

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

**MINUTES  
November 14, 2023**

A meeting of the East Granby Planning & Zoning Commission was held on Tuesday, November 14, 2023. Members present when Chairman Thomas Derlinga called the meeting to order at 7:00 PM were Charlie Allen, David Brassard, Amanda Thompson, Daniel Velcofsky, and John Welsh and alternate member Jay Tran. Alternate member Mark Ricketts arrived at 7:03 PM.

**PUBLIC HEARINGS**

**A. Application #23-11 – Copart of Connecticut, Inc. – Special Permit Modification to Construct Two External Vehicular Storage Areas for Existing Online Auto Auction Operation  
49 Russell Road, Map 13, Lot 4; Russell Road, Map 12, Lot 47-1; East Street, Map 13, Lot 6  
(rec'd. 10/10/2023) (h/d 11/14/2023) (d/d 01/18/2024)**

The legal notice for the public hearing was read.

A motion was made by Daniel Velcofsky and seconded by Charlie Allen to open the public hearing regarding Application #23-11. Votes in favor were unanimous. Motion carried.

Mark Ricketts arrived at 7:03 PM.

Guy Hesketh, licensed professional engineer with F.A. Hesketh and Associates, presented an overview of Copart's project to construct and operate two external vehicle storage areas and provided a history of recent text amendments concerning auto auctions in East Granby. The October 28, 2023 plan set, which Mr. Hesketh stated includes some changes requested by Staff and the East Granby Inland Wetlands/Conservation Commission, was reviewed.

Storage Area A consists of about 4.13 acres and was most recently used as a construction area for work on the natural gas pipeline running through the area. Mr. Hesketh provided a description of the drainage plan, noting the location of the water quality basins, berms, swales, and other features to be built. The storage area itself will consist of a dense process gravel material and will be protected by an eight-foot fence for security measures. A concrete block storage bin will be located at its southeast corner to hold additional processed stone material to be used for spot repairs. Storage Area B is smaller in size, at 1.24 acres. Its drainage plans are similar to those for Storage Area A. Mr. Hesketh also described the seed mixes to be used and stated that the existing trees on site provide natural screening. Permanent erosion and sediment controls to be used for both storage areas include riprap outlet protection, stone check dams, etc. Temporary measures include sediment logs in the swales, silt fencing, erosion control blankets on all soil slopes, etc. Per the comments of the Town Engineer, erosion control measures will be doubled in areas adjacent to the wetlands by supplementing the silt fence erosion controls on the lower portion near the wetlands with an additional measure such as straw wattles. Mr. Hesketh anticipates that some dewatering will be required with the excavation of the basins.

Mr. Hesketh noted that the plans to treat the stormwater runoff for the site provide three times the minimum DEEP recommendation for water quality volume.

In response to concerns by Staff, statistics regarding the percentage of damaged vehicles received at the site, the extent of vehicle damage, potential for fluid leakage, and spill cleanup procedures were provided by Copart as part of the record. Other changes that Staff requested have been incorporated into the October 23, 2023 plan

set, including the use of large process stone for the surface of the storage areas instead of asphalt millings, a ten-foot vegetative strip on downgrading perimeters, stone check dams in the swales, the addition of the process material storage bin, and the use of geotextile material as needed. Two other requests by the Town Engineer, the use of straw wattles or wood chips at the silt fencing by the wetlands and an emergency spillway for the downgradient basin, will also be completed as conditions of approval.

Questions from Commission members regarding the original size of the parcel and the location of the storage bin were answered by Guy Hesketh. Mr. Hesketh also clarified that access to the two new storage areas will be internal from the existing main drive on the site, with emergency access only from Russell Road through an existing gated and locked gravel drive. There will be no dismantling or parting of vehicles. Mr. Hesketh noted that when a vehicle comes on site, it is inspected and any observed leaks are taken care of, but no other repairs are done. The purpose of the two new areas is simply to store more vehicles. Mr. Hesketh also clarified that during a previous Wetlands meeting it was estimated that the areas could hold up to 2000 vehicles, but subsequent calculations by Copart General Manager Brian Phillips show that the maximum number of vehicles that can be held in Storage Areas A and B is actually 700.

Brian Phillips further described the sales process conducted on site for Commission members. He stated that only Copart's loaders will have access to the new storage areas, not third-party carriers. Cars are towed or driven in to the site and an online auction takes place every Thursday. Purchasers usually send a car carrier to pick up multiple vehicles at a time. No additional lighting is planned for the site.

Thomas Derlinga then opened the floor to public comment.

A letter from Carolyn Blake, 19 Crystal Drive, opposing the project due to traffic and contamination concerns was read.

Susan Schuett-Grote, 31 Crystal Drive, spoke against the project as she feels that the truck traffic creates unsafe conditions on East Street, that the cars will leak toxic chemicals, and resident quality of life will not be enhanced by Copart's expansion.

Shannon Grote, 8 Harvest Lane, opposed the project and spoke about her environmental concerns. She emphasized the importance of a DEEP Natural Diversity Database review as Russell Road is shown to have a great likelihood of critical endangered species living there. She stated that leaking chemicals would be detrimental to the critical wetlands habitat.

Lisa Mendes, 30 Crystal Drive, discussed the contrast she sees between the rural East Granby portrayed on the Town website and the East Granby she experiences with tractor trailer trucks and car carriers day and night in her neighborhood. She asked for protection of her neighborhood.

Guy Hesketh addressed the concern regarding a Natural Diversity Data Base request. He explained that the request is mandatory for any construction project in Connecticut over five acres as part of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities. Mr. Hesketh stated that the request was made almost two months ago for this project and is still in process.

Additionally, Mr. Hesketh reviewed the special permit considerations required under Section 8 of East Granby's zoning regulations and described how the project as planned meets all 11 standards.

In response to a question from Charlie Allen, Mr. Hesketh confirmed that it was Town Staff that requested gravel to be used for the surface of the storage areas instead of millings. Director of Planning and Economic Development Robin Newton explained that due to concerns raised during the Inland Wetlands Commission public hearings regarding vehicle fluid leaks, she, the Town Engineer, and the Wetlands Enforcement agent

visited the site and assessed the two proposed storage areas. As a result, additional mitigation measures were requested for the project to ensure sensitive wetlands adjacent to the area would be protected. Staff also requested information regarding Copart's business processes, and the business timeline is now a part of the record. The timeline confirms that vehicles are not towed to Copart directly from an accident site.

John Welsh noted that the data states that just under ten percent of Copart's vehicles have sustained major front-end damage. He suggested the Commission may want to consider prohibiting the storage of any vehicle with major front-end damage in the two new storage areas, especially Storage Area A due to its proximity to DeGraves Brook. Mr. Welsh also thought that perhaps from the 700 estimated as possible, the number of vehicles allowed in each storage area should also be proportionately specified. Brian Phillips of Copart stated he would prefer not to be limited in these ways but could accept those conditions if required.

Robin Newton inquired about overnight deliveries when the business is not open. Mr. Phillips replied that they do have occasional car carriers from other states coming to drop cars off outside of their stated hours of operation.

John Welsh wondered if traffic was encouraged to travel directly to Route 20 via Bradley Park Road and not East Street. Brian Phillips answered that signs are in place on the property fencing to direct traffic to the left and not the other way. Guy Hesketh proposed as a condition of approval that Copart's instructions to drivers state that they are required to come in to the site from Bradley Park Road. Mr. Phillips indicated that Copart has worked with Google and Apple to route traffic through the industrial park and not the other direction. Resident Lisa Mendes commented that part of the roadway near the National Guard base is not in good condition which may make the use of East Street more appealing for drivers.

Nelson Torres, 34 Crystal Drive, spoke via Zoom regarding his concerns about an increase in the number of damaged cars sold by Copart and the contamination he feels they will bring to the town.

Kathy Keily of Harvest Lane questioned how the expansion of Copart will benefit the Town of East Granby. She suggested that Copart should be required to ensure that truck drivers do not use East Street.

Discussion followed regarding online directions, signage, and requests to the Board of Selectmen who serve as the Town's traffic authority.

Ronald Hunt of Seymour Road commented that while truck traffic may be unpopular, truck driving is an essential profession. He suggested a 24-hour guard shack at Copart to direct vehicles.

Representing the applicant, Thomas Fahey, attorney with Fahey and Landolina, summarized that as a property owner and a business Copart has successfully worked within the framework of zoning regulations provided by the Town to address all requirements through the reports of professional experts. According to Mr. Fahey, these reports show that the applicant has satisfied their burden and deserves to receive special permit approval.

Lastly, David Brassard inquired if the NDDB markings were required on the survey provided by the applicant. Robin Newton confirmed they are a requirement for the DEEP discharge permit only. Guy Hesketh answered Mr. Brassard's additional questions concerning monitoring and inspection protocol and DEEP spill reporting.

A motion was made by David Brassard and seconded by Charlie Allen to close the public hearing regarding Application #23-11 at 8:22 PM. Votes in favor were unanimous. Motion carried.

#### **PUBLIC COMMENT ON NON-AGENDA ITEMS**

None.

## **INFORMAL DISCUSSION WITH APPLICANTS**

### **A. 33 Seymour Road – Sale of Mulch, Stone, Topsoil – Ronald Hunt**

Robin Newton stated that while the sale of mulch, stone, and topsoil does not currently fit into the parameters of East Granby's zoning regulations because they are not agricultural products, Ronald Hunt of 33 Seymour Road is seeking feedback from the Commission regarding a text amendment for agricultural properties to include these types of products for sale.

Mr. Hunt stated that he would like to utilize the field to the right of his house on his property at 33 Seymour Road for the sale of mulch, stone, and topsoil. Sales would not include block or brick. Currently, these products are not available locally and residents have to go out of town to purchase them. Mr. Hunt stated that he owns a tri axle dump truck and a trailer dump that are currently located on the property and those will be the only vehicles bringing in the material. Asked about the location of his property, Mr. Hunt confirmed that his property abuts the Quincewood condominiums and is just under eight acres. He intends to buy the products from distributors in East Windsor and Ellington.

Thomas Derlinga commented that the wording for a text amendment could possibly specify non-manufactured products to exclude unwanted manufactured ones. John Welsh noted that this use would be permitted in the Commerce Park B Zone. Robin Newton stated that other rural communities in Connecticut do allow these types of uses in their agricultural zones, but they are a bit more intensive than a typical farm stand or store.

## **MINUTES**

A motion was made by John Welsh and seconded by Daniel Velcofsky to approve the minutes of the October 10, 2023 meeting as submitted. Votes in favor were unanimous. Motion carried.

## **COMMUNICATIONS**

- Inland Wetlands/Conservation Commission Minutes, November 1, 2023
- Planning and Zoning Commission Meeting Dates for 2024
- Inland Wetlands/Conservation Commission Staff Comments on Application #CC23-04
- Copart Manual for Spills
- State Definition of Agricultural Products
- Letter from Ronald Hunt, November 6, 2023
- Driveway Ordinance, November 6, 2023
- Letter from Carolyn Blake, November 14, 2023

## **OLD BUSINESS**

### **A. Zoning Enforcement Report**

None.

### **B. Planner Report – Administrative Site Plan Approvals**

Commission members received a copy of a new driveway ordinance written by the Town Engineer. Robin Newton stated that these processes are already in place, but the ordinance will formalize requirements and procedures. Existing zoning regulations, subdivision regulations, public works requirements for road cuts, and bonding have all been incorporated into a singular ordinance by Tom Grimaldi that can be adopted at a Town Meeting.

Two minor site plan modifications have been received. The first was for the previously approved apartment complex at 13 Nicholson Road. The footprints of two of their buildings have been slightly reduced. The second was for the 12-14 School Street apartments. They are also slightly reducing their building footprint and Robin Newton also requested the removal of five parking spaces that will interfere with the School Street sidewalk grant project.

Robin Newton reminded Commission members of the State training requirements which must be completed by the end of the year, to be reported to OPM by January.

There will be no December PZC meeting due to a scheduling conflict with a Town Meeting.

During the summer, an application was submitted for the Community Connectivity Grant Program. A \$690,000 grant has been awarded to East Granby for town campus sidewalk connections throughout the Town Campus, along Route 20, connecting to Route 187, and back to the Town Campus.

### **C. CRCOG Regional Meeting Report (next meeting 11/16/2023)**

None.

### **D. Application #23-11 - Copart of Connecticut, Inc. - Special Permit Modification to Construct Two External Vehicular Storage Areas for Existing Online Auto Auction Operation 49 Russell Road, Map 13, Lot 4; Russell Road, Map 12, Lot 47-1; East Street, Map 13, Lot 6 (rec'd. 10/10/2023) (h/d 11/14/2023) (d/d 01/18/2024)**

A motion was made by Amanda Thompson and seconded by Daniel Velcofsky to approve Application #23-11, Copart of Connecticut, Special Permit Modification subject to the seven conditions listed in the November 9, 2023 Town Planner's report and the following additional conditions:

- Any cars with major front-end damage will not be placed in Storage Areas A and B.
- Copart will give additional directions to customers to use Bradley Park Road.
- A maximum of 700 cars will be allowed in Storage Areas A and B combined.

A motion was made by John Welsh and seconded by David Brassard to amend Ms. Thompson's motion to include an additional condition:

- Hours of operation are Monday through Friday from 8:00 AM to 5:00 PM.

Votes in favor were unanimous. Motion carried.

## **NEW BUSINESS**

### **A. 2024 Meeting Dates**

A motion was made by John Welsh and seconded by Daniel Velcofsky to approve the 2024 meeting dates for the Planning and Zoning Commission as submitted. Votes in favor were unanimous. Motion carried.

## **ADJOURNMENT**

A motion was made by Amanda Thompson and seconded by Charlie Allen to adjourn the meeting at 8:53 PM. Votes in favor were unanimous. Motion carried.

Respectfully submitted,  
Laura Hall  
Building & Land Use Administrative Assistant