



## GRANBY PLANNING BOARD

10 West State Street

Granby, MA 01033

Telephone: (413) 467-7177 Fax: (413) 467-2080

Website: [www.granby-ma.gov](http://www.granby-ma.gov)

Members: Glen Sexton, Chair  
Jim Trompke, Vice Chair  
Robert Sheehan, Jr., Treasurer  
Lillian Camus, Secretary, PVPC Rep  
Rob Chauvin, Member

Others: Ken Comia, PVPC  
Matthew Bombaci, Bohler Engineering

Absent:

Meeting: Monday, August 26, 2019

Location: One Library Lane, Upper Level, Granby, MA

### Minutes

**CALL TO ORDER:** Jim Trompke called the meeting to order at 5:30 p.m.

#### Administrative Items

##### Approve Bills

##### *Berkshire Engineering*

Jim Trompke reviewed invoice #B1906-09 from Berkshire Engineering, Inc. for \$1,490.00 for a peer review of the CPV Red Rock Solar Project.

Motion was made by Robert Sheehan, Jr. and seconded by Rob Chauvin to approve the Berkshire Engineering's Invoice #B1906-09 in the amount of \$1,490.00. Motion carried 4 in favor, 0 opposed, 0 abstained

##### *PVPC*

Jim Trompke reviewed #4 invoice from Pioneer Valley Planning Commission (PVPC) in the amount of \$2,925.00 for services rendered from April 1, 2019 through June 30, 2019.

Motion was made by Robert Sheehan, Jr. and seconded by Rob Chauvin to approve the PVPC's Invoice #4 in the amount of \$2,925.00. Motion carried 4 in favor, 0 opposed, 0 abstained

### Approve Minutes

#### *Approval of July 8, 2019 Minutes*

Jim Trompke asked if there were any changes to the July 8, 2019 minutes. Hearing none

Motion was made by Robert Sheehan, Jr. and seconded by Lillian Camus to approve the July 8, 2019 minutes. Motion carried 3 in favor, 0 opposed, 1 abstained (Rob Chauvin)

#### *Approval of July 16, 2019 Minutes*

Jim Trompke asked if there were any changes to the July 16, 2019 minutes. Hearing none

Motion was made by Robert Sheehan, Jr. and seconded by Lillian Camus to approve the July 16, 2019 minutes. Motion carried 3 in favor, 0 opposed, 0 abstained

#### *Approval of July 22, 2019 Minutes*

Jim Trompke asked if there were any changes to the July 22, 2019 minutes. Hearing none

Motion was made by Robert Sheehan, Jr. and seconded by Rob Chauvin to approve the July 22, 2019 minutes. Motion carried 3 in favor, 0 opposed, 1 abstained (Lillian Camus)

#### *Approval of July 29, 2019 Minutes*

Jim Trompke asked if there were any changes to the July 29, 2019 minutes. Hearing none

Motion was made by Robert Sheehan, Jr. and seconded by Lillian Camus to approve the July 29, 2019 minutes. Motion carried 3 in favor, 0 opposed, 1 abstained (Rob Chauvin)

### Correspondence

Jim Trompke reviewed a letter from Massachusetts Department of Environmental Protection for MacDuffie school regarding some well work being done. The MA DEP approved the work being done. The letter was sent to the Planning Board for informational purposes only.

Jim Trompke noted Kathy Kelly-Regan sent the Board a copy of the No Appeal verdict in Granby DG Series, LLC decision.

Jim Trompke noted Kathy Kelly-Regan sent the Board a copy of the No Appeal verdict for 185 Kendall Street decision.

### **New Business**

#### 5:35 p.m. – ANR Batchelor Street – E. Chapdelaine

Jim Trompke recused himself from the discussion and left the room.

The Board reviewed an ANR application Ed Chapdelaine presented on behalf of Charlotte L. Chartier Cote to create two parcels out of one on property located at 232 Batchelor Street, Parcel ID 14\_A\_4. The deed property is recorded in Hampshire County Registry of Deeds in Book 11206, Page 110.

Motion was made by Rob Chauvin and seconded by Lillian Camus to approve the ANR for Charlotte L. Chartier Cote at 232 Batchelor Street. Motion carried 3 in favor, 0 opposed, 1 abstained (Jim Trompke)

Check #2578 received from Guy J. Cote drawn on the Polish National Credit Union in the amount of \$250.00.

Glen Sexton arrived at the meeting at 5:51 p.m.

5:45 p.m. – ANR Granby DG Series, LLC

The Board reviewed an ANR application from Granby DG Series, LLC to take 240,067 sq. ft. or 5.511 acres from Map 3, Block G Lot 11 and add it to Map 3, Block G, Lot 11-1.

The Board approved a previous ANR application for the same property at their July 8, 2019 meeting. That approval was based on Omer A. Gingras owning the property. In the process of the various approvals, Omer A. Gingras sold the property to his son, Omer M. Gingras. This request is to approve the ANR with Omer M. Gingras, the current owner of the property.

After some discussion the Board approved the ANR as presented.

Motion was made by Robert Sheehan, Jr. and seconded by Jim Trompke to approve the new ANR for Granby DG Series, LLC, noting only the record of owner has changed from father to son. Motion carried 5 in favor, 0 opposed, 0 abstained.

No charge for the transaction as the previous ANR was not recorded.

Attorney General Response to May Proposed Zoning Bylaw Changes

The Board reviewed a letter from the Attorney General dated August 14, 2019 responding to zoning bylaw changes voted on at the May 13, 2019 Town meeting.

The Attorney General approved articles 3, 4, 5, 6 and 7. The Attorney General disapproved sections 1 and 2 of article 2, however approved article 2. Article 1 was withdrawn at the May 13, 2019 Town meeting.

Specifically,

“The AG’s Office disapproved and delete the prohibition of public or non-profit educational institutions, and churches, parish houses, and other places of worship in the I-2 District because such prohibition is inconsistent with the protections given to such uses by G.L.c.40A’s (Disapproval #1 and #2 of 2)”

Robert Sheehan, Jr. asked what the procedure is regarding the AG’s disapproval as noted above.

After discussion

Motion made by Robert Sheehan, Jr. and seconded by Jim Trompke for Glen Sexton contact Town Counsel regarding the Attorney General's disapproval of Article 2, sections 1 and 2 to see what we have to do to correct the situation. Motion carried 5 in favor, 0

### **Old Business and Information**

#### 185 Kendall Street – Raymond Boisjolie

The Board reviewed a final version of the Site Plan Approval for Raymond Boisjolie, 185 Kendall Street, for a 3,076 square foot garage to be used as storage only.

Motion made by Lillian Camus and seconded by Jim Trompke to approve the final version of the Site Plan Approval for Raymond Boisjolie, 185 Kendall Street, with the change of adding the word "is" in item #4 on page 3. Motion carried 4 in favor, 0 opposed, 1 abstained (Rob Chauvin).

#### Continue Solar Bylaw Review – Select board Letter Dated August 7, 2019

The Board discussed the letter received from the Select Board dated August 7, 2019 submitting recommendations from the Granby Energy Committee for inclusion in the Planning Board's current review of the solar bylaws.

Glen Sexton noted he wants to make sure the Planning Board's solar bylaws meet the Green Community requirements.

Robert Sheehan, Jr. looked at the document as a restriction and hinderance on Large-Scale Ground-Mounted Solar.

Jim Trompke thought the Energy Committee should have submitted recommendations specific to energy savings such as specific types of solar panels.

Glen Sexton suggested waiting until the Public Hearing and see if the Board wants to include anything else to their recommendation to the Special Town Meeting.

#### *Solar Bylaw Revision Schedule*

Schedule for review of the current Solar bylaws in order to meet the deadline of January 31, 2020.

- 10/28 – Proposed Bylaw Changes to Attorney General giving 95 days for review which would be 1/31/20
- 10/15 – Special Town Meeting – then giving 14 days to incorporate any changes from STM to get final Bylaw changes to AG
- 9/23 - Date of Public Hearing –giving 3 weeks to incorporate any suggestions from public hearing and get final docs to Cathy for STM
- 9/02 – Second Public Hearing Notice Sent
- 8/19 – First Public Hearing Notice Sent

- 8/05 – Bylaw Package Sent to Selectboard

#### Permitting Guide

Ken Comia will edit the Permitting Guide to comply with the Attorney General's decision. Ken will check all changes proposed at the May 13, 2019 Town Meeting.

Ken will incorporate the Attorney General's finding and submit a final version to the Permitting Guide to be voted on at the next Planning Board meeting.

#### **Any Other Business**

##### Agenda Items for September 9 Meeting – meeting starts at 5:30 p.m.

- Administrative
- Public Hearing Second Date
- Permitting Guide

#### **Review of Action Items**

The Board postponed review of the action items to the next meeting.

#### *Open/New Action Items*

<b>Item</b>	<b>Responsible Party</b>	<b>Due Date</b>
Contact Town Attorney Re Next Steps with response to Attorney General's letter	Glen Sexton	September 9, 2019
Create memo to Steve Nally RE Granby DG Series, LLC escrow account	Lillian Camus	May 22, 2019
Contact GZA RE Sending in letter and credentials for Planning Board to consider for Approved Peer Reviewer List	Bill Scanlan	May 22, 2019
Have 10 copies of the Permitting Guide printed in color.	Lillian Camus	May 22, 2019
Obtain pricing for advertising in the Republican and Hampshire Gazette for a Recording Secretary	Lillian Camus	May 22, 2019
Obtain pricing for hiring a temp for the Recording Secretary position	Lillian Camus	May 22, 2019
Ask Catherine Ratte for a PVPC accounting to date.	Lillian Camus	In Progress
Meet with High School Principal re possible Recording Secretary candidates – UPDATE: Glen will try to contact the High School Principal if the current applicant is not interested in the job. Waiting to hear back from principal. No response from high school principal.	Glen Sexton	In Progress
Create a spreadsheet for PVPC charges	Lillian Camus	Ongoing
Keep track of items to submit for town annual report	Lillian Camus	Ongoing

**Next Meeting**

The next Planning Board meeting will be Monday, September 9, 2019 at 5:30 p.m. in the upper level of the Carnegie Building.

**Adjournment**

Motion was made by Robert Sheehan, Jr. and seconded by Rob Chauvin to adjourn at 7:18 p.m. Motion carried 5 approved, 0 opposed, 0 abstained

I, Lillian Camus, certify that these minutes are true and accurate minutes of the August 26, 2019 Planning Board meeting.

Respectfully submitted,

Lillian Camus. Secretary