

**PLANNING & ZONING COMMISSION  
EAST GRANBY, CONNECTICUT  
MINUTES  
May 09, 2017**

A regular meeting of the East Granby Planning & Zoning Commission was held on Tuesday, May 09, 2017. Members present when Chairman John Welsh called the meeting to order at 7:03 p.m. were David McNally, Daniel Velcofsky, Thomas Derlinga, David Brassard and Robert Ravens-Seger. Also present were alternates Angela Ciottone, Yvon Lemieux and Dillon Tyman.

**PUBLIC HEARING**

The legal notice was read.

- A. Michael Latonie/Regulation Change Application (#17-05)  
Revision to Section V.B.5.h. to add “restaurant” use  
(rec’d 4/11/17) (h/d 5/09/17) (d/d 7/11/17)

James Channing, representing the applicant, explained that with the elimination of the drive thru service from the adopted regulation created an issue with the existing definition of “restaurant” and no existing definition of a “convenience store”. Their concept plan was for food service within and as a part of a convenience store.

Mr. Haynes explained that service/gas stations were evolving. The floor plan he was presented appeared to be more than what had been approved with the regulation change recently adopted. He wasn’t comfortable with the proposal. He visited a site in Agawam that was similar to what was to be built. A large portion of the convenience store was for a restaurant type use. He felt an amendment to the regulations was necessary. The application proposed to add the word “restaurant”, but he saw the need to revise that proposal to distinguish between a restaurant as a primary use and as an accessory use and he distributed an amended version. The applicant had no issues with the change. The Commission was shown the same concept plan of the interior layout of the convenience store which resembled a food court.

Mr. Welsh stated that he wanted a legal opinion from the Town Attorney as he felt the proposal from Mr. Haynes, exceeded what had been advertised in the legal notice for this application. A separate application may be necessary. He agreed with Mr. Haynes on the need for the revisions to the definitions.

There was confusion and differences of opinion as to whether the floor plan proposal met the new regulations because some members saw this as a “restaurant” and others did not. There was discussion on whether the definition of restaurant needed to be revised or whether a definition of a convenience store should be added.

Mr. Bolduc from Pride stated that the business is evolving. Many of the current stores offer a turbo convection oven that just heats frozen items very quickly. This proposal did show a counter for service, a cook top and a grill which is why some saw this as a “restaurant” use. He did state that removal of the grill from their future proposal so no actual “cooking” took place would not be an issue.

It was agreed to continue the hearing to 5/23/17 in order to get a legal opinion on the amended proposal submitted by staff. There was no further discussion and the public hearing portion of the meeting closed at 8:00 p.m.

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

None

### **MINUTES**

A motion was made by Daniel Velcofsky & seconded by Thomas Derlinga to approve the minutes of 4/11/17 as submitted. Votes in favor were unanimous. Motion carried.

### **COMMUNICATIONS**

The Commission received:

- CT Federation of PZC Agencies quarterly newsletter
- A copy of a letter dated 4/24/17 from the DEEP re: permit approval for the CT Airport Authority for vegetative cutting
- 40% waiver request for 130 Turkey Hills Road for an above ground pool
- PRD side yard request for 2 Maize Lane for an above ground pool
- Staff comments dated 5/4/17 for 130 Turkey Hills Road & 2 Maize Lane
- Zoning Enforcement report

### **OLD BUSINESS**

**A. Zoning Enforcement Report** – A seven (7) item report was submitted and reviewed by Mr. Haynes with the Commission. There were no questions or comments except that the Enforcement Officer has been very busy.

#### **B. Planner Report -**

a. **Administrative Site Plan Approvals:** Russell Road/portable gas station/Tennessee Gas Pipeline - Mr. Haynes gave a brief description of the proposal which is temporary and on site to fuel the equipment.

#### **C. CRCOG Regional Meeting Report**

Mr. Brassard attended two meetings – January and March. In January, they discussed a task force regarding sustainable communities and in March, they reviewed municipal shared services such as G.I.S. mapping.

### **NEW BUSINESS**

**A. Michael Latonie/Regulation Change Application (#17-05)**

Revision to Section V.B.5.h. to add “restaurant” use  
(rec’d 4/11/17) (h/d 5/09/17) (d/d 7/11/17)

The public hearing for this application was continued to 5/23/17.

**B. Podbielski/130 Turkey Hills Road – 40% waiver for pool**

Mr. Haynes reviewed his comments dated 5/04/17. The pool (380 sq. ft.) and the existing shed structure (600 sq. ft.) total 980 sq. ft. of accessory structures on the property. This equates to 61.1% - an increase of 21.1% over the requirement. He recommended approval.

A motion was made by David McNally and seconded by Daniel Velcofsky to approve the waiver request for an 22 ft. round above ground pool at 130 Turkey Hills Road as it was determined that the request met the criteria as set forth in the East Granby Zoning Regulations and as recommended by staff. Votes in favor were unanimous. Motion carried.

**C. Mangiafico/2 Maize Lane – PRD side yard request – pool**

Mr. Haynes reviewed his comments dated 5/04/17. He noted that the lot is unique in that it is pie shaped and has a small back yard encumbered by location of the new septic system. He recommended approval. The adjacent property has been foreclosed on and is currently vacant but there is a buffer of trees.

A motion was made by David McNally and seconded by Daniel Velcofsky to approve the PRD side yard request to allow for a 16’ x 32’ above ground pool for property at 2 Maize Lane. This would allow for a twelve (12) foot side yard. This decision was based on the odd configuration of the lot and the location of the new septic system. Votes in favor were unanimous. Motion carried.

**ADJOURNMENT**

A motion was made by David McNally and seconded by Thomas Derlinga to adjourn the meeting at 8:24 p.m. The votes in favor were unanimous. Motion carried.

Respectfully submitted,

Rosalie McKenney  
Land Use Administrative Assistant