

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

Wednesday, June 7, 2017 at 7:00 p.m.; City Council Chambers

Minutes

Call to Order 7:05 pm

- ❑ **Salute to the Flag**
- ❑ **Roll Call Present: Glen Feener, Cecile Cormier, Jeffrey Dickinson, Debbie Davis, David Testerman Absent: Kathlene Fleckenstein
Cecile Cormier is seated as an alternate for Kathlene Fleckenstein**
- ❑ **Approval of Minutes of the May 3, 2017 Public Meeting of the Board. Dickinson / Davis motioned / seconded the approval of the May 3, 2017 meeting. There was no discussion or alterations. The minutes were approved by a vote of 4-0-1 [Member Cormier abstained since she was not present at that meeting].**

Old Business: None

New Business:

Z 17-04: Guy Schiavone requests a Variance from Section 305-14, Lot and Yard Requirements to construct a 24 ft. by 20 ft. garage alongside his house that will not meet the required front setback [28-feet proposed versus 40-feet required]. The house is located at 196 Salisbury Road, Map/Lot # 082-007-00 in the R1 [Low-density residential] zoning district, Map Sheet R6.

Mr. Schiavone stated that he would like to build a garage for his vehicle and other storage, in addition to possibly increasing the value of his property. The issue with the setback is that the existing house is placed close to the road and very near a right-of-way to an abutting property of Mr. Weglarz on the only high spot on the property. Member Cormier asked if the garage is to be attached to the house and Mr. Schiavone stated it was. Both Chair Feener and Member Cormier attested to the issues with the slope of Mr. Schiavone's property. Member Testerman asked if all the abutters had been notified and Mr. Schiavone said that he had spoken with Mr. Weglarz along with others in neighborhood. Mr. Schiavone received no clear objection or approval from Mr. Weglarz and noted that Mr. Weglarz wasn't present at tonight's meeting. Member Cormier mentioned that the nearness of the house to the road was similar to other homes in the area, and then asked when the house was built. Mr. Schiavone stated it was constructed in 1987 for the daughter of a neighbor across the street.

Chair Feener inquired if anyone was present to speak for or against the application and with no response brought the discussion back to the board. Director Lewis mentioned that in the initial discussion about the garage location, the proximity to the right-of-way might have been an issue, but by attaching the garage to the house and moving it forward on the property that issue could be avoided. Member Cormier asked if there was a driveway on the right-of-way and Director Lewis stated that there was no drive the length of the right-of-way; however Mr. Schiavone has a circular drive that goes through part of that right-of-way.

Member Testerman / Member Dickinson motioned / seconded the approval of Application Z17-04 which was approved by a vote of 5-0-0.

Z 17-05: Joel & Sara Doherty request a variance from Section 305-14, Lot and Yard Requirements to construct a two-story addition to the rear of the garage that will not meet the required side setback [25-feet proposed versus 50-feet required]. The house is located at 301 Lake Shore Drive, Map/Lot # 032-039-00 in the LP [Lake Protected] zoning district, Map Sheet H5.

Mr. Joel Doherty stated that the house was built in 1984 when the required setback was only 25 feet. It was only later that the setbacks were changed to 50 feet. The new addition will actually be nearer 30 feet from the side setback in alignment with the existing garage and house, so it should look like it was always there. Member Testerman asked how close the addition would be to the lake and Mr. Doherty stated that the house sits 800 feet from the water. Chair Feener asked if the addition was a utility type of building and Mr. Doherty answered that there was only to be a garage and workshop, no living quarters. Member Cormier noted that by placing the addition to the back of the existing structure it would be more conforming. Mr. Doherty confirmed that the lot line diverges from the edge of the house further back. Member Testerman questioned the size 24 feet-by-14 feet. Mr. Doherty answered that the 14 feet lines up with the rear wall of the house.

Chair Feener opened the discussion to the public. Mrs. Doherty spoke in favor; no one spoke against. Director Lewis read an email received from Mr. Marrapese who wrote, "As an abutter, I have no issue with their variance and support it 100%."

The discussion was brought back to the board and Director Lewis reiterated that when the house was built the set back was 25 feet and since there would be nothing visible from the road, he didn't have an issue with that. Chair Feener said he didn't have a problem since the new structure would be sufficiently far from the lake and not present a visual aspect from the road. Member Dickinson / Member Testerman moved / seconded approval of Application Z17-05. Approval was granted by a vote of 5-0-0. Member Dickinson mentioned that the public should have signed in and had Mr. Doherty do so. Mr. Schiavone had already left.

Planner's Update: Director Lewis reminded the board of HS86 which would affect the way the board dealt with the separate criteria in an application. Member Cormier added that she read that the house has presented it but not the Senate. Member Testerman added that the Senate has to get back to us within this week, but that so far he hasn't seen anything.

Other Business: None

Public Comment: None

Adjournment: Cormier / Davis motioned / seconded to adjourn. By a vote of 5-0-0 the meeting was adjourned at 7:25 p.m.

The next scheduled meeting of the Zoning Board of Adjustments is Wednesday, July 5, 2017, at 7:00 p.m.; the Deadline date for submission of applications for this meeting is Wednesday, June 14, 2017.