

**PLANNING & ZONING COMMISSION
EAST GRANBY, CONNECTICUT**

**MINUTES
August 8, 2023**

A meeting of the East Granby Planning & Zoning Commission was held on Tuesday, August 8, 2023. Members present when Chairman Thomas Derlinga called the meeting to order at 7:02 PM were Charlie Allen, David Brassard, Amanda Thompson, Daniel Velcofsky, and John Welsh and alternate members Jay Tran and Todd Zessin. Alternate member Mark Ricketts joined via Zoom at 7:05 PM.

PUBLIC HEARINGS

The legal notice for the two public hearings on the agenda was read. Mark Ricketts joined the meeting via Zoom at 7:05 PM.

**A. Application #23-09 - East Granby Planning & Zoning Commission
Zone Text Amendment - Section V.F. Village Center Zone
(rec'd 07/11/2023) (h/d 08/08/2023) (d/d 10/12/2023)**

A motion was made by Daniel Velcofsky and seconded by Charlie Allen to open the public hearing regarding Application #23-09. Votes in favor were unanimous. Motion carried.

Town Planner Robin Newton provided the background for the development of Application #23-09 for the Village Center Zone text amendment. She noted that the Town hired the firm of Goman+York to complete a Village Center Master Plan for the Town of East Granby beginning in January and concluding in May. The Commission held a workshop in June to discuss the proposed changes recommended by Goman+York as a result of their study. The proposed text amendment consists of these recommended regulation changes. The application was referred to CRCOG and no conflict with regional plans or concerns for neighboring towns were found.

Responding to the question by Daniel Velcofsky, Robin Newton explained the changes to the document since the June workshop, noting that items discussed at the workshop were in red. Those that are redlined now indicate that they were removed or changed, with the changes in green. At the request of John Welsh, Robin Newton reviewed the specific changes throughout the document. Ms. Newton noted that there are no significant language changes for this regulation and the majority of the changes involve moving special permit uses to uses permitted with a site plan, which were the main recommendations from the consultant.

Regarding the specific changes reviewed, John Welsh sought and received clarification from Ms. Newton that any additions or alterations to existing residential structures would be to Village Center Zone standards, not residential zone standards and that Type B drive-thru establishments, defined as non-food or beverage service businesses such as banks, pharmacies, dry cleaners, etc., will be changed from special permit to site plan application. Ms. Newton further noted that the regulations already contain site plan standards that a property owner must adhere to and recommended that if the Commission would prefer additional discretion but also avoid the cumbersome special permit process for developers, they could add additional standards to the site plan review regulations.

As she was unable to attend the June workshop, Amanda Thompson inquired about previous discussions held regarding Type B drive-thrus in the Village Center. Robin Newton explained that the use had always existed for that zone as a special permit use and that through the workshop discussion, Commission members decided they did not feel it needed to be by special permit in the Village Center Zone. Other Commission members suggested that since fast food Type A drive-thrus are already not permitted, the reasoning behind the change was to help to prevent limiting or discouraging other development in the Center.

Ms. Thompson also asked about the removal of the regulation requiring 200 feet between establishments selling or serving alcohol from churches, schools, etc., wondering if it was due to the location of current buildings. John Welsh expressed that he objects to this change and said that if the regulation is removed and properties in the center area are rezoned to Village Center, it will become problematic. Robin Newton stated that restaurants are already a permitted use by site plan approval. Thomas Derlinga commented that the Commission had previously discussed that the current regulation could cause developers to seek properties in other towns with less restrictive guidelines. Robin Newton reiterated that consultant Don Poland stated that from economic development perspective the regulation pushes away potential restaurant development in the center of town, which the Village Center study identified as important to residents. Charlie Allen commented on the appeal of Simsbury's walkable center where churches and restaurants are in close proximity. Discussion shifted to possible noise issues from live music associated with such establishments. Jay Tran commented that electrified outdoor music could be regulated separately and Robin Newton agreed that this could be added to the regulations if the Commission was interested in doing so.

John Welsh also commented on the removal of the 10,000 SF maximum footprint design guideline and considered the size of a building the largest Village Center Zone lot could contain under the 80% maximum limit for lot coverage, since some available sites are perhaps three to four acres. Other Commission members commented that perhaps a grocery store, identified by the study as desirable to residents, could be built without that specific guideline in place. Mr. Welsh noted that most residents do not want big box construction in town. Thomas Derlinga commented that a larger building could also be subdivided into many different storefronts, similar to other shopping plazas currently in place. Daniel Velcofsky and Charlie Allen both remarked that it is worthwhile to consider the consultant's Village Center recommendations and Jay Tran restated that the Town wants to be seen as attractive to builders and developers. Robin Newton also mentioned that there are other checks and balances in the design guidelines that will remain in place that will aid in ensuring that whatever may be built will be appropriate for East Granby. John Welsh referenced the East Street shops as an example of how these guidelines resulted in a development with a traditional New England architectural style.

There was no public comment.

A motion was made by John Welsh and seconded by Thomas Derlinga to close the public hearing regarding Application #23-09 at 7:43 PM. Votes in favor were unanimous. Motion carried.

**B. Application #23-10 - East Granby Planning & Zoning Commission
Text Amendment - Comprehensive Legal and Regulatory Updates
(rec'd 07/11/2023) (h/d 08/08/2023) (d/d 10/12/2023)**

A motion was made by Daniel Velcofsky and seconded by Charlie Allen to open the public hearing regarding Application #23-10. Votes in favor were unanimous. Motion carried.

Town Planner Robin Newton explained that the Town of East Granby engaged the services of Tyche Planning & Policy Group to perform a comprehensive regulatory and legal review of the current Planning and Zoning regulations. Mike D'Amato, one of the principals of Tyche, provided the Town with a memorandum on May 1st along with a listing of items that were inconsistent with either previous public acts or case law. As part of the review, Tyche also provided a redline version of the regulations which was referred to the Town Attorney for review. Commission members were provided with a memorandum from the Town Attorney at the June meeting verifying compliance. A referral was also made to CRCOG and no conflict with regional planning documents or issues for neighboring communities were found.

Highlights of some of the updating completed include:

- Removal of references to "character of the neighborhood" as this can no longer be a consideration by a planning and zoning commission according to a 2021 public act;
- Defining of "automotive service" to be consistent with Connecticut general statutes;

- Removal of a vague frontage requirement;
- Removal of “revocation of special permits,” which the Commission does not have the authority to do;
- Removal of requiring both a site plan application and a special permit application, which is not permitted;
- Clearing inconsistencies with State statutes for non-conforming uses;
- Striking the special permit requirement for bazaars, festivals, auctions, and carnivals since special uses run with the land and should not be given for temporary uses;
- Removal of minimum requirements for total living areas, which is actually a function of the building code;
- Removal of the cap on the percentage of multifamily dwelling units in relation to single-family housing stock, which is no longer permitted per Public Act 21-29;
- Removal of the granting of variance or waiver provisions as this is solely a function of the Zoning Board of Appeals.

John Welsh commented that he appreciated the work completed by Robin Newton and Tyche for this review.

There was no public comment.

A motion was made by John Welsh and seconded by Daniel Velcofsky to close the public hearing regarding Application #23-10 at 7:50 PM. Votes in favor were unanimous. Motion carried.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Daniel Velcofsky inquired about the status of the partially constructed house on Route 20. Commission members noted it is back on the market.

MINUTES

David Brassard noted that Charlie Allen was erroneously referred to as “Thomas Charlie Allen” in the minutes of the June 13, 2023 meeting.

John Welsh recommended changing “required revisions” to “proposed revisions” in the minutes of the June 27, 2023 meeting.

A motion was made by John Welsh and seconded by Daniel Velcofsky to approve the minutes of the June 13, 2023 and June 27, 2023 meetings as amended. Votes in favor were unanimous. Motion carried. Amanda Thompson abstained.

COMMUNICATIONS

The Commission received:

- Inland Wetlands/Conservation Commission Meeting Minutes from June 7, 2023
- Commerce Park Transition Zone Redlined Regulations

OLD BUSINESS

A. Zoning Enforcement Report

None.

B. Planner Report – Administrative Site Plan Approvals

None.

C. CRCOG Regional Meeting Report

The next CRCOG Regional Meeting will be held in September.

**D. Application #23-09 - East Granby Planning & Zoning Commission
Zone Text Amendment - Section V.F. Village Center Zone
(rec'd 07/11/2023) (h/d 08/08/2023) (d/d 10/12/2023)**

A motion was made by Daniel Velcofsky and seconded by Charlie Allen to approve Application #23-09 by the East Granby Planning & Zoning Commission for a zone text amendment, Section V.F. Village Center Zone.

John Welsh referenced his prior comment regarding his disagreement with the removal of Section F.2.i. containing the 200-foot requirement.

Votes in favor were unanimous. Motion carried. John Welsh abstained. Effective date of change will be September 5, 2023.

**E. Application #23-10 - East Granby Planning & Zoning Commission
Text Amendment - Comprehensive Legal and Regulatory Updates
(rec'd 07/11/2023) (h/d 08/08/2023) (d/d 10/12/2023)**

A motion was made by John Welsh and seconded by Thomas Derlinga to approve Application #23-10 by the East Granby Planning & Zoning Commission for a text amendment for comprehensive legal and regulatory updates. Votes in favor were unanimous. Motion carried. Effective date of change will be September 5, 2023.

NEW BUSINESS

None.

ADJOURNMENT

A motion was made by Daniel Velcofsky and seconded by John Welsh to adjourn the meeting at 7:58 PM. Votes in favor were unanimous. Motion carried.

Respectfully submitted,

Laura Hall
Building & Land Use Administrative Assistant