

**TOWN OF FRANKLIN  
PLANNING & ZONING COMMISSION (PZC)  
FRANKLIN TOWN HALL  
7 Meetinghouse Hill Rd.  
REGULAR MEETING MINUTES & PUBLIC HEARING  
June 15, 2021, 7:30 p.m.**

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

**Members Present:** Peter Ballaro, Secretary Matt Calvert, Chairman John McGuire III, Pat Osten, James Wheeler. **Alternate Members Present:** Patrick McCarthy. **Alternate Members Absent:** Leo Bienvenue, Don McClure. **Also, Present:** Ron Chalecki, Zoning Enforcement Officer, Charlie Grant, First Selectman, Carly Holzschuh, AICP, SECCOG Town Planner, Roland Mihok Resident, and Lynda Craney Town Clerk.

2. Recognition of Visitors: Joe Boucher, Harold Hopkins, John Faulise, Martin McKinney, Susa Allen.

3. Public Hearing:

- a. **Application #21-04, Windham Materials LLC:** New Commercial Site Plan, Special Exception, for property located at Pleasure Hill Rd., Assessor's Map 2 Lot 2, Zoned R-120, existing use is vacant, proposed use is earth excavation

**APPLICANT / PRESENTATION:** Joe Boucher and Harold Hopkins were present to represent the application. Mr. Boucher provided a brief history on longstanding excavation activities associated to this application. It is estimated 505,000 cubic yards of material, about 12.2 acres, will be excavated out of the of the total 75.50 acre parcel.

Mr. Boucher previously submitted into the record a detailed and informative Supplemental Applications Materials Report. It was noted, project activities will occur about 180 feet from Town of Windham town line, John Ianni, Professional Soil Scientist, of Highland Soils has inspected the site and determined that there are no Wetlands Regulated Soils in proposed excavation area or within 50' of any proposed activity, traffic study prepared by David Spear PE of DLS Traffic Engineering indicated proposed excavation activity would not create a traffic nuisance, infrastructure necessary for this application including the access road is currently in place and in use, and the access road across the K-Best USA and Franklin Nasin properties is well maintained. In summary, current application proposed no increase in intensity of overall operations that have been occurring since 2002.

**PZC COMMISSION CONCERN:** There was general consensus that the shape and depth of the excavation are a bit concerning. Harold Hopkins responded in that he does not intend to leave an open hole and will fill it. Intent is to utilize all material on site. Commission members were concerned the hole would collect water. Harold Hopkins responded that it will not fill with water because the water-table is lower than the hole itself.

**TOWN PLANNER CONCERNS:** Carly Holzschuh is similarly concerned with the length and depth of the hole.

**ZEO CONCERNS:** Agrees the configuration resembles that of a trench. However, proposed application and site plan design meets Zoning Regulations.

**PUBLIC COMMENTS:** Susan Konow talked with Mr. Boucher previously about her concerns in that the Young property abuts the Sprague Preserve. She was concerned excavation would impact the preserve. Harold Hopkins assured her the site will be stabilized 100% at each phase of work.

**MOTION # (06.15.21):** made by Patty Osten **SECONDED BY** Matt Calvert that the Planning & Zoning Commission close the Public Hearing at 7:59 pm

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

## 4. Additions to Agenda:

**MOTION # (06.15.21):** made by Matt Calvert **SECONDED BY** Jim Wheeler that the Planning & Zoning Commission add the following to the Agenda:

- Review of recent Boundaries report on Franklin Hills 6.1.21

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

## 5. Approval of Minutes:

## a. May 18, 2021

**MOTION # (06.15.21):** made by Peter Ballaro **SECONDED BY** Matt Calvert that the Planning & Zoning Commission table minutes of May 18, 2021 to the next regular meeting

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

## 6. Correspondence / Commission Matters:

- a. Norwich ZBA Meeting Public Notice – Activity within 500 ft of Franklin: Carly Holzschuh will review ZBA applications: 1) Myrtle Drive 80 Apartment Building Complex, and 2) 28 Falls Ave. Commercial Bulk Facility Front Yard Set Back reduction.

## 7. Report Town Planner:

- a. Affordable Housing Plan: Carly Holzschuh recommended PZC pause on their work on the Plan in order to line-up with State Law. State law is a bit complicated and contains a lot of information. Additionally, there will need to be associated changes to the Franklin Plan of Conservation and Development in 2 years according to State Statute.
- b. Affordable Housing Bill (HB 6107): Due to the complexity of the State Affordable Housing Bill 6107 (PA 2109), Carly Holzschuh recommended the Town Attorney attend a PZC meeting to discuss impacts these acts will have on our Zoning Regulations.
- c. Franklin Hills Boundaries Report (6.1.21): 1 repair was necessary and Mr. Giavara provided an Email dated June 12 indicating repairs were completed.

## 8. Report Wetlands Official: At their June 1, 2021 meeting IWWC tabled review of the following application allowing time for review of storm water management details by the Towns Consulting Engineers.

- **IWWC 21-04 – GROSSMAN COMPANIES:** New Site Plan Review for Regulated Activities within the upland review area; Property located at New Park Ave / Wisconsin Avenue, GIS Map 44, Lot-32, 11.29, Zoned I; Existing use of property is vacant land, proposed activity is creating 182 space parking lot for tractor trailers.

## 9. Report of the Building Official: NONE

## 10. Report of Zoning Officer: NONE

## 11. Unfinished Business:

- a. **Application #21-04, Windham Materials LLC:** New Commercial Site Plan, Special Exception, for property located at Pleasure Hill Rd., Assessor's Map 2 Lot 2, Zoned R-120, existing use is vacant, proposed use is earth excavation

**MOTION # (06.15.21):** made by Jim Wheeler **SECONDED BY** Matt Calvert that the Planning & Zoning Commission approve Application #21-04, Windham Materials LLC, with the following conditions:

1. That a commercial surety bond in the amount of \$60,000.00 be presented to ensure compliance with approved site plan
2. Maximum excavation depth permitted be no more than one foot below final proposed level
3. No topsoil shall be removed from the property until entire excavation has been fully graded and restored in accordance with approved plans

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

10. New Business:

- a. **Application #21-06 – GROSSMAN COMPANIES: New Site Plan Review** for Regulated Activities within the upland review area; Property located at New Park Ave / Wisconsin Avenue, GIS Map 44, Lot-3, 11.29, Zoned I; Existing use of property is vacant land, proposed activity is creating 182 space parking lot for tractor trailers

**APPLICANT / PRESENTATION:** Guy Hesketh, P.E., F.A. Hesketh & Associates, was present to represent the applicant. There was review of the Site Plan, revised June 2, 2021, and the Storm Water Management Report [SWMP] revised June 4, 2021.

**Parking Lot:** Proposed activity is to pave the entire parking area. Considerable excavation and rock cuts will be necessary and is accounted for within the SWMP.

**Wetlands:** There are wetlands on the southern part of the site and intermittent water flow on site. No work will be conducted in wetlands, however, work will take place within the 50 ft upland review area. Parking spaces on the southern end of the site enter into the upland review area.

**TOWN PLANNER COMMENTS:** Carly Holzschuh discussed the importance and need for an efficient storm water filtration system effectively managing oils, salt, and water that will flow off the impervious surfaces. Additionally, there was concern that proposed parking spaces on the southern portion of the site enter into the 50 ft upland review area.

The applicant agreed to take a closer look at this area and propose moving spaces outside of the upland review area. Updated plans would be provided as soon as possible.

**MOTION # (06.15.21):** made by Jim Wheeler **SECONDED BY** Patti Osten that the Planning and Zoning Commission table PZC #21-06 **GROSSMAN COMPANIES** to the next regularly scheduled meeting to allow additional time for the Town Consulting Engineers to conduct a Staff Review of the Storm Water Management Report.

**VOICE VOTE: UNANIMOUS**

**MOTION CARRIES**

11. Public Comment: None

12. Adjournment:

**MOTION # (06.15.21):** made by Peter Ballaro **SECONDED BY** Matt Calvert that the Planning & Zoning Commission adjourn at 8:51 pm

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

Respectfully submitted,

**Sherry Pollard,**

Administrative Assistant to the Commission