

**TOWN OF GRANBY
PLANNING AND ZONING COMMISSION
OCTOBER 9, 2012
MINUTES**

Present: Paula Johnson, Chairwoman, Charles Kraiza, Paul Lambert, Eric Lukingbeal, James Sansone and Linda Spevacek. Kevin Clark, Town Engineer and Francis Armentano, Director of Community Development were also in attendance.

The meeting opened at 7:03 p.m.

Public session:

Terry Wright, 83R Northwoods Road, repeated a variety of concerns, complaints and annoyances associated with the uses of dirt bikes on residential properties. He hoped that the Planning and Zoning Commission will continue to apply these concerns to other land uses that have the potential to create the same disturbances as dirt bikes. Chairwoman Johnson noted that the Town has created a Recreational Vehicle subcommittee to look into the dirt bike issue and asked if Mr. Wright was interested in volunteering. He was not.

ON A MOTION by James Sansone, seconded by Eric Lukingbeal, the Commission voted to approve the minutes of September 25, 2012. All approved.

Public hearing:

The public hearing on application for a Special Permit for a non-profit use, Safe Haven Wildlife Rehabilitation Center, located at 26 Loomis Road, File Z-16-12, opened at 7:08 p.m. Susan Dwyer, owner, stated she has been a licensed Wildlife Rehabilitator for 13 years working under the DEEP Wildlife Rehabilitation program. The property consists of 1.3 acres and is in a R2A residential zone. Ms. Dwyer rehabilitates small mammals, non-migratory birds, amphibians and reptiles. Her RVS permit allows her to also rehabilitate baby raccoons, skunks and foxes. She specializes in rehabilitating orphaned and injured infants but also cares for juveniles and some adults. Rehabilitation at Safe Haven primarily operates from March 1st through October 31st, but should the need arise during the off-season, Safe Haven will care for injured or distressed wildlife. The majority of the activity occurs on the second floor of the existing garage. The wildlife is brought in from around the state. Birds come from Connecticut and surrounding states. The DEEP does not allow the public around the wildlife that is to be released back into the wild so the public is not allowed at Safe Haven. All wildlife is released off site. Ms. Dwyer also stated she has seven volunteers and only one or 2 are allowed on the property at a time. The local neighbors stated the Dwyer's are good neighbors and this is a good cause but they feel that this type of facility may not be appropriate in a residential neighborhood. They expressed concerns for an increased population of roaming cats, the number of wild

and domestic animals on the property, lack of proper fencing around the property, the appearance of the property, health concerns for neighboring animals, the care of rabid or contagious animals, waste removal and disposal of deceased animals. They also stated that during the summer months there are very strong orders coming from the property. A trained volunteer for the facility stated all babies in the nursery are kept in containers. Only the raccoons are kept outside in fenced in cages. Ms. Dwyer answered questions and comments from the neighboring property owners. Fran read a letter into the minutes from Aimee & Andrew Gilbert, 18 Loomis Street. An aerial view of the property was submitted for the file. Jim Sansone suggested Ms. Dwyer talked to her neighbors. The public hearing adjourned at 7:47 p.m. to be continued October 23, 2012 to allow the Commission members time to visit the property.

The public hearing for an application for a Special Permit for Earth Excavation for property located at 329 Granville Road opened at 7:48 p.m. Tom Grimaldi, Engineer, R.R. Hiltbrand Engineers & Surveyors LLC, presented the application. He introduced Robert Hiltbrand, Jeff Gebrian, Landscape Architect and Michael, Gregg and Daniel Girard, Contractors who are also involved with this application. Mr. Grimaldi presented site plans and noted the property is 11.68 acres in an R2A zone located between Peck Orchard Road and Granville Road in North Granby. The proposed earth removal will occur on 7.4 acres of this site. The property contains approximately 1,300 feet of frontage along Granville Road and approximately 1,000 feet of frontage along Peck Orchard Road. The applicant proposes to remove approximately 347,000 yards of earth material. Access to the site is from Peck Orchard Road. The proximity of nearby homes was discussed. Mr. Grimaldi noted that Town Engineer, Kevin Clark, Director of Public Works, Jamie Klaus, and Francis Armentano, Director of Community Development have reviewed the plans and visited the site. Based on this review they asked that an alternative access to the site be considered. The applicant discussed a possible alternative access to the site which was located further to the west on Peck Orchard Road. This would result in a modified phasing of the removal, but the final grading plan would have few if any changes. Mr. Grimaldi went on to discuss the haul pattern. He noted that trucks leaving the site would travel south on Granville Road (Route 189). The project would be done in four phases and he outlined each phase. Mr. Grimaldi reviewed the grading, drainage, hours of operation, number of trucks per hour and site lines. Mr. Gebrian reviewed the reclamation of the site noting the types of trees, shrubs and grasses that would be planted. He also submitted photos of a completed Simsbury development. Mr. Michael Girard reviewed the removal and storage of topsoil, screening and crushing operations and the possible time frame of these procedures. Attorney Ken Slater, representing Doug and Linda Marshall and Linda Varcoe, suggested that the public hearing remain open so that the public could have ample opportunity to review all of the information and plans. He questioned the adequacy of the restoration plan and asked about such issues as managing the top soil, processing and hauling the materials and bonding the operation. Granby and Hartland residents expressed many concerns,

including the types and number of trucks a day on site, the direction of travel, traffic on Peck Orchard Road and trucks traveling through Granby, safety issues, concern for the area bridges, reconstruction on Peck Orchard Road, erosion control, water runoff, drainage, noise, hours of operation, the access road location, pollution, wildlife, environmental issues, the possible future 3-lot subdivision and property values. Chris Levandowski, 34 Peck Orchard Road said she and her husband were vehemently opposed to this proposal. She stated that this operation would be 200 feet from her window. This would destroy the beauty of their home and they don't view this as a residential application. Fran Armentano read a letter from Farmington River Watershed Association, which noted concerns related to this application. The Commission will visit the site before the next meeting. The public hearing adjourned at 9:52 p.m. to be continued to October 23, 2012.

Old Business: There was no old business.

New Business: There was no new business

Receive Application: There were no new applications.

Staff Reports and Correspondence: No additional items were discussed at this time.

Commission discussion of items of interest or concern:

The Commission discussed a date and time to visit 26 Loomis Street and 329 Granville Road.

Linda Spevacek noted that the Recreational vehicle subcommittee had its first meeting on October 4th.

The meeting adjourned at 9:58 p.m.

Respectfully submitted,

Dorcus S. Forsyth
Recording Secretary