

**TOWN OF GRANBY
PLANNING AND ZONING COMMISSION
FEBRUARY 28, 2012
MINUTES**

Present: Paula Johnson, Chairwoman, Margaret Chapple, Paul Lambert, Eric Lukingbeal, James Sansone and Linda Spevacek. Francis Armentano, Director of Community Development.

The meeting opened at 7:01 p.m.

Public session: There was no public comment.

ON A MOTION by Paul Lambert, seconded by Eric Lukingbeal, the Commission voted to approve the minutes of February 14, 2012 with the following correction: Page 3, paragraph 2, should read:

Eric Lukingbeal and Charles Kraiza recused themselves from this matter and did not vote.

All approved.

The minutes of the Special Meeting for 18 Candlewood Lane held February 17, 2012 were read into the minutes. It was noted that no official meeting was held due to a lack of a quorum.

Public Hearing:

The public hearing for an application seeking a Special Permit under Section 3.1.2.4 of the Zoning Regulations to establish a recreation area for the riding of a dirt bike in a residential R50 Zone for property located at 18 Candlewood Lane, File Z-16-11 opened at 7:03 p.m. James Sansone excused himself from the hearing. Attorney John Laudati, representing Mr. & Mrs. Cavaciuti, provided an overview of the situation and noted the preliminary hearing previously held with the Planning and Zoning Commission. He addressed complaints that were raised and commented that the applicants had reached out to the adjacent neighbors who have previously complained about the dirt bike activity. The Planning and Zoning Commission received a letter from Attorney Stephen Morelli, opposing the application. He represents the Gnesda's who abut the site. Attorney Laudati also noted the applicant has appealed a ZBA decision on this matter to the Connecticut Superior Court. He explained that the Cavaciuti property consists of seven acres, with a residential home, a barn and farm animals. The pasture supports the livestock and is used for training the horses. It is also used for mountain biking. Tracy Cavaciuti read into the minutes a complete review of the entire situation and said that they have tried to reach an agreement with the abutting neighbors but have been unsuccessful. They are seeking permission for the dirt bike track with significant limitations. These limitations apply to the hours that the dirt bike can be used and limit the use to their son Dylan Cavaciuti only. She is proposing that he would be permitted to ride his dirt bike on two Saturdays

per month for no more than two hours between 12:00 p.m. and 6:00 p.m. and three weekdays per week between 12:00 p.m. and 6:00 p.m. for no more than two hours. (Note that the hours are a slight modification then those originally outlined in the application, which did not limit the number of Saturdays to 2). A petition in support of the applicant, dated 5/21/11 which was submitted for the ZBA appeal was resubmitted for this application as exhibit A .A police report of a noise complaint dated 8/8/2010 was submitted as exhibit B. An inspection report from the Connecticut DEP outlining a complaint, dated 5-17-11, was submitted as exhibit C. A letter from Jeremy Mimitz, horse trainer was submitted as exhibit E. A variety of photos were also submitted, showing the pasture. Ms. Gnesta requested in an e-mail dated 1/17/12 that documents, letters and pictures submitted by her be placed into the file. A letter in opposition to the application was received from Algert and Leah Sanders who own property at 81 Quarry Road. Many people from the public attended the meeting. Most spoke in favor of the application and questioned the need for the application. Neighboring property owners, Susan Gnesda, 20 Candlewood Lane and Todd Klein, 15 Candlewood Lane voiced there concerns regarding the application. Numerous residents stated their desire for a more public dirt bike track where they or their children could ride. The public hearing closed at 8:27 p.m.

Receive Applications:

The Commission received an application seeking a Special Permit under section 8.15.17 of the Zoning Regulations to expand a Farm Store for property located at 130 Lost Acres Road. File Z-2-12 . The public hearing will be scheduled for March 13, 2012.

Staff Reports and Correspondence:

There were no staff reports or correspondence.

Commission discussion of items of interest or concern:

Jim Sansone questioned procedural issues.

The Commission members briefly discussed issues concerning 18 Candlewood Lane.

The meeting adjourned at 8:39 p.m.

Respectfully submitted,

Dorcus S. Forsyth
Recording Secretary