

**FRANKLIN ZONING BOARD  
REGULAR MEETING AND PUBLIC HEARING  
Wednesday, April 3, 2024 at 6:30 p.m.  
Franklin Public Library – 310 Central Street**

**Minutes**

**Call to Order** – 6:33 p.m.

Attendance: Chairman Glen Feener; Kathlene Fleckenstein; Gregory Thompson; Cecile Cormier. Absent: Yama Ploskonka

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

**Salute to the Flag** – led by Member Thompson

**Approval of Minutes of the March 6, 2024 Public Meeting of the Board**

Member Cormier made a motion to approve the minutes, seconded by Member Thompson. **Motion carried 4-0-0.**

**New Business**

**Z 24-03:** April Russell, owner, is requesting a rehearing of application Z24-01, regarding 25, 27 & 29 Depot Street, Map/Lots 098-060-00, 098-060-01 & 098-060-02.

Chairman Feener explained that this application was not a public hearing, just a discussion among the Board. After a brief discussion that no additional information had been presented, Member Cormier made a motion:

“I move that the Franklin Zoning Board of Adjustment deny the Request for a Rehearing application filed by April Russell related to their property at 25, 27, 29 Depot St. The Board finds the applicant has failed to provide the required arguments, per RSA 677:3, to support the approval for a rehearing.” Motion was seconded by Member Fleckenstein. Roll call vote: Feener – Yes; Fleckenstein – yes; Thompson – yes; Cormier – yes. **Motion carried 4-0-0.**

**Z24-04:** Craig and Jessica Emerson, owners, are seeking a variance from 305-14 Lot and Yard Requirements to create one 11,780 square foot lot, where the minimum lot size is 15,000 square feet. The property is located at 59 Edwards St., Map/Lot 116-121-00 in the RS [Single Family Residential] zoning district.

Craig Emerson spoke to the application and went through the 5 criteria and how his application was supported by his answers. He explained there are many undersized lots in the neighborhood. In response to questions from the Board, Mr. Emerson confirmed that there are currently two sheds on the property that would be removed when the lot is subdivided.

Chairman Feener opened the hearing to the public. With no comments, the hearing was closed and brought back to the Board. Member Fleckenstein made a motion:

*“I move that the Zoning Board of Adjustment approve the request for a variance from Zoning Ordinance 305.14 “Lot and Yard Requirements” to create one 11,780 square foot lot, where the minimum lot size is 15,000 square feet. The property is located at 59 Edwards St., Map/Lot 116-121-00 the RS zoning district. The Board finds that the application request meets the tests and criteria necessary for granting a Variance per the written responses authored by the applicant/agent and discussion had at the public hearing and is subject to the conditions outlined in the staff memo.”*

Motion seconded by Member Cormier. **Motion carried 4-0-0.**

**Z24-05:** William Vey, owner, is seeking a variance from Section 304-14 to create one new lot which does not have frontage on an accepted public way. The property is located on Rowell Drive, Map/Lot 134-406-00 in the RS [Single Family Residential] zoning district.

Mario Focareto and John Comeau from Brown Engineering presented the application and went through the 5 criteria as outlined in the application. In response to questions from the Board, Marion explained the maintenance of the driveway would be written in the deed.

Chairman Feener opened the hearing to the public. Robert Fritche, Jen Roberts, Nan Legare, and William Pomeroy all spoke about how wet the property is and expressed concerns with drainage issues to the surrounding properties if trees are cleared. With no further comments, the hearing was closed and brought back to the Board.

Director Creighton shared his interpretation of the ordinance and history of the property and presented another option that would not require a variance be granted as it would protect the option of a road providing access to both lots. The Board discussed the options.

Member Thompson made a motion:

*"I move that the Zoning Board of Adjustment deny the request for a variance from Zoning Ordinance 305-14 to create a lot(s) which does not have frontage on an accepted public way. The property is located on Rowell Drive, Map/Lot 134-406-00 in the RS [Single Family Residential] zoning district. The Board finds that the application request fails to meet the tests and criteria necessary for the granting of a variance because the spirit of the ordinance is not met."* Motion seconded by Member Cormier. **Motion carried 4-0-0.**

**Other Business:**

None

**Adjournment:**

Member Cormier made a motion to adjourn, seconded by Member Fleckenstein. **Motion carried 4-0-0. Meeting adjourned at 7:46 p.m.**

The next scheduled meeting of the Zoning Board of Adjustment is Wednesday, May 1, 2024 at 6:30 p.m. The deadline date for submission of applications for this meeting is Wednesday, April 10, 2024.

Respectfully submitted,

Judy Bibbins  
Administrative Assistant for Planning & Zoning.