

TOWN OF FRANKLIN
PLANNING & ZONING COMMISSION (PZC)
FRANKLIN TOWN HALL
7 Meetinghouse Hill Rd.
Franklin, CT 06254
REGULAR MEETING MINUTES
Tuesday, August 15, 2023, 7:30 p.m.

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

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

2. Recognition of Visitors: Attendance sheet provided.

3. Public Hearing:

- a. Adoption of 2023 Plan of Conservation and Development. Per Section 8-23 of the Connecticut General Statutes (CGS) requires each municipality to prepare or amend and adopt a plan of conservation and development (POCD) at least once every ten years. At this hearing interested parties may appear and be heard and written correspondence received:

Nicole Haggarty submitted and reviewed current Draft POCD. Recent PZC recommendations, updated demographic information, and maps have been incorporated. PZC considered correspondence received from Beverly York, Professor of History, QVCC, Matthew Novosad, Franklin Town Historian, President Historical Society, Peter Calvert, 332 Lebanon Road, Franklin, CT., Alden Miner, Chairman, Ag conservation commission, Ashbel Woodward House, Michael Forino, Preservation Connecticut, Mike Miner, Sam Alexander, AICP, Planning III, SECCOG, and Lois Bruinooge, Executive Director, Last Green Valley

PUBLIC COMMENTS:

1. Mike Tules, K-Best USA - 931/933 Route 32, was present to discuss current business use interests and how uses relate to POCD update and Cannabis considerations in front of PZC. Property owners are showing interest in providing a food service establishment that can provide local farmers with processing, packaging, and cold storage services until foods can enter the local regional retail market. Property owners are also showing interest in the possibility of cannabis cultivation. Mr. Tules asked PZC to consider changing the zone on this property to Industrial which would then allow cannabis cultivation.
2. Nicole Haggarty indicated changing this property to Industrial could be considered spot zoning -- which is not allowed. Perhaps consideration of cannabis related uses could be considered by the POCD at least to address future possibility. Currently definition of industrial-commercial does not exist.

MOTION 1 made by Tom Miner **SECONDED BY** Tammi Avery that the Planning & Zoning Commission CONTINUE the Public Hearing to their Regular Meeting September 19, 2023

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

- b. Cannabis:

Nicole Haggarty submitted and reviewed current Draft Cannabis amendment: Proposed amendments seek to define "adult-use cannabis establishments", create use regulations for adult-use cannabis establishments in a new Section 8.3.9, lift a moratorium on such uses, and allow adult-

use cannabis establishments in the Industrial Zone by Special Permit. Summary letter submitted into the record from Samuel Alexander, AICP Planner III, SECCOG indicates proposed amendments will not have a negative inter-municipal impact.

PUBLIC COMMENTS:

1. Mike Tules, K-Best USA – 931/933 Route 32, spoke in favor of Cannabis amendments.
2. Stori Beckwith asked for clarification on public hearing notification process if zone change is proposed. Nicole Haggarty responded there is a specific process in place for PZC.
3. Alden Miner noted if PZC is to consider survey results related to cannabis establishments, it should be noted the survey was completed prior to changes enacted by the CT State.

MOTION 2 made by Josh Gagnon **SECONDED BY** Tom Miner that the Planning & Zoning Commission continue Public Hearing to their Regular Meeting September 19, 2023

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

4. Additions to Agenda: None

5. Approval of Minutes:

- a. July 18, 2023:

MOTION 3 made by Josh Gagnon **SECONDED BY** Tom Miner that the Planning & Zoning Commission table Minutes of July 18, 2023 to September 19, 2023

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

6. Correspondence / Commission Matters:

- a. Stanley Maxim Lucas Attorney at Law Letter – July 17, 2023: 631-635 Route 32: Interruption of Adverse Possession Claim Notice filed against Bingo Development LLC c/o Scott Donovan Associates Inc. – neighboring property c/o Scott Donovan Associates, Inc. Addressed to Ron Chalecki and cc'd to PZC Chairman PZC John McGuire III. For PZC informational purposes only.
 - b. Nicole Haggarty Letter – July 27, 2023 to Sam Giavara, Franklin Hills: Mr. Giavara asked about status of Town of Franklin - Franklin Hills approved permit. Nicole Haggarty noted most recent site plan was approved May 30, 2019. There was reference to CT State Statute 8.3 - it appears site plan approval is still active. This topic is associated to an inquiry from the State of Connecticut Office of State Traffic Administration as to whether this permit is still valid in order to consider a two-year reinstatement for the Traffic Investigation Report/permit for Franklin Hills.

7. Report of Wetlands Official: Ron Chalecki reported:

RANDAZZO APPLICATION: New Site Plan Review - southeast corner of Route 32/Route 207; construction of warehouse/office units. 8.5.23 - IWWC Commission determined application is a regulated activity and accept it.

99 ROUTE 32 / DOLLAR GENERAL: Temporary certificate of occupancy extended 30 days because advertisement sign was in wrong location, and, there is an erosion issue behind the building and a recent rain storm washed water towards wetlands. Holding E&S bond until corrected.

MYRON CAMOZZI-BLIGHT COMPLAINT: Corner of Route 32 and Dubrucki Rd: He is making progress towards cleaning equipment and debris.

WINDHAM MATERIALS: In response to previous Franklin resident concerns, the roadway exiting the Windam Materials site has been excellently maintained and there has been no debris in roadway.

8. Report of Building Official: None.
9. Report of Zoning Enforcement Officer:
10. Report of Town Planner: Nicole Haggerty:

RANDAZZO APPLICATION: New Site Plan Review - southeast corner of Route 32/Route 207; construction of warehouse/office units. Planning on submitting to PZC. Question: is this a site plan review with "special exception" ?. Ron Chalecki indicated typically PZC interprets this type of use as "multiple proosed uses" resulting in a special exception. Regulations talk about "mixed-use" as associated to single family dwelling, however, this property has not had a family dwelling on it.

A commercial flex-use park may have multiple different businesses with each unit operating with very different functions resulting in that some units could be permitted while others may be a special exception. PZC should not be in a position to review each and every unit on an on-going basis and should not create an open envelope for multiple uses. An existing "flex-park type business in town was approved as special exception. There was PZC consensus this potential application be considered mixed-use.

11. Unfinished Business:
 - a. PUBLIC HEARING: Adoption 2023 Plan of Conservation and Development September 19, 2023
 - b. PROPOSED CANNABIS REGULATIONS: September 19, 2023

12. New Business: None.

13. Public Comments:
 1. Stori Beckwith spoke about proposed new commercial activity around Route 32/Route 207. PZC should consider asking applicant to be aware of the character of this part of town and provide complimentary aesthetics and hours of operation with their plan proposal.
 2. Alden Miner spoke in favor of PZC consensus to apply a special exception to proposed flex-use project at the corner of Route 207 / Route 32. However, approval of this type of business in this area is not simple and would negatively impact the neighbors. It doesn't make sense to have a family/property owner sell development right across the street to preserve nature and then have one application after another looking to maximize commercial use across the street. Wetlands remains a concern.

14. Adjournment

MOTION 4 made by Josh Gagnon **SECONDED BY** Tom Miner that the Planning & Zoning Commission adjourn the meeting at 8:45 PM

VOICE VOTE: UNANIMOUS

MOTION CARRIES

Respectfully submitted,

Sherry Pollard

Administrative Assistant to the Commission