

**FRANKLIN ZONING BOARD  
REGULAR MEETING AND PUBLIC HEARING  
CITY COUNCIL CHAMBERS- CITY HALL  
Wednesday, April 6, 2016, at 7:00 p.m.**

**MINUTES**

**Call to Order:** The meeting was called to order at 7:10 p.m.

☐ **Salute to the Flag**

☐ **Roll Call**

Present: Kathlene Fleckenstein, David Testerman, Jeffrey Dickinson

Absent: Debbie Davis, Michael Weatherbee and Donald Gagnon.

Chair Fleckenstein informed all those present that the Board was sitting with only 3 members and therefore any decision by the Board would need to be unanimous.

- ☐ **Approval of Minutes:** February 3, 2016 Zoning Board Meeting; Chair Fleckenstein indicated that on page 2 the Motion to Adjourn should reference the 2/3/16 meeting, not the November 2015 meeting.

**MOTION:** Member Testerman moved and Member Dickinson seconded to approve the minutes of the February 3, 2016 Zoning Board regular meeting as amended. All were in favor and the motion passed.

**Old Business:** None

**New Business**

- ☐ **Z15-002:** Gregory Disco, Owner & Applicant, requests Variances from Sections 305-14, Lot and Yard Requirement Table, and 305-18.C.4, Non-conforming Structures, to allow the construction of a new residential dwelling that will be located closer to the side and front lots lines, and will have greater cubic capacity due to a second story, than the existing dwelling on the lot. The expansion of the footprint into the side lot line setback is approximate 10 feet. The existing structure, to be demolished, is located at 33 North Shore Lane, tax map & lot 032-054-00, in the Lake Protection zoning district, which has a 50-foot setback for all faces of a building.

Architect Matthew Bartlett, representing the owners addressed the Board. He indicated that the house is approximately 50-60 years old and is outdated; the goal is to remove the existing cottage and construct a new cottage that will better serve the needs of the family members. The new building will be approximately 500 sq. ft. larger than the existing structure.

Member Testerman asked about any impact to the abutters; Mr. Bartlett pointed out that the Disco family owns the lot to the north of the subject parcel, and the parcel across North Shore Lane, so impact to the abutters is not an issue. Chair Fleckenstein asked two questions: does the proposed house have a basement and is it a seasonal or year-round structure. Mr. Bartlett indicated that the new cottage will have a basement under a portion of the structure, since the grounds slopes and it will have a walk-out basement on the lake-side. He also indicated this will largely be a seasonal structure; it was also mentioned that the existing cottage has a pretty flat roof which is a problem, so the new cottage will have more of a pitched roof to help with snow loads.

Chair Fleckenstein asked for any public comment; Michael Disco indicated that the family is looking for an improved and updated cottage that can be better utilized by the family. There were no other comments.

**MOTION:** **Member Testerman moved and Member Dickinson seconded that the Zoning Board of Adjustment approve** the variance application request Z16-02 for Gregory Disco to construct a replacement dwelling which does not meet the setback requirements and increases the cubic capacity of the dwelling. The property is located at 33 North Shore Lane. 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, without modification, by the Board. **All were in favor and the motion passed.** This approval is subject to the following conditions:

1. The applicant or their designee shall obtain a building permit for the proposed work and a Certificate of Occupancy once the work is completed.
2. The location of the proposed new dwelling shall conform to the plan submitted with the variance application.

- ❖ Z16-03 Hearing for Lasurie Cass, 1 Evergreen Avenue for a Variances and Special Permits for a garage and Family Apartment

This application will be re-scheduled for, and continued to, the May 4, 2016 meeting of the Board due to a change in the design plans for the addition; the hearing will be re-noticed for the 5/4/16 meeting date.

**Planner's Update:** Richard Lewis indicated that he has had one conversation with the attorney representing the Sober House; the hearing is tentatively scheduled for the May 4<sup>th</sup> meeting of the Board, but the schedule may change dependent on how the applicant's attorney decides to address the zoning issues. This attorney has been in communication with the City Attorney and they have discussed the option of submitting a zoning amendment that would allow this type of use; the City Attorney indicated that he was informed that any proposal would include compliance with the applicable and appropriate fire and life safety codes. Planner Lewis said he should know by next week whether the meeting between the Board and the City Attorney scheduled for 4/20/16 will still be held. He will keep the board informed of the schedule for this project.

**Other Business:** None.

**Public Comment:** None.

**Adjournment: MOTION: Members Dickenson and Testerman moved & seconded to adjourn the April 6, 2016 meeting of the Zoning Board of Adjustment, at 7:45 p.m. All were in favor and the motion passed.**