

Town of Frankestown
Zoning Board of Adjustment
Minutes of Meeting
Thursday, August 13, 2026

The Frankestown ZBA meeting was called to order by Chair Cindy St. Jean at 7:00pm on August 13, 2026.

Present and seated were Board Members: Cindy St. Jean, Judy Bitterli, Sue Jonas, Shirley Pitman, Stewart Brock

Others Present: Linda Kunhardt (alternate), Sam Feinberg, Colette O'Hara, Peter McTague (Sandford Survey), Peter Guran, John Kendall, Cindy LaFrance, Martha Cruciani, Chris Guida (Fieldstone), several abutters

Continuation of Case #26-05 – Feinberg, 2nd NH Turnpike South (Map 12 Lot 15)

Because three variance cases were scheduled to be heard, Cindy reviewed the criteria required for approval of all variances.

This is a continuation of the hearings held on June 11th and July 9th. The applicant has applied for one variance seeking relief from 2-A.2.6(b), involving the Wetlands and Vernal Pool Conservation District. The applicant is proposing to place a detached ADU structure adjacent to the existing single-family dwelling.

The applicant had a wetlands survey completed, which was presented by Peter McTague of Sanford Surveying and Engineering. Mr. McTague identified the location of the wetlands and explained that the proposed ADU would be located away from steep slopes, would be accessible from the existing driveway, and would result in the least disturbance to the surrounding vegetation. The ADU would also connect to the existing septic system and cannot be seen from the road.

Stewart asked about the distance from the left corner of the proposed ADU to the wetlands, which is approximately 58 feet. Cindy asked whether there were other possible locations for the ADU, even if a second curb cut was required. Mr. McTague explained that another location was possible, but it would be a considerable distance from the existing house and require additional tree cutting and a wetlands permit to install a pedestrian footbridge, creating significant disturbance to the area.

Linda asked whether the applicant had considered an attached ADU or flipping the proposed ADU to run along the long side of the structure. Mr. McTague explained that flipping the ADU would not eliminate the need for a variance. It was also noted that an attached ADU would need to connect to the garage, where the residential area is located above.

The area to the left of the existing house was also considered. However, that location would involve steep slopes and would still encroach on the wetlands. The applicant noted that this location would also be inconvenient for the family and could require disturbance to the existing garden, chicken coop, and playground.

Mr. McTague confirmed the measurements: the existing house is approximately 66 feet from the wetlands, the proposed ADU location is approximately 58 feet from the wetlands, and a location in the back corner near the tree line would be approximately 50 feet from the wetlands.

There were no comments from the public.

A motion was made by Judy and seconded by Stewart to close the public portion of the hearing. All voted in favor. Motion passes. The public portion closed at 7:30 PM.

The board began their deliberations:

1. The variance will not be contrary to the public interest because situating the ADU close to the existing dwelling in an already cleared area minimizes destruction of, and significant changes to, the natural wetlands, no other location meets the 100' setback, and utilizing either the existing septic system, or a larger approved system should that may be recommended, minimizes pollution of surface and ground water by sewage and toxic substances. The board voted 5 in favor.
2. The spirit of the ordinance is observed because the location represents no significant adverse impact to the wetland, and the modular structure of the proposed ADU results in a minimal impact to the natural areas. The board voted 5 in favor.
3. Substantial justice is done because it allows a reasonable use of the property, there is a negligible impact to the surrounding area given the area next to the home is already clear, there is abutter support, and the interests of the town and home owners are balanced. The board voted 5 in favor.
4. The value of surrounding properties is not diminished because there is a substantial vegetative buffer, and the ADU is set back from the road. The board voted 5 in favor.
5. Literal enforcement of the provisions of the ordinance would result in unnecessary hardship because of the special conditions of the property, specifically, the steep slopes and wetlands situated throughout the 10 acres, which is unique to the surrounding neighborhood. Situating the ADU near the existing residence provides the lowest impact to the surrounding forest. The proposed use is a reasonable one,

enabling housing for a multi-generational family, per the goals of the Francestown Master Plan. The board voted 5 in favor.

This approval is conditioned upon the following:

- That appropriate erosion control measures be put in place before any construction activity commences and that they remain in place until construction work is completed and the site is stabilized.
- That site disturbance be minimized to the extent reasonably possible and that existing vegetation be retained wherever possible.
- That a vegetative buffer area of at least 25 feet be retained and/or restored as required. If new plantings are needed, they should consist of native species.
- That the 25-foot buffer area be permanently maintained as a naturally vegetated area that includes trees, shrubs, and groundcover (not a lawn).
- That a septic design be obtained should expansion of the system be required.
- That there is follow-up from the town building inspector, or a qualified natural resource professional, to verify that these conditions have been adequately met prior to issuance of an occupancy permit.

Variance granted. There is a 30-day window of appeal. This hearing closed at 7:46 pm.

Case #26-06 – Guran, 228 Wilson Hill Road (Map 10 Lot 10-1)

The applicant has applied for one variance seeking relief from 3.10, involving the front setback. The applicant has constructed a 20'x12' shed 63 ft from the centerline of the road. The Town issued a cease-and-desist order on June 15th. On July 14th, the Building Inspector issued a letter denying the building permit and informing the owner that they would need to seek a variance from the ZBA.

Mr. Guran provided a petition signed by three of the four abutters expressing support for the shed's current location.

The applicant explained that the shed was constructed to store building materials and that he was unaware of the applicable permitting and zoning requirements. He stated that the shed was placed in its current location because of the slope of the land and the location of the septic system. He believes that moving the shed back to the required 100-foot setback would make it more visible from the road. He also noted that the current location provides additional privacy from the road and neighboring properties. Mr. Guran expressed concern about light pollution from a neighboring property and stated that the shed helps block the light.

It was noted that the lot is 14.2 acres, with the majority of the property enrolled in Current Use.

Shirley and Linda asked the Board whether a site walk would be appropriate, and the Board agreed. Stewart asked whether the applicant could stake the 100-foot setback line to provide a reference point during the site walk.

A motion was made by Judy and seconded by Sue to conduct a site walk on September 1st at 5:30 PM. All voted in favor. Motion passes.

There were no comments from the public. The hearing will continue on September 10, 2026. This hearing closed at 8:04 PM.

Case #26-07 – LaFrance/Cruciani, 157 Woodbury Lane (Map 20 Lot 5)

The applicant has applied for one variance seeking relief from 3.1.2, involving non-conforming structures. The applicant is proposing to build an addition to an existing camp on Pleasant Pond.

Cindy LaFrance spoke on behalf of her mother, Martha Cruciani. Ms. LaFrance explained that the camp was originally constructed in 1906 and has had several additions over the years. These additions were not constructed properly, are sitting directly on the ground, and are now deteriorating. The proposed addition would increase the camp's footprint by 235 square feet and provide easier access for Ms. Cruciani. Ms. LaFrance confirmed that a Shoreland Permit has already been approved by NHDES.

After reviewing the proposal in relation to the non-conforming structures provisions of the Zoning Ordinance, the Board determined that the proposed addition would not make the structure more non-conforming. As a result, the Board determined that a variance is not required and that the appropriate approval needed is for a Special Exception under Section 2-A.6.5(b) of the Shorelands District. Cindy read aloud the seven criteria for a special exception.

The applicant withdrew the variance application and will re-apply for a special exception. This hearing closed at 8:26 PM.

Minutes Review – 07.09.2026

A motion was made by Sue and seconded by Stewart to approve the meeting minutes from 07.09.2026 as presented. **Motion passes.** (Linda abstained due to absence on 07.09)

Stewart made a motion for adjournment. Judy seconded and all voted in favor. **Motion passes.** Meeting concluded at 8:27 pm.

SUBMITTED BY SARAH MORIN
APPROVED 09.10.2026