

**TOWN OF FRANKLIN**  
**PLANNING & ZONING COMMISSION (PZC)**  
**FRANKLIN TOWN HALL**  
**7 Meetinghouse Hill Rd.**  
**MINUTES**  
**REGULAR MEETING & PUBLIC HEARING**  
**Tuesday, December 17, 2019, 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:** Secretary Matt Calvert, Chairman John McGuire III, James Wheeler. **Member Absent:** Peter Ballaro, Pat Osten. **Alternate Members Absent:** Leo Bienvenue, Patrick McCarthy, Don McClure.

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

2. Recognition of Visitors: Sign in sheet provided for visitors.
3. Election of Officers:

**MOTION #1 (12.17.19):** made by Mr. Calvert SECONDED BY Mr. Wheeler that the Planning & Zoning Commission table Election of Officers to the next regular meeting January 21, 2019

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

4. Public Hearing:

- a. **PZC #19-04 Seymour Adelman [CONT]:** Proposed New Commercial Site Plan, Special Exception, for property located on Route 32, Map 45, Lot 47, Zoned C-2 & I; Existing Use is vacant. Proposed use is re-grade/excavate approximately 6.2 acres of land (250,000 cubic yards)

**APPLICANT / PRESENTATION:** Seymour Adelman was present to provide information on his application. He noted this project has been going on for years. Chicken-coup houses and residential houses have been removed from this property, remaining foundations were broken-up and moved off site, ledge behind coups is being broken down and taken off site, blasting has taken place as a result for the removal of ledge, and that material is also being taken off site. Mr. Adelman presented revised site plan drawings dated December 5, 2019. Revised plans now show location of site activities in relation to entire property and erosion and sedimentation control plan is shown on plan. All remaining abutting property owners within 500 ft. of property associated to this application have been notified.

**TOWN PLANNER COMMENTS:** Carly Myers indicated she has concerns with slope ratio and very large sheer rock face/drop off at the edges of excavation. There should be consideration for improving slope ratio at 2 to 1 and providing 6 foot fence at unsafe drop-off areas.

**ZONING ENFORCEMENT OFFICER COMMENTS:** Mr. Chalecki indicated the site is well contained at this point and considerable improvements have been made to the roadway used to enter and exit the site. Mr. Chalecki has concerns with revised site plans submitted this evening. Items missing include key map and notations of areas of activity in relation to roads, houses, and associated residential structures nearby.

**PZC CHAIRMAN COMMENTS:** Chairman McGuire noted silt fence and hay bales are shown in picture form but are not shown and detailed in site plans. He asked for clarification on blasting locations. Mr. Adelman indicated blasting will not occur on entire site and only at the edges to prevent water from running down the property. Chairman McGuire asked for correspondence showing approval from the Town of Franklin Fire Marshall to be provided and submitted into the record.

Mr. Adelman responded rock crushing activities occur throughout the site because the crusher is not stationary as it moves around the site to accommodate areas in process.

**TOWN PLANNER:** Carly Myers reviewed rock crushing activities described in Zoning Regulation 10.F(e):

*(e) No equipment used in the processing operation may be located closer than 1,000 feet from any building used for residential purposes under any circumstances. No equipment used in the processing operation may be located closer than 2,000 feet from any building used for residential purposes, unless: i. all owners of such building consent in writing to the location of such equipment at a lesser distance...*

Additionally, activities can only take place Monday through Friday from 8:30am to 4:30pm. No weekends and holidays. Ron Chalecki pointed out when blasting the applicant is required to put in monitors when any type of livable structures is within 250 ft. In this application, all blasting activities are far past this minimum distance so no monitoring is necessary - although devices are in place and being monitored on site.

**PUBLIC COMMENTS:**

1. Brandon Biggins asked how close blasting is to his residence and garage.
2. Alana Beck is concerned with a steam of water down her driveway
3. Brandon Biggins asked for clarification on drainage on Mr. Adelman piece of property.

In response to public concerns, Chairman McGuire reviewed Regulation 10.F(e). Mr. Adelman agreed to comply

**MOTION #2 (12.17.19):** made by Mr. Calvert SECONDED BY Mr. Wheeler that the Planning & Zoning Commission close the Public Hearing for PZC #19-04 Seymour Adelman

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

5. Additions to the Agenda:

**MOTION #3 (12.17.19):** made by Mr. Calvert SECONDED BY Mr. Wheeler that the Planning & Zoning Commission add *Town of Bozrah Correspondence Regulation Change Request to the Agenda*

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

6. Approval of Minutes:

- a. November 19, 2019

**MOTION #4 (12.17.19):** made by Mr. Calvert SECONDED BY Mr. Ballaro that the Planning & Zoning Commission table November 19, 2019 meeting minutes as amended

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

6. Report of the Zoning Enforcement Officer: None.

7. Correspondence/Commission Matters:

- a. **PZC Application #19-01 Franklin Hills Estates & Country Club LLC.** - Request 90 Day Extension Filing of Mylars:

Attorney Harry Heller was present to represent the applicant. He previously submitted correspondence requesting a 90 day extension for the filing of mylars for the approved Franklin Hills Estates & Country Club Project. Principals of the project have met with Town Staff and Chairman of PZC & IWWC to bring

those involved up to speed on this project. Majority Owner of this project, Penske Family Trust, has taken over project management and management of associated property. The previous management team has been removed from their responsibilities on this project. At this point, new management principals are investigating whether the project is financially feasible and determination has not been made yet as to whether the project will move forward. So for that reason we are requesting an extension to file a 90 day extension for the Mylars.

**MOTION #5 (12.17.19):** made by Mr. Calvert SECONDED BY Mr. Wheeler that the Planning & Zoning Commission approve PZC Application #19-01 Franklin Hills Estates & Country Club LLC extension request (2) for the filing of site plan mylars for a 90-day period with an ending date of to March 27<sup>th</sup>, 2020

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

b. **Bozrah Correspondence:** Commission members reviewed the Bozrah Regulation Change Request.

8. Report of Building Official: N/A

9. Report of Wetlands Official: N/A

10. Unfinished Business:

a. **PZC #19-04 Seymour Adelman:** Proposed New Commercial Site Plan, Special Exception, for property located on Route 32, Map 45, Lot 47, Zoned C-2 & I; Existing Use is vacant. Proposed use is re-grade/excavate approximately 6.2 acres of land (250,000 cubic yards)

**MOTION #7 (12.17.19):** made by Mr. Calvert SECONDED BY Mr. Ballaro that the Planning & Zoning Commission approve **PZC #19-04 Seymour Adelman with the following conditions:**

1. Erosion & Sedimentation Controls to be reviewed by Zoning Enforcement Officer and/or Town Planner
2. Plans must show minimum distance from processing equipment to residences and/or associated residential structures
3. Fencing to be installed at all such points the slope exceeds 2 to 1
4. Applicant is to provide Fire Marshall report to the Town showing approval of blasting that has occurred to date and for any future blasting

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

11. New Business:

12. Public Comment:

13. Adjournment:

**MOTION #8 (12.17.19):** made by Mr. McGuire SECONDED BY Mr. Calvert that the Planning & Zoning Commission approve adjourn the meeting at 8:21 p.m.

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

John McGuire, Chairman

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