

**MINUTES OF FRANKLIN PLANNING COMMISSION
TUESDAY, JULY 28, 2009
HOMESTEAD DINING ROOM**

PRESENT: William Mayo, Richard Gadbois, David Lothian, David Lucey and Doug Clark.

MEMBERS OF PUBLIC:

Dan Larivee, Jacqueline Larivee, Richard Fitzgerald, Tim Hurlbut, and Steve Ducham.

Bill Mayo called the meeting to order at 7:04 p.m..

LARIVEE SUBDIVISION:

Mr. Mayo apologized for not having a quorum at last meeting. Thanked everyone for coming. The site plan has already been approved and this meeting was warned as final plat approval, meeting rescheduled from last week. Mr. Mayo asked if anyone present had questions or concerns that they would like to speak of.

Mr. Fitzgerald was concerned that an existing 12" culvert by the pond would not be sufficient to handle spring run off. Mr. Larivee stated it was being replaced by an 18" culvert. All in attendance reviewed the maps and found that the culverts were not identified on the final plat and that they need to be in order for the board to approve/chair to sign.

Mr. Hurlbut stated that if the 18" culvert was over flown, the water would just run off into the existing wetlands. He stated that this proposed development is not currently going to create any extra run off. Mr. Mayo disagreed; he thought that the water would go over the road in the event of an overflow. Mr. & Mrs. Larivee stated that they would be fine with putting in a 24" culvert in place of the proposed 18" one.

Mr. Hurlbut feels that this process with the Planning Commission has drawn on for too long, would like the board to agree to sign the plat at the next meeting with the stipulations that the culverts be added to final plat. Mr. Mayo stated that ALL culverts need to be added to the final plat with correct specs.

Mr. Ducham represents Matt Rainville and would like a copy of that final plat sent to him before the final meeting.

Mr. Ducham stated that his clients have an issue with the Right of Way. He stated that Franklin's zoning laws state the ROW needs to be 65' for 3 a lot subdivision, but the Larivee project only proposed a 50' ROW. Has the Planning commission taken action on this issue? Mr. Mayo stated at the June Planning Commission meeting the board agreed to a 50' ROW due to environmental causes, being the adjoining wetland areas.

Mr. Ducham would like to board to agree that the 50' ROW would be sufficient for any future subdivisions that the Rainville's may do on their adjoining property. Mr. Gadbois stated that they already share a ROW which is 50', which would not change. However, any additional ROW that the Rainville's may need on their property would have to be reviewed by the board and the 50' would more than likely be sufficient. That would have to be addressed when the time came.

Mr. Ducham stated that once this plat gets approved that his clients, the Rainville's, would then be in violation of the Franklin zoning laws because they would be the fourth lot on the shared 50' ROW. Mr. Gadbois stated that is not correct, they are already sharing the existing ROW and are not considered to be the fourth lot on the Larivee subdivision.

Mr. Ducham noted that the legal shared use agreement for the ROW was being worked on between Rainville and Larivee's. He was hoping to have it recorded in the Franklin land records shortly. Mr. Gadbois stated it would be good to have that on the final plat when the board signs at next meeting.

Mr. Larivee commented that he had spoken with Julie Foley regarding his wetlands application and that there were not any appeals to his permit, he is hoping to have that paperwork in the mail sometime next week.

Mr. Larivee will have the corrections made to his plat and copies sent to appropriate parties before the August Planning Commission meeting.

Mr. Mayo asked if there were any further questions, none had.

Mr. Mayo asked that the Larivee's have the Vermont wetlands permit as well as the final plat for next meeting.

Bill asked if members had any further matters to be discussed and there was nothing else.

Mr. Mayo adjourned the meeting at 7:32.

Respectfully submitted,

July 28, 2009 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 by the P.C. on August 18, 2009.