

Town of Franklin



Zoning Board of Appeals

**Thursday, May 13, 2021  
Meeting Minutes**

Chair Bruce Hunchard called the above-captioned **Remote Access Zoom Virtual Meeting** to order this date at approximately 7:30 p.m. Members in attendance: Robert Acevedo, Philip Brunelli, Meghan Whitmore, Christopher Stickney. Members absent: None. Also in attendance: Casey Thayer, Administrative Assistant.

This meeting is being conducted as a **Remote Access Zoom Virtual Meeting** as allowed by the Governor's Order relating to the COVID-19 outbreak. The Zoom Meeting link and the Zoom Meeting call-in number are provided on the agenda. The meeting is being televised and recorded for the public's information.

**16 Maria Circle - Bruce Johnson and Danielle Johnson**

Abutters: None.

**7:30 p.m.** Applicant is seeking to construct a two-car garage and breezeway that increases the impervious area of the lot to 24.5% where 15% is allowed. The building permit is denied without a Special Permit from the ZBA. Applicants present: Bruce Johnson, owner, and Steve Narducci, builder for the proposed addition. Mr. Narducci discussed the proposed Cultec mitigation system for the water runoff for an average 1" rainstorm. He stated that any rainfall amount over that will spill onto the yard. Mr. Johnson reviewed his Supporting Statement for a Special Permit.

Chair Hunchard stated that the relief for the impervious coverage would be 9.5%; he asked for the water runoff percentage that would be put back into the ground from the Cultec system. Mr. Narducci stated that for the 9.5% impervious coverage, all of the water would be discharged back into the ground for a 1" rainstorm. He stated that an extra sheet with this information was emailed today. Chair Hunchard stated that this information is not on the received plan; the engineer, Guerriere & Halnon, Inc., should know to put this information on the plan. ZBA members agreed the mitigating percentage from the Cultec system must be known and should be put on the plot plan. Chair Hunchard noted that the applicant is already over the impervious coverage at 19.3% prior to this proposed construction.

***Motion made by Philip Brunelli to continue the public hearing to June 10, 2021, at 7:50 p.m. Motion seconded by Robert Acevedo. Roll Call Vote: Acevedo-YES; Brunelli-YES; Hunchard-YES. Unanimous by the Board.***

**18 Northern Spy Road - Sarah K. Hunter and David C. Hunter**

Abutters: Nancy Quigley, 15 Northern Spy Road.

**7:35 p.m.** Applicant has constructed an in-ground pool and patio which has created impervious lot coverage area totaling 17.9% where 15% is allowed. The approval is denied without a Special Permit from the ZBA. Applicants present: Brian Sullivan, attorney representing the applicants; Sarah Hunter and

David Hunter, owners. Mr. Sullivan stated that the Hunters had an in-ground pool and deck installed in 2018. As a result of the construction, the impervious area is 17.9%, which is over the allowed impervious area of 15%. Therefore, a petition for a Special Permit was filed. The Hunters have proposed the implementation of a roof infiltration system which would involve two below surface leaching chambers. These two chambers would be on either side of the pool. He reviewed the Supporting Statement for a Special Permit. He stated that he does not have the exact percentage that the proposed system would reduce the runoff. Mr. Acevedo confirmed that the pool is already installed, and the impervious coverage exceeds the Town's regulations. ZBA members agreed they need to know the mitigating percentage from the proposed roof infiltration system. Ms. Hunter stated that she understands the need to provide the requested percentage.

***Motion made by Philip Brunelli to continue the public hearing to June 10, 2021, at 7:55 p.m. Motion seconded by Robert Acevedo. Roll Call Vote: Acevedo-YES; Brunelli-YES; Hunchard-YES. Unanimous by the Board.***

**4 Tam O Shanter Road-Amy and Jason Crouch**

Abutters: None.

**7:40 p.m.** Applicant is seeking an animal kennel to house up to four or more dogs. The use is denied without a special permit from the ZBA. Applicants present: Amy and Jason Crouch. Ms. Crouch stated that the property owner submitted a letter. Chair Hunchard stated that he spoke to the Town Attorney. He noted that he spoke with a veterinarian; the Town must have a way, such as using a scanner, to determine what dogs the applicant currently has. He stated that it can be put in the Special Permit that this would be for a private kennel and never for commercial use. The Special Permit could be made to run with the applicants, the Crouchs, and not the owner. He discussed other conditions of the Special Permit. Ms. Crouch stated that she understood. Mr. Acevedo stated that he was not present for the entire presentation at the last meeting; therefore, Ms. Whitmore or Mr. Stickney should vote on this item. Ms. Crouch confirmed that the Animal Control Officer should scan the dogs within 30 days; she confirmed she would get it done immediately.

***Motion made by Philip Brunelli to close the public hearing. Motion seconded by Meghan Whitmore. Roll Call Vote: Brunelli-YES; Whitmore-YES; Hunchard-YES. Unanimous by the Board.***

***Motion made by Philip Brunelli to approve private kennel permit for the applicants, Amy and Jason Crouch, to not be used for commercial use and that the applicant contact the Animal Control Officer to have the dogs identified as the animals presented to the ZBA as five (5) dogs currently residing at the property, 4 Tam-O-Shanter Road, present that information acceptable to the Zoning Enforcement Officer within thirty (30) days and when any of the five (5) original dogs pass or move away the number of dogs allowed will be reduced by that number until they reach three (3). At that time the Kennel Permit will become null and void. The Special permit will be allowed only to the applicant, not the land owner, and when the applicant moves from the property the Special Permit for the non-commercial kennel becomes null and void and goes away. Motion seconded by Meghan Whitmore. Roll Call Vote: Brunelli-YES; Whitmore-YES; Hunchard-YES. Unanimous by the Board.***

**General Business: Meeting Minutes April 29, 2021**

***Motion made by Philip Brunelli to approve the Meeting Minutes as presented for Thursday, April 29, 2021. Motion seconded by Meghan Whitmore. Roll Call Vote: Brunelli-YES; Whitmore-YES; Hunchard-YES. Unanimous by the Board.***

***Motion made by Philip Brunelli to adjourn the Remote Access Zoom Virtual Meeting. Motion seconded by Robert Acevedo. Roll Call Vote: Acevedo-YES; Brunelli-YES; Hunchard-YES. Unanimous by the Board. Meeting adjourned at 8:15 p.m.***

Respectfully submitted,

Judith Lizardi  
Recording Secretary

Signature

Cathy Hays

Date

June 10, 2021