

**TOWN OF FRANKLIN
PLANNING & ZONING COMMISSION (PZC)
FRANKLIN TOWN HALL
7 Meetinghouse Hill Rd.
REGULAR MEETING MINUTES & PUBLIC HEARING
September 21, 2021 7:30 p.m.**

1. Call to Order: Secretary Calvert called the meeting to order at 7:30 p.m.

Members Present: Secretary Matt Calvert, Chairman John McGuire III, Pat Osten, James Wheeler.
Members Absent: Peter Ballaro. **Alternate Member Present:** Patrick McCarthy (7:44 PM).
Alternate Members Absent: Leo Bienvenue, Don McClure.

Also, Present: Ron Chalecki, Zoning Enforcement Officer, Carly Holzschuh, AICP, SECCOG Town Planner.

2. Recognition of Visitors:

3. Public Hearings:

- a. **Application #21-05 Richard & Kara Vendola:** Revised Commercial Site Plan, Special Exception, Mixed-Use, property located at 192 Route 32, Assessor's Map 42 Lot 5, Zoned C-1; existing use is abandoned taxi business, proposed use is used car sales and office space

The Public Hearing was closed at the September 21, 2021 meeting. See Old Business for action taken.

4. Additions to Agenda: None

5. Approval of Minutes:

- a. July 20, 2021:

MOTION #1 (09.21.21): made by Patty Osten **SECONDED BY** Jim Wheeler that the Planning & Zoning Commission approve July 20, 2021 meeting minutes as presented

VOICE VOTE: 2:0:2 In Favor: P. Osten, J. McGuire III **MOTION CARRIES**
Abstained: M. Calvert, J. Wheeler

- b. August 17, 2021:

MOTION #2 (09.21.21): made by Matt Calvert **SECONDED BY** Jim Wheeler that the Planning & Zoning Commission approve August 17, 2021 meeting minutes - as amended

1. Matt Calvert is "Secretary" throughout minutes
2. Public Comment: Correct spelling is "Tammy Avery"
3. 34 Plaines Road is owned by Kevin Lavoie
4. 26 Baltic Road is owned by Ryan Mocek
5. Jim Wheeler seconded Motion to Adjourn

VOICE VOTE: UNANIMOUS; **MOTION CARRIES**

6. Correspondence / Commission Matters: None

7. Report Wetlands Official: Carly Holzschuh reported on the following:

- **IWWC 21-05 GARRETT HOMES LLC:** New Site Plan Review for Regulated Activities; Property located at 99 Route 32. There was IWWC consensus this application was incomplete. Applicant withdrew application and intends to update site plans and return for further consideration and action.
- **IWWC 21-06 HULL FOREST PRODUCTS:** Jurisdictional Ruling for Timber Harvest, Property located at 26 Murphy Rd., Assessors Map 42, Lot 11; Zoned R-80; Existing use of property is residential, proposed activity is select timber harvest to promote natural regeneration establishment. Applicant was not present – IWWC tabled to October 5, 2021 meeting.

8. Report of the Building Official: None

9. Report Town Planner:

- a. Public Act 21-29 Affordable Housing Plan & Updates to Franklin Zoning Regulations:

Carly Holzschuh submitted a memo, dated September 15, 2021, regarding Franklin Zoning Text Changes Following PA 21-29. Several updates to the Zoning Regulations are required by the State. There was review of required/allowed goals and considerations as submitted. The Commission received a draft copy of proposed draft changes for review.

However, Franklin may choose to opt out of Accessory Dwelling Units (ADUs) by right. An additional reminder is that Franklin must adopt an Affordable Housing Plan by June 2, 2022.

- a. Recreational Cannabis Review: Discussion took place on cannabis establishments as retailers. Mr. Chalecki pointed out that if someone in the State of CT requests a cannabis retail business in the Town of Franklin our current regulations would allow this use with State of CT conditions.

There was PZC consensus to table this topic until after municipal elections in November as new Board Members may be on the Commission.

10. Report of the Zoning Enforcement Official:

DAVID BOYLE: Located at Route 32, GIS Map 9, Lot 21; 8.8 acres R-120 Residential District (Old Clauson Farm) was previously approved by IWWC for a single-family residence. At that time, Mr. Boyle was told he could place a temporary mobile home on the property so he could stay there a few weeks each year while building a house on this property. Mr. Boyle has not obtained a zoning permit for the temporary mobile home. The property has since been graded and a RV recreational vehicle has been placed on the property. Additionally, Mr. Boyle hooked into the septic system that was designed and approved by Uncas Health for the future house. here is no power on site. Mr. Boyle uses solar panels for energy. Mr. Boyle will be contacted to indicate a site visit is needed and a zoning permit must be issued so that this activity is in compliance with Zoning Regulations.

11. Unfinished Business:

- a. **Application #21-05 Richard & Kara Vendola:** Revised Commercial Site Plan, Special Exception, Mixed-Use, property located at 192 Route 32, Assessor's Map 42 Lot 5, Zoned C-1; existing use is abandoned taxi business, proposed use is used car sales and office space

APPLICANT / PRESENTATION: Mr. Vendola submitted a modified site plan in consideration of Zoning Enforcement Officer and PZC comments from the last meeting.

ZONING ENFORCEMENT OFFICER COMMENTS: Site Plan as modified meets all concerns with the exception that Mr. Vendola does not own the portion of property located in the front of the property near Route 32. This is owned by the State of CT. Mr. Vendola indicated he is

working on purchasing this portion from the State. This is an issue because the Site Plan as submitted shows cars as being parked in this area and Mr. Vendola does not own this property. Therefore, the site plan is not valid and cannot be approved as presented.

It was noted, Uncas Health District Approval has approved septic system for this site.

MOTION #3 (09.21.21): made by Matt Calvert **SECONDED BY** Jim Wheeler that the Planning & Zoning Commission approve Application #21-05 Richard & Kara Vendola with conditions:

1. Site Plan Modifications to show cars are not parked within the State of Connecticut right-of-way
2. Site Plan Mylars to be recorded on Town land records in the Town Clerks Office within 90-days after the 15-day appeal period (extensions permissible by PZC if requested by applicant)

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

12. New Business:

- a. **Application #21-08 Heidi Bardelli:** Regulation Text Change to allow for Dog Day Care & Boarding Business.

APPLICANT / PRESENTATION: Heidi Bardelli was not present as she understood PZC is simply setting the Public Hearing date this evening. PZC and the applicant reviewed proposed activity at their previous meeting.

TOWN PLANNER COMMENTS: Carly Holzschuh explained the applicant is working with her lawyer to draft proposed text amendment language.

MOTION #4 (09.21.21): made by Matt Calvert **SECONDED BY** Jim Wheeler that the Planning & Zoning Commission schedule a Public Hearing for Application #21-08 Heidi Bardelli for October 19, 2021 7:30 PM

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

13. Public Comment:

14. Adjournment:

MOTION #5 (09.21.21): made by Matt Calvert **SECONDED BY** Patty Osten that the Planning & Zoning Commission adjourn at 8:05 pm

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

Respectfully submitted,

Sherry Pollard,

Administrative Assistant to the Commission