

**PLANNING & ZONING COMMISSION  
EAST GRANBY, CONNECTICUT  
MINUTES  
May 24, 2016**

A meeting of the East Granby Planning & Zoning Commission was held on Tuesday, May 24, 2016. Members present when Chairman John Welsh called the meeting to order at 7:01 p.m. were David McNally, Daniel Velcofsky, Thomas Derlinga, David Brassard, and Robert Ravens-Seger with alternate members Dillon Tyman and Yvon Lemieux. Alternate Leo Stemp arrived at 7:04p.m.

**PUBLIC HEARING**

The legal notice was read into the record.

Leo Stemp arrived at 7:04 p.m.

A. Cardwell Homes LLC - Special permit for fill/11 Hamilton Road  
(#16-04) (rec'd 4/12/16) (h/d 5/24/16) (d/d 6/14/16)

Gary Giordano, engineer representing the applicant, briefly discussed the property location and general information. He submitted seven (7) exhibits to the Commission illustrating the history and previous approvals. IWC approval was received on 5/04/16. Previous FVHD approval had been received limiting the house to 2 bedroom. With the new system design, the applicant has submitted an application and is awaiting approval for a three bedroom permit.

1,000 yards of fill will be brought on site. Mr. Giordano explained how this fill met the regulations for the special permit requirements. Both Town Engineer and staff have reviewed the application and recommend approval with some revisions and conditions which the applicant agreed to meet.

After a short discussion on the amount of time needed to complete the fill process and concerns over the curves on Hatchet Hill Road/traffic issues, the Commission recommended limiting the hours of operation to 10 a.m. – 3 p.m. for Monday – Friday with no weekends or holidays. The applicant agreed with this change.

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

B. D.I. Paine's – Zone Change R-20 to Commerce Park B/Floydville Road  
(#16-05) (rec'd 4/12/16) (h/d 5/24/16) (d/d 6/14/16)

Kevin Clark, engineer representing the applicant, discussed the location of the property, the history and the “arbitrary” 900 ft. zone line. The proposal was to move the current Commerce Park B zone line back to the property line.

Mr. Haynes reviewed his report. He explained that the current POCD shows this area as Agricultural/Residential but with the review/revisions to the 2014 POCD, this area is more suitable to Commerce Park B. To the best of his knowledge the 900 foot zone line was arbitrary and it makes more sense to follow the property lines. The majority of the property is currently zoned Commerce Park B.

CRCOG comments dated 5/21/16 were read into the record. No one spoke in favor. No one was opposed. There were no further comments. The public hearing closed on this application.

D. Ken Ouellette/Special Permit for fill/85 East Street  
(#16-07) (rec'd 5/24/16) (h/d 5/24/16)

Mr. Ouellette explained that he owns Incorporated Construction and he has worked with the Second Chance Horse Rescue facility for many years, hauling away the manure. The area they wish to fill is approximately 600 feet long and 40 feet wide. This would flatten out an area by the paddock and make it easier to exercise the horses. He'd be bringing in about 700 yards of fill.

In response to questioning, he stated that he would truck in about 3 to 4 loads a day but the timing would be very spread out – it wouldn't be "every day until complete" – just when he had a truck available to make a run. The Commission requested he limit the work to Monday – Saturday (no Sundays or holidays) and deliveries should be between 7am – 5pm. Mr. Haynes stated that the DPW and Town Engineer had reviewed this application and had sent a report with several conditions.

No one spoke in favor. No one was opposed. There were no further comments. The public hearing closed on this application.

C. Commission's Zoning Regulation Change/Seasonal Farm stands  
(#16-06) (rec'd 5/24/16) (h/d 5/24/16)

Mr. Haynes explained that this application was in response to the recent revisions to the permanent farm stand regulations that were adopted. This change would replicate the aforementioned regulation which loosens the criteria for the sale of fruits and vegetables as to where they can be grown. Reasons for the change were stated during the previous application hearing.

Leo Stemp left the room at 7:40 p.m.

CRCOG comments dated 5/21/16 were read into the record. No one spoke in favor. No one was opposed. There were no further comments. The public hearing closed on this application.

The public hearing portion of the meeting closed at 7:42 p.m.

## **NEW BUSINESS**

### **E. Ken Ouellette/40% waiver for barn addition/6 Wyncairne**

Mr. Ouellette explained that he had a previous approval but had never built the addition as the design wouldn't work for him. This change would preserve the horse stalls and make access easier for his trailers and cars. He stated that he has a very large lot and there would be no impact on his neighbors and no noise issues. Mr. Haynes reviewed his comments and recommended the "usual" stipulations on the use of the building as a condition of approval.

Mr. Stemp returned at 7:45 p.m.

A motion was made by Daniel Velcofsky to approve the waiver the 40% rule to allow for a 780 sq. ft. addition to the barn as shown on a drawing submitted for 6 Wyncairne to allow an increase to 86.5% as it met the criteria for the waiver and subject to the following stipulations and conditions as outlined in staff report 5/21/16:

- The proposed accessory building shall not be used as a residential dwelling
- The proposed accessory building shall not be used for any commercial business use or activity.

Votes in favor were unanimous. Motion carried (no alternates were needed to vote).

## **DISCUSSION WITH APPLICANT AND/OR PUBLIC**

None

## **MINUTES**

A motion was made by Thomas Derlinga & seconded by John Welsh to approve the minutes of 4/12/16 as submitted. Votes in favor were unanimous. Motion carried. (Members who were present at the meeting to vote were: Welsh, Lemieux, Derlinga, McNally & Brassard)

A motion was made by Daniel Velcofsky & seconded by John Welsh to approve the minutes of 4/26/16 as submitted. Votes in favor were unanimous. Motion carried. (Members who were present at the meeting to vote were: Welsh, Lemieux, Velcofsky, McNally, Ravens-Seger & Brassard).

## **COMMUNICATIONS**

The Commission received:

- IWC minutes for the 5/04/16 meeting
- CT Federation of PZC Agencies quarterly newsletter
- Commission's own regulation change Application#16-06 for seasonal farm stands
- 40% waiver request for a barn addition @ 6 Wyncairne
- Application #16-07 for fill @ 85 East Street

- Town Engineer's report for Application #16-04 for 11 Hamilton Road & Application #16-07 for 85 East Street
- ZBA letter dated 5/4/16 for an approval for a rear yard variance for 186 Holcomb Street
- A copy of a ZBA legal notice for 58 South Main Street for a kitchen addition
- CRCOG comments dated 5/21/16 for Zone Change Application #16-05 & Zoning Regulation Change Application #16-06 for seasonal farm stands
- Staff comments dated 5/21/16 on all Applications
- Landscape Architect
- A brilliant Zoning Enforcement Report
- All items mentioned as received during the public hearings

### **OLD BUSINESS**

**A. Zoning Enforcement Report** – Mr. Haynes reviewed the report. The Commission noted that it was well done, impressive and they appreciated the efforts taken.

**B. Planner Report -**

- a. Administrative Site Plan Approvals: - 7 Bradley Park – Mr. Haynes distributed the approval for a re-located shed.
- b. POCD 2014 – Mr. Haynes stated he submitted the final draft to the Commission. After discussion on time lines, workshops will be held during the June & July regular meetings with the public hearing in September.

**C. CRCOG Regional Meeting Report** – Mr. Brassard stated the last meeting before summer break was short with little to report. The main discussion was regarding sustainability.

### **NEW BUSINESS**

**A. Cardwell Homes LLC - Special permit for fill/11 Hamilton Road**  
(#16-04) (rec'd 4/12/16) (h/d 5/24/16) (d/d 6/14/16)

A motion was made by John Welsh and seconded by Robert Ravens-Seger to approve Application #16-04 for a special permit for fill at 11 Hamilton Road (ref. map dated revised April 7, 2016) subject to conditions as recommended by staff report dated 5/21/16 and as revised during the public hearing as follows:

1. Prior to submitting revised finalized plans, approval from the FVHD shall be submitted which grants the increase of number of bedrooms from the previously approved two (2) bedrooms to (3) bedrooms.
2. Plans shall be revised a to include double row of silt fence and staked hay bales in the area of WF# 1 to WF#5 to help better protect the wetland area for erosion and sedimentation control.
3. Prior to issuing CO applicant will place placard designating limits of the Conservation Easement. Location per approval of the Wetland Enforcement Officer.
4. Revise finalized maps to clearly delineate the conservation restriction area and have the volume and page # written on the plans to correspond with the restriction filed on the land records.
5. The Conservation Restriction area will be graphically displayed on the proposed plot plans and final as-built plan.

6. Finalized plans shall be revised to redirect 2% grade in front of the garage away from the garage instead of toward it.
7. Add a Special Exception Approval Block to the finalized plans for signature.
8. Only certified clean fill shall be used and shall be approved by the Director of Community Development.
9. Fill will only be added to site during the hours of 10:00 a.m. – 3:00 p.m. /Monday – Friday (no holidays) so as to not disturb any residential neighborhoods.
10. Prior to a certificate of occupancy, a mylar as-built shall be provided which shows the new grades and contours. Any areas not in compliance with the proposed contours shall require the approval of the Town Engineer.
11. Erosion & sedimentation measures shall be in place prior to the any fill being added. These measures shall be inspected by the Wetland Enforcement Officer.
12. The road will be kept “broom clean” and any debris shall be cleaned up on a daily basis.

Votes in favor were unanimous. Motion carried.

**B. D.I. Paine’s – Zone Change R-20 to Commerce Park B/Floydville Road**  
(#16-05) (rec’d 4/12/16) (h/d 5/24/16) (d/d 6/14/16)

A motion was made John Welsh and seconded by Thomas Derlinga to approve Application #16-05 for a zone change from Residential R-20 to Commerce Park “B” for the rear portion of your property on the north side of the Floydville Road (aka Assessor Lot#8) (ref. map dated April 2016). The Commission agreed the application to be in conformance with the Plan of Conservation & Development and as per the current Zoning Regulations:

- the proposed change is in conformance with the purposes of the Regulations,
- the location of, and activities permitted within, the new zone will not adversely affect the public health, safety, welfare, or property value, and,
- the property is suitable for the intended use as the majority of the property is already zoned Commerce Park B.

The effective date of the change shall be 6/18/16. Votes in favor were unanimous. Motion carried.

**C. Commission’s Zoning Regulation Change/Seasonal Farm stands**  
(#16-06) (rec’d 5/24/16) (h/d 5/24/16)

A motion was made John Welsh and seconded by Daniel Velcofsky to approve the Zoning Regulation Change Application #16-06 by the Commission for revisions to seasonal farm stands for reasons stated during the public hearing and with an effective date of 6/18/16. Votes in favor were unanimous. Motion carried.

**D. Ken Ouellette/Special Permit for fill/85 East Street**  
(#16-07) (rec’d 5/24/16) (h/d 5/24/16)

A motion was made by Daniel Velcofsky and seconded by John Welsh to approve Special Permit Application #16-07 for fill at 85 East Street on behalf of the Second

Chance Ranch and owner Thomas Nicholson (ref. drawing and aerial photo submitted with the application) subject to the following conditions:

1. A silt fence shall be installed down slope of the wetland area and inspected by Wetland Enforcement Officer prior to trucking fill onto site.
2. All stockpiles of junk fill material currently on site must be removed. Only certified clean fill shall be used and shall be approved by the Director of Community Development.
3. All erosion and sedimentation controls shall be installed and maintained until a permanent vegetated cover is established.
4. Hours of operation to bring fill onto the site shall be from 7:00 a.m. – 5:00 p.m., Monday-Friday only, and no holidays.

Votes in favor were unanimous. Motion carried.

### **ADJOURNMENT**

A motion was made by Thomas Derlinga and seconded by Daniel Velcofsky to adjourn the meeting at 8:15 p.m. The votes in favor were unanimous. Motion carried.

Respectfully submitted,

Rosalie McKenney  
Land Use Administrative Assistant