

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

Wednesday, March 6, 2019 at 7:00 p.m.; Downstairs Meeting Room

Minutes

Call to Order

☐ Salute to the Flag

☐ Roll Call -- Present: Chairman Glen Feener, Vice Chair Debbie Davis, Kathlene Fleckenstein, Planning & Zoning Director Richard Lewis **Absent:** Jeffrey Dickinson, Cecile Cormier, & David Testerman.
Voting for Chairman and Vice-Chairman postponed until full board is present.

☐ Approval of Minutes of the December 5, 2018 Public Meetings of the Board. Motion made by Member Fleckenstein and seconded by Vice Chair Davis. There were no corrections and the motioned passed by a vote of 3-0-0.

Old Business:

Request for Continuance to April 3, 2019 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. Members Fleckenstein/Davis motioned and seconded for a continuance to April 3, 2019. No discussion followed and **the motion passed by a vote of 3-0-0.**

Withdrawal of Z18-13: 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. **Planner Lewis** told the board that having received additional information from the applicant and the Department of Revenue staff person with the comments made by attorneys, concluded that the applicant did not need a new special exception. Members Fleckenstein/Davis motioned and seconded for the withdrawal of the application. **By a vote of 3-0-0 that motion passed.**

Withdrawal of Z18-14: 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. **Planner Lewis** said that the applicants were looking at how they were going to set up this project and following discussions their engineer have decided to withdraw the application. Members Fleckenstein/Davis motioned/seconded withdrawal of Z18-14. **By a vote of 3-0-0, that motion passed.**

New Business: The applicant was informed that with only three board members being present [a normal board consists of five members] three affirmative votes would be necessary for approval of the application. The applicant stated that she wished to proceed.

Z19-01: Laura Hosmer-LaRoche, owner & Jennifer Carrier, applicant, are seeking an agricultural waiver to convert a pre-existing garage into a 4-stall horse barn at 69 Webster Lake Road [Map/Lot 095-038-00, Map Sheet L6] in the R-1 [Low Density Residential] zoning district.

Ms. Carrier stated that they only wanted to create three stalls not four in the garage. She drew attention to the plan for the property that was included with the application and said that it was about 1-1/2 acres that they would be using for up to four horses. She currently has two. The big concern is the waste, and they are proposing to have three smaller compost pits. These would be established between 15-20 feet from the property lines and there would be a wooded buffer between. She has spoken with her abutters and they are fine with this. She stated that using the figures on the Cooperative Service, she calculated that the designated property could sustain up to four horses.

Vice Chair Davis asked if they were looking to keep the number of horses to 4 and Ms. Carrier stated that was so. Chairman Feener asked if these would be personal horses. Ms. Carrier said that the animals were just for the family's use and that she currently has one horse and one pony, but would like to acquire another pony and a mini horse. Member Fleckenstein urged that only horses be allowed and no donkeys or mules because of the noise they create. Planner Lewis asked if the compost would be used to build up the grass area in the pasture, but what would happen to it after that. Ms. Carrier stated that it would then be used in her gardens on her property on South Main. He then asked about a maintained tree line between her property and the abutters. Ms. Carrier stated that she'd prefer to have 20 feet for security reasons. Chairman Feener said he was in favor of the 20 feet of buffer.

Opened to the Public: Mrs. Hosmer-LaRoche said she was in favor. No one else was present to speak.

Chairman Feener suggested that a condition be added to the decision restricting the use to horses only and Planner Lewis asked if the Conditions should specify no mules or donkeys. Chair Feener also wanted a condition added that the buffer would be 20 feet. Everyone was fine with those conditions.

Vice Chair Davis made a motion to approve the application and Member Fleckenstein seconded it. **By a vote of 3-0-0 the motion passed with the stated conditions.**

Planner's Update: He is anticipating an application coming in for the April meeting regarding some potential commercial activity on residential land on Cross Mill Road. Regarding Z18-09 application, Mr. Lewis stated that there were some communication gaps between Nawoj and his consultant, but he sent Mr. Nawoj some additional information about options he might peruse, possibly an Administrative decision to expand a non-conforming house. The Administrative decision would be sent to all the abutters of the property and if none of those people objected then a building permit could be issued.

Other Business: no other business

Public Comment: none

Adjournment: Fleckenstein/Davis motioned adjournment at 7:22 pm. By a vote of 3-0-0 the motion passed.

The next scheduled meeting of the Zoning Board of Adjustments is Wednesday, April 3, 2019, at 7:00 p.m.; the deadline date for submission of applications for this meeting is Wednesday, March 13, 2019.

Minutes recorded by Cheryl Y. Fisher, Administrative Assistant, Planning & Zoning

