

**FRANKLIN PLANNING BOARD
PUBLIC HEARING
December 13, 2023 6:00 p.m.
Franklin Public Library – 310 Central Street**

Minutes

Call to Order: 6:00 p.m.

Attendance: Chairman Dave Liberatore, Christine Dzujna, Councilor Valerie Blake, Tim Flaherty, Kathy Rago, Rob Sargent, Mayor Jo Brown, Christine Sheedy (arrived at 6:03), Ernesto Gonzalez (arrived at 6:03), Alternate Councilor Ted Starkweather (arrived at 6:02, not seated). Absent: James DeBernardo, Donna Tully
Staff present: Planning Director Seth Creighton; Planning and Zoning Administrative Assistant Judy Bibbins

☐ **Pledge of Allegiance**

☐ **Approval of Minutes from 11/08/2023.**

Councilor Blake made a motion to approve the minutes, seconded by Member Dzujna. **Motion carried 7-0-0.**

☐ **Old Business:**

P23-09: Foden Realty Holdings, LLC, owner, is seeking Site Plan approval with Special Use Permit to convert a single-family dwelling to a 3-unit multi-family dwelling. The property is located at 71 View Street, Map/Lot 118-095-00 in the R3 [One, Two and Three-family residential] zoning district.

Director Creighton reported on the information he had been asked to gather at the November meeting. He summarized the proposal and shared numerous data points to refute the concerns of a multi-family property decreasing surrounding property values and increasing crime. He explained the purpose and intent of the ordinance and how this proposal fits within the guidelines set by the City.

Various Board members expressed gratitude for the information provided and there was a discussion as to the merits of approving versus denying.

Member Flaherty made a motion:

"I move to approve the Site Plan application for 71 View St, Map-Lot 118-095-00. The approval is consistent with the draft decision provided by the Planning Director, and with any amendments made by the Board and noted in the minutes."

Motion was seconded by Member Sargent. Member Rago called for a roll call vote:

Christine Sheedy – abstain	Kathy Lauer-Rago – no	Ernesto Gonzalez – no
Tim Flaherty – yes	Dave Liberatore – yes	Jo Brown – no
Valerie Blake – yes	Christine Dzujna – abstain	Rob Sargent – yes

Motion carried 4-3-2.

Member Flaherty made a motion:

"I move to approve the Special Use Permit application for 71 View St, Map-Lot 118-095-00. The approval is consistent with the draft decision provided by the Planning Director, and with any amendments made by the Board and noted in the minutes."

Motion was seconded by Member Sargent. Member Rago called for a roll call vote:

Christine Sheedy – abstain	Kathy Lauer-Rago – no	Ernesto Gonzalez – no
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Tim Flaherty – yes

Dave Liberatore – yes

Jo Brown – no

Valerie Blake – yes

Christine Dzujna – abstain

Rob Sargent – yes

Motion carried 4-3-2.

☐ **New Business:**

P23-10: Gauntt Revocable Trusts and Shacoski Family Trust, owners, are seeking a Lot Line Adjustment between Map/Lot 032-042-00 and 032-043-00. The revision will result in an equal area swap of land between the Shacoski property (3 North Shore Lane) and the Gauntt (253 Lake Shore Drive) property. The properties are located in the LP [Lake Protection] zoning district.

Mayor Brown recused herself for this application only as she is an abutter to the properties.

Member Flaherty made a motion:

"I move to accept the Boundary Line Adjustment application for 253 Lake Shore Drive and 3 North Shore Lane as complete." Motion seconded by Member Sargent. **Motion carried 8-0-0.**

Member Flaherty made a motion:

"I move to declare this proposal is NOT a development of regional impact." Motion seconded by Member Sargent. **Motion carried 8-0-0.**

Nick Vertefeulle from Horizons Engineering spoke to the application explaining the waivers and setbacks. Director Creighton explained that this is an equal land swap so setbacks are not a concern in this case.

Chairman Liberatore opened the hearing to the public. With no comments, the public hearing was closed and brought back to the Board. With no further comments, Member Dzujna made a motion:

"I move to approve the waiver request from Subdivision Regulation 403-5.B.10."

Motion was seconded by Member Flaherty. **Motion carried 8-0-0.**

Member Dzujna made a motion:

"I move to approve the subdivision (boundary line adjustment) application for 253 Lake Shore Drive and 3 North Shore Lane. 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 Councilor Blake. **Motion carried 8-0-0.** Mayor Brown resumed her position on the Board.

P23-11: Carolyn M. Hurst Revocable Trust, owner, is seeking subdivision approval. The proposal would create one new lot from Map/Lot 136-407-00 which fronts on Prospect St, Pleasant St, and Wilderness Ave. The property is located in the R3 & RR [One, Two and Three-Family Residential & Rural Residential] zoning districts.

Councilor Blake made a motion:

"I move to accept the subdivision application of 136-407-00 as complete enough to begin the review process".

Motion was seconded by Member Dzujna. **Motion carried 9-0-0.**

Councilor Blake made a motion:

"I move to declare this proposal is NOT a development of regional impact."

Motion was seconded by Mayor Brown. **Motion carried 9-0-0.**

David Krause, land surveyor for the applicant, presented the application explaining they are proposing to subdivide 6.9 acres off the 93-acre parcel with frontage on Wilderness Avenue. In order to meet the road frontage requirement, a hammer-head turnaround will be added to Wilderness Avenue and deeded to the City for plows and emergency vehicles.

Chairman Liberatore opened the Public Hearing. The following abutters addressed the Board:

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Tim and Cheryl Fisher – 213 Pleasant Street; Pat Robichaud – 231 Pleasant Street; Crystal Fulmore – 50 Myrtle Avenue; Rachel Ewers – 243 Pleasant Street; Scott Clarenbach – 229 Pleasant Street. Multiple abutters spoke to concerns of surface water runoff and impact of construction. Mr. Clarenbach explained the Municipal Services Department has been working to address the water issues with culvert work and has seen improvement. Comments sent via email from Doug Veysey of 205 Pleasant Street were read into the record and are attached to these minutes.

Chairman Liberatore closed the public hearing and brought it back to the Board. Director Creighton addressed the concerns raised by the abutters and explained the application meets the zoning requirements. He also acknowledged there are still some challenges regarding road requirements in the subdivision regulations. Mr. Krause was in favor of a continuance to address the issues prior to a final plan.

Member Dzujna made a motion:

"I move to continue application P23-11 to the February 28, 2024 Planning Board meeting."

Motion seconded by Councilor Blake. **Motion carried 9-0-0.**

P23-12: Dillon Realty Trust, owner, is seeking Site-Plan approval with Special Use Permit to construct a 7300 Sq. ft light-industrial facility for a cabinet making business. The property is located at 21 Kenrick Farm Road, Map/Lot 099-404-00 in the B1 [Low-density Business & Commercial] zoning district.

Member Flaherty made a motion:

"I move to accept the Site Plan application for 21 Kenrick Farm Rd as complete."

Motion seconded by Member Sheedy. **Motion carried 9-0-0.**

Mayor Brown made a motion:

"I move to declare this proposal is NOT a development of regional impact."

Motion seconded by Member Dzujna. **Motion carried 9-0-0.**

Ryan Dillon, owner, spoke to the application giving a summary of the project and a brief synopsis of the history of the project which has gone from commercial to personal and back to commercial. Director Creighton also gave some background information on the project and requested site improvements. Jim Jones, agent for the applicant, also spoke to some of the site improvements made including moving the septic from the area they have paved.

Multiple Board members spoke in favor of the project. Director Creighton reminded the Board that an approval will run with the land and change of ownership needs to be considered. Chairman Liberatore opened the Public Hearing. Councilor George Dzujna spoke in favor of the project. With no other members of the public in attendance, the Hearing was closed and brought back to the Board.

The Board asked for clarification on the design as the application is requesting to enclose the open "lean-tos" but at least one of them is already enclosed. Mr. Jones confirmed that they have started enclosing them to get the building weather-tight and will follow up with permitting. Director Creighton reminded the applicant to obtain permits prior to beginning work.

Member Flaherty made a motion:

"I move to approve the waiver request from Site Plan Regulation 402-5.B "Plan Requirements".

Motion was seconded by Councilor Blake. **Motion carried 9-0-0.**

Member Flaherty made a motion:

"I move to approve the Erosion Control portion of Site Plan Regulation 402-5.G Stormwater Management and Erosion Control Plan but deny the waiver from the Stormwater Management portion of that regulation."

Motion was seconded by Mayor Brown. **Motion carried 9-0-0.**

Member Flaherty made a motion:

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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 Dzujna. **Motion carried 9-0-0.**

☐ **Planner's Update:**

Director Creighton gave updates on the following properties:

Cumberland Farms – barn and sign have been demolished

Irving Gas Station – expect to be opening December 21

221 South Main Street/Tetal Gas Station – pumps are in

174 North Main Street – new windows and roof but no plan for development

Shop Express – still some testing to be done regarding the gasoline leak but they will be upgrading pumps

Chairman Liberatore read a statement thanking the Board for the opportunity to lead them as Chairman and giving a synopsis of projects approved during his tenure and hopes to be reappointed by the new Mayor.. Comments are attached to these minutes.

☐ **Adjournment:**

Mayor Brown made a motion to adjourn, seconded by Member Dzujna. **Motion carried 9-0-0. Meeting adjourned at 8:02 p.m.**

- The next Planning Board regular meeting is scheduled for January 24, 2024 at 6:00 p.m. and the application dead line date is January 4, 2024.

Respectfully submitted,

Judy Bibbins

Planning and Zoning Administrative Assistant