

**PLANNING & ZONING COMMISSION
EAST GRANBY, CONNECTICUT
MINUTES
January 11, 2022**

A meeting of the East Granby Planning & Zoning Commission was held on January 11, 2022 via ZOOM. Members present when Chairman John Welsh called the meeting to order at 7:03 p.m. were David Brassard, Thomas Derlinga, Charlie Allen, Daniel Velcofsky, Amanda Thompson and with alternate members Todd Zessin & Jay Tran.

Mr. Welsh explained that tonight's meeting was only for discussion with the Commission and not a public hearing. Mr. Derlinga requested that the Commission move on to New Business, Item A. Election of Officers first. Attorney Landolina had no objection to waiting until after elections for discussion with the Commission.

NEW BUSINESS

A. Election of Officers

When asked for nominations for Chairman, a motion was made by Daniel Velcofsky and seconded by Amanda Thompson to nominate John Welsh. A motion was then made by Charlie Allen and seconded by Thomas Derlinga to nominate Thomas Derlinga. There being no further nominations, a motion was made by Daniel Velcofsky and seconded by Charlie Allen to close nominations. Votes in favor of closing nominations were unanimous. Motion carried.

The votes for Chairman were as follows: For John Welsh – Amanda Thompson & Daniel Velcofsky. For Thomas Derlinga – Thomas Derlinga, David Brassard, Charlie Allen & John Welsh. With a vote of 4 to 2, Mr. Derlinga was elected Chairman.

At this time, Mr. Derlinga took over the meeting as Chairman.

When asked for nominations for Vice Chairman, a motion was made by John Welsh and seconded by Amanda Thompson to nominate Amanda Thompson. A motion was then made by Charlie Allen and seconded by Thomas Derlinga to nominate David Brassard. There being no further nominations, a motion was made by John Welsh and seconded by Charlie Allen to close nominations. Votes in favor of closing nominations were unanimous. Motion carried.

The votes for Vice Chairman were as follows: For Amanda Thompson – Amanda Thompson & John Welsh. For David Brassard – Thomas Derlinga, David Brassard, Charlie Allen & Daniel Velcofsky. With a vote of 4 to 2, Mr. Brassard was elected Chairman.

When asked for nominations for Secretary, a motion was made by John Welsh and seconded by Amanda Thompson to nominate Charlie Allen. There being no further nominations, a motion was made by John Welsh and seconded by Daniel Velcofsky to close nominations. Votes in favor of closing nominations were unanimous. Motion carried.

Votes in favor of electing Charlie Allen as Secretary were unanimous. Motion carried.

B. Election of CRCOG Representatives

This item was tabled until the next meeting. Dates for the 2022 meetings will be distributed to the Commission. Mr. Brassard has been the representative for several years and would like to step down.

Thomas Derlinga left the meeting at 7:19 p.m. Mr. Brassard took over as Acting Chairman.

DISCUSSION WITH APPLICANT AND/OR PUBLIC

A. Attorney Carl Landolina for Brignole Vineyards - Craft Café License

Attorney Landolina stated he was present on behalf of Timothy Brignole and Brignole Vineyards. He explained new State Legislation had been passed effective 7/01/2020 to allow for a Craft Café License. This was a new type of license with the purpose of allowing farmers/vineyards/wineries to better compete with retail sellers. With so many new craft beer operators, it was difficult for wineries to compete. The breweries could sell wine but the wineries couldn't sell beer. The State agreed this was unfair and created this new license. This allowed these types of operations to sell each other's products as long as it was manufactured in Connecticut and was only 20% of the gross sales. Mr. Landolina offered the Commission some statistics to show how breweries had an unfair advantage.

The craft café license has been easily obtainable in other Towns. The legislation gives the wineries a right to this license unless it is specifically prohibited in the regulations. The license must be signed by the local Fire Marshal, Town Clerk and local Zoning Authority. He did not see this as prohibited in the East Granby Zoning Regulations. He did not see a need to change the regulations to allow this and that Mr. Brignole was entitled to this license. Mr. Landolina stated that staff has had this permit but has been reluctant to sign. He was asking the Commission to authorize staff to sign or since the law does not state specifically who the Zoning Authority is for the Town, even the chairman can sign.

Mr. Haynes displayed the current winery regulations. Mr. Welsh & Mr. Haynes stated that the current regulations specifically only allow for a certain type of license, therefore the new license is prohibited by regulation and a minor regulation change is needed as well as a revision to the Brignole Winery's special permit.

There was discussion back and forth as to whether the license was allowed or not and how to proceed. Mr. Haynes stated that this was an easy revision to the regulations and couldn't understand why Mr. Brignole was reluctant to do so. Mr. Landolina stated that wineries/vineyards were entitled to this license and nothing requires the applicant to go back the Planning and Zoning Commission. It is allowed as a matter of law.

Mr. Brignole stated that staff has "sat on this" for over a year and that Mr. Haynes refused to sign. He was adamant that there was nothing to prohibit Mr. Haynes from signing. Mr. Haynes displayed an email from the Town Attorney who agreed with him that the wording of the regulations required a regulation change in order to approve the new license.

Mr. Haynes stated that if Mr. Brignole felt the action of the Zoning Enforcement Officer was incorrect, his recourse is to apply to the Zoning Board of Appeals, not to the Planning & Zoning Commission. Mr.

Landolina noted that no written communication had been received in order for Mr. Brignole to go before the ZBA. There was no formal action by Mr. Haynes.

Mr. Welsh reiterated his comment that the course of action was a regulation change followed by a revision to the special permit. Mr. Welsh left the meeting at 7:56 p.m.

Mr. Allen suggested that since there was soon to be a new Town Attorney, a ruling or opinion from him would be helpful since there was disagreement on the interpretation of the regulations. Mr. Haynes stated he would do so.

Mr. Tran stated that time was of the essence and that this situation was poor economic development and if the business owner has been waiting a year for a decision, this was totally unacceptable. Mr. Brignole stated he has filed two applications to no avail. He is trying to move forward and is in negotiations with local breweries. They have never received a formal response.

Mr. Brassard stated that no one on the Commission can sign and he agreed with Mr. Welsh that a regulation change and revision to the special permit was necessary.

MINUTES

A motion was made by Amanda Thompson and seconded by Charlie Allen to approve the minutes of 12/14/2021 as submitted. Votes in favor were unanimous. Motion carried. (No alternates voted as they were not present at the last meeting).

COMMUNICATIONS

The Commission received:

- IWC Minutes for 1/05/2022
- Applications #22-01 by Gary Ginsberg for a zone change for 46 East Street from A to R-40
- An email request from Attorney Carl Landolina representing Brignole Vineyards to be added to the agenda for discussion with public at the 1/11/22 meeting re: Craft Cafes
- An email from Gary Haynes with the current winery/vineyard regulations

OLD BUSINESS

A. Zoning Enforcement Report – No report.

B. Planner Report - Administrative Site Plan Approvals - Nothing to report.

C. CRCOG Regional Meeting Report – No report as no meetings have taken place and Mr. Brassard was unable to attend the last meeting.

ADJOURNMENT

As the Commission went to adjourn, Mr. Paul Calebaugh requested to speak. The Commission explained that the time for any discussion with public is item #2 on the agenda and that he should have spoken up at that time for any comments he wished to make.

Mr. Haynes explained he could contact the office and request to be added to the public comment portion of the agenda in the future. Mr., Calebaugh stated that he wanted it on the record that he was denied his opportunity to speak at a public meeting.

A motion was made by Daniel Velcofsky and seconded by Charlie Allen to adjourn the meeting at 8:11 p.m. The votes in favor were unanimous. Motion carried.

Respectfully submitted,

Rosalie McKenney
Land Use Administrative Assistant