a Release of Liability document that was needed to close the loop on this. Director Creighton confirmed that it is.

Member Rago made a motion to approve the recommendation to the Council; seconded by Member Flaherty. **Motion passed 7-0-0.**

- ☐ **P 21-11:** Ryan Dillon, applicant, is seeking site-plan approval, with Special Use Permit, to build a 10,000 sq. ft. workshop for the purpose of fabricating, painting, and storing custom cabinetry. The property is owned by Boscawen Office Rentals, LLC and is located at 21 Kenrick Farm Road, Map-Lot #099-404-00 in the B-1 (Low-Density Business and Commercial) zoning district. The proposed use is classified as “light industry” according to the City’s use categories definition.

Chairman Liberatore recused himself from this discussion on the grounds of conflict of interest as he is the realtor involved in the transaction. He appointed Mayor Brown as the acting chair.

Member Tully made a motion to accept the application as complete; seconded by Member Flaherty. Application accepted unanimously.

Ryan and Abby Dillon spoke to the application. Debra Hinds, current property owner, was also available for questions. Mr. Dillon gave an overview of his custom cabinetry business, their desire to teach other

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woodworkers and expand/grow the business. He explained their desire for privacy and how this particular property is ideal as it is off the main road, has plenty of space to build the workshop and already has a single-family home on the property that is big enough for their family.

Member Sheedy noted that she had looked at his website and was very impressed with the work he does. She asked how many employees he expects to have. Mr. Dillon explained that between drivers, installers and craftsmen, he has about 12 employees; 3-4 of those work at the shop.

Member Flaherty asked about paint regulations, residue, etc. and would anything be stored onsite. Mr. Dillon said they do not use any toxic chemicals, only water-based paints and adhesives, no VOCs, nothing toxic.

Member Starkweather asked Deb Hinds about the flood plain of the property as it abuts the river. Ms. Hinds explained that she did not have the exact information on the flood plain but confirmed that the water never comes up as high as the house. Director Creighton confirmed that he had looked at the flood maps and the location of the proposed building is set back away from the flood plain. He also pointed out there was a suggested condition in his staff memo provided to the Board. Mr. Dillon agreed that the proposed conditions seemed very reasonable to him.

Director Creighton asked what his plans were for trash disposal as it is a private road and the City does not provide trash pickup. Mr. Dillon said he is looking into recycling options but will also have a dumpster onsite that will be emptied 1-2 times per month. Director Creighton explained to the Board that the property is secluded from the main road so trash dumpsters will not be seen. He also asked about storage of materials and if anything will be outside. Mr. Dillon explained that this property will also be their home so keeping it cleaned up and safe is important. Because of the nature of his work, the materials will be kept inside the climate-controlled workshop they plan to build. There is no showroom. Director Creighton also said that even though the property is off the main road, they will need a façade drawing of the building they are proposing. Mr. Dillon confirmed that it will basically look like a barn and will be tucked away from the sightline of the road.

The discussion was then opened to the public. Delaney Carrier, abutter, expressed concerns about traffic and damage done to the road from heavy trucks, and that he basically has done the maintenance of the road. Mayor Brown asked about the frequency of heavy trucks using the private road. Mr. Dillon confirmed that the delivery trucks come 1-2 times per month. He also said he would be happy to assist with maintenance on the road and felt that he and Mr. Carrier could work together to keep the road cleared and in good condition.

Member Rago asked how far off the road the proposed barn/workshop will be. Mr. Dillon did not have exact numbers, but confirmed it would be more than 400 feet. Member Rago stated that there used to be a public access to the river at the end of the road and asked if it was still there as it could be impacted by this project. Mr. Carrier confirmed that there is now a gate across it to prevent cars from going down to the river as they had a problem with littering and damage to the area but, yes, there is still access on foot.

Director Creighton explained that, per NH RSA 674.41, the Planning Board is to review and comment on the proposed construction being on a private road, and City Council will need to approve the proposed construction and require a signed Release of Municipal Responsibility. Mr. Dillon said he was fine with that.

Mayor Brown asked if there were any other comments from the public. Hearing none, it was brought back to the Board. With no further comments or questions from the Board, Mayor Brown made a motion to approve the application:

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"I move to approve Special Use and Site Plan applications from Ryan Dillon for a light-industrial shop (woodworking shop) at 21 Kendrick Farm Rd Map 99 Lot 404. The approval is consistent with the draft decision provided by the Planning Director, with any amendments made by the Board and noted in the minutes."

Motion was seconded by Member Starkweather. **Motion passed 7-0-0.**

Dave Liberatore resumed his position as Chairman.

Planner's Update:

Director Creighton shared that the Cumberland Farms project was moving forward and they expected to break ground in April.

Chairman Liberatore asked about the status of completion of the Foundry solar project. Director Creighton confirmed that the project is complete and has been up and running for several months. He had a chance to walk the property and all the City's conditions have been met. Property abutter Dean Laughy provided some pictures of the "6-pack" of poles that were a frequent topic of discussion during the project and said he thought they would be screened with vegetation. Director Creighton said that condition was only if Eversource allowed the plantings but they had denied it so the project is considered complete.

Mayor Brown asked for a status of the Mojolaki Solar Project appeal. Director Creighton explained that it was still in the hands of the court and nothing has moved on it. Chairman Liberatore asked about possible outcomes of the case. Director Creighton said anything is possible such as the Planning Board decision being upheld, overturned, or remanded back to Planning Board for consideration of specific topics. Member Flaherty asked what the timeframe was. Director Creighton said the courts were backed up and there is no expected timeframe.

Mr. Laughy was invited to the microphone to comment on the pictures he provided. He explained that he does not feel that solar is bad, only that this is a good project done badly. He has seen other projects in the area that were done better. He feels the issue in NH is Eversource. Chairman Liberatore agreed that Eversource should have been forced to put the lines underground as is done in other states. Discussion continued about the pros and cons of solar projects and that's why the City adopted the new ordinance.

Adjournment:

Mayor Brown made a motion to adjourn; seconded by Member Flaherty. **Motion passed 7-0-0.** Meeting adjourned at 6:53 p.m.

- The next Planning Board regular meeting is scheduled for December 8, 2021 at 6:00 p.m. and the application dead line date is November 17, 2021.