

**PLANNING & ZONING COMMISSION
EAST GRANBY, CONNECTICUT
MINUTES
September 10, 2019**

A meeting of the East Granby Planning & Zoning Commission was held on September 10, 2019. Members present when Chairman John Welsh called the meeting to order at 7:03 p.m. were David McNally, Amanda Thompson, David Brassard, Robert Ravens-Seeger and alternate members Daniel Velcofsky and Mark Ricketts.

PUBLIC HEARING

The legal notice was read. Mr. Welsh asked for a moment of silence to remember developer J.R. Beaudry who passed away recently.

D. Zone Change Application #19-11 by Walter Trusz/129 South Main Street
R-30 to Agriculture (rec'd 8/27/19) (h/d 9/10/19) (d/d 11/12/19)

Mr. Trusz has an existing farm on South Main Street. He wanted to open up a farm stand and utilize one of the existing buildings. The majority of the property is in the agricultural zone but the house and barn are in the residential zone. He was requesting to zone the front portion of his property back to agricultural.

Mr. Haynes reviewed his report. 2.9 acres of the 36.6 acres are in the residential R-30 zone. Farm stands are allowed in both but the regulations are more limited in the R-30 zone especially if the Trusz family wishes to have a permanent farm store in the future. There was discussion on existing buildings, what is currently grown on the property and access to the farm stand.

Mr. Haynes and some Commission members noted that this was in keeping with the POCD especially with the goal of maintaining the Town's rural character and preserving its agricultural history.

No one spoke in favor. No one was opposed. There were no further comments and the public hearing closed for this application.

A. Commission's Zoning Regulation Change Application #19-07 (rec'd 5/14/19)
Delete gasoline service stations in the Commerce Park "A" Zone (h/d 9/10/19)

Mr. Haynes explained that it was the consensus of the Commission the number of gas stations in Town had reached capacity. He discussed other possible future locations. If so desired, the Commission or an applicant could request revising the regulations in the future. There was discussion on not having Route 20 become a Route 75 or Route 44.

CRCOG comments dated 6/24/19 were read into the record for all the regulation proposed changes. No one spoke in favor. No one was opposed. There were no further comments and the public hearing closed for this application.

B. Commission's Zoning Regulation Change Application #19-08 (rec'd 5/14/19)

Delete gasoline service stations in the Business Zone (h/d 9/10/19)

Mr. Haynes noted his comments from Application #19-07 applied to this proposal. The criteria for gas stations in a business zone were different. Again they discussed other possible locations and noting the same comments. Mr. Welsh noted the increase in the Town Grand list due to development in the industrial parks which was a higher and better use.

No one spoke in favor. No one was opposed. There were no further comments and the public hearing closed for this application.

C. Commission's Zoning Regulation Change Application #19-09 (rec'd 5/14/19)

Delete Registered Medical Marijuana Dispensaries from Definitions & the Commerce Park "B" Zone (h/d 9/10/19)

Mr. Haynes commented that these regulations were adopted at an applicant's request. They have received their special permit approval which is filed on the land records. This does not take away their right to continue. Public comment on these regulations showed sensitivity for this type of use for medical purposes. There was concern with possible changes with State law to allow for recreational use and how this might change the medical dispensaries to sell medical & recreational. Mr. Haynes was recommended the Commission be pro-active by eliminating this use so no further dispensaries would be allowed. As stated earlier, an applicant could request revising the regulations in the future. Mr. McNally saw the reasoning as speculative in trying to guess what may be passed by the State Legislature. Mr. Ravens-Seger noted this would give the approved dispensary a monopoly on this type of business and people should have the right to choose. Both of them were opposed to this change.

No one spoke in favor. No one was opposed. There were no further comments and the public hearing closed for this application.

The public hearing portion of the meeting closed at 8:14 p.m.

DISCUSSION WITH APPLICANT AND/OR PUBLIC

A. Jeff Livingston – 13/23 Nicholson Road

John DeMattea explained who he was and his involvement with this current proposal and past approvals by the Commission for this parcel. With market fluctuation and research shows that with the high cost of construction, new industrial development has slowed expect in the case of immense distribution centers. The current market is for multi-family housing.

George Wiles, architect for the project displayed and discussed a concept plan for 1 & 2 bedroom apartments with a 150 unit count. He discussed internal circulation, building layouts, building exteriors, building heights, energy efficiency, parking and interior layouts. The property

is 8-10 acres. The proposal would consist of 90 (1 bedroom) and 60 (2 bedroom). Mr. Wiles also discussed the installation of a rain garden for storm water management.

Mr. Haynes distributed the EDC map for the location of the proposed Commerce Park Transitional Zone. The regulations are currently being drafted which would allow for a flexibility of uses. Many Commission members stated that this type of development may be the spark for more commercial development such as a drug or grocery store.

As Mr. McNally had to leave, the discussion was halted and the Commission went on to New Business.

NEW BUSINESS

A. Commission's Zoning Regulation Change Application #19-07 (rec'd 5/14/19)

Delete gasoline service stations in the Commerce Park "A" Zone (h/d 9/10/19)

A motion was made by David McNally and seconded by Robert Ravens-Seger to approve the Commission's Application #19- 07 to delete gasoline service stations in the Commerce Park "A" Zone. Votes in favor were unanimous. Motion carried. (Mark Ricketts voted in place of absent member Thomas Derlinga). The effective date of this regulation change is 10/05/19.

B. Commission's Zoning Regulation Change Application #19-08 (rec'd 5/14/19)

Delete gasoline service stations in the Business Zone (h/d 9/10/19)

A motion was made by David McNally and seconded by Amanda Thompson to approve the Commission's Application #19- 08 to delete gasoline service stations in the Business Zone. Votes in favor were unanimous. Motion carried. (Daniel Velcofsky voted in place of absent member Thomas Derlinga). The effective date of this regulation change is 10/05/19.

C. Commission's Zoning Regulation Change Application #19-09 (rec'd 5/14/19)

Delete Registered Medical Marijuana Dispensaries from Definitions & Commerce Park "B" Zone (h/d 9/10/19)

A motion was made by Amanda Thompson and seconded by David Brassard to approve the Commission's Application #19- 09 to delete Registered Medical Marijuana Dispensaries from Definitions & the Commerce Park "B" Zone. Votes in favor were four (Welsh, Thompson, Ricketts & Brassard.) Two opposed (McNally & Ravens-Seger). Motion carried. (Mark Ricketts voted in place of absent member Thomas Derlinga). The effective date of this regulation change is 10/05/19.

D. Zone Change Application #19-11 by Walter Trusz/129 South Main Street

R-30 to Agriculture (rec'd 8/27/19) (h/d 9/10/19) (d/d 11/12/19)

A motion was made by David McNally and seconded by Daniel Velcofsky to approve the Zone Change Application #19-11 by Walter Trusz from R-30 to Agriculture for the front portion of the property at 129 South Main Street. Votes in favor were unanimous. Motion carried. (Daniel Velcofsky voted in place of absent member Thomas Derlinga). The effective date of this zone change is 10/05/19.

Mr. McNally left at 8:50 p.m.

DISCUSSION WITH APPLICANT AND/OR PUBLIC

A. Jeff Livingston – 13/23 Nicholson Road

Discussion continued on this proposal. Mr. Welsh stated that many elderly in Town, who wish to stay in Town after they sell their homes cannot, as this type of development is not available. Mr. Haynes, in looking at the EDC map, noted that the areas for the new transitional zone have natural wetland buffers and the vacant parcels will allow the owners more flexibility for development. So the next step is to complete the new proposed regulations.

MINUTES

A motion was made by Amanda Thompson & seconded by Robert Ravens-Seger to approve the minutes of 7/09/19 as submitted. Votes in favor were unanimous. Motion carried.

COMMUNICATIONS

The Commission received:

August

- Quarterly Newsletter from the CT Federation of PZC Agencies
- IWC Minutes for 7/17/19
- ZBA minutes from 7/09/19
- Application #19-11 By Walter Trusz for a zone change from R-30 to A for a portion of his property at 129 South Main Street
- Letters and photos for Application #19-05 from the Lawtons on Gatehouse Road

SEPTEMBER

- Application #19-12 by Anchor Engineering for a two lot subdivision for property at 33/35 Nicholson Road
- A copy of a ZBA legal notice for an appeal by Timothy Brignole from the decision of the ZEO for 103 Hartford Avenue
- Staff comments for Application #19-11
- Zoning Enforcement Report

OLD BUSINESS

A. Zoning Enforcement Report – Gary Haynes reviewed the latest report. He also noted he had sent a cease & desist to Mr. Brignole regarding the winery. That order is being appealed before the ZBA on 9/26/19.

B. Planner Report - Administrative Site Plan Approvals: No approvals

C. CRCOG Regional Meeting Report – No meetings until later in September

ADJOURNMENT

A motion was made by David McNally and seconded by Amanda Thompson to adjourn the meeting at 7:59 p.m. The votes in favor were unanimous. Motion carried.

Respectfully submitted,
Rosalie McKenney
Land Use Administrative Assistant