

**FRANKLIN ZONING BOARD  
REGULAR MEETING AND PUBLIC HEARING  
CITY COUNCIL CHAMBERS- CITY HALL  
Wednesday, February 3, 2016, at 7:00 p.m.**

**MINUTES**

**Call to Order:** The meeting was called to order at 7:35 p.m.

- ☐ **Salute to the Flag**
- ☐ **Roll Call**

**Present:** Kathlene Fleckenstein, David Testerman, & Debbie Davis.

**Absent:** Jeffrey Dickinson, Michael Weatherbee and Donald Gagnon.

**Member Davis was seated as a voting member in place of Member Weatherbee.**

**[Note: Member Dickinson was present in City Hall but the chair lift did not operate properly so he was not able to access the Council Chambers; attempts to operate the chair lift also caused the delay in the start of the meeting]**

- ☐ **Approval of Minutes: November 18<sup>th</sup>, 2015 Zoning Board Meeting**

**MOTION:** Member Testerman moved and Member Fleckenstein seconded to approve the minutes of the November 18<sup>th</sup> 2015 Zoning Board regular meeting. All were in favor and the motion passed.

**Old Business:** None

**New Business**

- ☐ **Z15-017: Louis Ferrari, Owner, requests Variances from Section 305-13, Permitted Use Table, to allow the establishment of a multi-family dwelling (3 units) within an existing business building, and Section 305-14, Lot and Yard Requirements, to allow the 3-unit dwelling on the lot with 6,000 Sq. Ft. less than the required lot area. The building is located at 227 Central Street, and is identified as Tax Map/Lot 117-256-00 [B-2, High Density Business and Commercial Zoning District], on which is also located a larger multi-family [22-unit] dwelling [at 1 River Street]..**

Lynn Noyes was present to represent the owner. She explained that the owner wishes to create a 3-unit residential dwelling in the building, which has seen a series of commercial uses over the past 12 years. The overall property already contains a 22 unit apartment building in one of the older mills on River Street. For this smaller stand-alone building, there will be 2 units on the main floor, and 1 unit situated in about ½ of the second floor. The property contains a sizable parking area behind the subject building. No structural changes are proposed or needed; the windows will probably be updated. The establishment of these residential units will require Site Plan approval from the Planning Board.

One question from the Board is the ability of the property to provide the parking for the 3 units. Planner Lewis mentions that the plan that was sent to the Board showed the parking spaces that were used for commercial activities, and will now be used by the tenants of these new dwelling units.

**Public Comment:** None

**MOTION:** Member Testerman moved and Member Davis seconded that the Zoning Board of Adjustment approve the application submitted by Louis Ferrari for variances from Section 305-13, Permitted Use

Table, to allow the establishment of a multi-family dwelling (3 units] within an existing business building, and Section 305-14, Lot and Yard Requirements, to allow the 3-unit dwelling on the lot with 6,000 Sq. Ft. less that the required lot area. The building is located at 227 Central Street, and is identified as Tax Map/Lot 117-256-00 [B-2, High Density Business and Commercial Zoning District], on which is also located a larger multi-family [22 unit] dwelling [at 1 River Street]. The Board finds that the application request meets the tests and criteria necessary for the granting of the Variances as spelled out in the draft decision to approve which has been reviewed and approved. **All were in favor and the motion passed.** This approval is subject to the following conditions:

1. The owner shall obtain Site Plan Approval from the Planning Board since the use constitutes a Change in Use from commercial / business to residential.
2. The applicant or their designee shall obtain a building permit for the proposed work and a Certificate of Occupancy once the work is completed. The Building Permit plan shall incorporate all required fire and life safety codes as determined by the City's Building Inspector / Fire Safety Officer.

□ **Z16-001: JA Total Properties, LLC, Applicant, Joshua Marceau, representative, requests a Variance from Section 305-14, Lot and Yard Requirements, to establish a third dwelling unit in an existing 2-family building on a lot sized 27,442 sq. ft. where 30,000 sq. ft. is required. The property and structure are located at 67 Pearl Street, Tax Map/Lot 134-077-00, in the R-3 [multi-family] residential zoning district.**

Joshua Marceau was present to discuss the request. He indicated that the barn was attached to the main building. When they purchased the property, the former owner said that a 3<sup>rd</sup> unit was already approved, but that turned out not to be the case. The diagram submitted shows the sizable parking area available for parking; it was emphasized that the lot is only 0.085% shy of having the required lot area, and there are other multi-family dwellings in the area with equal, or less lot area than the subject lot.

**Motion by Member Testerman and seconded by Member Davis to approve** the application of JA Total Properties, LLC, requesting a Variance from Section 305-14, Lot and Yard Requirements, to establish a third dwelling unit in an existing 2-family building on a lot sized 27,442 sq. ft. where 30,000 sq. ft. is required. The property and structure are located at 67 Pearl Street, Tax Map/Lot 134-077-00, in the R-3 [multi-family] residential zoning district. The Board finds that the application request meets the tests and criteria necessary for the granting of a Variance as spelled out in the draft decision to approve which has been reviewed and approved. **All in Favor.** The Conditions of approval are:

1. The owner shall obtain a Special Use Permit from the Franklin Planning Board before filing a building permit for this proposed creation of the 3<sup>rd</sup> residential unit.
2. The owner or a designee shall obtain a building permit for the proposed work and a Certificate of Occupancy once the work is completed.

**Planner's Update:** Richard Lewis stated that interviews are being conducted for the Administrative Assistant position.

**Other Business:** None.

**Public Comment:** None.

**Adjournment: MOTION: Members Testerman & Fleckenstein moved & seconded to adjourn the February 3, 2016 meeting of the Zoning Board of Adjustment, at 7:55 p.m. All were in favor and the motion passed.**