

**FRANKLIN ZONING BOARD
REGULAR MEETING AND PUBLIC HEARING
Wednesday, December 6, 2023 at 6:30 p.m.
Franklin Public Library – 310 Central Street**

Minutes

Call to Order – 6:35 p.m.

Attendance: Chairman Glen Feener; Kathlene Fleckenstein; Gregory Thompson.

Staff present: Planning Director Seth Creighton, Planning & Zoning Administrative Assistant Judy Bibbins.

Absent: Debbie Davis; Cecile Cormier

Salute to the Flag – led by Seth Creighton

Approval of Minutes of the September 6, 2023 Public Meeting of the Board

Member Fleckenstein made a motion to approve the minutes, seconded by Member Thompson. **Motion carried 3-0-0.**

New Business

Z23-14: James Mahoney, owner, is seeking a variance from 305.14 Lot/Yard Requirements, to construct a 14' x 28' greenhouse. The building would be 16' from the property line where the setback requires a 50' setback. The property is located at 234 Lake Shore Drive, Map/Lot 032-006-00 in the LP [Lake Protection] zoning district.

Director Creighton announced that this application had been withdrawn by the applicant.

Z23-15: David and Mary Dix, owners, are seeking a variance from 305.14 Lot/Yard Requirements, to construct a 32' x 15' covered porch. The porch is proposed to be 5-feet from the eastern side lot line, 22-feet from the western side lot line, 26-feet from the front lot line, and 46-feet from the rear lot line (edge of lake), where all required setbacks are 50-feet. The property is located at 45 North Shore Dr., Map/Lot 032-059-00 in the LP [Lake Protection] zoning district.

Chairman Feener explained to the applicant the necessity of a unanimous vote as there were only three Board members in attendance and gave them the opportunity to withdraw or postpone their application. The applicants chose to move forward with the understanding they could withdraw the application any time before a vote.

David Dix, owner, presented the application explaining what the proposal is and that abutters have given their approval. He explained the improvements to the property to date including a well and new septic. He acknowledged the design had not been done by an architect and that it may not depict exactly what they want to do.

Director Creighton explained the difference between a deck and patio in regards to “existing footprint” as a patio is not a structure and therefore is not considered to be in the setback. As such, the proposal is an increase to the non-conformity. Director Creighton and Mr. Dix engaged in a discussion about the zoning ordinance. Mr. Dix provided some other options for the proposal but Director Creighton explained that the ZBA can only approve or deny a specific application as presented to them and proposing options is beyond the authority of the Board.

The applicants decided to withdraw their application at this time to consider other options.

APPROVED 2/7/2024

Chairman Feener optioned the hearing to the public. Yama Ploskonka asked what the setbacks were for the property in question. Director Creighton explained they are 50' from all sides in the lake Protection Zoning District. Chairman Feener then closed the public hearing with no further comments.

Adjournment:

Member Fleckenstein made a motion to adjourn, seconded by Member Thompson. **Motion carried 3-0-0. Meeting adjourned at 7:22 p.m.**

The next scheduled meeting of the Zoning Board of Adjustments is Wednesday, January 3, 2024 at 6:30 p.m. The deadline date for submission of applications for this meeting is Wednesday, December 15, 2023.

Respectfully submitted,

Judy Bibbins
Administrative Assistant for Planning & Zoning.