

**TOWN OF FRANKLIN**  
**PLANNING & ZONING COMMISSION (PZC)**  
**FRANKLIN TOWN HALL**  
**7 Meetinghouse Hill Rd.**  
**Franklin, CT 06254**

**REGULAR MEETING MINUTES**  
**Tuesday, April 18, 2023, 7:30 p.m.**

---

1. Call to Order: Chairman McGuire called the meeting to order at 7:31 p.m.

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

2. Recognition of Visitors: Attendance Sheet provided.
3. Additions to Agenda: None
4. Approval of Minutes:

- a. March 21, 2023:

**MOTION 1** made by Josh Gagnon **SECONDED BY** Thomas Miner that the Planning & Zoning Commission approve March 21, 2023 meeting minutes – as amended. Corrected spelling: “Eyesore”

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

5. Correspondence / Commission Matters: None
6. Report of Wetlands Official: Ron Chalecki reported:

**HILLANDALE:** 4.3.23 IWWC Approved. Condition - Ron Chalecki sets E&S Bond amount.

**GARRETT HOMES/DOLLAR GENERAL:** Site inspection performed by Ron Chalecki:

1. Contactor informed safety perimeter fence to be installed. Public persons were wandering around site. Numerous construction dangers exist.
  2. While digging in preparation of installation of retaining wall contractor left exposed tree root structure around existing tree. Tree is now weak and may either die or fall over. Contractor was notified to remove tree and plant replacement. Contractor replied tree was left so as not to dig in limits of clearing. Ron Chalecki is allowing digging in limits of clearing to remove tree and plant replacement.
7. Report of Building Official: None
8. Report of Zoning Enforcement Officer:

**REFERENCE ZONING REGULATION 4.4.3 FRONT YARD SET-BACK:** During the ZBA April 25, 2023 meeting and review of Application #23-01 Carl Margolis, ZBA discussed their interpretation of Zoning Regulation 4.4.3. as it applied to this application. Mr. Chalecki was present at this meeting and believes ZBA is interpreting Regulation 4.4.3 - DIMENSIONAL REQUIREMENTS “4.4.3. Front yard: 75 feet, as measured from the centerline, or 50 feet from the street right-of-way line, *whichever is greater*” in a different way than PZC has done historically. Clarification is needed to establish exact definition to avoid different interpretations between PZC and ZBA. Additionally, Zoning regulations should be amended to clearly define 4.4.4 so that it is not left up to interpretation.

**604 ROUTE 32:** Blight complaint/zoning violation - Myron Camozzi. Ron Chalecki inadvertently sent violation letter to Mr. Camozzi's "old" address last month so it was not received. Hand delivered letter to Mr. Camozzi recently and asked him to attend tonight's PZC meeting. He is not present. Will send official legal enforcement action letter to new address.

**MOTION 2** made by Matt Calvert **SECONDED BY** Josh Gagnon that the Planning & Zoning Commission move Windham Materials to this point in the meeting

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

- a. **PZC Application #23-01 Windham Materials/Land & Sea Resources LLC:** Renewal Excavation Permit, property located at Route 32 & Pleasure Hill Road; Assessor's Map 1, Lot 16 & 17, Map 4, Lot 2, Zoned R-120, current use is active earth excavation & vacant, proposed use earth excavation renewal

**APPLICANT/PRESENTATION:** Harold Hopkins, Windham Materials, was present and displayed mapping to show areas of proposed / renewal activity. There are concerns by resident that dirt/debris is being brought onto public roadway at exit of property by trucks exiting site. This causes potential unsafe driving conditions and is dirtying vehicles passing by. Mr. Hopkins agreed to monitor portion of public roadway where trucks enter/exit and agreed to clean roadway on an as-needed basis to be sure roadway is continuously clean.

**MOTION 3** made by Matt Calvert **SECONDED BY** Patrick McCarthy that the Planning & Zoning Commission approve Application 23-01 Renewal Permit Earth Excavation Windham Materials for a one-year period ending April 30, 2024 with the condition public roadway exiting site is cleaned on an as-needed basis

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

9. Report of Town Planner:

- a. **2023 POCD – Discussion Recommendations & Future Land Use Plan:** Town Planner submitted memorandum outlining recommendations and reference mapping including "Franklin Future Land Use", "Franklin Current Zoning", and "Franklin Sewer Service". Population datum was also submitted.
- b. **New Edition of What's Legally Required:** Available for purchase. Excellent reference material.

10. Unfinished Business: None

11. New Business: Above.

12. Public Comments: **Alden Miner:**

1. In reference to Windham Materials: PZC should seek additional definition on what has been done on this property related to Regulation 10.4.3 – GRADING & EXCAVATION - "At the conclusion of the operation or of any substantial portion thereof, the whole disturbed area must be covered with not less than four inches of topsoil and seeded with a suitable cover crop, unless it is shown on the plan that the condition of the area will be at least comparable to the condition prior to the operation."
2. In reference to PZC vs. ZBA interpretation on Regulation 4.4.3 - DIMENSIONAL REQUIREMENTS as noted above: Agreed clarification is need to establish exact definition in regulations.

13. Adjournment:

**MOTION 4** made by Matt Calvert **SECONDED BY** Patrick McCarthy, that the Planning & Zoning Commission adjourn the meeting at 9:18 PM

**VOICE VOTE: UNANIMOUS**

**MOTION CARRIES**

Respectfully submitted, *Sherry Pollard*, Administrative Assistant to the Commission