

# TOWN OF FRANKLIN

PLANNING & ZONING COMMISSION (PZC)  
FRANKLIN TOWN HALL  
7 Meetinghouse Hill Rd.  
Franklin, CT 06254

## REGULAR MEETING MINUTES

**Tuesday, October 16, 2018, 7:30 p.m.**

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1. Call to Order: Chairman McGuire called the meeting to order at 7:30 p.m.

**Members Present:** Peter Ballaro, Secretary Matt Calvert, Chairman John McGuire III, Pat Osten, James Wheeler. **Alternate Members Absent:** Leo Bienvenue, Niels Jeppesen, Don McClure.

**Also Present:** Carly Myers, SECCOG Town Planner, Ron Chalecki, Zoning Enforcement Officer, and Charlie Grant, First Selectman.

2. Recognition of Visitors: Chairman McGuire recognized visitors.
3. Additions to the Agenda: None.
4. Approval of Minutes:
  - a. August 21, 2018:

**MOTION #1 (10-16-18):** made by Ms. Osten **SECONDED BY** Mr. Ballaro that the Planning & Zoning Commission approve Meeting Minutes of August 21, 2018 as amended

1. Zoning Officers Report: Clarification: Trailer was re-located on site and no one is living in it
2. Peter Ballaro is a member not an "alternate"

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

5. Report of the Zoning Enforcement Officer:
  - a. **10 MEETINGHOUSE HILL RD / AGRICULTURAL ACTIVITY:** Property owner was present and stated she would like to provide therapy services for humans using horses. Session activities would occur on this property and a Licensed Therapist and Certified Equine Specialist from Healing Hoofbeats, LLC, would be responsible for providing services. Session would include one horse and one client at a time approximately one hour per week. Overall duration would be from one month to one year depending on client's progress. Property owner has no plan for large groups of persons attending therapy at one given time.  
  
Mr. Chalecki has received a letter of intent (statement of use) from property owner. In summary, this type of service in this location is permitted by zoning regulations and would be considered a home occupation. There was PZC consensus this person obtain a zoning permit for proposed activities.
6. Correspondence/Commission Matters: Reviewed as submitted in packet.
  - a. PZC #18-05, Franklin Hills - Golf Course Withdrawal Acknowledgment Letter from Justin LaFountain (SECCOG)
  - b. Quarterly Newsletter - Connecticut Federation of Planning & Zoning Agencies (Spring 2018)
  - c. Town of Windham Planning & Land Use Department Proposed Regulation Changes
7. Report of the Building Official: None.

8. Report of the Wetlands Enforcement Officer: None.
9. Unfinished Business: None.
10. New Business: None

- a. **PZC #18-08 Windham Materials:** Renewal / Extension Request for property located at 949 Route 32 and Pleasure Hill Road & Route 32, Map 4, Lot 2; Map 1, Lots 13 through 17, Zoned District R-120, existing use of property is earth excavation; proposed activity is renewal of excavation permit last renewed October 17, 2017 (PZC #17-10).

**APPLICANT / PRESENTATION:** Mr. Joe Boucher and Harold Hopkins were present to represent the applicant. Plans dated September 11, 2018 were submitted into the record for review. Mr. Boucher pointed out this is the last phase of excavation activity on the "Franklin Nasin LLC" owned portion of this site and will be completed in about one year or one year and a half. Future excavation activities are planned for the "Franklin Farms" owned portion of this property but are not in consideration with this application.

**ZONING ENFORCEMENT OFFICER COMMENTS:** Mr. Chalecki noted Harold Hopkins, Windham Materials, has always done an excellent job throughout the duration of this excavation project. There are no existing issues with this property or associated work activities.

**MOTION #2 (10-16-18):** made by Mr. Calvert **SECONDED BY** Mr. Wheeler that the Planning & Zoning Commission approve PZC #18-08 Windham Materials extension request with the following conditions:

1. Granted for a one-year period expiring October 31, 2019
2. \$40,000 Commercial Surety Bond to be posted for a period up to October 31, 2019

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

- b. **PZC #18-09, Donny Jacobowitz:** Proposed Revised Commercial Site Plan for property located at 1 Whippoorwill Hollow Rd. Franklin, CT, Map 16, Lot 16, Zoned C1. Existing Use is used car dealership. Proposed use is expansion of card display area.

**APPLICANT / PRESENTATION:** Donny Jacobowitz presented site plans dated September 14, 2005 for review and discussion. Mr. Jacobowitz explained he has done the following activities on this property since his purchase:

- 1) cleaned-up trash/debris from the rear of the property left by previous owner and cut down dead trees
- 2) pushed top soil along rear of property to create a place to move cars from the front to the rear of the property creating a much nicer front display area
- 3) created a berm/barrier along stonewall in rear of property to create a screen from abutting property owners

**ZONING ENFORCEMENT OFFICER COMMENTS:** Ron Chalecki reported the Town has received numerous blight complaints from abutting property owners. There was discussion on various options for Mr. Jacobowitz to consider in creating proper screening between his commercially active site and abutting residential properties. It was noted, zoning regulations allow the Commission to request specifications on a buffer/screening between commercial and residential zones.

**MOTION #3 (10-16-18):** made by Ms. Osten **SECONDED BY** Mr. Ballaro that the Planning & Zoning Commission approve PZC #18-09, Donny Jacobowitz, with the following conditions:

1. Applicant is responsible for planting Arborvitae's along property line following berm/barrier to create a screen for abutting property owners in accordance with specifications set forth by the Zoning Enforcement Officer
2. Applicant is responsible to move existing berm/barrier back away from abutting property owner's property in accordance with specifications set forth by the Zoning Enforcement Officer
3. Applicant is responsible for removing top soil from abutting property owner's land and off of the stone wall as a result of excavation activities used during creation of the berm/barrier

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

11. Public Comment: None

12. Adjournment:

**MOTION #3 (10-16-18):** made by Ms. Osten **SECONDED BY** Mr. Calvert that the Planning & Zoning Commission adjourn the meeting at 8:18 p.m.

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

Respectfully submitted,

*Sherry Pollard,*  
Administrative Assistant to the Commission