



## 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, Pioneer Valley Planning Commission

Absent:

Meeting: Monday, February 22, 2021

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 5:01 p.m.

### Administrative Items

#### Approval of February 8, 2021 Minutes

Jim Trompke asked if there were any changes to the February 8, 2021 minutes. Hearing none,

Motion was made by Robert Sheehan, Jr. and seconded by Rob Chauvin to approve the February 8, 2021 meeting minutes as written. Motion carried 4 in favor, 0 opposed, 1 abstained (Jim Trompke).

#### Approval of February 17, 2021 Minutes

Jim Trompke asked if there were any changes to the February 17, 2021 minutes. Hearing none,

Motion was made by Robert Sheehan, Jr. and seconded by Jason Smigiel to approve the February 17, 2021 meeting minutes as written. Motion carried 5 in favor, 0 opposed, 0 abstained.

## Approve Bills

### Tighe & Bond Invoice

Jim Trompke reviewed Invoice #092091122 from Tighe & Bond dated September 30, 2020 in the amount of \$600,00 for services rendered through August 22, 2020. Since the February 17, 2021 meeting the Board has received a letter from Tighe & Bond stating they are satisfied their recommendations have been met.

Motion was made by Robert Sheehan, Jr. and seconded by Jason Smigiel to approve Tighe & Bond Invoice #092091122 for amount of \$1,170.70. Motion carried 5 in favor, 0 opposed, 0 abstained.

### Nexamp

Jim Trompke explained he had received a call from Jamie Stanton from Nexamp who represents the Dickinson Farms project. Ms. Stanton is looking for an invoice to pay so they can proceed with the project.

Lillian Camus asked if Robert Sheehan, Jr. had signed the letter to Nexamp. Mr. Sheehan, Jr. noted he had signed the letter and dropped it in the drop box at the Select Board on Sunday, February 21, 2021 and left a message for Cathy Leonard that the letter was there for processing.

Robert Sheehan, Jr. explained to Jim Trompke at the last meeting the Board voted to send a letter to Nexamp asking for “as-built” plans so we can invoice them. They will not receive a certificate of operation until they have provided the “as-built”. The letter was cc’d to the Building Inspector.

Lillian Camus reported Cathy Leonard had sent the letter out today.

Jim Trompke will contact Ms. Stanton tomorrow. Lillian Camus will send a copy of the Nexamp letter to Jim Trompke for his reference.

### Memo from Town Administrator

Jim Trompke referenced a memo from Chris Martin dated February 4, 2021 regarding AJ’s Auto Body. Mr. Martin is asking the Planning Board to send a letter to the Select Board the Board’s decision.

Jim Trompke explained he had a conversation with someone from AJ’s prior to Mr. Martin’s letter. They stated nothing on the site plan has changed. Jim responded if nothing had changed from the original Site Plan Approval, we do not need to see it. They asked if Jim would send a letter stating that fact. Jim contacted the Select Board office and was informed that is not true. They provided us with a different Site Plan than the one they presented in 2020.

Jim clarified he would never send a letter without permission from the Board and it’s a different site plan. They are asking to do something different with the property. There will not be a letter coming from the Board with his signature on it stating they did not need a Site Plan when in fact they do if they will be doing something different than they said.

Lillian Camus questioned if the Board will be sending a letter to the Select Board that AJ’s Auto Body does need a new Site Plan. Jim Trompke explained the Select Board issued a temporary license to operate based on a letter they would be receiving from the Planning Board. In March when the temporary license expires, they will be looking for a Site Plan Approval. At that point they will have to submit one or they will not get a license.

Lillian Camus confirmed the Board will not send any communication to Chris Martin to clarify. We will wait until their temporary permit expires. Jim Trompke agreed and will inform Chris Martin of the decision not to respond.

5:14 p.m. Motion made by Robert Sheehan, Jr. and seconded by Jason Smigiel to close the regular meeting open the public hearing, with the meeting reconvening after the Public Hearing. Motion carried 5 in favor, 0 opposed, 0 abstained

## **New Business**

5:15 p.m. - Public Hearing – John Placzek 107R Carver Street

Jim Trompke read the public hearing notice.

In accordance with MGL Ch. 40A, Sec. 9, the Granby Planning Board will hold a virtual public hearing using GoToMeeting on February 22, 2021, at 5:15 PM. The nature of the hearing is to consider the petition of John Placzek, Applicant and Owner, seeking Site Plan Approval under Section 6.3 of the Granby Zoning Bylaws and applicable of Section III – Regulations, 3.7.5 – Accessory Uses, regarding a private garage or stables exceeding Twelve Hundred (1200) square feet in area for a detached garage for hobby storage at 107R Carver Street, Granby, MA.

John Placzek explained he built a 30 x 50 metal building on his 4.25 acres for storage and a workshop.

Jim Trompke confirmed the Board received copies of the two letters from the Building Inspector as well as letters from the DPW, Board of Health and Police Department. No response from Conservation Commission. There was also a letter from an abutter.

## Questions/Comments from the Board

- Lillian Camus noted the building is in an area zoned Residential and it is in a Water Supply Protection Overlay District. As such there are a lot of restrictions. Mrs. Camus asked Mr. Placzek what he will be storing there. Mr. Placzek – I have a muscle car, a '72 Chevelle, ATV's.
- Lillian Camus asked what the workshop is for. Mr. Placzek – Just to work on some of those items.
- Lillian Camus asked if any business is being conducted out of the building. Mr. Placzek confirmed no business is being conducted out of the building.
- Lillian Camus has a concern about the Site Plan drawn up by Harold Eaton & Associates as it doesn't show any stormwater drainage. As this building is in a Water Supply Overlay that will be a big thing, plus when Mr. Placzek is working on those pieces of equipment there is a possibility of spillage.
- Robert Sheehan, Jr. asked what is the typical procedure – who makes a decision first? The Planning Board or the Zoning Board of Appeals. Jim Trompke responded Planning Board makes a decision first.
- Jim Trompke would like more information than what the Board received. There wasn't any Building Permit on the property. Although it is out of our purview as to how it was built as far as the structure goes, but because it involves a lot of Town entity approvals, no Building Permit, no Site Plan Approval, no Special Permit to build in this zone, we need more information.

- Jim Trompke as if the Board had any more thoughts.
  - Robert Sheehan, Jr. noted we haven't heard from Conservation. I don't know what kind of "more information" we're going to get. We have two property abutters telling us two different stories. I would almost like some advice from Town Counsel on how we should handle this deal. Mr. & Mrs. Blanchet's letter dated February 18, 2021 is pretty damning. I honestly don't know which way to go with this.
  - Lillian Camus stated she would still want to see stormwater and how the drainage would be affected there. He hasn't been there very long, but from what he plans to do with the repairs and everything else, I would be interested in knowing how that's going to affect stormwater and the Water Supply Protection would be a big concern to me.
  - Rob Chauvin – I would like to see something from Conservation before making a decision.
  - Jason Smigiel – I would like to see more information.

#### Questions/Comments from the Public

- Denise Houle-Kukahiko – Ms. Houle-Kukahiko owns what use to be a pig farm just below Mr. Placzek's property. What means something to me is what my property is worth. The only thing I see that is more of an eyesore than anything is a garage that has been there for a long time and is abutting my property and is a mess.
- Mike Blanchet - 109 Carver Street – The 72 Chevelle John was talking about burned down when he lived in Ludlow. His building is an eyesore as it is a monstrosity and it significantly lowers my property value. I'm the only abutter who can see this barn because it's right on top of me. He has three businesses. I invite everyone on the Planning Board and Zoning Board to come over and see this building.

Motion made by Robert Sheehan, Jr. and seconded by Rob Chauvin to continue the hearing to Monday, March 8, 2021 at 5:15 p.m. Motion carried 5 in favor, 0 opposed, 0 abstained.

5:40 p.m. – regular Planning Board meeting continued.

#### 5:45 p.m. - Matt Harris - Bicycle Shop

Jim Trompke explained the Bike Shop is moving from Dunkin Donuts area down the street where Lamoureux has an office. The property already has a Site Plan Approval. It was approved for retail space so it's not a change of use. Although the business changed, it's not a change of use. I don't see a need to go through a Site Plan Approval process any more than I would like to see a Site Plan Approval for a light business.

Lillian Camus disagreed because of the conditions put in the Site Plan Approval. One of the conditions is "No full time employee at the building, staff only for appointments." Unless the Bike Shop business will be by appointment only that's not going to fly with the current Site Plan Approval. And it says, "The storeroom/garage is to be used for the repair and maintenance of Lamoureux Landscaping equipment only." If you put something else in there it's already violating the Site Plan Approval. Right off the bat it's a change of use because of all the restrictions.

Robert Sheehan, Jr. agreed with Lillian Camus in that we have to at least change the findings. How can something like this follow a piece the 2006 document follow something in perpetuity.

Lillian Camus noted there is also a restriction that no items are to be displayed outside in any Zone.

Robert Sheehan, Jr. pointed out that Kathy Kelly-Regan's letter she certified that "a copy of the decision of the Planning Board of the Town of Granby related to the application of Shawn Lamourex for Change of Use to Existing Building was filed in this office..." I think we're going to have to go through something.

Lillian Camus asked for Ken Comia's thoughts. Ken noted both Lillian Camus and Robert Sheehan, Jr. are correct in that this would require some sort of approval by the Planning Board. What it looks like should be based on where this lies in the Zoning and whether or not the particular use that Mr. Harris is proposing for that space would require a Special Permit or a Site Plan Review. Knowing that there's an existing building that might make it easier as far as what the Planning Board might want to waive with regard to that specific space. Obviously, you're not going to need necessarily a full set of plans for the building or the build out per se of that particular suite. But if there is a discussion about vehicles or bikes being stored outside or signage that's going to need to be reviewed to some extent. That's just an initial observation based on that particular Planning Board decision for that space.

Jim Trompke disagreed. He's not sure where the restrictions by the Planning Board in 2006 came from when you're in a business zone to conduct business. To put restrictions that there can't be anyone in the building or nobody can operate out of the building. That sounds like they over-stepped their authority. When you're in a Zone that is specifically zoned to allow these types of businesses to function/operate why would you put conditions for something like that? It makes no sense.

After discussion, Jim Trompke will talk to Town Counsel for his opinion as to what process we need to go through to allow him to move into a site that had some conditions on it.

Lillian Camus will send Jim Trompke a copy of the Planning Board's 2006 Site Plan Approval for reference when speaking with Town Counsel.

#### Mass DOT Route 202 Resurfacing and Related Work

Lillian Camus asked if everyone had a chance to review the e-mail Cathy Leonard forwarded from Jennifer Cohen, VP of Real Estate Development at MassDevelopment in Boston. All in attendance had received and read the e-mail.

Discussion of the e-mail was postponed to the March 8, 2021 meeting after Jim Trompke obtains more detailed information of the work.

## **Old Business**

### Bylaw Amendments and Zoning

Ken Comia discussed the Proposed Zoning Bylaw Amendments dated February 22, 2021.

- Article 1 – Expansion of Industrial (I) Zone.
- Article 2 – Adds Overlaying a Professional Office Overlay District on both sides of Pleasant Street between Barton Street and East Street and on both sides of East Street between Morgan Street and New Ludlow Road, not exceeding a depth of 300 feet from Pleasant and East Streets to rear lot line.
- Article 3 – Adds Overlaying the Mixed Use Development Overlay District on parcels on both sides of East Street between New Ludlow road to the Ludlow Town Line, not exceeding a depth of 300 feet from East Street to the rear lot line.
- Article 4 – Amends the Use Regulations Table 1 Schedule of Uses, 3.7 Accessory Uses, amending 3.7.4 and 3.7.5, Private garage and stables and new size thresholds.

- Article 5 –
  - Amends Section 1.2 by adding definitions for a Private Event and Private Event Venue.
  - Adds 3.2.10 Private Event Venue in Table 1 Schedule of Uses.
  - Adds Section 5.14 Special Event Venue Bylaw
- Article 6 –
  - Adds 3.5.21 Large-Scale Ground-Mounted Solar Photovoltaic Installation (LSGMSPI) on top of canopy constructed over a parking lot to Table 1 Schedule of Uses.
  - Renumbers the previous 3.5.21, 3.5.22 and 3.5.23 to 3.5.22, 3.5.23 and 3.5.24.

After discussion of each Article,

Motion made by Lillian Camus and seconded by Robert Sheehan, Jr. to have Ken Comia make the changes discussed at tonight's meeting and send the documents to the Select Board. Motion carried 5 in favor, 0 opposed, 0 abstained

## **Any Other Business**

None

### Agenda Items for the March 8, 2021 meeting –meeting starts at 5 p.m.

- Administrative
- 5:15 p.m. Continued Public Hearing – John Placzek 107R Carver Street
- Anything else that comes up.

## **Review of Action Items**

The Board reviewed the open action items.

### *Open/New Action Items*

<b>Item</b>	<b>Responsible Party</b>	<b>Due Date</b>
Send a copy of the Nexamp letter to Jim Trompke	Lillian Camus	February 23, 2021
Contact Jamie Stanton from Nexamp See Letter Above	Jim Trompke	March 8, 2021
Inform Chris Martin of the decision not to respond RE A.J. Auto Body	Jim Trompke	March 8, 2021
Talk to Town Counsel for his opinion as to what process we need to go through to allow him to move into a site that had some conditions on it	Jim Trompke	March 8, 2021
Obtain detailed plans of the proposed Mass DOT work on Rt. 202 from Kendall St. to School St.	Jim Trompke	March 8, 2021
Make Proposed Zoning and Bylaw Amendments changes and send final document to Select Board by February 26, 2021	Ken Comia	February 26, 2021
Create a spreadsheet for PVPC charges	Lillian Camus	Ongoing
Keep track of items to submit for town annual report	Lillian Camus	Ongoing

### *Completed Action Items*

<b>Item</b>	<b>Responsible Party</b>	<b>Due Date</b>
Create draft amendments for proposed Bylaws as well as new Zoning District maps	Ken Comia	Completed
Forward Westover Update invitation to the Board	Ken Comia	Completed
Research outdoor venue bylaws from states in the country	Ken Comia	Completed
Send Mass DOER sample small-scale ground-mounted solar bylaws document to Board	Lillian Camus	Completed
Send sample small-scale ground-mounted solar system bylaws to Board	Ken Comia	Completed
Research what other towns are doing re: oversized barns	Ken Comia	Completed
Contact Westover Development Corp. to find out when updates to the AICUZ will be published	Ken Comia	Completed
Sign the Site Plan Approval for 121 West State Street Lot 2	Jim Trompke	Completed
Obtain a copy of the original Site Plan Approval for AJ's Auto	Lillian Camus	Completed

### **Next Meetings**

The next regular Planning Board meeting will be Monday, March 8, 2021 at 5 p.m.

### **Adjournment**

Motion was made by Robert Sheehan, Jr. and seconded by Jason Smigiel to adjourn at 7:34 p.m. Motion carried 5 approved, 0 opposed, 0 abstained.

I, Lillian Camus, certify that these minutes are true and accurate minutes of the February 22, 2021 Planning Board meeting.

Respectfully submitted,

Lillian Camus. Secretary

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

- Minutes of the February 8 and February 17, 2021 Meetings
- Tighe & Bond Invoice #092091122 dated September 30, 2020
- Documents related to Public Hearing for John Placzek – 107R Carver Street
- Memo from Town Administrator dated February 4, 2021 for AJ's Auto Body
- Planning Board Site Plan Approval dated June 3, 2006 for 52C West State Street
- Proposed Zoning and Bylaw Amendments