

**PLANNING & ZONING COMMISSION
EAST GRANBY, CONNECTICUT
MINUTES
May 10, 2022**

A meeting of the East Granby Planning & Zoning Commission was held on Tuesday, May 10, 2022. Members present when Chairman Thomas Derlinga called the meeting to order at 7:04 PM were Charlie Allen, Amanda Thompson, Daniel Velcofsky, John Welsh and alternate members Jay Tran and Todd Zessin.

DISCUSSION WITH APPLICANT AND/OR PUBLIC

None.

MINUTES

A motion was made by Daniel Velcofsky and seconded by Amanda Thompson to approve the minutes of April 12, 2022 as submitted. The votes in favor were unanimous. Motion carried.

COMMUNICATIONS

The Commission received:

- Copy of Substitute House Bill No. 6107 Public Act No. 21-29
- IWC minutes for 05/04/2022
- Connecticut Federation of Planning & Zoning Agencies Quarterly Newsletter - Spring 2022
- E-Mail from Bill Hawkins, Town of Suffield Director of Planning & Development with attachments:
 - 2021 Affordable Housing Appeals List
 - CGS 8-30j
 - Memo regarding 2021 Legislation Affecting Development and Land Use Procedures
 - Memo regarding Public Act No. 21-29 Opt Out Decisions

OLD BUSINESS

- A. Zoning Enforcement Report** – None.
- B. Planner Report - Administrative Site Plan Approvals** – None.
- C. CRCOG Regional Meeting Report** – None. The next meeting is June 23, 2022.

NEW BUSINESS

- A. Commission's Zoning Regulation Change Application #22-03
Cannabis Dispensaries/Distribution Centers in Commerce Park B Zone
(rec'd 3/08/22) (h/d 3/29/22)**

A motion was made by Amanda Thompson and seconded by Charlie Allen to withdraw the Commission's Zoning Regulation Change Application #22-03 for Cannabis Dispensaries/Distribution Centers in Commerce Park B Zone. The votes in favor were unanimous. Motion carried.

B. Moratorium – Expiration Date 6/08/2022

A motion was made by Daniel Velcofsky and seconded by Amanda Thompson to extend the Moratorium on Cannabis Establishments to November 1, 2022. The votes in favor were unanimous. Motion carried.

C. Public Act No. 21-29 – Accessory Apartments

Bill Hawkins, Director of Planning and Development for the Town of Suffield, was in attendance to provide input to the Commission regarding Public Act No. 21-29. Suffield adopted their affordable housing plan last week. Towns must adopt an affordable housing plan that specifies how the municipality intends to increase the number of affordable housing developments in the town by June 1, 2022. If the plan is not ready by that date, the State must be informed.

Suffield created an Affordable Housing Plan Advisory Committee that included members of the Planning and Zoning Commission, Board of Selectmen, Economic Development Commission, Social Services Commission, and the Housing Authority. This committee met monthly with a consultant for about a year.

Tom Derlinga asked about the structure of the Town of Suffield's affordable housing plan, and Mr. Hawkins replied that the plan incorporates strategies that, if followed, will result in affordable housing developments. Suffield did not indicate specific areas or zones within their town for these developments.

Mr. Hawkins discussed exempt versus non-exempt communities as defined by CT General Statute Section 8-30g. If the State determines that 10% of a town's housing stock meets their affordability criteria, the town is not subject to the affordable housing appeals procedure. In general, towns that are not exempt, including Suffield and East Granby, must accept an affordable housing project unless there is a serious health or safety issue that outweighs the need for affordable housing.

Daniel Velcofsky asked for clarification about the definition of affordable housing. Mr. Hawkins replied that the maximum sales price or rental rates that affordable housing is configured for is based on 80% of the area median income. Additionally, housing stock only meets the State's criteria if it is deed restricted or built with certain funding mechanisms recognized by the State. While there may be housing stock in a town such as East Granby that meets the affordability criteria for sales price, the State will not recognize that housing stock as such because it is not deed restricted.

Jay Tran asked if multi-family housing was specifically addressed in Public Act 21-29. Mr. Hawkins stated that there is nothing specific stated, but that affordability and density are often linked together.

Discussion followed regarding accessory dwelling units in relation to Public Act No. 21-29. According to Mr. Hawkins, accessory dwelling units are not necessarily meant to increase a town's affordable housing stock. Towns have the ability to opt out of only the accessory dwelling unit portion and/or out of the parking standards portion of 21-29. Once a town adopts an affordable housing plan, it must be re-adopted or amended every five years. A process must be followed to opt out of the accessory dwelling unit portion of the statute which includes a public hearing and a majority vote of the Board of Selectmen. The deadline for opting out of the ADU requirement is January 1, 2023.

Mr. Hawkins noted that the Town of Suffield did not opt out of the accessory dwelling units or the reduced parking requirements. John Welsh commented that alternatives are to propose a zoning

regulation change to the Town's existing accessory apartment regulations or keep East Granby's accessory apartment regulations as they are. Doing nothing/not opting out would mean adopting the State regulations concerning ADUs.

It was decided that the best course of action regarding the June 1, 2022 deadline for an affordable housing plan is to discuss with the Town Attorney the required filing with the State. Regarding the ADU and parking portions of the act, discussions will be held with the new East Granby planner once that role has been filled. Mr. Hawkins commented that the reduced parking standards of Act No. 21-29 became effective October 1, 2021 and therefore the State's parking rules will now override any existing East Granby regulations for any new applications received, until such time when/if the Commission chooses to opt out, which can be done at any time.

D. 5/24 Workshop

Thomas Derlinga reviewed proposed materials for the May 24, 2022 workshop regarding cannabis uses in East Granby. Items include a map illustrating the Commerce Park A, Commerce Park B, and Commerce Park Transitional Zones, a brief questionnaire for residents to complete, and appropriate definitions regarding cannabis uses. The format for the evening was discussed and it was determined that Bill Hawkins will participate in the workshop by helping to answer questions from the public regarding the legislation.

The Town of Suffield decided to permit microcultivation establishments and retail establishments and adopted their regulations in February. Other license types which fall under production facilities will be considered as any other sort of industrial/light industrial use and will follow the special permit application process.

It was noted that East Granby's current proposed cannabis regulations are the same that were previously proposed and withdrawn for medical marijuana uses, with uses allowed in Commerce Park B. John Welsh discussed that if an applicant wanted to come forward with an application for an establishment in a different zone, the applicant could apply for a zone change.

ADJOURNMENT

A motion was made by Amanda Thompson and seconded by John Welsh to adjourn the meeting at 7:58 PM. The votes in favor were unanimous. Motion carried.

Respectfully submitted,

Laura Hall
Land Use Administrative Assistant