

TOWN OF GRANBY
Planning & Zoning Commission
MEETING MINUTES
June 27, 2023

Present: Mark Lockwood, Chairman; Eric Myers, Vice Chairman, Jonathan Boardman, Christine Chinni, Erick Lukingbeal, Matthew Peters, and Brennan Sheahan

Also present: Abigail Kenyon, Director of Community Development, Alternate Paula Johnson and Alternate Robert Lavitt

1. Call to Order

Chairman Lockwood called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

3. Seating of Alternates, if applicable

No alternates were seated.

4. Public session, items not on the agenda or subject to a public hearing

None.

5. Action on minutes of June 13, 2023

ON A MOTION by E. Myers, seconded by E. Lukingbeal, the Commission voted (5-0-2) to approve the June 13, 2023 meeting minutes. Chairman Lockwood and Commissioner Sheahan abstained.

6. Public Hearings

Chairman Lockwood called the Public Hearing to order at 7:04 p.m.

a. Application seeking to renew a Special Permit under Zoning Regulations Section 9 for earth excavation, for property located at 536 Salmon Brook Street, Tilcon, I/R30/R50/ Zones: File Z-11-23.

Kevin Johnson, P.L.A., ASLA presented the application on behalf of the applicant. Chris Costello from Tilcon was also present. The applicant or previous owners have been removing earth material from this site for several years and come before the commission every two years for renewal. A site meeting was held in April 2023 and staff comments were addressed by the applicant. The site work is progressing according to plan. The bond and maps were updated and renewed for the period of the permit. Any previous conditions of the special permit will also be renewed.

The public hearing was closed at 7:08 p.m.

b. Application seeking a Special Permit under Zoning Regulations Section 8.20 for a 10 lot FRD re-subdivision, Cider Mill Heights, for property located at 604 Cider Lane, R2A Zone: File P-1-23.

Application was withdrawn.

c. Application seeking to renew a special permit under Zoning Regulations Section 9 for earth excavation, for property located at 67,87 and 95B Notch Road, R50 Zone: File Z-12-23.

The applicant, Hal Pierce from Pierce Builders, presented the application. In 2021, the Commission approved a special permit for excavation to remove a total of 500,000 yards of material and to date 151,400 yards have been removed. The applicant is before the Commission to renew the special permit. There are no proposed changes from what was approved in 2021, with the exception of the phasing plan. The change will keep the current work in the rear of the property and the front will be completed in the final phase. A. Kenyon and the Town Engineer met on site and the excavation appears to be progressing as planned. Several items were noted and have been addressed by the applicant except for the requirement of a report of a professional engineer verifying the excavation already completed conforms to the plan of operations as approved. If the Commission is so inclined, the application can be approved subject to receiving the favorable report and staff review. All previous conditions will still be applicable to the operation.

The public hearing was closed at 7:14 p.m.

d. Application seeking a re-subdivision for 6,8,10,11,15,17,19,21,22,24 and 26 Harness Way to reconfigure lot lines, including for the right of way and open space to be dedicated to the Town of Granby, Harness Way Development, R30 Zone: File P-2-23.

Guy Hesketh, from F.A. Hesketh & Associates, presented the application. The applicant is seeking a re-subdivision to reconfigure the lot lines at the Harness Way Development to correct an error made in the foundation placement on Lot 9. The foundation was poured 3.8 feet into the required front yard and therefore, did not meet the 30-foot setback requirement from the front property line. The developer applied to the Zoning Board of Appeals for a variance but was denied. A Certificate of Occupancy cannot be issued for a property if there is a zoning violation. A. Kenyon and the Town Engineer met at the site and are satisfied with the proposal to correct the issue. If the re-subdivision is approved, all lots will comply with regulations. Authorization from the owner of 19 Harness Way has been received. The as-built must be modified and submitted showing the revised lot lines for this property. All related easements and documents must be updated and submitted. The final documents will be filed on the land records.

The public hearing was closed at 7:31 p.m.

7. Receive applications and schedule public hearings

a. Application seeking amendments to Zoning Regulations Sections 1.4, 3.8.2.17, 8.15.17.6.1 and 8.15.17.7.1 to allow cannabis establishments by Special Permit in the Industrial Zone. File Z-13-23.

b. Application seeking a Special Permit under Regulations Section 3.5.2.8 for the expansion of an existing liquor store for property located at 496 Salmon Brook Street, C2 Zone: File Z-15-23.

c. Application seeking a 1-lot re-subdivision for property located at 69 Lakeside Drive, R30 Zone: File P-3-23.

The above applications have been scheduled for a public hearing on July 11, 2023.

A. Kenyon noted that a public hearing for outdoor retail sales at 335 Salmon Brook Street is also scheduled for July 11, 2023.

8. Consideration of above applications, where the Commission has concluded the public hearing

- a. Application seeking to renew a Special Permit under Zoning Regulations Section 9 for earth excavation, for property located at 536 Salmon Brook Street, Tilcon, I/R30/R50/ Zones: File Z-11-23.**

ON A MOTION by E. Myers, seconded by C. Chinni, the Commission voted (7-0-0) to approve the application seeking to renew a Special Permit under Zoning Regulations Section 9 for earth excavation, for property located at 536 Salmon Brook Street, subject to the following: the bond and maps must be updated and renewed for the period of the permit. All other conditions previously attached to the permit are applicable.

- b. Application seeking to renew a special permit under Zoning Regulations Section 9 for earth excavation, for property located at 67,87 and 95B Notch Road, R50 Zone: File Z-12-23.**

ON A MOTION by E. Myers, seconded by J. Boardman, the Commission voted (7-0-0) to approve the application seeking to renew a special permit under Zoning Regulations Section 9 for earth excavation, for property located at 67,87 and 95B Notch Road subject to the following conditions: The request for modification to phasing plan as noted in the June 14, 2023 memo to the Commission is approved; the approval is contingent upon the review of the PE report to be submitted by the applicant; all previous conditions remain in effect with the exception of expiration date which will be two years from today; and the performance bond will be extended.

- c. Application seeking a re-subdivision for 6,8,10,11,15,17,19,21,22,24 and 26 Harness Way to reconfigure lot lines, including for the right of way and open space to be dedicated to the Town of Granby, Harness Way Development, R30 Zone: File P-2-23.**

ON A MOTION by E. Myers, seconded by J. Boardman, the Commission voted (7-0-0) to approve the application seeking a re-subdivision for 6,8,10,11,15,17,19,21,22,24 and 26 Harness Way to reconfigure lot lines, including for the right of way and open space to be dedicated to the Town of Granby, subject to the following: 1) authorization from the owner of 19 Harness Way which is on file; 2) modification of the as-built for 19 Harness Way to be updated with revised lot lines and updates on the land records, 3) Applicant to review and update all documents outlined on page 2, item 3 of the June 14th memorandum to the Commission to ensure all documents are updated with the proposed changes and refiled in the land records as required. All previous permit conditions remain in effect. All costs associated with this application, if any, to be paid by the applicant.

9. Staff Report and Correspondence

- An outdoor cooler was installed at Grass Roots and a berm and shrubs were installed in front of it. A. Kenyon visited the site and was satisfied with the work.
- A. Kenyon checked on the small engine repair facility at 371 North Granby Road and reported good progress on the cleanup. There are rows of mowers and trailers that

- still need to be removed, but A. Kenyon is satisfied with the attention that the owner is giving the site to get it into compliance.
- Milling and paving in Granby Center is planned for the middle of August.
 - The Board of Selectmen finished the appointments to the Granby Center Advisory Committee.

10. Commission Reports and Correspondence

There were no commission reports.

The next meeting is scheduled for July 11, 2023.

Adjournment:

ON A MOTION by M. Peters seconded by C. Chinni, the Commission voted (7-0-0) to adjourn the meeting at 7:44 p.m.

Respectfully submitted,

Betsy Mazzotta
Recording Secretary