

## MINUTES

The Francestown Zoning Board of Adjustment met October 8, 2015 at 7:30 p.m. at the Town Offices, lower level, to consider the application of Eric and Cheryl Rasmussen for a variance to permit construction of a solar panel array at 676 Bible Hill Road, Tax Map 6, Lot 35-5 within the sideline setback from the abutter where Article 3, Section 3.10 of the Zoning Ordinance requires 50 feet from the sideline. Present were Board members Janet Hicks, Susanna Jonas, Scott Heath, Michael Jones, and Silas Little, Chair.

Also present were Stuart Brock, an abutter, Eric Rasmussen and Cheryl Rasmussen, the applicants, Ruth Behrsing, and B. J. Carbee.

Eric Rasmussen presented the application complete with diagrams showing the proposed location of the solar panel array and alternative locations. He covered the five (5) points necessary for a variance. Mr. Rasmussen also brought to the Board's attention the provisions in RSA Chapter 672, Section 1, III-a, which provides that the collection of renewable energy shall not be unreasonably limited by the use of municipal zoning powers or by the unreasonable interpretation of such powers except where necessary to protect the public health, safety, and welfare. Stuart Brock, the immediate abutter affected by the requested variance, spoke in favor of the application and expressed the desire that the existing vegetative buffer on the applicant's property be maintained and supplemented with additional plantings behind the solar panel array.

Ruth Behrsing spoke generally in support of solar power.

No person spoke against.

The Board found that there was no danger posed to public health, safety, and welfare. The Board further found that the grant of the variance would not diminish property values; was in the public interest in encouraging solar use; was in the spirit of the ordinance by maintaining the existing

vegetative buffer along Bible Hill which would otherwise need to be reduced for an alternative panel location; that the proposed location met both the spirit of the ordinance and the public interest in moving the solar panel array further onto the property; that substantial justice is done by allowing the location and requiring the maintenance and supplementation of the existing vegetative buffer; and that the requisite hardship existed because of the configuration of the lot, its orientation to the sun's travel and the declaration of purpose for zoning to encourage renewable energy.

The Board voted (5 - 0) to grant the variance on the condition that the existing vegetative buffer behind the solar panel on the applicant's property be maintained and that the buffer be supplemented by suitable dense evergreen plantings to further screen the solar panel array.

Respectfully submitted,

---

Silas Little