

**TOWN OF FRANKLIN
PLANNING & ZONING COMMISSION (PZC)
FRANKLIN TOWN HALL
7 Meetinghouse Hill Rd.
REGULAR MEETING MINUTES & PUBLIC HEARING
October 19, 2021 7:30 p.m.**

1. Call to Order: Chairman McGuire called the meeting to order at 7:35 p.m.

Members Present: Peter Ballaro, Secretary Matt Calvert, Chairman John McGuire III, James Wheeler. **Members Absent:** Pat Osten. **Alternate Member Present:** Patrick McCarthy. **Alternate Members Absent:** Leo Bienvenue, Don McClure.

Also, Present: Ron Chalecki, Zoning Enforcement Officer, Carly Holzschuh, AICP, SECCOG Town Planner, First Selectman Charlie Grant, and Town Clerk Lynda Craney.

Chairman McGuire seated Patrick McCarthy for absent member Pat Osten.

2. Recognition of Visitors: All signed in.
3. Public Hearings:
 - a. **Application #21-08 Heidi Bardelli [continued]:** Regulation Text Change to allow for Dog Day Care & Boarding Business.

APPLICANT / PRESENTATION: Attorney Michelle F. Sigfridson and Heidi Bardelli were present to discuss this application. Ms. Sigfridson submitted an email dated October 6, 2021 indicating proposed text amendment language as follows:

“Add “On-Site Pet Care” as a use in the C2 zone by adding to Section 7.2.6; define “On-Site Pet Care” as “Premises maintained and operated as a business or day care of dogs or other common household pets, licensed by the State of Connecticut as Pet Day care and Boarding Facilities”

TOWN PLANNER COMMENTS: Mrs. Holzschuh indicated proposed language was somewhat vague and may need more detailed specifics in order for PZC to make an informed decision that addresses land use concerns. It was suggested the applicant review regulations of the abutting Town of Bozrah to use as an example. Additionally, it was noted this proposal should be considered a special exception relative to Section 7.2, and there should also be a corresponding change to Chapter 2 Definitions, and that PZC should seek an opinion from Town Legal Counsel as this is a regulation text amendment.

ZONING ENFORCEMENT OFFICER COMMENTS: Mr. Chalecki noted that a zoning text amendment applies to the entire town and not just one particular location; therefore, the language should be very specific and address all operational, safety, and environmental concerns.

PZC COMMENTS: Chairman McGuire agreed Town of Franklin Legal Council should review this proposed text amendment prior to PZC rendering a decision.

Attorney Michelle F. Sigfridson and Heidi Bardelli agreed to consider recommended adjustments as noted.

MOTION #1 (10.19.21): made by Matt Calvert **SECONDED BY** Jim Wheeler that the Planning & Zoning Commission continue the Public Hearing for Application #21-08 Heidi Bardelli to the Regular Meeting of November 16, 2021, 7:30 PM

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

4. Additions to Agenda: None
5. Approval of Minutes:
 - a. September 21, 2021:

MOTION #2 (10.19.21): made by Matt Calvert **SECONDED BY** Jim Wheeler that the Planning & Zoning Commission approve September 21, 2021 meeting minutes – as amended

1. Chairman McGuire called the meeting to order
2. Patrick McCarthy was seated for absent member Peter Ballaro
2. Agenda Item 10. Third to last sentence is changed to read:
 - “There is no power on site”
3. Agenda Item 11.; Zoning Enforcement Officer Comments: Remove sentence:
 - “Therefore, the site plan is not valid and cannot be approved as presented”

VOICE VOTE: UNANIMOUS; MOTION CARRIES

6. Correspondence / Commission Matters: None
7. Report Wetlands Official: Carly Holzschuh reported the latest Boundaries Report, dated 9.3.21, for the Franklin Hills property shows erosion and sedimentation controls are in place and working effectively.
8. Report of the Building Official: None
9. Report Town Planner:
 - a. Public Act 21-29 Affordable Housing Plan & Updates & Cannabis Updates to Franklin Zoning Regulations.
10. Report of the Zoning Enforcement Official:

PZC #21-03 VAGANGLES/26 MURPHY RD PROPERTY IMPROVEMENTS: Mr. McKinney requested in writing the town release the Erosion & Sedimentation bond for this project as it has been completed. Mr. Chalecki indicated the project is complete and the bond can be released.

MOTION #3 (10.19.21): made by Matt Calvert **SECONDED BY** Peter Ballaro that the Planning & Zoning Commission approve the release of PZC #21-03 E&S Bond in the amount of \$1,700.00

VOICE VOTE: UNANIMOUS; MOTION CARRIES

31 HOLTON RD: Mr. Chalecki reported it appeared as someone was living in a camper on this property. Property owner has been contacted and informed this is in violation of Town of Franklin Zoning Regulations. Currently, it now appears the camper has been vacated.

ROUTE 32/MAP 9 LOT 21 (OLD CLAUSON FARM): Mr. David Boyle was contacted and informed a zoning permit/Town approval must be obtained to validate use of an existing temporary residential unit that has been placed on the property at Route 32, Assessors' Map 9, Lot 21. A zoning permit was not filed. Mr. Chalecki sent Mr. Boyle a violation. Mr. David Held and Mr. Boyle submitted a ZBA application for Zoning Enforcement Appeal to argue the enforcement letter.

GUY PALLAZZO: Mr. Palazzo has asked the State to allow him to lease both the G&S Auto Sales and the abutting property (old package store) property rights-of-way. The State indicated this is not permitted because the properties are owner by two different people.

11. Unfinished Business:

- a. **Application #21-08 Heidi Bardelli:** Regulation Text Change to allow for Dog Day Care & Boarding Business. ACTION TAKEN ABOVE.

12. New Business:

- a. **Application #21-09 Windham Materials LLC (Franklin Nasin LLC);** Annual Renewal Excavation Permit, property located at 949 Route 32 & Pleasure Hill Road, Assessors Map 4, Lot 2; Map 1, Lots 13, 14, 15, 16 & 17, Zoned R-120, existing use of property is excavation, proposed use is continued excavation

MOTION #4 (10.19.21): made by Matt Calvert **SECONDED BY** Jim Wheeler that the Planning & Zoning Commission approve Application #21-09 Windham Materials LLC (Franklin Nasin LLC); annual renewal to October 31, 2022

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

13. Public Comment: None

14. Adjournment:

MOTION #5 (10.19.21): made by Matt Calvert **SECONDED BY** Peter Ballaro that the Planning & Zoning Commission adjourn at 8:28 pm

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

Respectfully submitted,

Sherry Pollard,

Administrative Assistant to the Commission