

Minutes of the Franklin Planning Commission
Tuesday, February 16, 2016
Homestead Dining Room

Members Present: Clark Hubbard, Judith McLaughlin, Peter Kittell, David Bennion, Dan Larivee, Roland Rainville

Members Absent:

Others: Maureen Sodaro, Secretary

Guests: Paula Tremblay, Deborah Bishop, Mr. and Mrs. John Burley, Robert Irish, Zoning Administrator

Meeting called to order at 7:05

Approval of Minutes: December minutes approved by Dan Larivee, seconded by Judith.

Mail Folder: The Town Clerk left Franklin and MVU annual reports for PC members.

Hearing Item: There is an application by Paula Tremblay. According to the application, she is requesting a 20' Agricultural Right-of-way over a 32.70 acre parcel known as lot#1 to parcel #2a 15.32 acre lot. Property is located at 872 Browns Corner Road, parcel #807, in the Town of Franklin, in accordance with Section 5.4 Subdivision Review process and Section 6.8(A) Roads, Driveways and Access: access to lots without frontage of the Town of Franklin Development Regulations.

As the meeting began, Clark wondered where the current right of way begins and Deborah Bishop stated it is on her land. Paula wants the right of way removed from her deed before the abutting landowner (Mr. Patterson) purchases land. Mr. Patterson does not need the right of way in order to access the property he would like to purchase. Clark stated that the PC can decide that the land can be sold as is because the abutting landowner does not need the right of way. The concerned guests want the right of way removed in order to prevent Mr. Patterson from using any of their land. Deborah Bishop owns the start of the road and does not want to give any of it up for Mr. Patterson to access.

Clark explained that if the right of way goes away, it cannot be returned without a large cost to landowners.

There was a discussion of the history of the purchases of the land owned by the guests. The PC reviewed Deborah Bishop's driveway and how it connects to the other properties as well as how the land in question connects to the other landowners.

Roland stated he is related to Paula Tremblay- can participate in discussion, but cannot vote.

7:20-Closed session so PC members can discuss the issue before decision made.

The PC discussed the fact that the sale be approved contingent on creating a boundary line of adjustment. The other item is that Paula Tremblay wants the current right of way abolished. The PC stated that if she wants the right of way removed, she can do so.

7:30-Guests returned to meeting.

Clark stated that the 15.32 acre sale is contingent upon the fact that it includes a boundary line adjustment so that the Patterson land would be one parcel rather than two.

Second item: Clark stated that since Paula owns the right of way and wants it removed (all other landowners in agreement) she needs to have it declared null and void. This can happen by the same lawyer who handles the sale, and placed in land records.

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Bob Irish will sign the request for the Boundary Line Adjustment once paperwork is completed. Once this process is complete, the sale of the land can happen. Guests left the meeting at 7:40 pm.

Old Business: no old business

New Business: no new business.

Public Comments:

Member Concerns: Clark feels that all right of ways should have a length and width. The right of way should also state exactly where it begins and ends. Judith asked how Paula Tremblay's right of way originated. Clark explained the history of the ownership of the Bishop, Burley, and Tremblay lands.

Motion to adjourn meeting made by Clark, seconded by Dan seconded. All approved. Meeting adjourned at 8:00 pm.

The next regular meeting of the Franklin Planning Commission will be held on March 15, 2016 in the Homestead Dining Room.

Respectfully submitted;
February 17, 2016
Maureen Sodaro, Secretary

Note: These minutes are not final until approved by the Planning Commission at the next regular meeting.