

**TOWN OF FRANKLIN
PLANNING & ZONING COMMISSION (PZC)
FRANKLIN TOWN HALL
7 Meetinghouse Hill Rd.
REGULAR MEETING MINUTES & PUBLIC HEARING
June 21, 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 7:32 p.m.

Members Present: Secretary Matt Calvert, Patrick McCarthy, Chairman John McGuire III, Josh Gagnon, Thomas Miner.

Alternate Member Absent: Tammi Avery, Leo Bienvenue.

Staff Present: Ron Chalecki Zoning Enforcement Officer, Nicole Haggerty, Town Planner

2. Recognition of Visitors: Sign in sheet provided.

3. Public Hearing:

Following passage of Public Act 21-29, several updates to Franklin Zoning Regulations are mandated, while Franklin may choose to opt-out of allowing Accessory Dwelling Units (ADU's) by right.

- a. **PZC Application #22-06 – Franklin Planning and Zoning Commission.** Application for regulation amendments per CT Public Act 21-29 amending Section 1.3 Purpose; Sections 9.11, 10.16, and 10.18 to eliminate minimum floor areas; Section 9.15.1 to reduce parking requirements for some residential uses; and clarify definition of "Mobile Home" under Section 2.

There was review of amendments outlined in correspondence from Nicole Haggerty addressed to the Commission, dated June 16, 2022. Section A. detailed changes.

PUBIC COMMENTS: (1) Roland Mihok asked why regulations amendments were being put forth. Chairman McGuire responded that the Town of Franklin is aligning with the State Statutes.

MOTION #1 made by made by Matt Calvert **SECONDED BY** Josh Gagnon that the Planning & Zoning Commission close the Public Hearing

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

- b. **PZC Application #22-07 – Franklin Planning and Zoning Commission.** Application to opt out of the Accessory Dwelling Unit provisions contained in CT Public Act 21-29.

There was review of amendments outlined in correspondence from Nicole Haggerty addressed to the Commission, dated June 16, 2022. Section B. detailed changes.

PUBIC COMMENTS: NONE

MOTION #2 made by made by Matt Calvert **SECONDED BY** Josh Gagnon that the Planning & Zoning Commission close the Public Hearing

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

- c. **PZC Application #22-08 – Franklin Planning and Zoning Commission.** Application for regulation amendment to allow Accessory Dwelling Units as a permitted use per CT Public Act 21-29 adding new section 9.29.

There was review of amendments outlined in correspondence from Nicole Haggerty addressed to the Commission, dated June 16, 2022. Section C. detailed changes.

PZC would like to further review definitions on cooking facilities, gray water systems, sewer systems and how this is connected to approvals granted by Uncas Health Department, etc.

MOTION #3 made by made by Matt Calvert **SECONDED BY** Patrick McCarthy that the Planning & Zoning Commission keep Public Hearing open

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

4. Additions to Agenda:

MOTION #4 made by made by Chairman McGuire **SECONDED BY** Josh Gagnon that the Planning & Zoning Commission add Application #22-09, Commercial Site Plan Review, Sound Petroleum,

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

5. Approval of Minutes:

a. May 17, 2022 Regular Meeting:

MOTION #5 made by Josh Gagnon **SECONDED BY** Tom Miner that the Planning & Zoning Commission approve May 17, 2022 Regular Meeting Minutes – as amended:

- Agenda Item 12 - second & third paragraph is changed to read: Chairman McGuire noted The Plan of Conservation and Development is a good document to consider in terms of incorporating ideas that residence may have in defining the future character of the Town. The Planning & Zoning Regulations are the document that defines designated zoning and uses in the Town. If there is interest in changing existing zoning, there is an available application process defined as a proposed text amendment to the regulations.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

6. Correspondence/Commission Matters: none.

7. Report Wetlands Official: Ron Chalecki:

- **JOSEPH RANDAZZO:** Southeast Corner of Route 32. New gas station w/parking & warehouse / office building with units for lease. Accepted withdrawal request by applicant/attorney.
- **VINEYARD SKY FARMS CORP:** 948 Route 32. Sheep grazing, removal trees/shrubs, install fence at solar facility. Accepted Jurisdictional Ruling.
- **GARRETT HOMES LLC:** New Site Plan Review for Significant Activities; Property located at 99 Route 32. Scheduled Public Hearing July 13, 2022, 7:30 PM
- **SULLIVAN – 204 RT 32:** Ron Chalecki updated Commission on Cease & Desist. Concerns remain. DEEP reviewing. Possible undesirable wood related materials being placed in wetlands/pond.
- **57 DR. NOTT:** Machinery very close to pond. DEEP reviewing. Property owner has agreed to move equipment out of the pond area.

8. Report of the Building Official: None

9. Report of the Town Planner: Nicole Haggerty:

a. Update: Public Act 21-29 Affordable Housing Plan – State Mandated Text Amendment

Town Planner submitted Draft Plan for review & discussion. OPM is involved in process. PZC Options: Option (1) add to July 19, 2022 Agenda or Option (2) Hold Public Hearing.

MOTION #6 made by made by Matt Calvert **SECONDED BY** Thomas Miner that the Planning & Zoning Commission schedule Public Hearing August 16, 2022, 7:30 PM

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

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

Town Planner submitted an Overview Report on Municipal Obligations Related to Passage of Public Act 21-1: An Act Concerning Responsible & Equitable Regulations of Adult-Use Cannabis, dated August 1, 2021 (Updated June 1, 2022).

MOTION #7 made by made by Matt Calvert **SECONDED BY** Thomas Miner that the Planning & Zoning Commission schedule Public Hearing July 19, 2022, 7:30 PM

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

10. Report of the Zoning Enforcement Official:

- a. **66 ROUTE 32 GUY PALAZZO:** Regarding the past issue of Mr. Palazzo parking cars in State right-of-way without approved lease agreement with Department of Transportation. Ron Chalecki referenced DOT Letter dated May 18, 2022, regarding the lack of response from Mr. Palazzo regarding the potential lease. The letter indicated If a response is not received by May 31, 2022 – DOT will suspend the request for lease and it will become invalid. No response has been received by DOT or the Town of Franklin. Mr. Palazzo is now non-compliant with PZC approved Site Plan.

MOTION #8 made by made by Josh Gagnon **SECONDED BY** Thomas Miner that the Planning & Zoning Commission recommend Ron Chalecki move forward with a Cease & Desist Order

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

- c. **204 Route 32. C&D Chris Sullivan:** Cease and Desist order issued.

- d. **90 Dr. Nott Rebecca Burchell:** Business Advertisement removed from Rover.com. No further action needed.

11. Unfinished Business:

- a. **PZC Application #22-06 – Franklin Planning and Zoning Commission.** Application for regulation amendments per CT Public Act 21-29 amending Section 1.3 Purpose; Sections 9.11, 10.16, and 10.18 to eliminate minimum floor areas; Section 9.15.1 to reduce parking requirements for some residential uses; and clarify definition of “Mobile Home” under Section 2.

MOTION #9 made by made by Matt Calvert **SECONDED BY** Josh Gagnon that the Planning & Zoning Commission approve Application #22-06 Regulation Amendment – as presented

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

- b. **PZC Application #22-07 – Franklin Planning and Zoning Commission.** Application to opt out of the Accessory Dwelling Unit provisions contained in CT Public Act 21-29.

MOTION #10 made by made by Matt Calvert **SECONDED BY** Josh Gagnon that the Planning & Zoning Commission approve Application #22-07 – as presented

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

- c. **PZC Application #22-08 – Franklin Planning and Zoning Commission.** Application for regulation amendment to allow Accessory Dwelling Units as a permitted use per CT Public Act 21-29 adding new section 9.29. Action taken above.

12. New Business:

- a. **Application #22-09 SOUND PETROLEUM:** Commercial Site Plan Review, Sound Petroleum, property located at 532 Pond Road, Assessor's Map 12, Lot 45; Zoned C-2, proposed use:

Applicant or representative was not present. Application materials previously submitted included site plans dated 1.21.22, project check list, wetland delineation report from John Ianni, Professional Soil Scientist, dated May 14, 2012 verifying accuracy of delineation previously completed by Datum Engineering, Uncas Health District application, letter from Wes Wentworth to CT DOT dated June 20, 2022 requesting review of site plans, statement of use letter dated June 20, 2022 from Wes Wentworth to PZC Chairman John McGuire explaining phased approach:

- Phase I = Propane distribution facility
- Phase I = Propane Delivery / Storage / Office / Retail Showroom
- Phase II = Storage (non-propane facility) Office Space Lease

After a full review, PZC and Mr. Chalecki questioned whether this application as submitted should be designated as a mixed-use requiring a public hearing due to the Phase II portion of proposed activities not directly related to operation of propane distribution facility.

Application was accepted and tabled to the next regular meeting of July 19, 2022.

13. Public Comment:

1. Stori Beckwith asked for clarification on proposed commercial use for Application #22-09
2. Ron Chalecki noted if use is permitted for propane storage tanks only – application will move forward. If mixed-use is determined a public hearing will be required.

14. Adjournment:

MOTION #11 made by Matt Calvert **SECONDED BY** Patrick McCarthy that the Planning & Zoning Commission adjourn at 9:21 pm.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

Respectfully submitted,

Sherry Pollard,

Administrative Assistant to the Commission