

**FRANKLIN ZONING BOARD  
REGULAR MEETING AND PUBLIC HEARING  
CITY COUNCIL CHAMBERS- CITY HALL  
Wednesday, July 14<sup>th</sup>, 2010, at 7:00 p.m.**

**MINUTES**

**Call to Order:** The meeting was called to order at 7:19 p.m.

- ❑ **Salute to the Flag**
- ❑ **Roll Call**

**Present: Donna Tully, Marty Russo, Kathlene Fleckenstein and Floyd Sargent.  
Absent: Cindi Styles and Chuck Farmer.**

- ❑ **Approval of Minutes: of the June 2<sup>nd</sup>, 2010 Zoning Board Meeting**

**MOTION: Member Sargent moved and Member Russo seconded to approve the minutes of the June 2<sup>nd</sup>, 2010 Zoning Board regular meeting. All were in favor and the motion passed. (Minimal grammar changes were submitted by Marty Russo.)**

**New Business**

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- ❑ **Z10-06:** Donald A. Gagnon and Sharon J. Gagnon, Owners; Sharon Gagnon, applicant, requests a Special Exception to operate a home occupation out of the home located at 60 View Street, Tax Map/Lot # 118-091-00, R-3 Zone (One-, Two- and Three- Family Residential District). The home occupation would be a sole proprietor massage therapy business.

Donald Gagnon was present to speak for this application.

Richard Lewis indicated that a full board consists of five (5) members. It was indicated that a quorum is 3 members; however, in order for the special exception to pass three members would have to vote to approve the application. If two members voted to approve and two voted to deny, the application would not pass. After a brief discussion the owner indicated they would like to proceed this evening.

Mr. Gagnon stated that his wife has done research as to therapists needs in the Franklin area. She is a certified massage therapist; but will not start the business until she pass her test for her NH license. He stated they are lucky that their house allows them to have a business, as there is an area that has a separate entrance that could be utilized. There are three exits from the business (including windows).

The owner indicated there would only be one client at a time, with the time frame blocks being every two hours and only 4-5 clients will be seen a day. She indicated this is a personal preference, in order to be able to spend time with family as well.

Member Sargent asked about parking in the driveway, as he indicated this was a concern. He stated if there is an overlap this could be a problem. He stated having one client park behind another client would be problematic, and juggling spaces would be an issue. Mr. Gagnon stated their personal vehicle will be in the garage. Mrs. Gagnon stated on the plan they show another spot, right next to the entrance into the shop area, and this would be used for the client to parallel park in. This space is currently not paved but will be next spring. Mrs. Gagnon stated that her intention is to book a hour client in a two hour slot, as she will have paperwork that will need to be filled out on the appointment at the completion and she will be allotting time to do so.

Member Sargent asked if people would be backing down the driveway. Mr. Gagnon stated the top of the driveway fans out and you can do a 3 point turn and drive head first out the driveway.

Member Russo asked if the owner indicated they are going to pave the area being used for the clients and Mrs. Gagnon stated that was current. They indicated this would not be done until Spring.

There were concerns from the board about:

1. The turnaround area being maintained in the winter.
2. The client parking space making sure it is paved.
3. Plans for a sign. It was indicated there are regulations regarding signs for home occupations and a sign permit application would need to be applied for.

There was a lengthy discussion on the maintenance of the driveway during the winter months. It was indicated that it would be a good idea to condition this in the decision. The board asked if a condition of paving the clientele parking area was necessary and it was indicated that as the applicant has indicated this is what they are going to do, that it is understood that this is a portion of the approval as they stated it would be done.

There was a discussion about the number of clients a day. The board indicated that if the business started going well then traffic and parking could be an issue. Mrs. Gagnon stated that she will only be doing 4-5 clients a day. She stated any more than that she will refer to another therapists, but she physically does not want to do more than that a day.

It was indicated that between appointments there are numerous items that will need to be done, including: changing of sheets, paperwork, clean up and other items.

Richard Lewis indicated his concern is the parking and stated that an additional condition about maintaining the turnaround would suffice.

Member Russo asked about the name on the brochure being Sharon Lachance. Mrs. Gagnon stated that is her maiden name, that she is using it for the business so that when calls come in it will be easy to decipher if it is a work or home related phone call.

Public Comment: None.

### Board Discussion

Richard Lewis again indicated that he would like the board to add a condition regarding the maintenance of the turnaround area during winter months.

**MOTION:** Member Fleckenstein moved and Member Russo seconded that the Zoning Board of Adjustment approve the Special Exception requested by Sharon and Donald Gagnon to allow the establishment of a Home Occupation at 60 View Street, Tax Map/Lot # 118-091-00, R-3 Zone (One-, Two- and Three-Family Residential District). The home occupation would be a sole proprietor massage therapy business. The granting of the Special Exception is subject to the following conditions:

1. The applicant shall obtain a building permit for all renovations for the creation of the space being used for the home-based business, and a Certificate of Occupancy/use shall be issued by the City before the business begins operations.
2. As put forward by the application submitted to the Board, there shall be no employees other than the property owner. Due to the limited setback between the driveway and the adjoining property line, the property does not have adequate space for additional parking of employees.
3. The applicant shall maintain driveway and turnaround area during winter months so clients can safely ingress and egress the property.

All were in favor and the motion passed.

**Old Business:** None.

**Planner's Update**

Richard Lewis indicated that the August meeting will be a very busy meeting of the board and that all board members need to be present. He stated there is definitely three applications and possibly four.

**Other Business:** None.

**Public Comment:** None.

**Adjournment**

**MOTION:** Member Sargent moved and Member Russo seconded to adjourn the July 14<sup>th</sup>, 2010 meeting of the Zoning Board of Adjustment, at 7:55 p.m. All were in favor and the motion passed.