

TOWN OF FRANKLIN
PLANNING & ZONING COMMISSION (PZC)
FRANKLIN TOWN HALL
7 Meetinghouse Hill Rd.
Franklin, CT 06254
REGULAR MEETING MINUTES
Tuesday, June 20, 2023, 7:30 p.m.

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

Members Present: Patrick McCarthy, Chairman John McGuire III, Thomas Miner. **Members Absent:** Josh Gagnon, Secretary Matt Calvert. **Alternate Members Present:** Tammi Avery. **Alternate Members absent:** Leo Bienvenue. **Also Present:** Ron Chalecki, Zoning Enforcement Officer, Nicole Haggarty, SECCOG Town Planner. Tammi Avery was seated for Josh Gagnon.

2. Recognition of Visitors: Attendance Sheet provided.

3. Additions to Agenda: None

4. Approval of Minutes:

- a. May 16, 2023:

MOTION 1 made by Patrick McCarthy **SECONDED BY** Tammi Avery that the Planning & Zoning Commission approve May 16, 2023 meeting minutes as amended - (1) Corrected spelling - **Saw "Mill"**

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

5. Correspondence / Commission Matters: None

6. Report of Wetlands Official: Ron Chalecki reported:

99 ROUTE 32 / DOLLAR GENERAL: Site work nearing completion. Contractor required to submit as-built to comply with IWWC approved site plans. Contractor followed IWWC conditions very well. Replica Historic Mile Marker to be placed on property after site work completion.

7. Report of Building Official: None

8. Report of Zoning Enforcement Officer:

204 ROUTE 32 – CHRIS SULLIVAN: Sullivan brought large amount of fill/dirt onto his property. It is estimated he has exceeded 250 cubic yards maximum as outlined in regulations. It is estimated he has brought in 1200–1500 cubic yards. Dirt piles placed within ST of CT DOT right-of-way. DOT requested he move piles out of right-of-way. Franklin Town Attorney has been notified and intends to combine this violation with existing pending legal enforcement case between Town of Franklin and Mr. Sullivan.

MOTION 2 made by Tammi Avery **SECONDED BY** Patrick McCarthy that the Planning & Zoning Commission move Agenda Item #23-02 Hillandale Farms to this point in the meeting

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

**** New Business:**

- a. **PZC Application #23-02 Hillandale Farms Conn LLC;** property located at 39 Murphy Road, Franklin CT; Assessor's Map 44, Lot 8, Zoned C-2, current use is grain mill, proposed use is expansion of existing grain mill (built circa 1970) to incorporate new technology, which will eliminate requirement for jackhammering and incorporate water quality treatment

PRESENTATION / APPLICANT: Ellen Bartlett, CLA Engineers, was present to represent applicant. Submitted Revised Plans dated June 9, 2023. Submitted revised Statement of Use dated June 12, 2023. Existing grain mill built in 1970. Proposed project modifications/expansion will incorporate new state of the art technology, additional railroad tracks and elevators for loading/un-loading siloes, and demo/replacement of existing warehouse/mill building. Revised Bond estimate set at \$38,094.00. Ms. Bartlett provided a presentation including responses to all Towne Engineering concerns in their peer review letter dated June 16, 2023. Site Plans reflect responses.

FIRE MARSHALL: Approval email dated June 19, 2023 submitted by Mark Waters, Fire Marshall. At this point there are no issues with CT Fire Safety/CT Fire Prevention codes. Further review to include review/approval of detailed plans on actual renovation and new construction.

TOWNE ENGINEERING CONSULTING ENGINEER: Project Peer Review Report submitted dated June 16, 2023. Comments asked that site plans show sedimentation controls along area proposed to be excavated until areas are stabilized. Towne recommended conditions I and II be part of PZC approval as noted in report. (see MOTION below)

ZONING ENFORCEMENT COMMENTS: Ron Chalecki noted his concerns have all been met. Site Plans must be recorded in the Town Clerks office, Bonding must be submitted to the Town, and all outstanding application fees must be paid prior to construction, endorsement/filing of maps.

TOWN PLANNER COMMENTS: Nicole Haggerty indicated here concerns have all been met.

MOTION 3 made by Patrick McCarthy **SECONDED BY** Tammi Avery that the Planning & Zoning Commission approve PZC Application #23-02 Hillandale Farms site plan dated June 9, 2023 with the following conditions:

- I. Prior to earth disturbing activities, erosion and sedimentation controls be installed & approved by Wetlands Agent or Zoning Enforcement Officer including along area proposed to be excavated for compensatory flood storage.
- II. Bond amount be \$38,000. \$5,000 of bond be presented in some form of check, pass book, or readily accessible form accepted by Town Treasurer and balance of \$33,000 be provided in commercial surety or letter of credit again in form accepted by Town Treasurer. Both bonds to be held until site is fully stabilized and temporary E&S measures have been removed following final inspection by ZEO.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

- b. **PZC Application #23-03 Windham Materials LLC (Land & Sea Resources LLC);** Renewal/Extension; property located at Pleasure Hill Road, Franklin CT; Assessor's Map 2, Lot 2, Zoned R-120, current use gravel removal, proposed use is renewal of gravel removal permit

PRESENTATION / APPLICANT: Harold Hopkins was present to represent Windham Materials. He provided a brief explanation of proposed activity using a site plan map.

MOTION 4 made by Patrick McCarthy **SECONDED BY** Tammi Avery that the Planning & Zoning Commission approve Application 23-03 Windham Materials Excavation renewal for a one-year period ending June 18, 2023

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

9. Report of Town Planner: Nicole Haggerty:

- a. **2023 POCD – Discussion Recommendations & Future Land Use Plan:** Reviewed Draft Future Land Use Plan as submitted by Nicole Haggerty. Town of Franklin is updating Plan of Conservation & Development. Public hearing scheduled July 18, 2023 to gather public input.
- b. **Discussion Cannabis Regulations prior to the expiration of moratorium:** Temporary Moratorium in place through September 20, 2023. PZC discussed current moratorium and potential changes to Zoning Regulations to define allowance/allowance in-part/denial/denial in-part etc. - as associated to various potential cannabis related issues pursuant to Section 802 of CT State Statutes. Discussion to continue at July meeting.

10. Unfinished Business: None.

11. New Business: Above.

12. Public Comments:

STORI BECKWITH: Not in favor of cannabis retail in Franklin. In favor of cannabis growing in Franklin. PZC should consider changing zone in and around Route 32 and Route 207 intersection. Use of this area should be geared towards agriculture and residential uses and away from current C-2 Mixed-Commercial & Light Industrial Uses.

13. Adjournment:

MOTION 5 made by Patrick McCarthy **SECONDED BY** _____ that the Planning & Zoning Commission adjourn the meeting at 9:05 PM

VOICE VOTE: UNANIMOUS

MOTION CARRIES

Respectfully submitted,

Sherry Pollard

Administrative Assistant to the Commission