



## GRANBY PLANNING BOARD

10 West State Street

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*Approved  
March 20, 2023*

Members Present: Jim Trompke, Chair  
Robert Sheehan, Jr., Vice Chair  
Jason Smigiel, Treasurer  
Nita Abbott, PVPC Commissioner  
Melissa St. Germain, Secretary

Members Absent:

Others: Kenneth Comia, PVPC

Meeting: February 13, 2023

Location: In person at 1 Library Lane, Old Carnegie Building, Granby, MA

### Minutes

**CALL TO ORDER:** Chair Jim Trompke called the meeting to order at 5:02 PM.

### Administrative Items

#### Approval of Minutes

Motion to approve the meeting minutes from September 26, 2022, made by Robert Sheehan, Jr., and seconded by Jason Smigiel. Motion carried 3 approved, 0 opposed.

Motion to approve the meeting minutes from October 17, 2022, made by Robert Sheehan, Jr., and seconded by Jason Smigiel. Motion carried 4 approved, 0 opposed.

Motion to approve the meeting minutes from November 21, 2022, made by Robert Sheehan, Jr., and seconded by Jason Smigiel. Motion carried 4 approved, 0 opposed.

Minutes from September 12 & 19, 2022, will be presented at the next meeting.

With regular meeting items discussion finished in anticipation of the public hearing, motion made by Robert Sheehan, Jr. to adjourn the regular meeting at 5:14 PM, seconded by Jason Smigiel. Motion carried 5 approved, 0 opposed.

### New Business

## ANR – 30 Parish Hill Road, Alice M. Gagnon Chouinard

Ed Chapdelaine, from Durkee, White, Towne and Chapdelaine, brought an updated ANR plan showing updated boundary lines for 30 Parish Hill Road.

Motion made by Robert Sheehan, Jr. and seconded by Jason Smigiel to approve and endorse the ANR Plan for Alice M. Gagnon Chouinard, as presented. Motion carried 3 in favor 0 opposed and 0 abstained.

## Marijuana Related Business – Growing Facility Zoning

Mr. Kenneth Comia, PVPC Consultant, provided language for the Board that came from the PVPC adult-use marijuana model guidelines. The Board discussed various situations where cannabis is grown. There were description of licenses that the Cannabis Control Commission. Mr. Comia stated that the Zoning Bylaw spells out four criteria for approval where these cannabis facilities can be located. The bylaw only allows cultivator and dispensaries in certain parts of town. Other questions related to revenues were brought up and additional research was requested. Board members brought up concerns about security and odor. The Cannabis Control Commission sets the minimum for required criteria of approval.

Mr. Comia will follow up.

## **Old Business**

### Public Hearing – 220 West State Street, Kim's Pet Resort, LLC

Motion from Robert Sheehan, Jr., seconded by Jason Smigiel to reopen the Public Hearing. Motion carried 5 approved, 0 opposed. Mr. Smigiel reread the public hearing notice.

The Chair explained his walk through observations – adequate parking as indicated in plan and enough parking spaces available. Member Nita Abbott concurred with the statement.

The Board began to discuss possible conditions. The Chair would like the building inspector to sign off on a railing for the handicap ramp. He determined no other issues with the site plan. Mr. Sheehan asked about policing the site of pet relief. The Chair said that the area near the septic system and leach field be the area where pet relief should be designated.

The Chair reminded the Board and those in attendance that the public comment period was closed at the previous meeting. The Board is still able to address possible conditions. The Chair said that any pets should be leashed. Board Member Melissa St. Germain said agreed. The Chair reminded Ms. St. Germain that she is unable to vote on the special permit as she was absent the previous meeting.

Motion made by Robert Sheehan, Jr. and seconded by Jason Smigiel to approve the Special Permit with conditions for 220 West State Street:

1. Handicap ramp is up to building code standards.
2. Pets should be leashed. Waste should be disposed of properly and daily.
3. Waste should be contained to area where leach field and septic system are located.
4. No on-street parking.

Motion carries four (4) in favor, one (1) abstained.

The Chair reminded the applicant of the filing and recording process for the Special Permit.

Motion to close the hearing made by Melissa St. Germain, seconded by Robert Sheehan, Jr. Motion carries 5 in favor, 0 opposed.

An abutter commented that she felt the public hearing brought forth new information that was not present in a previously recorded meeting and did not give an opportunity for abutters to weigh in due to the nature of the public hearing being closed. The Chair responded with the role of the Board in this permitting process. Zoning enforcement would address any infraction to the zoning of that parcel and the conditions of the approval.

The Chair stated that Police and Zoning Enforcement Officer are responsible for enforcing laws related to their appropriate jurisdictions.

A member of the audience asked about conditions of the approval regarding time of operation. The Chair stated that the Board had already granted approval with conditions. There were no conditions placed on the time of operations for the business. Ms. Kim Goldsmith, 129 Taylor Street, Granby, who is the applicant stated that she would not be open on Sunday and that her comments from the previous meeting were the planned times of operations.

Further comments regarding past testimony from the last meeting were brought forward. A member of the audience suggested that the Board add conditions based on testimony from the applicant. The Chair reminded the audience the Board voted to approve the special permit with conditions.

Mr. Kenneth Comia, Planning Board consultant, advised the Board they were able to reopen the decision to amend it by vote of the Board or it can rely on adopted minutes.

The attorney representing an abutter suggested the Board amend its decision to include conditions that were spoken about at the previous meeting and brought forward by the abutters. The Chair stated that public hearing was closed and the special permit was approved with conditions.

### **Adjournment**

Motion was made by Robert Sheehan, Jr., and seconded by Melissa St. Germain to adjourn at 6:07 p.m. Motion carried 5 approved, 0 opposed, 0 abstained.

### **Next Meeting**

The next regular Planning Board meeting will be Monday, March 6, 2023, at 5:00 PM.

I, Kenneth Comia, certify that these minutes are true and accurate minutes of the February 13, 2023, Planning Board meeting.

Respectfully submitted,

Kenneth Comia, AICP  
Pioneer Valley Planning Commission