

**FRANKLIN ZONING BOARD  
REGULAR MEETING AND PUBLIC HEARING  
Wednesday, March 6, 2024 at 6:30 p.m.  
Franklin Public Library – 310 Central Street**

**Minutes**

**Call to Order** – 6:31 p.m.

Attendance: Chairman Glen Feener; Kathlene Fleckenstein; Gregory Thompson; Cecile Cormier; Yama Ploskonka.  
Staff present: Planning Director Seth Creighton, Planning & Zoning Administrative Assistant Judy Bibbins.

**Salute to the Flag** – led by Member Thompson

**Approval of Minutes of the February 7, 2024 Public Meeting of the Board**

Member Fleckenstein made a motion to approve the minutes, seconded by Member Cormier. **Motion carried 5-0-0.**

**New Business**

**Z 24-02: Cumberland Farms, Inc. is seeking a variance from 305.14 Lot/Yard, to construct a canopy/fueling island over the shared side/rear property line of three lots.** The structures will be zero (0) feet from the property line where the zoning requires 15'/20'. The lots are located on the northwest corner of the signalized intersection of West Bow Street and Central Street. The subject parcels are identified by the City of Franklin's Assessor's Map 117 Lots 130, 131, and 135. The property addresses are 192, 196, and 202 Central Street in the B-1 (Low-density Business and Commercial) zoning district.

Member Fleckenstein recused herself from hearing this application due to a conflict of interest.

FX Bruton, attorney for the applicant, presented the application. He explained the request is essentially the same request that was granted two years ago. The applicant is seeking a reapproval of the same variance. He then addressed each of the 5 Variance criteria in his narrative. In response to questions from the Board, Mr. Bruton explained the lapse of approval was due to soil remediation requirements imposed on the City by the State of NH Department of Environmental Services.

Chairman Feener opened the hearing to public comment. Tim Alberts, owner of an abutting property, asked if the canopy location had changed from the original design as he was concerned about runoff. Mr. Bruton confirmed the location was the same as the previously approved design. With no further comment, the public hearing was closed and brought back to the Board.

Member Cormier made a motion:

"I move that the Zoning Board of Adjustment approves the variance request, by Cumberland Farms, Inc., applicant, for a variance from '305-14 Setbacks' to construct a fueling station and canopy over the shared side/rear property line of three lots. The structures will be zero (0) feet from the property line where the zoning requires 15'/20'. The application is referenced as **224-02**. The Board finds that the application request meets the tests and criteria necessary for the granting of a Variance for the reasons the applicant has stated in their application."

Motion was seconded by Member Thompson. **Motion carried 4-0-0.**

Member Fleckenstein rejoined the Board at the table.

**Other Business:**

APPROVED 4/3/2024

Member Thompson shared the availability of planning and zoning webinars presented by the NH Municipal Association on Thursday at noon for anyone interested in additional training. Planning & Zoning staff offered to send the information to the Board.

**Adjournment:**

Member Cormier made a motion to adjourn, seconded by Member Thompson. **Motion carried 5-0-0. Meeting adjourned at 6:51 p.m.**

The next scheduled meeting of the Zoning Board of Adjustments is Wednesday, April 3, 2024 at 6:30 p.m. The deadline date for submission of applications for this meeting is Wednesday, March 13, 2024.

Respectfully submitted,

Judy Bibbins

Administrative Assistant for Planning & Zoning.