



## GRANBY PLANNING BOARD

10 West State Street

Granby, MA 01033

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

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

Others: Ken Comia  
Heather Labonte

Meeting: Wednesday, July 22, 2020

Location: Via Go-To-Meeting and at 1 Library Lane, Old Carnegie Building, Granby, MA  
Jim Trompke, Robert Sheehan, Jr. and Jason Smigiel attending at the Old Library.  
Lillian Camus and Rob Chauvin attending via Go-To-Meeting

### Minutes

**CALL TO ORDER:** Jim Trompke called the meeting to order at 5:03 p.m.

### Working Session

Jim Trompke explained the main purpose of this meeting is starting a workshop to discuss what items we felt we should bring to the Town for Bylaw changes.

#### Extending Zoning District Industrial #1 to the South Hadley Line Along New Ludlow Road

Jim Trompke explained this was brought to our attention through the Economic Development Committee. Jim is in favor of the Zoning extension most of the area is wetlands, but we should be consistent with that area and present rezoning of that area.

Bob Sheehan, Jr. asked if this was going to be along New Ludlow Road just west of the residential area heading towards the South Hadley line where it's all woods currently. We would leave residential single in the existing area where the homes are. Jim Trompke replied yes.

Ken Comia questioned if this would be presented as a Zoning map change or are you anticipating changes to use or standards within the district? Sounds as if it is just an extension of a district, is that correct? Jim Trompke responded it was correct.

### East Street (Westover Metropolitan District) Rezoning

Jim Trompke explained there has discussion of rezoning from the existing business zoning on East Street which goes from Pleasant Street to the Ludlow Town Line. The reason for this change is there are some businesses already in existence. We are trying to rezone some of the property that the Westover Development Group took because of their noise program. The area can not be used for residential but it could be used for industrial use.

Jim suggested we break the article into phases so one end of East Street that may not be in agreement it does not kill the entire project. Jim suggested start at Pleasant Street and go to New Ludlow Road/East Street intersection, then another article from New Ludlow Road/East Street intersection to Ludlow Town Line.

Robert Sheehan, Jr. asked what the current zone is from the Five Corners/Pleasant Street to the New Ludlow Line. Jim Trompke responded it is currently zoned Residential.

Robert Sheehan, Jr. asked if Jim would recommend changing it to business. Jim Trompke suggested a light commercial overlay similar to what we did on the Route 202 corridor.

Jim Trompke explained his reason for rezoning the stretch from the Ludlow Town Line to Pleasant Street is that one of the big things that identifies areas to be commercial is traffic. There is a lot of traffic. If you put a business there it typically does not increase traffic and it does not turn it into a commercial zone. It is already a commercial zone with the traffic that is already there. When we get into this further, we can verify that.

Jim Trompke noted that when we rezoned the Route 202 corridor, especially down towards the Belchertown line, when we had the hearings the residents were very much in favor of that. The zoning was not going to change traffic noise, traffic count, any of the things they are dealing with living on the street, with the exception that it gives them the opportunity to maybe do something different with their land and potentially make it more valuable. Not from a tax perspective, but from a resale or use perspective. That is why they were so much in favor. Jim thinks the same thing holds true for the East Street corridor.

Jim Trompke reiterated his view that the Board should present this in two phases. One area is a little bit more populated than the other and they may not feel that way. Jim would hate to have the vote determine what we do with the area at Westover taken off our tax base. That is one of the reasons the Economic Development Committee was in favor of doing that.

Robert Sheehan, Jr. noted we should consider the Westover property area on East Street in that it could only be leased land, but not for houses. We can put light industry in that area and hopefully help with the tax base.

### Increase in Size for Oversized Barns

Jim Trompke explained the current limit is 1,200 square feet before it needs a Special Permit.

Jim noted 1,200 square feet is not a lot of square footage for a barn or some kind of storage structure. It is if you are on a quarter acre lot or a three-quarter acre lot or something along those lines. Jim would like to discuss at one of our next workshops increasing it based on the total square footage of the lot itself. For example, if you are sitting on 20 acres and you want to put up a 3,000 square foot barn, Jim does not see why you would need a Special Permit. We may want to say it is allowed with Site Plan Approval, not a Special Permit, so the Board can be involved in the fact that it is placed on the property correctly, is not at the edge of the property and is not going to cause erosion or stormwater management issues for the abutter.

Jim continued that you can put up a 3,000 square foot, 4,000 square foot, 5,000 square foot dwelling on an acre without a Special Permit or Site Plan Approval and still have issues with abutters with stormwater runoff and that sort of thing.

Jim suggested the Board should look at that more with regard to raising the threshold and eliminating the hearing. In order to do that we will need to get involved with the Zoning Board of Appeals. We should have that discussion with them and come up with different thresholds.

Lillian Camus agreed and noted we may want to put a maximum limit. Jim Trompke responded we would set the thresholds anything above and beyond that would require a Special Permit.

#### Outdoor Venues

Jim Trompke asked Ken Comia to discuss with the Board as he has done some research into other municipalities that have addressed this issue.

Ken Comia sent the Board examples of three bylaws that were specific of these types of uses where there would be considerably more traffic that would be going to this parcel or space in a Residential zone. Ken thinks there are some protections the Town could explore requiring a Special Permit for those types of uses. Ken suggested using a bylaw that he worked on for a town that is bigger than Granby that had on the outskirts of the town very large residential parcels.

Jim Trompke asked Ken Comia to explain bigger in what sense. Ken Comia responded population.

Ken Comia noted the large residential parcels served by septic and are probably typical of the large residential parcels that exist in Granby. The Planning Board and the authority that was looking at the bylaw to advise on the bylaw to allow certain types of uses of those larger residential parcels identified a want by some of the residents to use the parcels for agriculturally related uses. This also included the ability to have special events or planned programming, including however that mechanism would work within the rest of Town government, whether or not the Selectboard would need to issue special event permits or whatnot. There is definitely a mechanism for the Planning Board to review these types of uses. What Ken offered was a specific section of a bylaw that would address agriculturally related issues which could open up the Town to identify other types of residential uses for the larger residential zones. There may be in the future thought of people using their large residential zones for things other than farming but relating to agricultural type uses that would not necessarily be protected under Section 3 of Chapter 40A. That would be things like corn mazes and wagon hayrides. The bylaw Ken worked on did include a clause in there regarding the non-agricultural-related uses such as small-scale entertainment venues and organized meetings spaces. It did require a Special Permit.

Other examples Ken found would be creating a permitting process identifying timeframes during which activities can happen like a fair. The Board can be part of the permitting process that would review the Site Plan or through Special Permit that would identify different types of conditions to allow for that fair to operate.

The Town of Amherst identifies outdoor recreational use as an allowed use with a Special Permit in a similar residential rural district. Any structure shall be an accessory to the operation of the outdoor recreational use.

Robert Sheehan, Jr. noted some other things that may be involved is the way the Selectboard handles events at Dufresne Park. He believes they permit each individual event. If alcohol is being consumed the Police Chief and Selectboard would be involved. We may be looking at something like that as well.

Jim Trompke suggested a representative of the Board have a conversation with the Selectboard to get their opinion on the subject. Jim agreed to speak with Cathy Leonard to get the Planning Board on the Selectboard agenda at one of their near meetings.

Motion by Robert Sheehan, Jr. and seconded by Rob Chauvin to approach the Selectboard regarding outdoor venue bylaw changes regarding such and ask for their input. Motion carried 5 approved, 0 opposed, 0 abstained.

#### Small Scale Solar Installations - Screening

Lillian Camus reminded the Board we also have on our list considering a bylaw for small scale solar installation screening.

Lillian Camus asked Ken Comia if he could research regulations/bylaws from other towns regarding small-scale solar installation screening.

Ken Comia noted the Board may have to introduce some standards with regard to solar development and it could be included in the current Solar section. The Board could amend the Solar Bylaw to also address solar development in general and screening specific to small-scale. Or, maybe create a threshold where if you disturb land for any sort of development, whether or not that is a shed or a barn, provide an option or a standard for screening to abutters. Ken said he can definitely take a look at how other towns regulate that.

Lillian Camus reminded Ken Comia that it needs to be in line with the Green Community requirements.

Jim Trompke asked that if that means we're requiring Site Plan Review of residential solar. Ken Comia responded it is possible. You can maybe attack it differently or have the Building Inspector also put the standards within it that administrative approval would require a landscape buffer or screening. It will not necessarily require Site Plan Review. Ken reminded the Board that Site Plan Review is an allowed use, but a review to make sure specifics are reviewed.

Robert Sheehan, Jr. – I am not in favor of this at all. How far are we going to step on private property owner's property? We are talking about screening of solar. Isn't solar supposed to be out in the open to get the full benefit of the panels? If the neighbor happens to build a legally constructed shed, what gives the abutting neighbor the right to choose the color of it.

Lillian Camus noted the screening would not be in front of the panels where it would be in the way of the solar. It could be done and not get in the way of solar.

Robert Sheehan, Jr. asked if we are talking freestanding units or are we also going to be looking at roof units. How do you screen on a roof?

Lillian Camus responded just freestanding units.

Jim Trompke noted with everything else we have he is OK with looking into it, he has it written down as item #7 when we go to prioritize . Jim noted in his opinion it will be something near the end of the Zoning and Bylaw changes to look at. Jim does not think it will be very complicated to change it.

Jim noted, in all due respect, he is not really in favor of getting into that too much, but he will hold his judgement until we hear back from Ken about what other towns have been doing and what the detriment is to the abutters.

#### Stormwater Management

The Board is waiting to see if the Town receives the Municipal Vulnerability Action Grant.

Ken Comia noted that whether or not the grant is received, the Town is responsible for ensuring compliance with MS4 permit by the end of next year. Figuring out with your Highway Department how to address stormwater the Planning Board through its permitting authority. Ken does not think stormwater is in our Zoning Bylaws.

Robert Sheehan, Jr. noted Dave Desrosiers had requested some of our time at some point in time to go over the new stormwater phase management stuff. We haven't heard anything from Dave yet, but that request had been made.

#### Master Plan Update

Lillian Camus explained the Master Plan update was part of the DLTA (District Local Technical Assistance) grant we received from PVPC. Ken Comia has been trying to get a clarification of the scope of the project from Chris Martin before he can get started. The work must be completed by the end of this year.

Ken Comia noted the discussion we had in March was whether or not the DLTA project was an update to the economic development of the Master Plan, or if it was per the request a revision to the zoning district to allow mixed use products. That would be a Zoning Bylaw amendment. The direction where the Town wants to go with that is what Ken is pursuing.

Jim Trompke asked what the Bylaw amendment was with regard to mixed use. Ken Comia responded by reading the DLTA request which Chris Martin submitted.

Jim Trompke noted we already have mixed use at the Five Corners. We stuck to the mixed use in that area because that is the only area conducive to mixed use because of its utilities. That's the only place we have sewer. You need sewer for mixed use. We don't have it anywhere else in Town.

Ken Comia will continue pursuing a clarification from Mr. Martin.

Jim Trompke recommend the Board use the grant money if received, to have Pioneer Valley (Ken Comia) review the whole Master Plan to see what needs to be updated specifically and address it that way.

### Next Steps

Jim Trompke noted between now and our next meeting we start with the three rezoning areas, pull out the maps and Bylaws to identify specifically the areas we are talking about.

Ken Comia asked for a clarification what type of mapping we would use. The Assessors maps? Jim Trompke responded yes.

Jim Trompke noted the last time Zoning changes were made, in the Route 202 corridor we picked areas, picked out those parcels, and went back 500 ft. on each property.

Ken Comia will provide the Board with the Mass GIS maps for the areas in discussion for the next meeting.

Jim Trompke asked Ken Comia to provide the Board information at the next meeting with the following:

- The three zones
- Accessory building/oversized barns

Discussion on an outdoor venue Bylaw will hold off until Jim Trompke talks to Selectboard.

### **Any Other Business**

#### Agenda Items for **Tuesday, July 28, 2020 Meeting –meeting starts at 5 p.m.**

- Administrative
- Review Billing

### **Review of Action Items**

Open action items will be reviewed at the next meeting.

#### *Open/New Action Items*

<b>Item</b>	<b>Responsible Party</b>	<b>Due Date</b>
Sign the PVPC contract for FY21	Jim Trompke	July 14, 2020
Sign ANR for Carpenter	Lillian Camus, Robert Sheehan, Jr. and Rob Chauvin	July 17, 2020
Check on availability of Senior Center for a July 22 or 23 meeting	Lillian Camus	July 14, 2020
Phase II K-Pines Estate – Check with Town Counsel regarding signing an extension	Jim Trompke	July 28, 2020
Check if Trout Lily Lane was accepted by the Town	Jim Trompke	July 28, 2020
Resend Sample Town Bylaws RE venues to Board that Ken Comia sent	Lillian Camus	July 13, 2020
Obtain final billing numbers for Borrego Solar	Lillian Camus	July 28, 2020
Research original billing for Granby Solar LLC for square footage.	Lillian Camus	July 28, 2020
Create draft invoices for Granby DG Series, LLC building and signs	Lillian Camus	July 28, 2020

<b>Item</b>	<b>Responsible Party</b>	<b>Due Date</b>
Send the Board information on Westover Metropolitan Development Corporation	Ken Comia	June 23, 2020
Check with Chris Martin RE the Proposed scope of the DLTA grant Ken Comia sent	Lillian Camus	July 28, 2020
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 date of the next Planning Board meeting will be Tuesday, July 28, 2020 at 5 p.m.

### **Adjournment**

Motion was made by Robert Sheehan, Jr. and seconded by Jason Smigiel to adjourn at 6:16 p.m. Motion carried 5 approved, 0 opposed, 0 abstained

I, Lillian Camus, certify that these minutes are true and accurate minutes of the July 22, 2020 Planning Board meeting.

Respectfully submitted,

Lillian Camus. Secretary

### **Documents Reviewed at this Meeting:**

- Venue Bylaw examples from other towns
- DLTA Grant Requested submitted by Chris Martin