

**TOWN OF FRANKLIN
PLANNING & ZONING COMMISSION (PZC)
FRANKLIN TOWN HALL
7 Meetinghouse Hill Rd.
REGULAR MEETING MINUTES & PUBLIC HEARING
May 17, 2022 7:30 p.m.**

(These Minutes are "Unapproved". Formal "Approval" takes place at the next Board meeting held and will show changes/ corrections if any)

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

Members Present: Secretary Matt Calvert, Patrick McCarthy, Chairman John McGuire III, Thomas Miner. **Member Absent:** Josh Gagnon. **Alternate Member Present:** Tammi Avery, Leo Bienvenue. Chairman McGuire seated Tammi Avery for Josh Gagnon

Staff Present: Ron Chalecki Zoning Enforcement Officer, Justin LaFountain, AICP, CZEO, Planner III, and Nicole Haggerty, Planner II, Southeast Connecticut Council of Governments.

2. Recognition of Visitors: Connie Sharp and Roland Mihok.

3. Additions to Agenda: None

4. Approval of Minutes:

- a. April 19, 2022 Regular Meeting:

MOTION #1 made by made by Patrick McCarthy, **SECONDED BY** Thomas Miner that the Planning & Zoning Commission approve April 19, 2022 Meeting Minutes - as presented
VOICE VOTE: UNANIMOUS; MOTION CARRIES

5. Correspondence/Commission Matters:

Chairman McGuire noted members of this Commissions may wish to not speak out on their opinions on related pending issues while attending other board/commission meetings because it may create the appearance of a bias position.

6. Report Wetlands Official: Ron Chalecki provided update:

- **SOUND PETROLEUM:** Property at 532 Pond Road, proposed propane storage tanks, detention basin & outlet, wet pond & outlet, filling & excavation w/in 50' upland review area. **Approved with conditions.**
- **SHOW CAUSE HEARING:** Cease & Desist Order 204 Route 32 Chris Sullivan - excavating within wetland. **Upheld cease and desist upheld with conditions.**
- **JOSEPH RANDAZZO:** Southeast Corner Route 32. New gas station w/parking & warehouse / office building / units for lease. **Public Hearing continued to June 7, 2022.**

7. Report of the Building Official: None

8. Report of the Town Planner:

- a. Public Act 21-29 Affordable Housing Plan & Updates:

Justin LaFountain, AICP, CZEO, Planner III, and Nicole Haggerty, Planner II, were present to discuss housing plan and cannabis regulations. They reviewed proposed regulations, Connecticut State requirement language, and opting and out options. It was noted, these are Town of Franklin initiated amendments so we are not bound to typical administrative timelines.

b. Update: Cannabis Updates to Franklin Zoning Regulations - Survey

On-line survey continues to be open. Responses are being read and summarized. There was discussion on pros and cons of adding a question to the November primary (such as “do you want Franklin to allow a cannabis business that includes growing and sales?”), holding an informational meeting, or scheduling a public hearing.

Commission Consensus:

1. Consider public input prior to making a decision to allow or deny
2. Review what other towns are doing for moratorium
3. Hold a Public Hearing / Informational Meeting seeking input from residents
4. If residents appear they don't want that type of business - PZC can approve a moratorium
5. If residents appear they do want that type of business - PZC can deny a moratorium

9. Report of the Zoning Enforcement Official:

- a. **90 Dr. Nott Rebecca Burchell:** Ron Chalecki received written complaint from neighbor that doggie daycare/boarding activities are taking place. Business advertised on Rover .com. Sent letter to property owner stating this type of business use is not permitted. Cease and Desist order would be sent if property owner does not cease activities and remove advertisement.
- b. **204 Route 32. C&D Chris Sullivan:** Ron Chalecki has contact Mr. Sullivan and required a PZC Application for mixed-use and Site Plan be submitted immediately. Mr. Sullivan responded in that he is in the process of contracting and engineer to produce site plan and application documents.
- c. **Route 32 – David Boyle:** Mr. Boyle and his representatives have indicated they are in the process of completing an application and site plan. Representatives have been in recent contact with the Zoning Office and Building Office.

10. Unfinished Business: None

11. New Business:

- a. **PZC Application #22-05: Windham Materials LLC (Land & Sea Resources):** Renewal Excavation Permit, property located at Pleasure Hill Road, Assessors Map 2, Lot 2; Zoned R-120, existing use is gravel excavation as vacant, proposed use is renewal of earth excavation permit

Harold Hopkins, Windham Materials, was present and presented a site plan outlining past and current areas of excavation. Section 4 excavation has been complete and is in the process of being restored. Section 5 is related to this extension request and just beginning. Franklin Farms Section has been closed - vegetation/grass is beginning to take hold.

Ron Chalecki performed a site walk on property and indicated it is well contained and operations are being done in a professional manner.

MOTION #2 (06.15.22) made by Matt Calvert **SECONDED BY** Patrick McCarthy that the Planning & Zoning approve the one-year renewal request for Application #22-05 Windham Materials LLC (Land & Sea Resources) to May 31, 2023

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

12. Public Comment:

Stori Beckwith asked PZC to consider a moratorium on commercial business development. She asked PZC to consider changing Zoning Regulations that work towards allowing only types of commercial development that blends into the Town.

Chairman McGuire noted Zoning Regulations are a formal legal document that defines allowable uses in specifically designated zones. If a proposed activity, such as commercial development, adheres to the regulations - then that use is allowed and should not be denied.

The Plan of Conservation and Development may be a better document to review in terms of defining what residence desire for use of land within the municipality. The plan provides the basis for long-term visions for the town.

Connie Sharp noted some residents may wish to keep farmland but other residents may wish to develop businesses in town. However, there should be consideration for what "types" of businesses should be allowed. Incoming businesses should complement the rural nature of Franklin.

Justin LaFountain cautioned PZC can incorporate design guidelines but they are easily challengeable in court of law.

13. Adjournment:

MOTION #3 (06.15.22) made by Matt Calvert **SECONDED BY** Patrick McCarthy that the Planning & Zoning Commission adjourn at 8:37 pm.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

Respectfully submitted,

Sherry Pollard,

Administrative Assistant to the Commission