

**PLANNING & ZONING COMMISSION
EAST GRANBY, CONNECTICUT
MINUTES
March 10, 2020**

A meeting of the East Granby Planning & Zoning Commission was held on March 10, 2020. Members present when Chairman John Welsh called the meeting to order at 7:05 p.m. were David McNally, Amanda Thompson, Thomas Derlinga, David Brassard, Daniel Velcofsky and alternate members Katie Hastings, Mark Ricketts and Charlie Allen.

PUBLIC HEARING

The legal notice was read and Chairman Welsh choose to “skip down” to item “D” on the public hearing agenda first.

**D. Timothy Brignole/Revised Special Permit (#20-01)
103 (113-115) Hartford Avenue – Winery & Vineyard
(rec’d 2/13/20) (h/d 3/10/20) (d/d 5/12/20)**

Carl Landolina, attorney representing the applicant, noted that the Commission was familiar with the application as to what is existing and what was being amended. Town engineer and staff reports had just been received and he requested the hearing be continued. They needed time to address the issues within the reports.

Guy Hesketh, engineer & surveyor for the applicant, reviewed the history of the application. Mr. Hesketh reviewed all the parking areas – what was approved with the original application, what was added by administrative approval and what was being added now. He noted that the applicant had purchased 117 Hartford Avenue and the property line has been reconfigured. Mr. Welsh noted that 147 spaces were currently approved either by the PZC or by Administrative Approval. This new proposal would have a total of 394 spaces – an increase of 247 spaces.

Mr. Brignole explained his original interpretation of his original proposal, how he abandoned the outside wedding events, and in 2019 looked to add the new sign, BBQ area, food trucks and 40 tables. He noted the tables were approximately the number he would have had under the tent area for the 20 public events.

Mr. Haynes noted enforcement issues and capacity issues. The picnic table area was not meant to be a permanent area but for special events under a tent 20 times a year so its use was limited.

Mr. Brignole stated he was here to accommodate the parking issues and come into compliance. Mr. Landolina stated that they were hear to fix the problem and move on. Mr. Brignole stated he was trying hard not be non-compliant.

They discussed the food truck area. 3 locations were shown but one was to be removed. The location on the south side of the building was to be rotated to be in compliance with a

recommendation from the Town Fire Marshal. Only one food truck can be on site at a time and hook-up must be by electrical outlet and not generator.

Fencing was discussed. Fencing has already been installed about three weeks ago to accommodate the neighbor requests for screening as well as rows of arborvitae. A building permit was obtained for the fencing. Mr. Brignole talked about all the issues he has had with the neighbors and how he has tried to respond to all of them to appease them as much as possible.

Mr. Hesketh noted the additions to the plan: an 8 ft. boundary fence was added, a 4 ft. fence was added to be sure the wine barrel “sign/sculpture” was not visible from the street, the wine barrel “sign/sculpture” was added, site lighting was proposed but details of the photo-metrics need to be worked out with Town staff. A more comprehensive plan will be provided for the next meeting. The applicant was looking mainly for approval of the site plan tonight to resolve the issues of the food trucks and the outdoor seating.

Parking was discussed further to clarify what was previously approved and what was proposed. Mr. Haynes noted that the property was zoned agricultural with the agricultural use as bordering on commercial.

Mr. Brignole distributed photos to show seating at the tables and even without the tables, people bring blankets and chairs to sit outside. Mr. Welsh reiterated again that the seating under the tent was for 20 events per year and were not permanent but only when needed for these events. Mr. Brignole stated that he is leasing the Thrall property across the street. This is indeed an agricultural/complete farm operation. He had invested and planted 10,000 vines there. He asked the Commission why they would want to stop this as he was rated the best winery in the State. Mr. Haynes repeated that he needed to come into compliance and that he hasn't in the last 1 ½ years.

Mr. Brignole talked about closing at the appropriate times and that he has hired people to park cars. He wants to be in compliance but the business has grown and he has the space to make it work. Even though he took out the tent, he feels he still has the right to 150 seats.

Angela Ciottone spoke in favor of the application noting that the Commission should do what it could to support this business; that this business is serving our taxpayers; residents abutting the winery knew it was there when they bought their homes and shouldn't complain and that the Commission shouldn't adjudicate between Granby residents and an East Granby Business. There was no room for bias and they should be considerate of taxpayers.

Many others spoke in favor and noting that this business was booming and East Granby needs that. This business puts East Granby on the map. Concerns were stated about the negative growth in the Grand List for taxpayers. Others noted that the Commission did not want this to work and was fighting something that was all East Granby had.

Ed Zawistowski stated that there was no excuse not to let a business grow. The Commission should re-examine their regulations and should “stop playing God”. Others noted that this Commission was hard to work with and gave businesses a hard time.

Celeste Fersch stated that the Commission was trying to appease neighbors when what they were “bitching about was petty. What’s the big deal? It all seems so silly.”

Susan Mason, who lives across the street, stated it was a wonderful place to be and she was not bothered by any problems or noise. This is not a bar but a family friendly place.

Tammy Zawistowski stated that this business brings people to the area. The Town should capitalize on agri-tourism. Additional parking is not an unreasonable request.

In opposition, many of the abutting neighbors talked about issues that they have to deal with noting the “ridiculous number of people” at times but the facility never says it’s full. They noted it’s a beautiful place and that they have a good business going but it’s not great for the neighbors. It was stated that it’s not a farm but a commercial property now and issues with noise, too many people and parking are common. The only way to limit the number of people is to limit the parking. There were concerns with property values being impacted too. Having hundreds of people at the site was inappropriate.

The hearing for this application was continued to the 4/06/2020 meeting.

A. Commission’s Regulation Changes/Village Center (#19-17)
(rec’d 12/10/19) (h/d 1/09/20 cont’d to 2/13/20)

Mr. Haynes stated that no revisions have been made since the last meeting. The outstanding issue for the Commission to consider was whether to increase the percentage of 2 bedroom apartments from 20% to 50% or possibly higher.

In favor, Paul Oliva, EDC Chairman was in support of these regulations and suggested the Commission consider 75%. Also in favor, Guy Hesketh, owner of 3 buildings in the village center stated that as written the apartments were not economically feasible but an increase to 75% for 2 bedroom apartments would work.

There were no further comments. The Commission closed the hearing on this application. The final determination for the appropriate percentage for 2 bedroom apartments will be a part of the discussion before a vote is taken.

B. Commission’s Regulation Changes (#19-18) Commerce Park Transitional Zone
(rec’d 12/10/19) (h/d 1/09/20 cont’d to 2/13/20)

Mr. Haynes stated that no revisions have been made since the last meeting. Mr. Haynes reiterated comments from the last meeting. As these regulations affect a client of his, Mr. Landolina requested the hearing be held open to allow the client to time to comment. Mr. Haynes noted that many wetland areas created a natural buffer from any residential areas. There was a brief discussion on notification to neighbors.

The hearing for this application was continued to the 4/06/2020 meeting.

**C. Commission's Zoning Map Changes (#19-19)
Commerce Park Transitional Zone/Village Center**
(rec'd 12/10/19) (h/d 1/09/20 cont'd to 2/13/20)

After last month's meeting and with comments received, the Seymour Road property was removed from consideration at this time. A revised map was received as a part of this application which also included the correction to the historical homes on East Street which are to remain in the Agricultural Zone.

Mr. Brignole questioned why the property on Turkey Hills Road across from the post office was not included as a part of the Village Center. He stated it was a natural extension as the access was to a lighted intersection. Mr. Haynes reiterated that to the best of the Town's knowledge, the property was mainly wetlands. He noted that Mr., Brignole was working with the Army Corps of Engineers for that property and if he had approval from the Corps to allow for certain uses, he suggested that Mr. Brignole submit an application.

The public hearing on this application was continued to the 4/06/2020 meeting.

The public hearing portion of the meeting closed at 9:55 p.m.

DISCUSSION WITH APPLICANT AND/OR PUBLIC

None

MINUTES

A motion was made by David McNally and seconded by Tom Derlinga to approve the minutes of 2/14/20 as submitted. Votes in favor were unanimous. Motion carried.

COMMUNICATIONS

The Commission received:

- Staff comments for Special Permit Application # 20-01 for Brignole Winery & Revised Site Plan #19-16 for the Brignole Winery
- Numerous emails & photos from neighbors regarding food trucks and other complaints at the Brignole Winery for Application #20-01
- Town Engineer comments for Special Permit Application # 20-01 for Brignole Winery
- Application #20-02 for a revised site plan for 38 Kripes Road for Ross Trucking
- A revised zoning map for Application #19-19
- A timeline of actions for Application #20-01 from staff

OLD BUSINESS

A. Zoning Enforcement Report – None

B. Planner Report - Planner Report –

- a. Administrative Site Plan Approvals – 5 CT South Drive/storage container – Mr. Haynes explained that Overhaul Support placed a temporary storage container on their property.

C. CRCOG Regional Meeting Report – Mr. Brassard stated he will attend the next meeting on 3/19/20.

E. Timothy Brignole/Revised Site Plan (#19-16) 103 (113-115) Hartford Avenue – Winery
(rec'd 12/10/19) (d/d 2/13/20)

Mr. Landolina, representing the applicant stated that there has been a full discussion on this application at the last meeting. They are trying to fix all the problems with the two applications. The fence was approved which made for less impact on the property owners. Food truck locations were reconfigured and limited to two locations (with only one truck at any given time). No generators would be used and the south side location will be rotated to meet the Fire Marshal requirements. The “sculpture” could no longer be considered a sign as it was not visible from the street. He was requesting a vote in favor as presented.

The remaining discussion was to the number of picnic tables to be allowed with concerns with the noise and the large number of people. Mr. Haynes recommended that 10-15 8 ft. tables. This was discussed for quite some time as many felt the number was appropriate and others felt 40 tables were too many. The applicant offered to have 20 tables on Weds. & Thurs. but 40 on Fri., Sat. & Sun. Mr. Brignole stated that he wants to be the best in Connecticut. He is looking into purchasing 28 acres of commercial property across the street from the Thrall family for this project which would resolve many of these problems.

A motion was made by Thomas Derlinga and seconded by Daniel Velcofsky to approve the Revised Site Plan Application #19-16 (ref. Maps dated revised 11/25/19) by Timothy Brignole for the Winery/Vineyard at 103, 113-115 Hartford Avenue subject to:

- The outdoor seating/picnic area shall be 20 (6 ft.) tables on Wednesday & Thursday and 40 (6 ft.) tables on Friday, Saturday & Sunday. The tables will only be out during the retail store hours and this does not include special events. The tables can only be out during the season of April 15th – October 15th as it currently stands.
- Only two food truck locations shall be permitted with the location of the food truck on the south side of the building to be rotated to meet the recommendations of the Fire Marshal.

Votes in favor were four (McNally, Derlinga, Brassard, Velcofsky). Opposed two (Welsh, Thompson). Motion carried.

F. Commission’s Regulation Changes/Village Center (#19-17)
(rec'd 12/10/19) (h/d 1/09/20 cont'd to 2/13/20)

No action taken.

G. Commission’s Regulation Changes (#19-18) Commerce Park Transitional Zone
(rec'd 12/10/19) (h/d 1/09/20 cont'd to 2/13/20)

No action taken. The hearing has been continued on this application.

**H. Commission's Zoning Map Changes (#19-19)
Commerce Park Transitional Zone/Village Center
(rec'd 12/10/19) (h/d 1/09/20 cont'd to 2/13/20)**

No action taken. The hearing has been continued on this application.

NEW BUSINESS

**A. Timothy Brignole/Revised Special Permit (#20-01)
103 (113-115) Hartford Avenue – Winery & Vineyard
(rec'd 2/13/20) (h/d 3/10/20) (d/d 5/12/20)**

No action taken. The hearing has been continued on this application.

ADJOURNMENT

A motion was made by David McNally and seconded by Thomas Derlinga to adjourn the meeting at 10:58 p.m. The votes in favor were unanimous. Motion carried.

Respectfully submitted,

Rosalie McKenney
Land Use Administrative Assistant