



## 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: Jim Trompke, Chair  
Robert Sheehan, Jr., Vice Chair  
Jason Smigiel, Member

Others: Ken Comia, Pioneer Valley Planning Commission

Absent: Lillian Camus, Secretary, PVPC Rep  
Rob Chauvin, Treasurer

Meeting: Monday, August 24, 2020

Location: Via Go-To-Meeting and at 1 Library Lane, Old Carnegie Building, Granby, MA

### Minutes

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

#### **Administrative Items**

Approval of August 10, 2020 Minutes

Minutes were postponed to the next meeting.

Approve Bills

No bills to approve.

Review Billing

Postponed to next meeting.

Alan Kotowicz – Phase II, K-Pines Estate Extension Letter

Jim Trompke read the extension letter which he signed at the meeting.

ANR – Easton Street

The Board reviewed an application by Leo Fugler, Jr. to split one lot into six, plus give a small amount of land in between lot 5 and 6 to an abutter. The property is located between the Easterly side of Amherst Street and the Northerly side of Easton Street, Assessors Map 1, Parcel E3. Deed of property recorded in Hampshire County Registry of Deeds as Book 1668, Page 350 and Book 1669, Page 1.

The following was received by Cathy Leonard: Check #1537 in the amount of \$250.00 received July 16, 2020. Check #1575 in the amount of \$625.00 received on August 20, 2020.

Motion made by Robert Sheehan, Jr. and seconded by Jason Smigiel to approve the ANR on from Leo Fugler dated June 30, 2020 by Harold L. Eaton & Associates, Inc. registered land surveyors. Motion carried 3 in favor, 0 opposed, 0 abstained

#### ANR – Carver Street

Robert Sheehan, Jr. recused himself from the discussion. Jim Trompke postponed discussion until the next meeting with a full Board.

#### Discussion – Kellogg Hall Application

Jim Trompke does not feel comfortable moving forward on this under the Board receives an architectural stamped drawing for the building occupancy and approved use. The architect would provide what the building use is and then recommended the approved handicapped, accessibility, etc.

Robert Sheehan, Jr. asked Ken Comia if he had a chance to review the document. Ken Comia could not find the documentation in his e-mail. Robert Sheehan, Jr. sent the e-mail of the plan to Ken Comia.

Jim Trompke noted, to his knowledge, the building was built and used for municipal use. It has had temporary certificates issued to it for various functions, he believes.

Robert Sheehan, Jr. added we also don't have any stormwater management detail. What we basically have is a site plan, parking spaces, where some trees are located, the footprint of the building and property lines.

Ken Comia is not sure you would be able to make any determination not knowing what is being asked of the Planning Board.

Jim Trompke explained we have an application we have before us but is incomplete, in his opinion, because there isn't any up to date information. It's just basically stating existing conditions. We don't know what to apply it to. Jim stated he would ask, after Bob or Jason make any statements, that you (Ken Comia) draft up a letter for us to send to them stating that this is incomplete and that we would require additional information from a professional architect stating what the building can legally be used for, as is or with improvements.

Motion made by Robert Sheehan, Jr. and seconded by Jason Smigiel regarding 250 West State Street the Granby Preservation Society, Inc. that we have Ken Comia (PVPC) review the plans and the submission paperwork and advise us accordingly. Motion carried 3 in favor, 0 opposed, 0 abstained

#### 115 North Street Proposed Business Plan

Jim Trompke noted, from his perspective, the building is in a residential zone where this type of business is not allowed. He doesn't see any way of rezoning or spot zoning specifically to open a business at that particular address, or that particular street or that particular zoning area of town.

Robert Sheehan, Jr. noted the fact that it is in a residential zone, and that Heart Moser's grandfather operated it as a deer packing operation, it doesn't fit in the zone as a food service.

Ken Comia provided a memo to the Board prior to the previous meeting. Ken read his memo to the Board. A memo to the Board with the supplement information from Ms. Moser's business plan and the photos she provided, as well as the original Board of Appeals variance that was issued for the property in 1992. Mr. Comia read the memo.

Mr. Comia continued say the Board should explore the nonconforming nature, especially as the building has not been used for three years, to ensure if the building was abandoned or has not had a use for three years, the Zoning bylaw suggests there is a timeframe for that abandonment. The Board would need to ensure any future use would conform with the Zoning bylaw.

Jim Trompke reiterated that it is not allowed in the Zoning bylaws and given the fact it existed at some point prior, there is a period of time where anything over three years would be considered preexisting nonconforming. I don't see anywhere this could be allowed in this zone at this time.

Robert Sheehan, Jr. agreed with Jim's synopsis with as well as what Ken has said.

Ms. Moser noted they have been using the building for cutting meat.

Motion made by Robert Sheehan, Jr. and seconded by Jason Smigiel that the Board at this point in time not allow the property at 115 North Street to be used in the use proposed by the applicant. Motion carried 3 in favor, 0 opposed, 0 abstained

#### DLTA Grant Scope Clarification

Ken Comia updated the Board. He has sent an email to the Planning Board Chair and included the request made by the Town Administrator for an exploration of the zoning. Mr. Comia read the document submitted by Chris Martin.

In Mr. Comia's conversations with the Town Administrator focused on exploration of Zoning Bylaw amendments. This was back prior to the pandemic. Then in a virtual meeting with the Planning Board prior to the former Chair leaving the Board, the Planning Board may have thought it was an update to the Master Plan Economic Development element. Given that it is a rather small amount of money to do an update to the Master Plan Mr. Comia is asking the Board for assistance for how to move forward.

Mr. Comia has provided to the Chair as well as the PVPC Commissioner and the Town Administrator and Assistant Town Administrator the e-mail of the scope from the Town Administrator and a proposed new scope for this project.

Mr. Comia read his revised scope: He has not received any response.

Jim Trompke responded he read the e-mail from Mr. Comia. As he noted in a previous meeting, we are limited as to where we can do the mixed use based on infrastructure utility - water and sewer. We already have the Five Corners zoned business with the Overlay of Mixed Use. With that being said, we do have some infrastructure down there with water hopefully coming in the near future. We do have sewer.

Jim Trompke went on to say since that conversation, we've had conversation about rezoning East Street, particularly where we lost a bunch of homes to Westover. If we are going to rezone business there, if in fact we are proposing that to the Town, maybe that is an area we could consider with an overlay with the mixed use. I believe there's water there but not sewer so there is some infrastructure.

Robert Sheehan, Jr. noted there is water on East Street to New Ludlow Road and then down New Ludlow Road to South Hadley. The remainder of East Street to the Morgan and Pleasant Street intersection does not have water.

Jim Trompke responded to the suggestion of the Village Common, noting those are small lots without any infrastructure. They are having a hard time maintaining septic and well by themselves let alone adding a business and a mixed use residential above. He doesn't see how the Village Common zone will work at all without both utilities.

Ken Comia noted that the availability of where Town infrastructure, where central water and sewer currently are located, would be important to note in this document which would be helpful to supplement your Master Plan. The Town has a current inventory of where these resources are and could do an analysis of how these various locations can support the types of businesses the Administrator has suggested.

Mr. Comia suggested deciding on the next steps, whether it is meeting with the Planning Board to convene and discuss these items, or if it's worthwhile to include the Economic Development Committee as this is a discussion about economic development. Mr. Comia thought the meetings should happen outside of the Planning Board meetings so as to include participation by Town Staff/volunteers.

Jim Trompke noted the Economic Development Committee has had this conversation about specifically what we can do to entice, not necessarily mixed use, but additional business in town with incentives. We've reached out to the Town Assessors as well.

Jim Trompke suggested meeting with the Economic Development Committee as it might be easier to schedule.

Jim Trompke noted one thing to keep in mind, to blanketly zone for mixed use, he cautions doing it where there's not at least one of the utilities (water/sewer) because of the EPA requirements. If you rezone a specific area, let's say the Rt. 202 corridor from Phins Hill to the Village Common, there's a lot of acreage in there. You might be able to get away with it in some areas by putting in your own sewer and having your own well. You would have to spread everything out with that site plan to make it work. It would use up too much land to make it work under current conditions with the utilities.

Next steps will be to have a joint meeting with the Economic Development Committee. Ken Comia will take the task to set up the meeting.

#### Continue Discussion on Bylaw Amendments and Zoning

Discussion was postponed to later meetings as no Special Town Meeting will be held before next year.

### 0 Kendall Street – Parcel Coming Out of Chapter 61A

The Committee Jim Trompke sits on voted to allow the parcel to come out of Chapter 61A as the Town has no use for it. Jim Trompke recommended the Planning Board wait until they receive an official letter from the Selectboard before taking any action.

### **Old Business and Information**

None.

### **Any Other Business**

None

### Agenda Items for Monday, September 14, 2020 Meeting –meeting starts at 5 p.m.

- Administrative
- Review Billing
- DLTA Grant Scope Update
- Kellogg Hall Letter
- Continue Discussion on Potential Zoning and Bylaw Changes

### **Review of Action Items**

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

### *Open/New Action Items*

<b>Item</b>	<b>Responsible Party</b>	<b>Due Date</b>
Draft letter to Granby Preservation Society RE additional information needed	Ken Comia	September 14, 2020
Set up a joint meeting with the Economic Development Committee	Ken Comia	September 14, 2020
Ask Cathy Leonard to contact Leo Fugler to attend our next meeting online to answer Board questions	Lillian Camus	August 24, 2020
Draft an extension letter to Mr. Kotowicz	Ken Comia	August 10, 2020
Research current Town Bylaws to see if the 115 North Street Business Plans are allowed	Ken Comia	August 10, 2020
How can we hold a public hearing	Jim Trompke	August 10, 2020
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

<b>Item</b>	<b>Responsible Party</b>	<b>Due Date</b>
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
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 Monday, September 14, 2020 at 5 p.m.

### **Adjournment**

Motion was made by Robert Sheehan, Jr. and seconded by Jason Smigiel to adjourn at 6:20 p.m. Motion carried 3 approved, 0 opposed, 0 abstained

I, Lillian Camus, certify that these minutes are true and accurate minutes, as reviewed from the GCAM recording, of the August 24, 2020 Planning Board meeting.

Respectfully submitted,

Lillian Camus. Secretary

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

- ANR Easton Street – Leo Fugler
- 115 North Street Proposed Business Plan
- DLTA Grant Submission
- DLTA Proposed New Scope