

TOWN OF FRANKLIN
ZONING BOARD OF APPEALS (ZBA)
7 Meetinghouse Hill Rd.
Franklin, CT 06254
MINUTES
REGULAR MEETING
Tuesday, July 26, 2007
7:30 P.M.

Minutes are "unapproved". Formal approval takes place at next meeting held where changes/corrections will be noted and voted into record)

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

Members Present: Chairman Bruce Dougherty, Thomas Craney, Secretary Alden Miner, Henry Konow Jr.
Members Absent: Traci Hastings
Alternates Absent: Jeremy Beisiegel, Kelsey Malik
Also Present: Zoning Enforcement Officer Ron Chalecki

2. Recognition of Visitors: Visitors were provided a sign in sheet.

3. Public Hearing: The hearing was opened at 7:32 pm. Alden Miner read the Public Hearing Notice into the record.

- a. **ZBA #22-01: Wendy Mason:** For property located at 79 Route 32; Assessor's Map 45, Lot 46, Zoned C-2; Requesting Variance to Zoning Regulation 7.2.1, current use is vacant, proposed use is revert building back to residential use.

Wendy Mason discussed proposed activities noted above. She noted her intention is to raise a family on this property if it were residential. Currently the property does not support commercial use as there is no handicap access, the driveway does not accommodate trucks to enter and exit, and the parking area is small.

The property was previously zoned residential and then changed to C2 Commercial. The Zoning Enforcement Officer noted the current property owner, around the time of purchase, was aware the zone was designated as C-2 and could not be used as residential. The residential use had been abandoned for more than twelve months and Zoning Regulations do not allow residential use in the C2 zone after the use has been abandoned for 12 months.

Public Hearing was closed at 7:38 pm.

4. Additions to the Agenda:

MOTION #1 (07-26-22): made by Thomas Craney **SECONDED BY** Alden Miner that the Zoning Board of Appeals add the following correspondence to the Agenda:

1. Letter from Henry M. Konow Jr., 54 Holton Road, No. Franklin CT 06254 addressed to Franklin ZBA Members regarding decisions made at their December 28, 2021 meeting related to David Boyle Application & Franklin ZEO Violation Letter dated December 12, 2021.
2. Letter from Henry M. Konow Jr., 54 Holton Road, No. Franklin CT 06254 addressed to Franklin ZBA Chairman Bruce Dougherty regarding response to ZBA vote to affirm ZEO zoning violation letter to Mr. David Boyle dated October 12, 2021.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

5. Approval of Minutes:

- a. December 28, 2022:

MOTION #2 (07-26-22): made by Tom Craney, **SECONDED BY** Alden Miner that the Zoning Board of Appeals approve Meeting Minutes of December 28, 2022- as amended:

1. MOTION #3 - Mr. Konow did not oppose – Vote was UNANIMOUS
2. MOTION #4 - Mr. Konow did not oppose – Vote was UNANIMOUS

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

4. Unfinished Business:

- a. **ZBA #22-01: Wendy Mason:** For property located at 79 Route 32; Assessor's Map 45, Lot 46, Zoned C-2; Requesting Variance to Zoning Regulation 7.2.1, ; current use is vacant, proposed use is revert building back to residential use

There was ZBA consensus the applicant has not demonstrated a hardship. If approved, could be considered spot zoning.

The Zoning Enforcement Officer noted the current property owner, around the time of purchase, was aware the zone was designated as C-2 and could not be used as residential in future use.

MOTION #3 (07-26-22): made by Tom Craney, SECONDED BY Alden Miner that the Zoning Board of Appeals deny ZBA Application 22-01, Wendy Mason, due to lack of hardship

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

5. New Business:

- a. Correspondence from ZBA Member Henry Konow: There was review of correspondence from Henry M. Konow Jr., as noted in Additions to Agenda.

Discussion included, but was not limited to, the need for definition & terms within Franklin Zoning Regulations to be specifically defined in writing by the Planning & Zoning Commission. Some needed definitions included recreational vehicle, mobile home, residential unit, use of said units for camping and recreation use.

Discussion included, but was not limited to, reference to methodology/timing used to obtain an opinion from the Town Attorney for the definition of mobile home and recreational vehicle.

ZBA #22-01: Wendy Mason returned to the meeting. Chairman Dougherty explained the Vote MOTION #3 as noted above.

6. Public Comments: None.

7. Adjournment:

MOTION #4 (07-26-22): made by Alden Miner SECONDED BY Thomas Craney that the Zoning Board of Appeals adjourn the meeting at 7:58 p. m.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

Respectfully submitted,

Sherry Pollard

ZBA Board Secretary