

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

Due to the COVID-19 pandemic, the Zoning Board meeting was conducted remotely via Zoom:
[https://us02web.zoom.us/j/810 1816 3256](https://us02web.zoom.us/j/81018163256)

Wednesday, September 2, 2020 at 6:30 p.m.

Minutes

Call to Order – Chairman Glen Feener called the meeting to order at 6:31 pm.

☐ **The Virtual Meeting Authorization** - read by Planner Richard Lewis

☐ **Salute to the Flag**

☐ **Roll Call - Present:** Chairman Glen Feener [home alone], Vice Chair Kathlene Fleckenstein [home alone], and Jeffrey Dickinson [home alone].

Absent: Debbie Davis, Cecile Cormier, David Testerman and Robert Hubble.

☐ **Approval of Minutes of the August 5, 2020 Public Meeting of the Board.** A motion to approve the minutes as written was made by Vice Chair Fleckenstein and seconded by Member Dickinson. The motion carried with a roll call vote of 3-0-0.

Old Business: None

New Business:

Z20-06: Brett Parenteau, owner/applicant is seeking an Agricultural Waiver to construct a chicken coop and keep 8 hens on his property at 62 Beech Street, Map/Lot 135-068-00 in the R-3 [One-, two-, & three-family residential] zoning district.

Chairman Feener informed the applicants that since there were only three Board members present, a unanimous vote would be necessary for the application to be approved. The applicants, Brett Parenteau and Mariam Kovacs, indicated they understood and wished to proceed. Mr. Parenteau said they wished to convert a small portion of the lean-to to a nesting box where the chickens could sleep and feed. During the day the chickens could roam in a fenced in section of the yard. Chairman Feener asked how many chickens they wanted and the applicants responded that they wanted eight. Chairman Feener said that he believed they already had chickens. Mr. Parenteau said that they already have seven and indicated on his diagram where the chickens were housed. Chairman Feener asked if they would be building a new coop. Mr. Parenteau said that he didn't want a free-standing coop, he will be using the pre-existing lean-to on the side of the garage. Member Dickinson asked how long the chickens have been on the property. The applicants indicated it was approximately seven months. Chairman Feener asked about the chicken run shown on the diagram. Mr. Parenteau said that he is no longer going to install the long run that borders the abutting property. Member

Dickinson asked about the proposal statement that stated that the chickens would free-range on weekends. Mr. Parenteau said that he is finishing up the complete fencing of the property, there is still the driveway gate to install and a small bit of fencing. The idea was to let the chickens enjoy the yard for their health. Right now, it is the coop and the corner pen. When asked if that would change, Mr. Parenteau said that the simplest thing was to just let them have the corner and the coop.

Chairman Feener said that this is a densely populated neighborhood and asked what they would do with the waste. Mr. Parenteau said that as a gardener, he utilizes the 'waste' turning it into compost within two seasons. It can then be recycled back into the garden. It is all confined into one 4'x4' cube which is located right outside of the coop. Planner Lewis asked about the roosters that were on the property when he made a site visit. Mr. Parenteau said that when they bought the chicks, they thought they were all females, however that wasn't the case, but the rooster has been re-homed.

The meeting was open to the public. Mr. Thomas Boswell at 63 Pine Street stated that he submitted a letter and a picture and asked if the Board had seen it. The Board Members indicated that they did. Mr. Boswell went on to say that he doesn't believe they should grant the waiver since it is a quiet neighborhood with well-manicured lawns. He doesn't think it is appropriate to be introducing farm animals into the neighborhood especially with the small city plots and the houses so close together. This particular chicken coop is right next to his property line, he doesn't want the noise and the smell. Mr. Bowell doesn't feel it is appropriate especially during the pandemic.

Christina Stockbridge lives at 61 Beech Street, directly across the street. She feels they should be given permission for the chickens. Ms. Stockbridge said that since moving in, Mr. Parenteau and Ms. Kovacs have made steady improvements to the property, most notably the garden and the fencing. She has never seen it unkempt. Before the fence was put in there was one incident where a chicken came over to her property, but the applicants immediately came out and retrieved the bird. Ms. Stockbridge said that she was approached by a neighbor, possibly Mr. Boswell, about the chickens. She said that she has never raised chickens and admitted that she lives across the street as opposed to abutting. Ms. Stockbridge feels confident that Mr. Parenteau will care for the animals and their property so that it won't create a nuisance for the neighbors.

Tim McMahon lives at 57 Pine Street. His yard backs up to the area of the chicken coop and run. He doesn't think it is good for the neighborhood. It's an historical neighborhood not a farm neighborhood. He stated that they have been having issues with the chickens continuously going in his yard, creating holes in his lawn. Right on the corner is the compost pile which is right on the edge of his property.

Mr. Parenteau said that none of their responses were surprising. He admitted that the compost pile is near the property line. Mr. Ron White, 62 Elm Avenue, said that he and his wife are 100 % in favor of this. He appreciated Mr. Boswell coming to talk to them about it, but he feels that Brett and Mariam have done an awesome job with that property. He added that there have been chickens in the neighborhood since they moved in five years ago. He said that the stray dogs and cats in the neighborhood are more of a concern than the chickens have been. He applauded Brett and Mariam's self-sufficiency.

Tim McMahon said that his abutting property basically covers $\frac{3}{4}$ of the side yard. Mr. Boswell, said that he understands the arguments for having chickens previously, but since January, there is more concern about their health and welfare.

Closing the public hearing, Chairman Feener asked what the white containers were that are near the garage. Mr. Parenteau said the containers are for the collection of rainwater. Member Fleckenstein asked Planner Lewis if the elimination of the long run area called for a modification of the waiver request. Planner Lewis said that the Board can accept the verbal amendment especially since the change would actually make the design smaller. Member Dickinson asked if the chicken run is fenced in or hedged in with bushes. Mr. Parenteau said that it is fenced in with a 5-1/2-foot-high fence. The manure is composted with lawn clippings and that keeps it from being smelly. Planner Lewis asked how far the coop is from the lot line. Mr. Parenteau thought that the fence on his property is about one foot inside his property line. He thought the enclosure is about 10 feet from the lot line.

Planner Lewis reminded the Board that he discussed some pros and cons in the draft motions. The long run was close to 1000 sq. feet which would have been a pretty large run area. Most of the previous applications over the past 8 years have had coops much smaller than that. As indicated in the draft decision to approve, in Condition 6, the applicant shall comply with all the best management practices issued by the NH Department of Agriculture or the Cooperative Extension Service for the manure management or the keeping of chickens. So, there is an obligation for the property owner to operate things safely, taking public health and safety into consideration. Member Dickinson asked about the limit to 5 chickens in the draft decision and Planner Lewis said that typically the Agriculture Waivers issued thus far are in the 4-5 chicken range.

Member Dickinson made a motion to grant the waiver to keep 7 hens at 62 Beech Street. A second was made by Vice Chair Fleckenstein with an amendment to remove the long run. The amendment passed by roll call vote of 3-0-0. The amended motion was approved by roll call vote of 3-0-0.

Planner's Update: Nothing

Other Business:

Public Comment: None

Adjournment: Motion to adjourn at 7:13pm was made by Vice Chair Fleckenstein and seconded by Member Dickinson. The motion carried with a 3-0-0 roll call vote.

The next scheduled meeting of the Zoning Board of Adjustments is Wednesday, October 7, 2020, at 6:30 p.m. The deadline date for submission of applications for this meeting is Wednesday, Sept. 16, 2020.

Minutes Recorded by Planning & Zoning Administrative Assistant Cheryl Fisher