

**FRANKLIN ZONING BOARD
REGULAR MEETING AND PUBLIC HEARING**

Wednesday, December 5, 2018 at 7:00 p.m., City Council Chamber

Minutes

Call to Order

☐ **Salute to the Flag**

☐ **Roll Call: Present**—Vice Chairman Debbie Davis, Kathlene Fleckenstein, Jeffrey Dickinson, David Testerman and Planning Director Richard Lewis **Absent**—Chair Glen Feener, Cecile Cormier

☐ **Approval of Minutes of the November 7, 2018 Public Meetings of the Board.** Member Fleckenstein motioned for approval of the minutes as written. Motion seconded by Member Dickinson.
Motion passed by a vote of 4-0-0.

Vice Chairman Davis announced that the following applications have been postponed until the January 2, 2019 meeting of the Zoning Board of Adjustment: Z18-09 [Brian Nawoj], Z18-13 [Crowley], and Z18-14 [Edmunds]. Members Fleckenstein / Member Testerman motioned / seconded the continuance of these three applications to the January 2nd meeting. **Motion passed with a 4-0-0 vote.**

Old Business: Postponed until January 2, 2019

Continuation of Z18-09: Brian Nawoj, owner is seeking a variance from 305.14, Lot and Yard, to replace an existing nonconforming residence with a new residence that does not meet the shoreline [17 ft. vs. 50 ft.] or property line setbacks [19.1', 11.5', & 14.1' versus 50']. The property is located at 19 North Shore Lane [Map/Lot 032-048-00, Map Sheet H4] in the LP [Lake Protection] zoning district.

Vote on Decision of Approval for Z18-12: Debra & Gary Auger, owners are seeking a rehearing on their application for a variance from 305-29.4, Sheds, to place a 112 sq. ft. shed 2 feet [versus the required 10 feet] from the side property line. The property is located at 39 Maple Square [Map/Lot 134-174-00, Map Sheet N9] in the R-3 [One-, Two-, & Three-family residential] zoning district. Member Testerman motioned / Member Dickinson seconded the approval of the notice of decision as written. **The motion passed by a vote of 3-0-1 with Member Fleckenstein abstaining.**

New Business:

Z18-13: Postponed until January 2, 2019 Crowley Container & Trailer Rental, LLC [owner] is seeking Special Exception from 305-13 [Permitted Uses] to establish a gravel excavation operation on the property located on New Hampton Road [Map/Lot 112-006-00, Map Sheet I7] in the RR/C [Rural Residential/Conservation] zoning district.

Z18-14: Postponed until January 2, 2019 Richard Edmunds, Jr. and Frank & Charlotte Edmunds [owners] are seeking a variance from 305-14 [Lot & Yard] to create 4 lots where one lot will not meet the frontage requirement [391.54 ft. vs. 400 ft.] The property is located on Hill Road [Map/Lot 091-020-00, Map Sheet G6] in the C [Conservation] zone.

Z18-15: Franklin Commons Realty Group, LLC [owner] is seeking a variance from 305-14 [Lot/Yard] to create 3 lots for solar installation where 2 lots will not have road frontage. The property is located on Commerce Drive [Map/Lot 102-402-00, Map Sheet S7] in the I-1 [Industrial] zone.

Patrick Attwater, One80 Solar, told the Board that they wanted to subdivide the property to be able to interconnect the arrays with the utility company. The utility company allows only 1 megawatt per parcel connection. This property can support three megawatts, so they need a parcel for each array. They are seeking a variance since two of the parcels will not have road frontage.

Chris Nadeau, Nobis Engineering presented a site plan drawing. Mr. Attwater added that they will be going to the Planning Board for the subdivision of the land once the Zoning Board approves the variance for the frontage. Member Testerman said that his understanding is that the frontage requirement mostly applied to residential lots with driveways. Member Fleckenstein asked for clarification as to where the existing road comes into the property.

Planner Lewis said that this is a passive type of use. Mr. Attwater agreed, saying that the solar arrays require very little maintenance once they are built. Usually it is only once a quarter or once a year that someone goes out and checks the inverters and transformers. The solar panels have a fixed tilt. They will be facing south and will be fenced in. Vice Chair Davis added that they don't anticipate a large amount of traffic going into and out of the facility and Mr. Attwater confirmed that saying that there would only be a service truck a few times a year.

Planner Lewis asked if each of these three components will need its own equipment. Mr. Attwater answered that each one of the arrays will have a 1600-amp switch gear with subpanels throughout the array. The inverters take DC power out of the panels and convert it to AC power. Each array will have this type of setup: inverters, aggregate panels, switch gear and transformer. He mentioned that a bill at the State level would have allowed a more direct approach, but that it didn't pass. Member Testerman explained the reason why it didn't pass saying that solar companies are selling energy at the retail rates and the power company is required to purchase a percentage of renewable energy at higher rates than they'd have to from somebody else, which in turn would mean that everyone in the state would have to pay for that.

Member Fleckenstein asked how long the construction phase would be. Mr. Attwater indicated that it would be most of next year's construction season with the site being commissioned for December of 2019. There are some trees that will need to be removed and a wetland area that will be left untouched. Planner Lewis brought the Board's attention to his memo saying that this project seems pretty straight forward to him.

Vice Chair Davis asked if there were any members from the public who wished to speak. No one approached the Board and Member Fleckenstein made a motion to approve the variance application which Member Testerman seconded. **By a vote of 4-0-0 the motion passed.**

An unidentified member of the public requested a copy of the site plan from the applicant.

Planner's Update: Mr. Lewis said that he didn't have any updates at this time.

Other Business: none

Public Comment: none

Adjournment: Vice Chair Davis made a motion to adjourn at 7:20 pm, which was seconded by Member Dickinson. **All were in favor.**

The next scheduled meeting of the Zoning Board of Adjustments is Wednesday, January 2, 2019, at 7:00 p.m.; the deadline date for submission of applications for this meeting is Wednesday, December 12, 2018.

These minutes were recorded by Cheryl Y. Fisher, Administrative Assistant, Planning and Zoning.