



TOWN OF FRANKLIN
PLANNING & ZONING COMMISSION (PZC)
FRANKLIN TOWN HALL
7 Meetinghouse Hill Rd.
Franklin, CT 06254
REGULAR MEETING MINUTES
Tuesday, April 17, 2018, 7:30 p.m.

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

Members Present: Peter Ballaro, Secretary Matt Calvert, Chairman John McGuire, III, Pat Osten, James Wheeler. **Alternate Members Absent:** Don McClure. **Alternate Members Present:** Niels Jeppesen.
Alternate Members Absent: Leo Bienvenue

Also Present: Justin LaFountain, Town Planner, Ron Chalecki, Zoning Enforcement Officer

2. Recognition of Visitors: Chairman McGuire recognized those in attendance.

MOTION #1 (04-17-18): made by Chairman McGuire **SECONDED BY** Mr. Calvert that the Planning & Zoning Commission move Commission Matters Agenda Item 7a. and New Business Agenda Item 11a. to this point in the meeting

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

7. Correspondence/Commission Matters:

- a. **Discussion:** Alan Benevides, P.E., L.S.P., Woodard & Curran, Inc., Potential Need for Zoning Board of Appeals Special Exception Variance Related to Processing System for Anaerobic Digester

PRESENTATION: Mr. Benevides provided a presentation on behalf of Quantum Associates and the owner of Cushman Farms. Joining Mr. Benevides was Mr. James Smith, Cushman Farms, and Mr. Brian Paganini, Quantum Bio-Power. The project team is respectfully asking the Planning & Zoning Commission for a formal recommendation as to the potential need to file an application with the Zoning Board of Appeals relative to the processing system for an anaerobic digester.

The proposed project involves construction of an aerobic digester that will be used for processing under the following two possible options:

- Option 1: process would utilize cow manure generated on the farm to generate electricity and provide beneficial use of bi-products. **Includes “on-premises” material only.**
- Option 2: would augment on-farm cow manure with food waste that is hauled onto the farm from off property sources. **Includes “off-premises” material.**

The Project Team respectfully asked Planning & Zoning for their recommendation on the potential need for a variance due to references in the regulations addressing “on-premises” and “off-premise” materials as it relates to the Anaerobic Digester Process.

PZC COMMENTS:

After review of proposed activities and Planning & Zoning Regulations, it is the recommendation of Mr. LaFountain and Mr. Chalecki that a Zoning Board of Appeals Application be filed if the applicant chooses Option 2 due to bringing off-site food waste product onto the farm site.

There was PZC consensus the proposed project would fall under a special exception use and require a formal Zoning Board of Appeals Application if “**food waste**” was involved with any part of the proposed process.

In Summary: **Option #1:** The processing of manure on site and moving it off site DOES NOT require Zoning Board of Appeals Application/Approval.

Option #2: The processing manure on site, moving it off site, and bringing food waste product on site **DOES require a** Zoning Board of Appeals Application/Approval.

11. New Business:

- a. **PZC #18-03 Michael Tules (K-Best):** New Commercial Site Plan, Special Permit/Exception, for property located at 931 Route 32, Franklin, CT, Map 3, Lot 7, Zoned R-120. Existing use is Agriculture/Vineyard, proposed use is mixed-use equipment storage areas

Mr. Tules was present to represent the Applicant. He gave a brief presentation on the proposed activity and submitted a site plan dated April 11, 2018 for review. He noted the additional use is being requested to allow parking of utility trucks on an existing cement pad as shown on the site plan.

MOTION #2 (04-17-18): made by Mr. Calvert **SECONDED BY** Mr. Ballaro that the Planning & Zoning Commission schedule a Public Hearing for May 15, 2018 at the Franklin Town Hall

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

3. Public Hearing:

- a. **PZC #18-02 - PZC Initiated Proposed Zoning Text Amendments Addressing Following Topics:**

Signs (Chapter 12); Non-Conformities (Chapter 13); Temporary Healthcare Structures (Section 9.28); Appeals (Section 3.5); Wells & Septic Systems (Sections 9.6, 9.11.5, 10.10.2.A, 10.10.2.B, 10.16.B(f) and 10.17(c)(6); and Minor Procedural Corrections & Wording Changes (Sections 3.2.2, 3.2.3, 3.3, 3.3.3, 3.3.4.B, 3.5.1, and 10.4.F)

PZC COMMENTS: PZC, the Town Planner, and the Zoning Enforcement Officer reviewed each proposed amendment as listed above.

PUBLIC COMMENTS: Joe Sudik commented on various regulations and the need for possible improvements and/or modifications.

MOTION #3 (04-17-18): made by Mr. Calvert **SECONDED BY** Mrs. Osten that the Planning & Zoning Commission continue the Public Hearing to May 15, 2018 at the Franklin Town Hall

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

4. Additions to the Agenda: None.

5. Approval of Minutes:

- a. March 20, 2018

MOTION #4 (04-17-18): made by Mrs. Osten **SECONDED BY** Mr. Ballaro that the Planning & Zoning Commission approve meeting minutes of March 20, 2018 as presented

VOICE VOTE: 5:0:1

Abstained: Jim Wheeler

MOTION CARRIES

6. Report of the Zoning Enforcement Officer:

- a. **96 ROUTE 32 (DATA DARBAR):** The shed has been moved to the correct location.
- b. **ROUTE 32 & WHIIPoorwill Road:** Automobiles have been moved off of hill / State right-of-way area. Property owner has been asked to be considerate of abutting property owners in terms of property appearance.

c. **ROUTE 32 / SEYMOUR ADELMAN ACTIVITIES:**

MOTION #5 (04-17-18): made by Mr. Calvert **SECONDED BY** Mr. Ballaro that the Planning & Zoning Commission authorize the Zoning Enforcement Officer to facilitate the zoning permit process in terms of limits of excavation, erosion and sedimentation controls, and that bonding be determined at the discretion of the Zoning Enforcement Officer for property located at 69 Route 32

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

7. Correspondence/Commission Matters:

a. See above

b. Connecticut Federation of Planning & Zoning Agencies Newsletter Spring 2018

MOTION #6 (04-17-18): made by Mr. McGuire **SECONDED BY** Mr. Wheeler that the Planning & Zoning Commission approve the Connecticut Federation of Planning & Zoning Agencies Membership Renewal through March 31, 2019 in the amount of \$110.00

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

8. Report of the Building Official: None

9. Report of the Wetlands Enforcement Officer: None

10. Unfinished Business:

a. **PZC #18-02** - PZC Initiated Proposed Zoning Text Amendments: Action taken under 3.a. above

11. New Business:

a. **PZC #18-03 Michael Tules (K-Best):** Action taken - See above

12. Public Comment: None

13. Adjournment:

MOTION #7 (04-17-18): made by Chairman McGuire **SECONDED BY** Mr. Calvert that the Planning & Zoning Commission adjourn the meeting at 9:25 p.m.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

Respectfully submitted,
Sherry Pollard,
Administrative Assistant to the Commission