

**TOWN OF FRANKLIN
PLANNING & ZONING COMMISSION (PZC)
FRANKLIN TOWN HALL
7 Meetinghouse Hill Rd.
REGULAR MEETING MINUTES
December 15, 7:30 p.m.**

1. Call to Order: Chairman McGuire called the meeting to order at 7:31 p.m. **Members Present:** Peter Ballaro, Secretary Matt Calvert, Chairman John McGuire III, Pat Osten, James Wheeler. **Alternate Members Present:** Don McClure. **Alternate Members Absent:** Leo Bienvenue, Niels Jeppesen. **Also Present:** Ron Chalecki, Zoning Enforcement Officer, Charlie Grant, First Selectman, Carly Holzschuh, AICP, SECCOG Town Planner, and Town Clerk Lynda Craney

2. Recognition of Visitors: Guy Palazzo, Seymour Adelman.

3. Additions to Agenda: NONE

4. Approval of Minutes:

a. October 20, 2020:

MOTION #1 (12.15.20): made by Mr. Ballaro **SECONDED BY** Ms. Osten that the Planning & Zoning Commission approve Meeting Minutes of October 20, 2020 with the following amendments:

1. Spelling Correction Carly Myers to Carly Holzschuh
2. Unfinished Business: letter sequence corrected to "a. and b."

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

5. Correspondence / Commission Matters: N/A

6. Report Zoning Officer:

a. 66 Route 32. G&S Auto Sales – Guy Palazzo:

ZONING ENFORCEMENT OFFICER: Mr. Chalecki sent correspondence to Mr. Palazzo, dated October 27, 2020, stating displayed cars are located within the State of Connecticut right-of-way; and that Mr. Palazzo is not in compliance with the July 24, 2006 Planning & Zoning Commission Approved Site Plan stating "proposed displayed cars are to be located completely within your property and on a grass surface". Displayed cars are to be re-located onto your commercial parcel of land. Mr. Palazzo has been asked repeatedly to provide the Town of Franklin Zoning & Enforcement Officer with written approval from the Connecticut Department of Transportation for the parking of cars in the State right-of-way. He has not submitted any such approval. Mr. Palazzo remains non-compliant of his site plan approval.

MR. PALAZZO COMMENTS: Mr. Palazzo provided a lengthy history of discussions that took place between himself and the Department of Transportation. Mr. Palazzo noted he had received a past verbal approval from the Connecticut State Department of Transportation that he could park his automobiles in the State right-of-way. He also noted he just recently received verbal approval from the State of Connecticut Department of Transportation for the same. Mr. Palazzo said he has been trying to obtain written approval and due to COVID he believes it could take up to six months.

PZC COMMENTS/CONCERNS: Chairman McGuire clarified Town Staff and PZC have had this conversation with Mr. Palazzo before and that the Department of Transportation does not do business by issuing verbal approvals. A written approval letter from the Department of Transportation must be submitted by Mr. Palazzo to the Town of Franklin showing permission to park cars in the State of Connecticut right-of-way as soon as possible. This matter will be further discussed with Ron Chalecki and Mr. Palazzo.

PERMITS ISSUED: 9 Bullard Road – Unofficial shed with no permit; 34 Pond Road – Unofficial shed with no permit & close to watercourse/wetland & 26 Baltic Road – Received Uncas Health Approval & is expected to file a Zoning Permit.

7. Report Building Official: N/A

8. Report Wetlands Officer:

- a. **John Crooks.** Jurisdictional Ruling. Carly Holzschuh as Wetlands Agent reported on enforcement issues related to 135 Baltic Rd:

Mr. Crooks was previously asked to provide an updated site plan showing limits of clearing, 50 ft. wetlands buffer, and upland review area. Mr. Crooks had not provided an updated site plan before continuing work in wetlands/wetlands buffer. If the site plan is submitted and shows activity outside the 50 ft. buffer, an administrative sign-off could take place. However, if this activity is within 50 ft. – essentially in a wetland, Mr. Crooks must appear before IWWC for review and approval of a permit in order to continue.

- b. **Affordable Housing Plan:** The survey is complete and will be referenced for residents via the Town Website and Franklin Connection. There is the possibility post cards may be sent to residents. Paper copies are available upon request.

9. Unfinished Business: N/A

10. New Business:

- a. **PZC #20-03 Seymour Adelman:** Annual Renewal Site Plan Review for Excavation Permit / Special Exception (PZC #19-04). for a one (1) Year Renewal Request for property located on Route 32, Map 45, Lot 47, Zoned IND/C-2, Proposed use is continued earth excavation and re-grading. Existing use is active earth excavation and re-grading.

ZONING ENFORCEMENT OFFICER: Ron Chalecki indicated this site is always well maintained, contained, and organized and recommend the 1-year renewal be granted.

MOTION #2 (12.15.20): made by Mr. Calvert **SECONDED BY** Mr. Ballaro that the Planning & Zoning Commission approve PZC #20-03 Seymour Adelman, one-year renewal with the following conditions:

1. Applicant to submit **original** stamped bond to Zoning Office or Land Use Office
2. 1-Year Renewal/Extension expires December 21, 2021

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

- b. **PZC #20-04 Jeffery Coit:** New Subdivision Site Plan Review without Roads; property located at 102 Champion Road, Franklin, CT, Map 35, Lot 15, Zoned R-80; Proposed use is creation of one (1) residential lot. Existing use is residential dwelling.

APPLICANT / PRESENTATION: Attorney Harry B. Heller, was present to represent the Applicant. Mr. Jeffery Coit was also present. The applicant submitted the Site Plan dated December 9, 2020, correspondence entitled "Area to be deeded to the Town of Franklin for Road Purposes", Uncas Health District Approval Letter dated December 3, 2020, and a representation letter from Attorney Heller dated December 11, 2020, including draft easement language associated to the Draft Warranty Deed and Conveyance Tax Return to effect transfer to the Town of Franklin of the road widening strip once the subdivision application has been approved by the Franklin Planning & Zoning Commission.

Proposed activity is creation of a one lot subdivision to accommodate an existing four-bedroom dwelling house and appurtenant improvements as depicted on Site Plan dated 11.18.20 with Revision of 12.09.20 per comments from Advanced Surveys, LLC. Additionally, the subdivision plan contemplates conveyance of a strip of land to the Town of Franklin for future road widening of Champion Road in accordance with Town of Franklin Subdivision Regulations.

ZONING ENFORCEMENT OFFICER COMMENTS: Mr. Chalecki provided the following plan review comments to Jeffery Coit December 15, 2020, - Site Plan is to include:

1. Remaining land is to be noted as "Not an Approved Building Lot" since soil testing/approval from Uncas Health District has not been granted.

- 2. A note is to be added for the remaining land: "Additional approvals are required for any future development/improvements to the property".
- 3. Remaining land should show that it meets the minimum dimensional requirements for the R-80 Zone.
- 4. Lot 15 is not in compliance with section 6.2.2 (Franklin Subdivision Regulations).
- 5. Address Section 6.5 (Franklin Subdivision Regulations).
- 6. Address comments from other Town Staff (Town Planner, etc).

APPLICANT/PRESENTATION: Attorney Heller responded by agreeing to update site plans to include items 1, 2 and 3 as noted above. Attorney Heller indicated items 4 and 5 are not warranted.

*Note on Item 4: Configuration was chosen along the northerly line along stone walls as this physical boundary exists. Additionally, the lot is not fully configured as rectangular because there is a significant drop-off as topographical maps show.

TOWN PLANNER: Carly Holzschuh, AICP, SECCOG Town Planner, performed a comprehensive review of the application and site plan as submitted. Site plan is in compliance with zoning regulations.

MOTION #3 (12.15.20): made by Mr. Calvert **SECONDED BY** Mr. Ballaro that the Planning & Zoning Commission approves PZC #20-04 Jeffery Coit, one lot subdivision, with the following conditions:

- 1. Remaining land should be noted as "Not an Approved Building lot".
(Soil testing/approval from Uncas Health District has not been granted)
- 2. A note to be added for the remaining land: "Additional approvals are required for any future development/improvements to the property".

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

11. Public Comments: N/A

12. Adjournment:

MOTION #4 (12.15.20): made by Mr. Calvert **SECONDED BY** Mr. Ballaro that the Planning & Zoning Commission adjourn the meeting at 8:31 p.m.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

Respectfully submitted,
Sherry Pollard,
 Administrative Assistant to the Commission