



TOWN OF FRANKLIN
PLANNING & ZONING COMMISSION (PZC)
FRANKLIN TOWN HALL
7 Meetinghouse Hill Rd.
Franklin, CT 06254
REGULAR MEETING MINUTES
Tuesday, July 18, 2017, 7:30 p.m.

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

Members Present: Peter Ballaro, Secretary Matt Calvert, Sue Dombrowski, Chairman John McGuire, III, James Wheeler

Alternate Members Absent: Leo Bienvenue, Neils Jeppesen

Also Present: Sam Alexander, Town Planner, & Ron Chalecki, Zoning Enforcement Officer

2. Recognition of Visitors: Chairman McGuire recognized those in attendance.

3. Public Hearing

a. **Application #17-01 Planning & Zoning Commission, 7:30 p.m., [CONT]** Commission Initiated Proposed Regulation Amendments to the Zoning Regulations Specifically for Sections 2.1, 3.2, 3.3, 4.4, 5.4, 6.4, 9.4, 9.8, 9.11, 9.15, 9.26, 9.27, 10.1, 10.4, 10.17, 11.3, and 11.6.

- I. 2.1 (Revised definitions)
- II. 3.2, 3.3, 10.1, 11.3, 11.6 (Revised administrative procedures and requirements)
- III. 4.4, 5.4, 6.4, 9.8 (Minor text edits and clarifications)
- IV. 9.4 (Prohibited uses)
- V. 9.11 (Conversion of residences and minor text corrections)
- VI. 9.15 (Parking requirements)
- VII. 9.26 (Unregistered motor vehicles)
- VIII. 9.27 (Privacy fences)
- IX. 10.4 (Grading and excavation)
- X. 10.17 (Bed and breakfasts)

Chairman McGuire noted much discussion has taken place by the Planning & Zoning Commission, town Staff, and the public with regard to concerns and considerations. There were no additional comments from the public this evening.

MOTION #1 (07-18-17): made by Mrs. Dombrowski **SECONDED BY** Mr. Calvert that the Planning & Zoning Commission close the Public Hearing for Application #17-01 at 7:40 p.m.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

b. **Application #17-07 Michael Gawendo:** Proposed New Subdivision & Site Plan Review, Special Exception (rear lot), for property located at Pond Rd., Assessor's Map 18, Lot 32, Zoned R-80, existing use is raw land

APPLICANT PRESENTATION: Eric Seitz, President/Owner, Land Surveyor, was present to represent the applicant and submitted a revised plan set for review, dated June 28, 2017.

PUBLIC COMMENTS:

1. Phil Cody asked for clarification and specifics on the proposed driveway cut and asked how close proposed activities are to his house. Mr. Seitz noted, Mr. Cody's property is a considerable distance away from activities and he will not be adversely affected.
2. Bruce Bouley, an abutter of the proposed subdivision, spoke about his concerns with water drainage entering his property as a result of development activities and the proposed driveway cut. Mr. Seitz noted, there will be a four bedroom house with onsite septic and well located 100 feet away from his property line and 75 feet away from the driveway cut, therefore, no drainage issues will arise.
3. Drew Lombardi spoke asked for clarification on the proposed driveway. There is concern it could become a public road. Mr. Seitz noted, this type of driveway configuration cannot become a public road as is explained within the definition of shared driveways in the Planning & Zoning Regulations. He also reviewed specifics of the drainage plan and noted the natural flow of water is from east to west along a gentle 6% slope. There are no other impervious surfaces going along this grade and water will gently flow along the driveway.
4. Rich and July Gaudette asked for clarification on perk test results, specific distances between proposed house construction and his property, spoke about his concern with possible drainage issues as a result of this development, and pointed out that there are considerable wet areas near his property. Mr. Seitz explained the nearest house proposed is 300 feet from the Gaudette's property line therefore, no drainage issues will arise.
5. Dan O'lette asked about specific distances related to the proposed driveway cut. Mr. Seitz explained all driveway specifications are in accordance with the Planning & Zoning Regulations. All power will be underground.
6. Todd Roberts asked about specific distances between the closest proposed house construction and his property line, concerns regarding increased water on his lot due to this development, and asked that privacy be a consideration when development occurs. Mr. Seitz explained the nearest house proposed downhill is 100 feet away. Perk tests showed a fast rate of dissipation in this area, therefore, no drainage issues will arise.
7. Tim Pool spoke about meeting the 25 foot side yard setback, nearby drainage ditch flooding, and the capacity of a nearby pipe running under the roadway below grade. Mr. Seitz explained water is dissipated away from this area near the ditch and pipe, and that the proposed activities do not infringe on buffer area as noted in Planning & Zoning Regulations.
8. Peter Riley spoke about his concern with the proposed cul-de-sac and that there is no second exit on Pautipaug Lane. Mr. Seitz explained the road cannot be extended according to Planning & Zoning Regulations.

At this point, an extensive discussion took place with regard to the proposed driveway location along the cul-de-sac as it relates to separation distances of driveways. Additionally, clarification is needed on the interpretation of the term "public sideline" as noted in the Planning & Zoning Regulations. Town Staff and the Planning & Zoning Commission will continue to review this topic.

MOTION #2 (07-18-17): made by Mrs. Dombrowski **SECONDED BY** Mr. Calvert that the Planning & Zoning Commission continue the Public Hearing for Application #17-07 to August 15, 2017, 7:30 p.m.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

Application #17-06 will be continued to August 15, 2017 as it runs concurrently with Application #17-07.

- c. **Application #17-08 Franklin Farms:** Proposed New Commercial Site Plan, Special Permit, for property located at 931 Route 32, Assessor's Map 3, Lot 7, Zoned R-120, existing use of property is sand & gravel excavation, proposed use is an extension of use.

APPLICANT PRESENTATION: Joe Boucher presented an orientation map for all those in attendance to review. He has revised the application to remove any reference to "processing on site". This application is in front of PZC because the previous application has reached its five year permit mark and requires a public hearing to resume proposed activities. Original application was approved in 2007, renewed in 2012, and now 2017.

MOTION #3 (07-18-17): made by Mr. Calvert **SECONDED BY** Mrs. Dombrowski that the Planning & Zoning Commission close the Public Hearing for Application #17-08 to at 8:55 p.m.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

4. Additions to the Agenda: Modification to the Agenda to remove 11b. Application #17-10 Adelman Family LLC.

5. Approval of Minutes:

a. June 20, 2017

MOTION #4 (07-18-17): made by Mr. Calvert **SECONDED BY** Mr. Wheeler that the Planning & Zoning Commission approve the June 20, 2017 Minutes as amended: corrected spelling: "Eager"

VOICE VOTE: Susan - Abstained

MOTION CARRIES

6. Report of the Zoning Enforcement Officer:

a. **OLD RYTMAN FARM:** Seymour Adelman has purchased this piece of property. There is an abandoned house and chicken coops left on property. Mr. Seymour intends to clean-up the property. Mr. Chalecki will perform a site walk and report back to commission on status.

b. **WEBERT PAVING – TYLER DRIVE:** Mr. Chalecki noted the erosion and sedimentation bond has been posted.

7. Report of the Building Official: None

8. Report of the Wetlands Enforcement Officer: None

9. Correspondence:

a. Correspondence was submitted via e-mail by Steven Broyer, Ecos Energy, representing Windham Solar, dated June 30, 2017, providing a status of their amendment and approval by the Siting Council for the solar project.

Town Staff and the Planning & Zoning Commission discussed concerns including, but not limited to, the need for a vegetative buffer, the issue of some solar panels being located in a right-of-way, proper drainage, and infringement in set-back requirements, therefore, creating a non-conforming activity as defined in Planning and Zoning Regulations.

The Planning & Zoning Commission respectfully asked Sam Alexander, Consulting Town Planner, to draft correspondence outlining these concerns as part of the municipal consultation process.

10. Unfinished Business:

a. **Application #17-01 Planning & Zoning Commission [CONT]** for Commission Initiated Proposed Regulation Amendments to the Zoning Regulations Specifically for Sections 2.1, 3.2, 3.3, 4.4, 5.4, 6.4, 9.4, 9.8, 9.11, 9.15, 9.26, 9.27, 10.1, 10.4, 10.17, 11.3, and 11.6.

MOTION #5 (07-18-17): made by Mr. Calvert **SECONDED BY** Mrs. Dombrowski that the Planning & Zoning Commission table Application #17-01 to August 15, 2017

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

b. **Application #17-07 Michael Gawendo:** Proposed New Subdivision & Site Plan Review, Special Exception (**rear lot**), for property located at Pond Rd., Assessor's Map 18, Lot 32, Zoned R-80, existing use is raw land. [see MOTION #2 above]. [Application #17-06 – site plan runs concurrently]

- c. **Application #17-08 Franklin Farms:** Proposed New Commercial Site Plan, Special Permit, for property located at 931 Route 32, Assessor's Map 3, Lot 7, Zoned R-120, existing use of property is sand & gravel excavation, proposed use is an extension of use

MOTION #6: (07-18-17): made by Mrs. Dombrowski **SECONDED BY** Mr. Calvert that the Planning & Zoning Commission approve Application #17-08 as presented with the next required annual review by July 18, 2018

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

- d. **Review of Sign Regulations:** Tabled to August 16, 2017.

11. New Business:

- a. **Application #17-09 Chris and Tammy Deojay:** Proposed New Commercial Site Plan, Special Exception, Mixed-Use, for property located at 685 Route 32, Assessor's Map 12, Lot 15, Zoned C-1, proposed use is construct 2 bedroom house and 1200 sq. ft. commercial building with associated parking.

APPLICANT PRESENTATION: Chris and Tammy Deojay were present to represent their application. The preliminary site plan, dated July 7, 2017 was submitted for review. It was noted this plan depicts the general concept of intended activities. It is anticipated this plan will be modified as review continues from the Commission, Zoning Enforcement Officer, Project Engineer, and more data becomes available.

MOTION #7 (07-18-17): made by Mrs. Dombrowski **SECONDED BY** Mr. Calvert that the Planning & Zoning Commission schedule a Public Hearing for August 15, 2017 following previous hearing

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

12. Public Comment: None

13. Adjournment:

MOTION #8 (07-18-17): made by Mrs. Dombrowski **SECONDED BY** Mr. Calvert that the Planning & Zoning Commission adjourn the meeting at 9:20 p.m.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

Respectfully submitted,
Sherry Pollard
Administrative Assistant to the Commission