

TOWN OF FRANKLIN
PLANNING & ZONING COMMISSION (PZC)
FRANKLIN TOWN HALL
7 Meetinghouse Hill Rd.
MINUTES
REGULAR MEETING
October 20, 2020 7:30 p.m.

1. Call to Order: Chairman McGuire 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 Members Absent: Leo Bienvenue, Patrick McCarthy, Don McClure

Also Present: Ron Chalecki, Zoning Enforcement Officer, Charlie Grant, First Selectman, Carly Myers, SECCOG, Town Planner

2. Recognition of Visitors: Joe Boucher, Towne Engineering representing Application PZC #20-02.

3. Public Hearing:

- a. **PZC #20-02 Windham Materials: New Commercial Site Plan, Special Exception:** Five (5) Year Renewal Request for property located on 949 Route 32 & Pleasure Hill Rd., Map 4, Lot 2, & Map 1, Lots 13, 14, 15, & 16, Zoned R-120; Existing Use is active earth excavation.

APPLICANT / PRESENTATION: Joe Boucher, Towne Engineering, was present and gave a brief history of this project. He submitted a comprehensive history timeline, description of proposed activities, traffic & pedestrian safety, surrounding property values, environmental quality, public utilities & stormwater drainage, impact on appropriate use of adjoining properties, bonding, and conditions of approval for Section VI. Site Plans dated August 1, 2020 were submitted into the record. All abutting property owners have been contacted.

TOWN STAFF: Zoning Enforcement Officer, Ron Chalecki, indicated Windham Materials has a history of doing an excellent job with all excavation activities and administration of this project. The site has always been well managed and maintained. At such time the applicant resumes site activities, Mr. Chalecki will be making regular inspections and will report back to the Commission.

MOTION #1 (10.20.20): made by Matt Calvert SECONDED BY Patty Osten that the Planning & Zoning Commission close the Public Hearing at 7:46 p.m.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

4. Additions to the Agenda:

- a. **MOTION #2 (10.20.20):** made by Matt Calvert SECONDED BY Patty Osten that the Planning & Zoning Commission add Approval of Meeting Schedule 2020 to the Agenda – item 11 b.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

5. Approval of Minutes:

- a. September 15, 2020:

MOTION #3 (10.20.20): made by Patty Osten SECONDED BY Matt Calvert that the Planning & Zoning Commission approve meeting minutes of September 15, 2020– as amended: Carly Myers is changed to Holzschuh throughout the minutes

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

6. Report of the Zoning Enforcement Officer:

G&S AUTO SALES REPAIR, 66 ROUTE 32: Discussion took place on the paved area in front area of this property. It is believed cars from the auto repair business are being parked in the State right-of-way area without an approved encroachment permit from the State Department of Transportation. The Town of Franklin needs proof of DOT approval.

7. Correspondence/Commission Matters:

a. State of CT Department of Transportation - Single Family Lot Development - Route 87: The Commission received correspondence from the Department of Transportation, dated September 17, 2020, for a single-family lot development for Gardner on Route 87 and associated encroachment permit. The letter indicated proof of Town approval has not been submitted, therefore, work within the state right-of-way is denied.

b. CT Federation of Planning & Zoning Agencies Quarterly Newsletters: reviewed as submitted.

8. Report of Building Official: N/A

9. Report of Wetlands Official: Carly Holzschuh reported IWWC did not meet in October.

10. Unfinished Business:

a. **PZC #20-02 Windham Materials: New Commercial Site Plan, Special Exception:** Five (5) Year Renewal Request for property located on 949 Route 32 & Pleasure Hill Rd., Map 4, Lot 2, & Map 1, Lots 13, 14, 15, & 16, Zoned R-120; Existing Use is active earth excavation.

MOTION #4 (10.20.20): made by Matt Calvert SECONDED BY Patty Osten that the Planning & Zoning Commission approve PZC #20-02 Windham Materials, site plan dated August 1, 2020, with the following conditions:

1. Current commercial surety bond held by the Town in the amount of \$40,000 remain in place to ensure compliance with approved site plan.
2. Additional 10% or \$4,000.00 (plus accrued interest) remain posted with the Town in a pass book savings account held by the Town for any Erosion and Sedimentation issues that occur as the result of the proposed activity.
3. Maximum excavation depth permitted be no more than one foot below the final proposed level.
4. No topsoil shall be removed from the property until the entire section has been fully graded and restored in accordance with the approved plans.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

a. Affordable Housing Plan: Carly Holzschuh reviewed the Draft Affordable Housing Survey. PZC members reviewed the survey and offered comments and suggestions.

MOTION #5 (10.20.20): made by Patty Osten SECONDED BY Matt Calvert that the Planning & Zoning Commission approve the Affordable Housing Survey

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

11. New Business:

- a. Update: Franklin Hills Estates & Country Golf Course: There was discussion about the condition of the current site, property ownership & responsibility, erosion and sedimentation controls, lack of drainage site reports by applicant’s professional engineers, and project accounts.

There was review of PZC & IWWC Conditions of Approval. There is concern the applicant or its agent has not retained a qualified engineer to act as site monitor for this project as required by such conditions. Additionally, there is concern the Site Inspection Account meant to be utilized by Town Staff when it is deemed necessary that our Town Engineer to go out and review the site is being charged against for engineering site visit services the applicant should be responsible for. There was consensus the Town Planner, acting as the point-of-contact, write a letter addressing these concerns and send it to the applicant - Franklin Hills Estates & Country Club.

- b. Approval of Meeting Calendar 2021:

MOTION #6 (10.20.20): made by Patty Osten SECONDED BY Matt Calvert that the Planning & Zoning Commission approve the 2021 Meeting Calendar – as amended: 1) Bottom of Page: Date should Read January 18, 2022

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

12. Public Comment: N/A

13. Adjournment:

MOTION #7 (10.20.20): made by Matt Calvert SECONDED BY Patty Osten that the Planning & Zoning Commission adjourn at 8:19 p.m.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

Respectfully Submitted,
 Sherry Pollard,
 Land Use Administrative Assistant