

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

**Wednesday, December 4, 2019 at 6:30 p.m.; City Council Chambers**

**Minutes**

**Call to Order**

- ☐ **Salute to the Flag**
- ☐ **Roll Call – Present: Chairman Glen Feener, Debbie Davis, Cecile Cormier, David Testerman and Robert Hubble Absent-Kathlene Fleckenstein and Jeffrey Dickinson. Member Cormier is seated for Vice Chair Fleckenstein. Member Hubble is seated for Member Dickinson.**
- ☐ **Approval of Minutes of the November 6, 2019 Public Meeting of the Board.** Member Cormier/Member Hubble, motioned/seconded for approval of the minutes as amended. Member Cormier asked for clarification from Chairman Feener regarding a statement he made about being proactive. The Chairman said that he was speaking about the Riverview Drive area at this point.  
**By a vote of 5-0-0, the minutes were approved as amended.**

**Old Business:** None

**New Business:**

**Z19-21:** PSNH [Eversource]-owner and Stantec-applicant, are requesting a variance from 305-15.B [Height Regulations] to conduct pole replacements on their F139 transmission line. The heights of the new H-frame structures will range from 52 ft. to 79 ft. above the ground versus the 50 ft. restriction. The work will occur within the existing right-of-way north of Flaghole Road and running southeast halfway between Smith Hill Road and South Main Street.

Kara Moody, Stantec Consulting Services, is Eversource's agent for the variance application. She informed the Board that there were a couple of minor clarifications to the application submitted on November 13<sup>th</sup>. The submission package identified 19 structures in need of replacement and one additional structure (identified as 290) that would be removed and not replaced. Since that time, it has been determined that all 20 structures need to be replaced. The other clarification refers to item 7 on the application forms, which asks if a variance has previously been granted and it was checked yes, but it should have been no.

Ms. Moody went on to present an overview of the project. Eversource is in the process of maintaining the F139 transmission line from Concord to Franklin. In Franklin, the line runs from the North Webster Substation near Carr Street to the town of Northfield boundary. The right-of-way [ROW] is 200 feet wide. Also in that ROW is the V182 line. The twenty wooden structures will be replaced by steel H-frame structures. These will be direct in bed replacements in steel caissons. All proposed work is within the existing ROW and access to ROW will occur from four existing roads. Under article 305-15.B, the height restriction is 50 feet above ground level for transmission structures and all 20 replacements will be taller than that. Ms. Moody added that they felt that the nature of the project does not pose any conflicts with the zoning ordinance.

Board members asked what triggered the height change and why the proposed structures differed in heights. Ms. Moody said that current construction standards require the change. Jeremy Fennell,

Eversource Licensing and Permitting, added that differences in topography is a contributing factor. The goal is to maintain line clearance. There won't be any changes in voltage. They don't want to make structures higher than they need to; it wouldn't be good engineering practices.

Member Testerman asked if the upgrades included the whole line from Franklin to Concord and if waivers were needed from other communities. Mr. Fennel said they were in the towns of Concord, Canterbury, Northfield and Franklin. It was determined, based on their wetland impacts, that in the case of Canterbury and Northfield they wouldn't need to go before them. When they start working in those locations there will be a utility maintenance notification through the State, so they'll have all the appropriate permits and conditional use permits. For Concord's Planning Board they'll have the necessary permits due to wetland impacts. Member Cormier asked how work would proceed. Mr. Fennell said that at each pole site, the existing pole would be removed and new pole erected and the lines transferred. They would move along the transmission line, making the switch one pole at a time. They are hoping to get started in late January or early February, starting in Franklin and moving south. He added that Eversource will be coming back to the Zoning Board next month with a new variance application for another transmission line.

No one from the public chose to speak and the discussion was brought back to the Board. Member Cormier asked where the Zoning Ordinance restricts power line height. Planner Lewis referred her to 305-15.B and added that the height restrictions have been on the books for quite a while; that for buildings it is 35 feet above ground level and for transmission structures it is 50 feet. Over his 16 years as Planner in Franklin, Eversource has submitted four or five applications for variances. He has spoken with other communities regarding height restrictions. The need for a variance or waiver, differs from community to community. Due to changes in construction standards, it may be time to revise the language in 305-15.B, although currently, the necessity of a variance has the positive aspect of giving property owners a bit of warning about what is happening. Member Cormier asked if all abutters were notified. Planner Lewis said they had been. The list includes not only properties with the ROW running through them, but the properties that abut those properties. Member Hubble noted that several of the existing poles were taller than the 50 feet restriction and asked if a variance was granted at the time those poles were installed. Planner Lewis said that was probably the case.

Member Testerman motioned for approval as stated in the Notice of Decision. Member Cormier seconded the motion. Chairman Feener reminded the Board Members that they were now considering a variance for 20 pole replacements. **The motion carried by a vote of 5-0-0.**

**Planner's Update:** none

**Other Business:** Member Cormier asked about Riverview Drive. Planner Lewis stated that he'd met with the Fire Chief and the Code Officer and they will be issuing some letters.

**Public Comment:** none

**Adjournment: 7:00 pm**

The next scheduled meeting of the Zoning Board of Adjustments is Wednesday, January 8, 2019, at 6:30 p.m. The deadline date for submission of applications for this meeting is Wednesday, December 18, 2019.

*Minutes were recorded by Cheryl Y. Fisher, Administrative Assistant Planning and Zoning*