

**TOWN OF GRANBY
PLANNING AND ZONING COMMISSION
APRIL 9, 2013
MINUTES**

Present: Paula Johnson, Chairman, Margaret Chapple, Charles Kraiza, Paul Lambert, Eric Lukingbeal, James Sansone and Linda Spevacek. Also present were Francis Armentano, Director of Community Development and Kevin Clark, Town Engineer.

The meeting opened at 7:01 p.m.

Public session: There was no public comment.

ON A MOTION by James Sansone, seconded by Eric Lukingbeal, the Commission voted to approve the minutes of March 12, 2013 with the following corrections: Page 2, paragraph 1, sentence 5, should read: **Mr. Ugalde first indicated that a future development would not have more than 100 homes and later suggested that approximately 70-75 homes might be constructed on the property.** Page 2, paragraph 1, sentence 6, add at the end of the sentence: **and expressed concern about such a development within the Historic District.** All approved. Margaret Chapple abstained.

Public hearings:

The public hearing for an application seeking approval of a Special Permit under Section 3.12.1 of the Zoning Regulations to establish a bank within an existing building, unit C-2 of property located at 10 Hartford Avenue, File Z-6-13 opened at 7:04 p.m. Attorney Paul Maleck, representing Westfield Bank, stated this is a Massachusetts Bank and that they are planning to use the subject property primarily as a loan production center. The bank will consist of an ATM site with a night deposit receptacle. It will also serve as a branch for retail and business customers. This will be the Westfield Bank's first branch in Connecticut. No new exterior construction or drive-thru window is being proposed. They anticipate that 6-8 employees will be working at this location and that the hours of operation will blend very well with the additional plaza businesses. Attorney Maleck stated that there is ample parking on the site and that the employees will park in the back of the building. The ATM is located inside the building. A resident inquired about commercial loans. The public hearing closed at 7:10 p.m.

The public hearing for an application seeking approval of a Special Permit under Section 9.0 of the Zoning Regulations to excavate and remove sand, gravel, stone, loam, dirt and/or other earth products for property located at 329 Granville Road, with the proposed access to the site located on Peck Orchard Road, File Z-5-13 opened 7:12 p.m. Attorney Glenn Knierim, Jr., representing Peck Orchard Knoll LLC, introduced Tom Grimaldi, and Robert Hiltbrand, Engineers and Michael Girard, owner. Attorney Knierim stated this is a new application for an 11.68-acre parcel that has never been subdivided, zoned R2A and located between Peck Orchard Road and Granville Road. He noted that a prior application seeking the removal of approximately 350,000 yards had been withdrawn. He reviewed an issue regarding Section 9 of the Zoning Regulations

and the Commission's right to consider such an application, concluding that the application was properly filed in accordance with Section 9. He submitted for the file a copy of a court case, Bruce Aiken V. Killingly Planning and Zoning Commission, in support of this conclusion. Attorney Knierim noted that the current application proposes the removal of approximately 100,000 yards of earth and then went over some of the specifics in regards to the application. He called on Tom Grimaldi, PE to present the specific plans. Mr. Grimaldi went over Phase 1 and Phase 2 of the operation. He reviewed the access road, grading, drainage, sedimentation control and placement of structures on the property, common driveway, vegetation plan, reseeding of the property, buffering, and elevations. He noted that dust will be controlled with a water truck. He also noted that significant areas of vegetation, primarily trees, would be preserved along Peck Orchard Road and Granville Road. He explained that the site preparation for the 2 proposed homes would be internal to the site and that most of the storm water would be retained within this area. He spent additional time explaining drainage. The hours and days of the week of the operation were also discussed. Truck traffic and routes were discussed. The applicant is seeking a 2 year permit as outlined within the regulations. A letter from the FVHD stating that the 2 proposed building lots appear to be in compliance with the requirements for well and septic system installation. The applicant presented a 2-lot Feasibility Plan, showing the construction of 2 homes, which they determined could be undertaken without a Special Permit, in accordance with Section 9 of the Zoning Regulations. They indicated that this plan would require the removal of 93,000 yards of earth from the site. A discussion of this plan ensued. The Commission members asked many questions regarding the entire proposal, most of which were directed to Mr. Grimaldi. Town staff also responded to Commission questions. During the public comment portion of the meeting, many residents expressed concern for drainage, time frame, natural resources, environmental impact, pollution, truck traffic, noise, impact to area homes, maintenance of the drywells and the impact on scenic roads. Public comments expressed concern for area brooks, residential areas and wild life. A call for an environmental assessment was made along with a recommendation that the State Archeologist visit the site. A public comment in support of the application noted the improvements in the current plan and recognized the Commission's regulatory controls over this application, as opposed to the applicant's 2-lot feasibility plan, which might be permitted as of right. A comment on an individual's personal property rights was also expressed. Attorney Ken Slater, representing Doug and Linda Marshall, commented on the proposal. While voicing concerns, Attorney Slater noted the improvements over the previous application. Among other things, he expressed a concern for any future development on this site, which might be in addition to the proposed 2 homes. He commented on how the Commission's action might address this. He also indicated that less earth could be removed from the site while still providing an adequate area for the future homes. Upon conclusion he submitted a Verified Notice of Intervention and Request for Notice of Meetings. Town staff provided the Commission members with written correspondence received in regards to this matter, including e-mails received as late 5:50 pm on 4-9-2013.

The Commission members agreed to continue the public hearing to the meeting of April 23, 2013. The Commission asked the Town Engineer to evaluate the above noted applicants 2-lot feasibility plan as presented tonight. The Commission hoped that the Conservation Commission might comment on the matter. The public hearing adjourned at 10:00 p.m.

Old Business:

The application for the Safe Haven Wildlife Rehabilitation Center will be discussed at the next meeting.

New Business:

There was no new business.

Receive applications:

The Commission received no new applications.

Staff Reports and Correspondence was postponed until the next meeting.

Commission discussion of items of interest or concern:

ON A MOTION by Linda Spevacek, seconded by Eric Lukingbeal, the Commission voted to approve an application seeking approval of a Special Permit under Section 3.12.1 of the Zoning Regulations to establish a bank within an existing building, unit C-2 of property located at 10 Hartford Avenue, File Z-6-13. All approved.

The meeting adjourned at 10:05 p.m.

Respectfully submitted,

Dorcus S. Forsyth
Recording Secretary