



## TOWN OF FRANKLIN

ZONING BOARD OF APPEALS (ZBA)  
7 Meetinghouse Hill Rd.  
Franklin, CT 06254

**MINUTES**  
**REGULAR MEETING**  
**Tuesday, November 28, 2017**

**7:30 p.m.**

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

Members Present: Chairman Bruce Dougherty, Thomas Craney, Henry Konow Jr.,  
Secretary Alden Miner  
Members Absent: Traci Hastings  
Alternates Present: Richard Weingart  
Alternates Absent: Todd Benjamin, Richard Friedrich

2. Recognition of Visitors:

3. Public Hearing:

Secretary Miner read the Public Hearing Notice into the record for the following application.

- a. **ZBA #17-03 for Greg Allen:** Property located at 31 Pond Rd, Assessor's Map 23, Lot 85, Zoned R-80. Requesting variance to Section 4.4.2, Dimensional Requirements, Reduction to minimum frontage, and Section 10.12.4, Rear Lots, Reduction to side yard set-back from access strip

**APPLICANT / PRESENTATION:** Gordon Simes was present to represent the applicant. He gave a brief outline of proposed activities and presented plans for review.

Variations listed above are directly related to a proposed one-lot subdivision, special exception for creation of a rear lot, off of an existing residential property, for a single family dwelling.

There was review of required lot frontage, rear lot configuration, and set-backs as defined in Planning & Zoning Regulations. It was noted, the existing driveway will be utilized as a shared driveway for access to the rear lot.

**PUBLIC COMMENTS:**

1. John McGuire, neighbor, spoke in favor of this application. He noted this is a good use for a piece of property located behind the property fronting the roadway. In this particular area many of the residential properties fronting the roadway are very similar in that there is limited lot frontage. If this variance were approved there would be minimal impact to the surrounding neighborhood properties.

**ZONING ENFORCEMENT OFFICER COMMENTS:**

Ron Chalecki, Zoning Enforcement Officer, was present to comment on this application. He is not in favor of approving the requested variance as it relates to the reduction of minimum frontage.

If this variance were approved it would in fact make an existing non-conforming lot more non-conforming and this would be in violation of Planning & Zoning Regulation. Additionally, there is no actual hardship on this proposal as the applicant is creating their own hardship by the proposed activity.

The hearing was closed at 7:45 p.m.

4. Approval of Minutes:

a. May 23, 2017:

**MOTION # (11-28-17):** made by Mr. Craney SECONDED BY Mr. Miner that the Zoning Board of Appeals approves the meeting minutes of May 23, 2017 as presented

**VOICE VOTE: Abstained: Mr. Konow MOTION CARRIES**

5. Correspondence:

a. CT Federation of Planning & Zoning Agencies Newsletter

6. Unfinished Business:

a. **ZBA #17-03 for Greg Allen:** Property located at 31 Pond Rd, Assessor's Map 23, Lot 85, Zoned R-80. Requesting variance to Section 4.4.2, Dimensional Requirements, Reduction to minimum frontage, and Section 10.12.4, Rear Lots, Reduction to side yard set-back from access strip

**MOTION # (11-28-17):** made by Mr. Craney SECONDED BY Mr. Konow that the Zoning Board of Appeals grant the Variances for Application #17-03 Greg Allen as follows:

Variance granted to Section 4.4.2 of 66 feet in order to comply with minimum frontage and Section 10.12.4 of 25 feet in order to comply with side-yard set-backs from rear lot access strip. Hardship based on pre-existing and non-conforming lot configuration & safety.

**VOICE VOTE: UNANIMOUS**

**MOTION CARRIES**

7. New Business:

8. Public Comments:

9. Adjournment:

**MOTION # (11-28-17):** made by Mr. Miner SECONDED BY Mr. Craney that the Zoning Board of Appeals adjourns the meeting at 8:30 p.m.

**VOICE VOTE: UNANIMOUS; MOTION CARRIES**

Respectfully submitted  
Sherry Pollard  
ZBA Board Secretary