

**FRANKLIN ZONING BOARD
REGULAR MEETING AND PUBLIC HEARING
Wednesday, August 4, 2021 at 6:30 p.m.
City Council Chambers**

Minutes

Call to Order: Chairman Feener called the meeting to order at 6:30 p.m.

Attendance – Present: Chairman Glen Feener; Debbie Davis; Alternate Cecile Cormier. **Absent:** Jeffrey Dickinson; David Testerman; Kathlene Fleckenstein;
Chairman Feener sat Alternate Cormier for Member Dickinson for voting purposes.

Salute to the Flag was led by Debbie Davis

☐ Approval of Minutes of the July 7, 2021 Public Meeting of the Board.

A motion was made by Member Cormier to approve the minutes of the July 7, 2021 meeting. Motion was seconded by Member Davis. Member Cormier requested one edit to the minutes to include the verbatim motion made on Z21-11. Motion carried with a vote of 3-0-0.

Old Business:

- ☐ Z 21-10:** Dennis & Virginia Jenkins, owners, are requesting a variance from 305-14 Lot/Yard to construct a 16' x 5' deck on the back side of their house. The deck will be approximately 23 feet from the rear property line where the zoning requires 50 feet. The house is located at 11 Smiling Hill Road, Map/Lot 074-010-00, in the LP [Lake Protection] zoning district.

Julie Jenkins, daughter of the property owners, came to speak on behalf of this application. (Copy of authorization email attached). Chairman Feener took a few moments to explain that, with only three (3) members present, any votes need to be unanimous and that if she would prefer to wait on presenting the application until next month, that would be acceptable. Ms. Jenkins asked for some clarification on her options and the process. Chairman Feener explained that waiting would allow her the opportunity to present to more members at next month's meeting but if she moved forward and it was not a unanimous vote, she would not be able to present the application again. Ms. Jenkins chose to present the application.

She explained that the reason for the new deck was that one of the neighbors had cut down all the trees on that side of the house and there was no longer shade on the existing deck. Her mom suffers from skin cancer and needs a shaded area to be able to be outside on their property. It is a small deck, just big enough for two chairs and a small table. The proposed deck is not facing the lake so, even though it is within the property setbacks, it is not encroaching on the lakeside setback.

Member Cormier asked for clarification on the size of the deck and the exact location. It was pointed out in the plans attached to the application.

With no further questions, the public hearing was closed. There were no further questions from the Board. Member Cormier made a motion to approve the variance as requested. It was seconded by Member Davis. Chairman Feener shared that it is a typical variance request for the lake area. **Motion passed 3-0-0.**

Member Cormier then brought up the frequency of these types of applications in the Lake Protection district and asked if the setback should be looked at; perhaps it is no longer reasonable. Director Creighton confirmed that is something he is looking into.

New Business:

- ❑ **Z 21-13:** Daniel & Karen Darling, owners, are requesting a variance from 305-14 Lot/Yard to construct a 14' x 24' garage next to their house. The detached garage will be approximately 3' from the property sign where the setback requirement is 15'. The house is located at 98 Pleasant Street, Map/Lot 135-006-00, in the R-3 [One-, Two-, and Three-family Residential] zoning district.

Mr. Darling spoke to the application. He explained there has been a change in the proposed size of the garage to 12' x 20' where the application says 14' x 24'. He currently has a temporary carport but is looking to remove that and put up a permanent structure. He has spoken to the abutter on that side and he has no issues with the potential garage.

Member Cormier clarified the size of the garage and that the change would not alter the proposed distance from the property line. Mr. Darling confirmed the new size and that it would be approximately 3.5' from the line. Member Davis addressed the proposed conditions of adding gutters and downspouts to control water runoff onto the abutting property. Chairman Feener commented that despite being very close to the property line, that area of the City is quite congested and close proximity of neighboring buildings is expected by the residents.

With no further comments, the public hearing was closed. Member Cormier made a motion to approve the application with the conditions noted in the draft Notice of Decision, including surveying the lot before and after the concrete slab is poured, and adding some type of runoff mitigation system. Motion was seconded by Member Davis. **Motion passed 3-0-0.**

Planner's Update:

Director Creighton shared that the City Manager has asked that he look into the Sign Ordinance and making it uniform throughout the downtown Historic district. Chairman Feener offered that the Heritage Commission has also been looking at making the signage uniform throughout the downtown area. Member Cormier said that she had heard from others that the sign-approval process has been cumbersome in the Historic District and perhaps there are ways to streamline it. Chairman Feener used the PizzaMan as an example of how many variances were needed for his awning and lighting and the desire to keep the aesthetic consistent throughout the downtown area.

Director Creighton also shared that Jeff Dickinson has decided to step down from his position on the Board due to health reasons. Chairman Feener suggested that Member Cormier consider becoming a full member as she is currently an alternate. Member Davis asked about any conflict if her husband wanted to join the Board. Director Creighton will speak to the City Attorney regarding restrictions on family members serving together.

Other Business:

Public Comment:

Adjournment: Motion to adjourn made by Member Davis, seconded by Member Cormier. Motion passed 3-0-0. Meeting adjourned at 7:08 p.m.

The next scheduled meeting of the Zoning Board of Adjustments is Wednesday, September 1, 2021, at 6:30 p.m. The deadline date for submission of applications for this meeting is Wednesday, August 11, 2021.

Respectfully submitted,
Judy Bibbins, Planning and Zoning Administrative Assistant