

**PLANNING & ZONING COMMISSION
EAST GRANBY, CONNECTICUT
MINUTES
January 09, 2018**

A meeting of the East Granby Planning & Zoning Commission was held on Tuesday, January 09, 2018. Members present when Chairman John Welsh called the meeting to order at 7:02 p.m. were David McNally, Amanda Thompson, Thomas Derlinga, David Brassard and Robert Ravens-Seger. Also present was alternate Daniel Velcofsky.

PUBLIC HEARING

A. Pride Gas (#17-08) Special Permit

SE Corner Rainbow Road/Route 20 – gas station/convenience store
(rec'd 10/10/17) (h/d 11/14/17 cont'd to 12/12/17 & 1/09/18) d/d 2/13/18)

Robert Bolduc, a principal with Pride Gas, reviewed the current revised set of plans with the Commission. He displayed renderings to show the truck fueling area was not visible from Route 20 in either direction. He reviewed the architecture of the building, accesses as proposed from Hazelwood and Route 20 which would include a no left turn sign so that all truck vehicles would all exit onto Route 20. He explained the truck fueling station was not a truck stop and would service local vehicles only.

In other discussion on traffic, he agreed with some concerns with residents for issues with tractor trailers. He noted he has tried to work with the Town of Windsor and Griffin Land to solve the problem regarding Hazelwood/Stone Road connection and its sharp angle. He noted that issues with a GPS directing trucks thru residential neighborhoods has been corrected. He summarized the changes to the plans as noted from the last public hearing which included reduced truck parking, landscaping, storm water drainage, elevations, and lighting. There was discussion on the cueing of trucks onto Hazelwood during busy times, truck idling, and limiting time for trucks at the site for 30 minutes.

Scott Hesketh distributed a new report to the Commission in reply to staff comments. He explained how he evaluated the traffic and trip generations. He noted that this was not a truck stop but only a diesel fueling station. The design exceeds DOT standards. A verbal has been received from the DOT on the design. He stated that no matter how you calculate it, the station as designed can handle the volume. There was discussion and concern with turning radius but tractor trailers in and out of Hazelwood and their inability to stay within the right lane to turn.

Discussion went back to the issue of the angle and difficulty for trucks to maneuver from Hazelwood onto Stone Road. Mr. Haynes had distributed aerial photos of the roadway turn. He noted that this and other traffic issues were a public safety concern. Mr. Hesketh noted that the applicant has tried to work with Windsor to address this but to no avail and that Stone Road is in a neighboring Town, the Commission has no jurisdiction. He also stated that, as the Commission

had approved a regulation change to allow a gasoline service station within the Commerce Park “A” zone by special permit, “was saying this is ok”.

Mr. Welsh stated that the vote on that regulation change was 4-2 and that the concept plan and discussion during that application was in regard to a gasoline service station with restaurant. The large truck fueling area would add more trucks onto Route 20 which can make matters worse for safety. He noted several very recent fatal accidents in the area.

Mr. Bolduc stated he understands the concerns from a traffic standpoint and stated he was willing to reduce the project and wanted to present that proposal. As appoint of order, Tim LesCalleet, a senior Vice President from Griffin Land stated that the public should have time for rebuttal first before a new proposal is presented.

The Commission took a five (5) minute recess and the public hearing resumed at 7:53P.M.

Mr. Welsh noted Mr. LesCalleet’s point of order but allowed Mr. Bolduc to continue with his presentation. Mr. Bolduc offered to eliminate all truck parking and not develop a portion of the property. The new design would allow for one single high volume diesel pump and the site would replicate the current Phillips 66 on Route 20 as a gasoline service station and convenience store/food facility. There would be no left turn onto Hazelwood. He offered to pay for improvements to make right turns onto Route 20 from Hazelwood safely for trucks even offering to add a guardrail. Mr. Hesketh noted that this could be done. There was still discussion on cueing if the truck parking was eliminated. Mr. Bolduc noted that competition was good and this would reduce some of the problems at the Phillips 66 station. Mr. Bolduc displayed photos of other Pride stations in the area that the new proposal would be similar too. Pride is noted for its cleanliness, good food and lower pricing. His reduced plan would eliminate all safety concerns stated.

Mr. Haynes reviewed his report noting the changes to the plans as requested in his original comments. He recommend denial based on the missing information on addressing the Hazelwood/ Stone Road problems. He would need to revisit any cueing issues that may arise from only one pump. The application still did not meet all the criteria as noted in the special permit section of the regulations.

In favor of the application, East Granby residents Yvon Lemieux and John Walker, stated that the applicant had done a good job of presenting the proposal and that the Commission should rely on the trained experts in their fields making the presentation. It was good for taxpayers and good for capitalism. It was noted there was a lack of support by the Commission to bring business into Town.

In opposition, many residents of both East Granby and Windsor had concerns for additional truck traffic into Town. They noted current serious problems from the recent development on International Drive. They feel this will only significantly add to the current situation. They disagreed with the statement regarding GPS changes. Many trucks are still led into residential neighborhoods by their GPS creating serious safety concerns.

Vince Scacchitti, a resident on Seymour Road, submitted a petition of approximately 80 signatures from people opposed to this application. He noted that we are a small town with a small tax base and the Commission should be wise as to what they bring into town. Not all business is a wise investment.

State Representative and East Granby resident Tammy Zawistowski summarized a letter she had submitted to the Commission in opposition for herself and her constituents who had contacted her. She noted she was a Pride consumer and had a Pride card. She noted that the proposal was designed to attract tractor trailers and this would only exacerbate the current issues. Most of the truckers to and from the distribution centers in the area are independent. Many tend to ignore signs and weight limits posted. This would affect the quality of life of residents in the area and additional truck traffic on Route 20 can create a dangerous situation. As for tax income to the town, a gasoline service station is not of high value and may increase costs to the Town with public safety.

Tim LesCalleet, noted that Griffin Land was an adjacent property owner. He stated that there were more appropriate parcels for this type of proposal in the area, and it was detrimental to existing businesses. He corrected several "misstatements" by Pride regarding Griffin Land that Pride submitted in a letter to the Commission with the revised plans. He explained the history of the development of the area and the reasoning for the Hazelwood/Stone Road angle. All his comments had been submitted to the Commission in a second letter dated 1/09/18.

Mr. Welsh reviewed the special criteria considerations for special permits and noted in detail that he did not feel this proposal met items C, D, E, & I. He wanted to make it clear that as a rule a motion is made in the affirmative but he would vote no for those reasons.

James Channing, an Attorney for Pride, wanted to enter a quick rebuttal to comments made. The petition was invalid as it stated the proposal was for a truck stop which this is not. He explained the difference. There was no evidence only speculation that this proposal would exasperate existing issues. The tax benefit would be great and add 1.3 million to the tax base. Thee applicant has addressed access and parking by redesigning the scope of the project and the Commission does not have jurisdiction over roads in another town. The Commission should consider the modifications and with conditions can address the issues, not just say no.

Carl Landolina, Attorney for the Town, noted that under the regulations the Commission does not have a right to consider an issue in another town but under the special permit considerations, they have jurisdiction to consider the issue for health and safety and welfare reasons. He questioned the offer for the bond or the developer's fee as the Commission has no control over that as it would be with another Town.

There was discussion on timeframes and extensions to not exceed statutory requirements. There was not enough time to extend the hearing to the next regular PZC meeting date in February. After options were considered by the applicant, it was decided to hold a second meeting in January and continue the hearing to 1/23/18. Attorney Landolina, also noted for the record, that new member of the Commission, Amanda Thompson, though present at the first hearing as an

audience member, was not a Commission member at the 11/14/17 hearing and cannot vote on this application.

Mr. McNally wanted to state that he was upset with the applicant that after 2 years of discussion, he was surprised by the application with the large truck component and then now that the community is upset, the applicant was now offering to scale down the project. He stated he doesn't like surprises.

The public hearing portion of the meeting closed at 9:55 p.m.

DISCUSSION WITH APPLICANT AND/OR PUBLIC

None

NEW BUSINESS

B. First National Bank of Suffield (#17-10) Site Plan 1 Turkey Hills Road (rec'd 12/12/17) (d/d 2/13/18)

A letter dated 1/09/18 was received from the applicant withdrawing the application.

C. Brown Brothers (#17-11) Revised Site Plan (rec'd 1/09/18) (d/d 3/13/18)

John Welsh recused himself from any action on this application. David McNally was appointed Acting Chairman.

T J Baressi, engineer & surveyor representing the applicant, explained the purpose of the application was to re-approve a unified site plan from 2009 for an addition that has expired and to add more parking. The original approval also allowed for a 25% reduction in required parking and a waiver of the maximum building footprint. The applicant is requesting those be re-approved also. These requests were submitted in separate letters as a part of the application.

He discussed existing conditions, grading, drainage, landscaping and parking design. There are no wetlands on the property but there is a brook and man-made pond. Approval was received from IWC. He read through staff comments from both Mr. Haynes and the Town Engineer and agreed to comply with those revisions. Mr. Haynes e his report and the comments from the Town Engineer.

A motion was made by Robert Ravens-Seger and seconded by David Brassard to approve the revised unified site plan Application #17-11 by Brown Brothers Properties at 13 Church Road & 9/15 School Street (ref. drawings dated 12/05/17) subject to the following conditions:

1. The Commission grants the request for the 25% reduction in parking as allowed for a unified site plan per Section VII.B as approved under the previous unified site plan approval in 2010.

2. The Commission grants the waiver for the maximum building footprint as requested per Section V.E.7.a as approved under the previous unified site plan approval in 2010.
3. Prior to submission of finalized plan for signature, a letter from the East Granby Medical Properties LLC authorizing Brown Brothers Properties to apply for the unified site plan agreement between Assessor Lot 31 & 31-1 as shown on Barresi Associates plans, sheets 1-10, dated December 5, 2017 to allow for an addition of a second wing to property at 13 Church Road shall be submitted.
4. Prior to signature by the Commission on finalized plans, a revised Easement Plan shall be submitted and shall to be filed on the land records. Finalized plans submitted by Baressi Associates shall reference corresponding Volume and Page for such Easement and Maintenance Agreements associated with aforementioned Easement Plan. The aforementioned easement and maintenances agreements shall be reviewed and approved by the Town Attorney prior to such filing on the land records. This will guarantee due diligence and put potential future property owners on notice of the Unified Site Plan, Easement, and Maintenance Agreements for Assessor Lots 31 & 31-1.
5. Per the Town Engineer's report dated 1/09/18:
 - Any additional revisions to the plans shall be submitted for review and approval prior to the issuance of a building permit.
 - A pre-construction meeting with Town staff prior to the start of construction is recommended to inspect E&S measures and controls along with construction sequencing and phasing.
 - Any additional E&S measures deemed necessary by the Town of East Granby during the construction process shall be added.
 - An as-built site improvement and grading plan, prepared by a State of CT Registered Land Surveyor, shall be submitted for approval after all site work is completed and prior to the issuance of a certificate of occupancy.

The votes in favor were unanimous (6). Motion carried. John Welsh resumed as Chairman.

MINUTES

A motion was made by Robert Ravens-Seger & seconded by John Welsh to approve the minutes of 12/12/17 as submitted. Votes in favor were unanimous. Motion carried.

COMMUNICATIONS

The Commission received:

- IWC Minutes for 1/3/18
- Revised maps, photos for a visual of the of station & a letter of explanation of the revisions for Pride Application #17-08
- Revised comments from staff for Pride Application #17-08
- Staff comments dated 1/08/18 for Application #17-11 for Brown Brothers
- ZEO Report
- Additional comments from Griffin Land for Pride Application #17-08
- A letter of withdrawal for Site Plan Application #17-10 for 1 Turkey Hills Road
- Special Permit Application #17-12 by First National Bank of Suffield for 1 Turkey Hills Road for a bank with drive-thru
- Special Permit Application #17-13 by Nancy DiScipio for a gymnastic/cheering leading center at 10 Hazelwood Road

- A letter from State Representative Tami Zawistowski for the Pride Station Application #17-08
- Comments from the Town Engineer for Applications #17-10, #17-08 & #17-11
- A request for Application #17-11 for a modification and a waiver per the zoning regulations.
- Any items noted as received during the public hearing.

OLD BUSINESS

A. Zoning Enforcement Report – an updated report was submitted for review.

B. Planner Report -

- Administrative Site Plan Approvals: Mr. Haynes reviewed the approval for 7 Veterans Memorial Drive a shed for use by the EGFD for storage.

C. CRCOG Regional Meeting Report – No meeting took place.

D. Public Act Opt Out - temporary health care structures – No action taken.

NEW BUSINESS

A. Pride Gas (#17-08) Special Permit

SE Corner Rainbow Road/Route 20 – gas station/convenience store
(rec'd 10/10/17) (h/d 11/14/17 cont'd to 12/12/17 & 1/09/18) (d/d 2/13/18)

No action taken. The hearing on this application has been continued to 1/23/18.

D. Election of Officers

A motion was made by David McNally and seconded by Thomas Derlinga to nominate and elect John Welsh as Chairman for 2018. The votes in favor were unanimous. Motion carried. (Mr. Welsh did not vote on his own nomination.)

A motion was made by John Welsh and seconded by Robert Ravens-Seger to nominate and elect David McNally as Vice Chairman for 2018. Votes in favor were unanimous. Motion carried.

A motion was made by John Welsh and seconded by Amanda Thompson to nominate and elect Thomas Derlinga as Secretary for 2018. Votes in favor were unanimous. Motion carried.

E. Election of CRCOG Representatives

No action until the next meeting.

At this time a motion was made by John Welsh and seconded by David Brassard to add under New Business, Item “F”, Alternate Appointment. Votes in favor were unanimous. Motion carried.

F. Alternate Appointment

A motion was made by John Welsh and seconded by Robert Ravens-Seger to appoint Mark Ricketts as an alternate to the Planning & Zoning Commission to fill a vacancy. 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 10:27 p.m. The votes in favor were unanimous. Motion carried.

Respectfully submitted,

Rosalie McKenney
Land Use Administrative Assistant