

**MINUTES OF FRANKLIN PLANNING COMMISSION  
TUESDAY, JANUARY 19, 2010  
HOMESTEAD DINNING ROOM**

**PRESENT:** Richard Gadbois, Dan Larivee, Gerard Tremblay, Doug Clark, Peter Kittell, Kyle Lothian, Greg Bouchard, Clark Hubbard and Sara Rainville, Secretary.

Dick called the meeting to order at 7:02 p.m.

**MAIL:**

- Permit for Bruce/Linda Menard from State of Vermont for a 3-10t subdivision. The P. C. has not heard anything about this before tonight. The Zoning Administrator should have sent this to the P. C. Dick asked Peter to look into the letter with the Robert Irish, Zoning Administrator.
- Tiny Grant through State of Vermont for \$250/\$500; all members on P. C. agreed that they are not interested in pursuing.

**APPROVAL OF MINUTES:**

Minutes from December 15, 2009 presented. Motion was made by Clark/Gerard to approve the minutes from December 15, 2009. Dick asked if there was any further discussion changes and there was none. All voted in favor, minutes accepted as read.

**OLD BUSINESS:**

**Bylaw Changes:**

Dick would like to know where the P. C. stands with the last zoning changes the Selectboard sent to them.

Clark advised that #1 had been sent back to the Selectboard for further clarification, #2 had been approved by the P. C. with "Structure" being changed to "Dwelling", and #3 had been voted against by the P. C.

Peter stated with the current wording in the bylaws that the ZA could not issue deer camp permits as seasonal dwellings in any district other than the Shoreline/Recreation district.

Dick noted that it should be either permitted or a conditional use with conditions. Dick stated that having them permitted helps track them for the Town for assessment/Grand List purposes. Deer camps are not assessed differently but are taxed as non-residential. Everyone should have to pay their fair share, but some people are currently NOT paying taxes for their deer camps because the Town does not know that they are built.

Doug commented that it should not be up to the Town to say if people can build something or not.

Peter stated that by having a permit process for deer camps that there wouldn't be as many that the town does not know about. Doug wants deer camps/seasonal dwellings to be permitted uses in all districts. Dan noted that by having "Seasonal Dwelling" permitted in other districts it would cover all issues.

Peter stated that the Selectboard approved:

-Section 320 **District Land Use Control** C) 3) *Uses not listed as Permitted or Conditional in any district may be considered by the Zoning Board of Adjustment as a Conditional Use, if the proposed use is of the same general character as those Permitted or Conditional in the district in which the use is proposed. This section shall not be construed to allow a use to be considered in a district, when it is clear that the use is Permitted or Conditional in a different district*

-Section 330 **District Objectives, Allowable Uses, & Dimensional Requirements**

**Rural Residential! Agriculture District:** 1) *Permitted Uses: Also Seasonal Recreational Dwelling*

The Selectboard did not approve changing Section 417 **Mobile Home Parks and Mobile Homes**: *All mobile homes erected in the Town of Franklin must be placed on a non-porous pad being at least 4 inches thick.*

Dick would like to know what the Selectboard's reasoning is with requiring a cement pad for all mobile homes. He would like to know how other town's handle this especially outside of Franklin County.

Peter stated that #1 and #2 of the zoning amendments presented had received final approval by the Selectboard, they have been properly warned and the waiting period has been met.

Discussion was had on what constitutes a lot; Clark read the definition from the Subdivision bylaws.

Doug would like to have a policy regarding year round access for Fire and Rescue for residents that choose to live year round in seasonal homes; they may not get emergency services if they don't have adequate road access for those emergency vehicles to enter safely. Dick noted that the P. C. is here to protect the town's best interest. Kyle agreed with Doug; if the town had a policy in place and emergency services tried to respond but could not, they would not be held responsible for any damages, injuries, etc. sustained by emergency caller.

Peter suggested that there be set guidelines for the ZBA to follow to allow seasonal dwellings being occupied year round.

Dick stated that septic and water issues are the most important regarding camps being occupied year round, many do not currently have the septic/leach field capacity for round dwelling. Peter stated that then they would have to meet the currently guideline or could not use it for year round living. It was noted that the watershed has been very active with the campers and trying to cut down on lake pollution. Dick informed the P. C. that holding tanks are now acceptable for camps, it would be best if people had them and pumped them once a year. That would cut down on a lot of the septic issues at and around the lake.

Greg asked if the issues with the 2 area dirt bike tracks had been resolved. Dick stated that they would fall under a conditional use permit, recreational facility. Neither track was built with a permit.

#### **NEW BUSINESS:**

Doug would like it noted that by having a Selectboard member on the P. C. has the "appearance" of a conflict of interest. Dick has spoken to the Vermont Secretary of State on this and it is legal, however, Peter may have to remove himself from certain discussions/votes. Peter is aware of this.

Dick noted that Judith McLaughlin had voiced interest in filing the vacant P. C. seat; Peter replied that the Selectboard had never received that information. Dick also stated that the Selectboard should have come to the P. C. for names to fill that vacant seat.

Next Planning Commission meeting is scheduled for February 16, 2010.

Dick would like all members to be reviewing the current Town Plan, if anyone does not have a copy stop in the Town Clerk's office to pick one up.

Motion made by Gerard/Dan to adjourn the meeting. All members in favor, meeting adjourned at 8:28 p.m.

Respectfully submitted,  
January 21, 2010  
Sara Rainville, Acting Secretary

**Note: These minutes are not final until approved by the Planning Commission at their next regular meeting.** These minutes were approved on February 16, 2010.