

**FRANKLIN ZONING BOARD
REGULAR MEETING AND PUBLIC HEARING
CITY COUNCIL CHAMBERS- CITY HALL
Wednesday, May 4th, 2011, at 7:00 p.m.**

MINUTES

Call to Order: The meeting was called to order at 7:03 p.m.

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

Present: Chuck Farmer, Kathlene Fleckenstein, Floyd Sargent, Don Gagnon, and Donna Tully.
Absent: Marty Russo.

Acting Chair Farmer seated Member Gagnon for absent voting member Russo.

- **Approval of Minutes: February 9th, 2011 Zoning Board Meeting**

MOTION: Member Sargent moved and Member Gagnon seconded to approve the minutes of the February 9th, 2011 Zoning Board regular meeting as amended. All were in favor and the motion passed.

New Business

- **Z11-03:** Christopher D. Ames and Kelly T. Vachon, Applicant/Owner, request a Variance to remove an existing garage and rebuild it 10' longer and 10' wider. The new garage will be 26' from the side lot line, where the existing garage is 37', and all other setback requirements will be met. The property is located at 7 Lake Avenue, Tax Map/Lot # 076-077-00, LP Zone (Lake Protection District) and the setback requirements are 50'.

David Ames was present to speak for his son, Christopher Ames and Kelly. He stated his son would like to build a new garage, removing the existing, and the new one would be larger.

Board Questions

Member Farmer asked if the current garage meets the setback and Mr. Ames stated it does not. Richard Lewis stated the lot is in the LP zone and the setbacks are 50'. Mr. Ames then gave the board pictures of other houses on the road with garages and showed that the garages on this roadway do not meet the setbacks and this garage would fit in with the neighborhood.

Member Fleckenstein asked if the garage would face the same direction as the current garage and Mr. Ames stated that it would not and it would now face the street. Member Gagnon asked if it would remain a one stall garage and it was indicated that it would; however, there would be a smaller 6' door to bring the ATV and lawnmower and other lawn equipment in and out of.

Mr. Ames stated the vent pipe on the right of the property, if looking at the property from the roadway, is for the septic. He stated the cement guys have come in and stated the foundation would not be over the septic. He stated his son also had Charlie Hurd, who does the pumping of the system, come out and showed him where the garage would be going and Charlie stated it would be all set. It was indicated the septic will be to the right of the new garage.

Member Tully asked if there would be space on the second floor. Mr. Ames stated that his son would be putting in a small room, not with a full ceiling, for storage only.

Mr. Ames stated he had a few questions for the board that his son wanted him to ask. He asked if the board approves the variance and they want to go smaller if they can do so or if they need to come back to the board. Mr. Lewis stated

that it could be approved administratively to make it smaller; however, if it was made larger it would need new approval. Mr. Ames asked how long the approval was good for and if it was transferrable if the property was sold. Mr. Lewis stated it is good forever and it is transferrable.

It was indicated that a building permit is good for a year and then can be renewed three additional times.

Public Comment: None- closed.

Board Discussion

Richard Lewis asked if the board thought that condition #2 could be removed based on the discussion that was held this evening on the septic. It was stated that when the building permit is submitted for approval that a hand drawn plan, such as was submitted with this permit, will be submitted and that the location of the septic lines and the tank and leach field will have to be on that permit.

The board, after a discussion on the item, indicated that they were okay with removing condition #2.

MOTION: Member Sargent moved and Member Farmer seconded to remove condition #2 from the draft approval and motion, but to leave all other items as were drafted. All were in favor and the motion passed.

Mr. Lewis stated that he submitted a shorter motion regarding the draft approval.

MOTION: Member Sargent moved and Member Tully seconded that the Zoning Board of Adjustment approve the variance application request by Christopher Ames and Kelly Vachon for a variance to remove an existing garage and rebuild it 10' longer and 10' wider. The new garage will be 26' from the side lot line, where the existing garage is 37', and all other setback requirements will be met. The property is located at 7 Lake Avenue, Tax Map/Lot # 076-077-00, LP Zone (Lake Protection District) and the setback requirements are 50'; the application is referenced as Z11-03. The Board finds that the application request meets the tests and criteria necessary for the granting of a Variance as spelled out in the draft decision to approve which has been reviewed and approved, including any modifications, by the Board. All were in favor and the motion passed.

Old Business: None.

Planner's Update:

Richard Lewis stated that Paul Fitzgerald and he are working on the workshop materials and condensing the ZBA Handbook for the board.

Other Business: None.

Public Comment: None.

Adjournment

MOTION: Member Farmer moved and Member Sargent seconded to adjourn the May 4th, 2011 meeting of the Zoning Board of Adjustment, at 7:32 p.m. All were in favor and the motion passed.

Respectfully submitted,

Angela M. Carey
Planning and Zoning Administrator