Members Present: Thad Presby, Eric Meth, Monica Laflamme, Mary Grote, and Mark Hesler

Board of Selectmen: Jill Brewer, Eric Meth, and Dan Walker

Others Present: Kim Cowles, Jenny Monahan

A combined public hearing of the Franconia Planning Board and Board of Selectmen was held at the Franconia Town Hall on Monday, November 15, 2021.

**Solar Ordinance -** Thad stated the Solar Ordinance had a few changes from the last meeting. The biggest change was the chart on page 2. The acreage and lot sizes were removed and the conflicting situations where a special exception was required have been corrected.

Ginny Jeffryes stated the ordinance appears to address greater than 5 acres, and 5 to 25 acres, but does not address less than 5 acres. After a brief discussion it was determined there was a mistake in the definition of Commercial Solar, which should read, “less than 5 acres.” It was also agreed to change Large Commercial Solar to “greater than 5 acres”.

Mark Hesler questioned why there was no building permit required for a ground mounted residential solar system. Thad stated they have to obtain a solar permit and meet all the setbacks. It would be reviewed by Allan Clark, the Building Inspector, who does a thorough job in reviewing the applications. Mary Grote suggested having a process put in place to allow neighbors or abutters to give their input. Jill commented neighbors don’t have a say when someone applies for a building permit to put up a garage and the solar permit is the same thing.

**Sign Ordinance –** Kim read an email she received from Chris Collman (copy attached) regarding the permanent sign piece of the ordinance. The Boards agreed to put this aside for now and deal with the temporary sign portion of the ordinance and return to the permanent sign portion later.

Thad stated the temporary sign portion of the ordinance has not changed since the last meeting except for the removal of a comma after June 1st and changing right of way to rights of way. No other changes were suggested.

Ginny Jeffryes stated that moths are attracted to every color light except yellow LED and asked if that could be included in the ordinance. The Board was in agreement to add yellow LED to the ordinance.

The Board discussed the suggestions in Chris Collman’s email. It was agreed to add the following as a new paragraph two under the permanent sign portion of the ordinance: “An exception for a single additional sign per business which designates open or closed, or vacancy/no vacancy. This sign type shall not exceed 3 square feet, may display solid non-flashing colors that are internally lighted, shall be attached flush to a building’s side or window, and not be more than 10 feet from the ground.”

Thad suggested that a new paragraph three could allow for lit signs on the interior front of the building that would be advertising or things for sale. Jill cautioned that you would not want something that would fill the window with ten interior signs.

Thad suggested the Planning Board work on this and once the changes are made, he will get it up on the website.

**Noise Ordinance –** Kim stated she received two emails from residents who could not attend tonight’s hearing (Lucy Golden and Mary Brubaker) who both asked that the existing hours (10:00pm to 7:00am) remain the same. Dan stated William and Jayne O’Connor also were in favor of keeping the hours from 10:00pm to 7:00am.

Several residents spoke in favor of keeping the hours of the ordinance from 10:00pm to 7:00am. Kim mentioned that Gene Young was in attendance at the last meeting and was requesting the time change to 11:00pm on Friday and Saturday evenings. It was stated that one business should not change the entire ordinance and he could apply for a special exception. Eric stated that Gene’s concern is that he will be in here every time he has a wedding and wants to extend the time.

Ginny Jeffryes stated the old ordinance did not break down residential and commercial districts; however, the new ordinance refers to Residential A and B, but does not include the commercial district. After a brief discussion it was agreed to remove the designation of Residential A and B and just say Town of Franconia.

There was a concern raised regarding the first bullet point under enforcement.  It appears to indicate that if someone is, for example, playing loud music night after night, as long as they tell the people that day to stop it there is never a complaint issued. There should be some language about repeat offenders.

Chief Cashin stated when police go out to an area because they receive a noise complaint and we ask them to turn the music down and they comply, we say thank you and we leave. If we get a call a second time, they are issued a citation. If we come back a third time then a fine will be cited or they will be arrested. Each incident is logged and documented.

After a brief discussion the Board agreed to remove the first bullet point and combine the second bullet point under a new heading of Enforcement/Violations.

**Poultry Ordinance -** Virginia Mike stated there should not be an exemption from this ordinance for anyone with more than five acres. Thad stated the Board did not want to limit the number of chickens for someone who has a working farm.

Ginny Jeffryes stated her concern with number 2 where it says that chickens shall be kept in a secure enclosure or run at all times. She has a friend with 30 acres and her chickens are free range and this ordinance would require her to keep them in an enclosure. After a brief discussion it was agreed that portion of the sentence would be removed so it would now read, “Poultry shall not be permitted to roam free off the owner’s property. Chickens shall be secured in a coop or enclosed shelter during non-daylight hours.”

There being no further business to come before the Board, the hearing adjourned at 8:16pm.

Respectfully submitted,

Carol Wills