

TOWN OF FRANKLIN

**PLANNING & ZONING COMMISSION (PZC)
FRANKLIN TOWN HALL
7 Meetinghouse Hill Rd.**

REGULAR MEETING MINUTES

July 20, 2021, 7:30 p.m.

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

Members Present: Peter Ballaro, Chairman John McGuire III, Pat Osten

Members Absent: Secretary Matt Calvert, James Wheeler

Alternate Members Absent: Leo Bienvenue, Patrick McCarthy, Don McClure

Also, Present: Ron Chalecki, Zoning Enforcement Officer, Charlie Grant, First Selectman, Carly Holzschuh, AICP, SECCOG Town Planner, Tom Weber, Building Official, and Town Attorney Mat Willis

2. Recognition of Visitors: Town Attorney Matt Willis, Lynda Craney, Mike Tules, Guy Hesketh, Roland Mihok
3. Additions to Agenda: None
4. Approval of Minutes:

- a. May 18, 2021:

MOTION #1 (07.20.21): made by Peter Ballaro **SECONDED BY** Patty Osten that the Planning & Zoning Commission approve minutes of May 18, 2021 as amended:

- Correct numbering sequence throughout
- Motion #3 change camping trailer to mobile home

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

- b. June 15, 2021:

MOTION #2 (07.20.21): made by Patty Osten **SECONDED BY** Peter Ballaro that the Planning & Zoning Commission approve minutes of June 15, 2021 as amended:

- Correct numbering sequence throughout
- Agenda Item 3, Public Comments – change Susan Konow to Susan Allen

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

5. Correspondence / Commission Matters: None

6. Report Town Planner:

a. Affordable Housing Plan Bill (HB 6107): Carly Holzschuh submitted a detailed analysis report, dated June 10, 2021. The report explained the Senate passage of HB 6107, An Act Concerning the Zoning Enabling Act, Accessory Apartments, Training for Certain Land Use Officials, Municipal Affordable Housing Plans and a Commission on Connecticut's Development & Future. It is anticipated this Bill will have a meaningful impact on municipal zoning & municipal obligations to enable housing that meets the needs of Connecticut residents. There was PZC consensus to further discuss this issue when additional board members are present.

b. Update Franklin Hills - Boundaries Site Inspection Reports: Carly reported on boundaries reports dated, 6.23.21, 7.7.21 & 7.12.21. Currently repairs and functions are working well. However, at one point, it took two months for Franklin Hills to respond to a need for repair on a check dam.

- c. Recreational Cannabis: There was review of a general document about recreational cannabis use by individuals age 21 and older. Additionally, topics related to zoning included, but were not limited to, cannabis establishments, cultivator, delivery service, hybrid retailer, food & beverage manufacturer, micro-cultivator, and retailer.

Attorney Matt Willis provided a detailed review of this issue and recommended the Commission review this topic and begin the decision-making process sooner than later. In summary, he noted this topic would have a considerable impact on Zoning Regulations for the Town.

There was PZC consensus to table this topic to the next regular meeting.

7. Report Wetlands Official: Carly Holzschuh reviewed the Towne Engineering project review letter dated July 1, 2021, for the IWWC application for a proposed 182 Tractor Trailer parking lot facility. Towne Engineering noted items to be addressed by the applicant and recommended conditions of approval. IWWC approved this application in July with such conditions.
8. Report of the Building Official: No report.
9. Report of the Zoning Enforcement Official
- a. Portable Saw Mill Activities / Sullivan / Old Driscoll Farm property: Mr. Chalecki indicated the property owner had previously said he was going to be using a portable saw to work with materials related to re-build the existing barn on site. Currently, it looks like this portable saw mill activity has now turned into a full operating business. Property owner now makes and sells custom chairs, pergolas, and tables. This current operation does not meet zoning regulations defining home-occupation and therefore is non-compliant. Property owner has been notified that he must file an application with the Planning & Zoning Commission for a mixed-use business operation. Additionally, Mr. Chalecki informed the property owner that the large wood posts on the property are within the State of CT right-of-way. Property owner responded that he has approval from the State of CT.
- b. Pond Road: Abandoned Mobil Home. Mr. Chalecki noted this property and the mobile home on site have been abandoned for years. The bank officially owns this property. A letter will be sent to the lienholder.
10. Unfinished Business:
- a. **Application #21-06 – Guy Hesketh - Grossman Companies**: New Site Plan Review for Regulated Activities within the upland review area; Property located at New Park Ave / Wisconsin Avenue, GIS Map 44, Lot-3, 11.29, Zoned I; Existing use of property is vacant land, proposed activity is creating 182 space parking lot for tractor trailers

APPLICANT / PRESENTATION: Guy Hesketh, P.E., F.A. Hesketh & Associates, was present to represent the applicant. There was review of revised Site Plans, dated July 1, 2021. Revisions were in response to Towne Engineering comments dated June 22, 2021. In addition, Mr. Hesketh submitted a memorandum, dated June 29, 2021, documenting his responses to Towne Engineering.

TOWN PLANNER COMMENTS: Carly Holzschuh reviewed revised site plans and is in agreeance with conditions of approval outlined in Towne Engineering memorandum.

ZONING ENFORCEMENT OFFICER: Mr. Chalecki reviewed revised site plan and noted conditions of approval shall be listed on the site plans.

MOTION #3 (07.20.21): made by Peter Ballaro **SECONDED BY** Patty Osten that the Planning & Zoning Commission approved Application #21-06 Guy Hesketh, Grossman Companies, for the 182 Tractor Traylor parking facility, with the following conditions:

1. Site Plan Mylars to be filed in the Town Clerks office within 90 days after appeal period
2. Conditions of Approval be noted on Site Plans prior to filing
3. Bonds be posted as required by Inland Wetlands & Watercourses Commission - as follows:
 - a. Erosion and Sediment Control Bond in the total amount of \$25,000 with \$5,000 being provided in cash or passbook savings account (to be determined by Town Treasurer) and balance provided in commercial surety or letter of credit (in a form acceptable to Town Treasurer)
 - b. In Accordance with Town of Franklin Fee Ordinance that a deposit of \$3000 be provided for construction inspections by your Agent or other Town Staff

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

11. New 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

MOTION #4 (07.20.21): made by Patty Osten **SECONDED BY** Peter Ballaro that the Planning & Zoning Commission schedule a Public Hearing for **Application #21-05 Richard & Kara Vendola** for Tuesday, August 17, 2021, 7:30 p.m.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

- b. **Application #21-07 Mike Tules, K-Best USA:** Zone Change Request for property (proportional) located at 931 Route 32, North Franklin, CT., Assessor's Map 3, Lot 7, Zoned R-120, Existing Zone is R-120 – proposed Zone is C-

MOTION #5 (07.20.21): made by Peter Ballaro **SECONDED BY** Patty Osten that the Planning & Zoning Commission schedule a Public Hearing for **Application #21-07 Mike Tules, K-Best USA** for Tuesday, August 17, 2021, 7:35 p.m.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

12. Public Comment: None

13. Adjournment:

MOTION #6 (07.20.21): made by Patty Osten **SECONDED BY** Peter Ballaro that the Planning & Zoning Commission adjourn at 8:40 pm

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

Respectfully submitted,
Sherry Pollard,
Administrative Assistant to the Commission