



## 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  
Ed Chapdelaine  
Lenny Lasier, US Builders

Absent:

Meeting: Monday, April 12, 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 p.m.

#### Administrative Items

##### Approval of March 22, 2021 Minutes

Jim Trompke asked if there were any changes to the March 22, 2021 minutes. Lillian Camus noted the date of the meeting on the first page should be Monday, March 22, 2021 instead of Monday, March 8, 2021.

Motion was made by Jason Smigiel and seconded by Rob Chauvin to approve the Planning Board minutes of Monday, March 22, 2021 minutes as written and amended.  
Motion carried 4 in favor, 0 opposed, 1 abstained (Robert Sheehan, Jr.)

##### Approve Bills

Jim Trompke reviewed Invoice #26940 from Turley Publications Inc. dated March 26, 2021 in the amount of \$334.53 for legal notice advertising of the public hearing for Proposed Zoning and Bylaw Amendments.

Motion made by Robert Sheehan, Jr. and seconded by Jason Smigiel to approve the invoice from Turley Publications, Inc. for legal notice advertising for public hearing invoice #26940 dated 3/26/2021 for the amount of \$334.53. Motion carried 5 in favor, 0 opposed, 0 abstained

### PVPC Presentation on Changes to Chapter 40A Sections 5 and 9

Lillian Camus noted at the Pioneer Valley Planning Commissions recent quarterly meeting a presentation was made regarding changes to Chapter 40A. The sections changed were:

- Section 5 – Adoption or change of zoning ordinances or bylaws, procedures
- Section 9 – Special Permits

Lillian Camus asked if Ken Comia could give the Board an overview at the next meeting of the changes. Mr. Comia indicated he would be happy to update the Board on the changes.

5:05 p.m. Motion made by Robert Sheehan, Jr. and seconded by Jason Smigiel to close the regular Planning Board meeting to be reconvened after this first hearing and open the public hearing for 107-R Carver Street. Motion carried 5 in favor, 0 opposed, 0 abstained

### **New Business**

#### 5:05 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.

Lillian Camus read the e-mail Mr. John Placzek sent to Cathy Leonard on March 23, 2021 stating, “I talked to the Building Spector now I’m just taking the 10 feet off the building so I don’t have to go for any of the special permits anymore.” Mrs. Leonard had forward Mr. Placzek’s response to the Planning Board on March 23, 2021.

Ken Comia suggested the Planning Board withdraw the application without prejudice as we did not receive a request from the applicant to withdraw the application.

Mr. Comia noted if the Planning Board denied the application the applicant would be able to readdress the Board if they wanted to apply for a Site Plan Approval. Mr. Comia suggested noting reasons for the denial before the motion is made.

After discussion, the Board agreed to ask the applicant for a letter to formally withdraw his application without prejudice.

Motion made by Robert Sheehan, Jr. and seconded by Jason Smigiel to continue the public hearing for 107-R Carver Street to our next meeting on Monday, April 26, 2021 at 5:05 p.m. so the applicant can address if they want to formally remove the application without prejudice. Motion carried 5 in favor, 0 opposed, 0 abstained.

Lillian Camus will ask Cathy Leonard to contact Mr. Placzek to ask him if he would like to formally withdraw his application without prejudice. We would need his response in writing.

5:16 p.m. – regular Planning Board meeting continued.

5:17 Motion made by Robert Sheehan, Jr. and seconded by Jason Smigiel to close the regular Planning Board meeting and reconvene after this next public hearing scheduled at 5:15 p.m. this evening. Motion carried 5 in favor, 0 opposed, 0 abstained.

5:18 p.m. Public Hearing for Proposed Zoning and Bylaw Amendments

Jim Trompke recused himself and turned the meeting over to Robert Sheehan, Jr. who read the Public Hearing notice.

Robert Sheehan, Jr. made disclosure that he filed with the Town Clerk today a Disclosure of Appearance of Conflict of Interest as required by General Law c.268A subsection 23(b)(3). This is on file with the Town Clerk. I did some work for one of the parties that has property on East Street. That property is partially affected by this proposed zone change. I, however, did not do any work within the area of the zone change.

In accordance with Massachusetts General Law, Chapter 40A, Section 5 and Chapter 41, Section 81Q and the Bylaws of the Town of Granby, that Granby Planning Board will hold a virtual public hearing using GoToMeeting on April 12, 2021, at 5:15 PM. The nature of the hearing is to present and discuss proposed amendments to the Bylaws of the Town of Granby Volume III Chapter XXI - Zoning Bylaws and the Granby Zoning Map.

Robert Sheehan, Jr. reviewed the proposed Zoning and Bylaw Amendments 1 through 4.

ARTICLE 1 amends the ZONING MAP OF THE TOWN OF GRANBY, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION II – ZONING DISTRICTS, Section 2.1 – District Locations and Boundaries by amending the Granby Zoning Map, expanding the Industrial (I) district as described below.

Amend the Granby Zoning Map by rezoning in its entirety parcels as follows, Assessors Map 5-E-1, 5-E-2, 5-E-3, 5-ED-13, from Residential – Single Family Units (RS) to Industrial (I) as shown on the map.

Robert Sheehan, Jr. explained to the attendees, if the Planning Board decides, after hearing comments from the public at the public hearing, to send the articles to the Town Meeting it has to be approved by the people who attend the Town Meeting by a 2/3 vote.

Ken Comia displayed a map showing all areas involved in Articles 1, 2 and 3.

Comments from the Public

- Myself and my neighbors are strongly opposed to turning that into any kind of industrial zone. The value of our houses will go down. The moved here for the quiet. There would be more traffic and a safety hazard.

- I am absolutely opposed to rezoning this area. Has anyone in Town bothered to do a traffic study? My suggestion before you think about adding any commercial or industrial stuff a traffic study would be a really smart thing to do. We're taking the burden of traffic from the jail and trucks. It's loud already. If you add more traffic it will be worse.
  - No. I believe in the past when a company has expressed an interest, we have required a traffic study.
- I have two young toddlers with autism and more traffic would be a safety hazard for us.
- Was this section picked because they want to also put sewer up New Ludlow Road and come up to East Street?
  - I don't believe that was the case. That whole sewer deal kind of got squashed a number of years ago. To my knowledge there are not any forces reviewing it to bring it back.
- Why wouldn't the Town want to really magnify the 202 corridor that already have the appropriate things that they need rather than come out to New Ludlow Road?
  - Unfortunately, Rt. 202 does not have everything. The sewer stops at the top of Phinns Hill. They are trying to bring a water line in from South Hadley. I don't know what the status of that is. Unfortunately, all the infrastructure you need to entice businesses is not in place, unfortunately.
- The article should have a clause in there that anything that goes in there has to be approved by all the abutters.

ARTICLE 2 amends the ZONING MAP OF THE TOWN OF GRANBY, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION II – ZONING DISTRICTS, Section 2.1 – District Locations and Boundaries by amending the Granby Zoning Map, overlaying the Professional Office Overlay District as described below.

Amend the Granby Zoning Map by overlaying the Professional Office Overlay District on parcels on both sides of Pleasant Street and East Street between Barton Street and New Ludlow Road, not exceeding a depth of 300 feet from Pleasant and East Streets to rear lot line, as shown on the map.

#### Comments from the Public

- Not in favor of this at all.
- Does the 300 feet cross over to Morgan Street.
  - Yes.
- From Barton Street up to New Ludlow Road and beyond I could there are approximately 6 to 8 antique colonial homes, it is residential, it is a busy street. I do think making this change is very problematic. It has been pastoral land and now we have new housing, making a change at this point. That area needs to be preserved and not changed. I would be concerned of it bumping down onto Morgan Street, too.
- What determines your decision to move it on? The number of people who are not against it?
  - After listening to the public at the public hearing we will have a meeting to discuss whether to move it forward.
- Could you explain the Professional Office in the Professional Office Overlay.
  - Ken Comia read the definition from the Zoning Bylaws. Section 4.6 of the Zoning Bylaws.
- Everyone should get a copy of these changes mailed to their home. No one reads the Town Reminder or Sentinel.
- Could someone buy a parcel and put a seven-story building on it?
  - There are other bylaws in town that would not allow it.
- I am opposed for any industrial to come in. We moved here for a quieter lifestyle.

- I am opposed to any of this area (Pleasant Street) being industrial. I like it to stay single family industrial.
  - Just to clarify, the Pleasant Street area would not be industrial. It would be a Professional Business Overlay.
- I am opposed. There's already enough traffic.
- I suggest the Town send this information to all the residents.
- I would like to know if rezoned could a solar panel farm could be erected on these sites.
  - The Town of Granby adopted new Solar bylaws in 2019. Those bylaws are in effect and a solar company would have to abide by those bylaws.
- I concur with the people who are concerned by increased traffic.
- Did the Planning Board estimate the additional revenue to the Town that would be produced by the proposed zoning changes?
  - I do not believe we did a projection on that. Ken Comia concurred.
- This all seems very quick, very fast. No traffic study done and no financial gain study done. Not everyone has been made aware. What prompted these three zoning changes?
  - The Planning Board was contacted by the Economic Growth Committee as well as the Board of Selectmen recommended we look into these possibilities. The Select Board contacted us about the Industrial area on New Ludlow Road.
- Has anyone considered endangered species who live in the area?
  - That would be up to the Conservation Commission.
  - Ken Comia noted if a property owner would like to develop to the standards of the Professional Office Overlay, there are site plan reviews and special permits that are in place that would require the Planning Board and other boards to look at those specific type of development applications. And, as you mentioned, the Conservation Commission, if within its jurisdiction, for parcels anywhere in town there would also be a permit requirement.

ARTICLE 3 amends the ZONING MAP OF THE TOWN OF GRANBY, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION II – ZONING DISTRICTS, Section 2.1 – District Locations and Boundaries by amending the Granby Zoning Map, overlaying the Mixed Use Development Overlay District along East Street between New Ludlow Road to the Ludlow Town Line, and SECTION IV, Section 4.42 – Mixed Use Development Overlay District, Establishment and Administration to ensure that all development within the overlay comply with federal and state regulations, as a portion of the town's development opportunity is impacted by the Westover Air Reserve Base, as described below.

Amend the Granby Zoning Map by 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, as shown on the map.

Ken Comia explained Mixed-Use Development and referred to Section 4.4 in the Zoning Bylaws. Mr. Comia noted that any uses in this area would also be reviewed by the Westover Metropolitan Development Corp.

#### Comments from the Public

- I am definitely opposed to this. Why propose this in this particular area?
  - We lost a lot of tax revenue when Westover tore down those houses. We have traffic through there that if we could encourage some kind of business to come in to help us again with the taxes.

- I am begging you to do a traffic study before you even move it forward. Between the traffic from the jail and now from Belchertown it is horrendous over here. The wildlife out here is taking a beating from the solar farm. All their habitats have been disturbed.
- Lillian Camus read a letter from a citizen on East Street near the Ludlow town line. They are highly opposed to a zone change. The traffic is terrible. There are elderly people here and there are a lot of accidents due to speeding. People move out here to get out of the city and not have another Memorial Drive.
- The real word is commercial. I walked the whole street and met all of my neighbors on both sides of the road. Out of all the houses on East Street from New Ludlow Road to the Ludlow Town Line, 19 residents said no, 4 were not home and 3 undecided because they did not know enough about what is going on. There is no sewer on this street. East Street is the highest traffic ticketing area for the police. There are 13 houses that the Granby Post Office can't even get their mailboxes in front of their house. They are putting their lives in danger to cross the street to get their mail. One 90-year-old man had to jump into the side of the street to avoid being hit by a driver.
- I suggest you wait until COVID-19 is over so people can go to a meeting in person and really talk about what is happening in their town. It's all backwards and rushed. We need to take care of our elderly.
- What is going to happen to the residential property values in town?
  - Ken Comia did not have any comment regarding property values.
- Is there any plan for the area where the Westover Metropolitan Development purchased the homes?
  - Not to my knowledge unless there is a zoning change.
- Can someone come in and build a building and make it low-income housing and it would be approved?
  - Ken Comia – The existing zoning is Single Family Residential units. Westover Air Reserve Base would have some oversight in the fly zone. Any development would need to comply with the current bylaws.
- I would like to request you put the brakes on, wait until COVID subsides so we can all meet in person to discuss this and everyone gets a notice about this. I don't know what the expediency is about this. I've only heard rumors about two businesses that are waiting to go in. I would like to stop the urgency and wait until we as a community can get together and talk about this at a forum.

ARTICLE 4 amends the BYLAWS OF THE TOWN OF GRANBY, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION III – 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.

<b>3.7 ACCESSORY USES</b>								
3.7.4	Private garage or stables exceeding 1,600 square feet, but less than 2,400 square feet in area	Provide that no business service or industry is conducted therefrom or therein.	<b>RS</b>	<b>RM</b>	<b>GB</b>	<b>I</b>	<b>I-2</b>	<b>VC</b>
			SPA/PB	SPA/PB	SPA/PB	N	N	SPA/PB
3.7.5	Private garage or stables exceeding 2,400 square feet in area	Provide that no business service or industry is conducted therefrom or therein.	<b>RS</b>	<b>RM</b>	<b>GB</b>	<b>I</b>	<b>I-2</b>	<b>VC</b>
			SP/ZBA SPA/PB	N	SP/ZBA SPA/PB	N	N	SP/ZBA SPA/PB

Ken Comia explained the changes.



## Comments from the Public

- Kathleen Bronner as the ZBA Chair, the average size of a 3-car is 900 to 1,000 sq. ft. A 1,200 sq. ft. garage is a large building especially in a residential area. I would like to propose to reframe this proposal. In the last 3 years we have had maybe 3 to 4 of these Special Permits and probably the last 2 of the 4 were for barns because we are residential/agricultural. I would like to propose staying with the 1,200 sq. ft. in the residential area because it's not a burden for either of the committees to look at and I like the idea of checks and balances. In a residential area if you're putting in a 1,200, 1,500, 2,000 sq. ft. building and it's to be for personal use there's a chance it may not be for personal use. We have to take people at their word and we do have the Zoning Enforcement Officer. I do think if we separated these out maintaining the 1,200 sq. ft. in the residential area for private garages, going through the same permitting and ZBA review for garages. Separate out either barns or stables which are much larger buildings with a larger square footage and have it for agricultural/farm use. I think that would help us maintain the agricultural character.
  - Lillian Camus clarified with Kathleen she is referring to 1,800 to 2,400 sq. ft. for a barn for agricultural use. Over 2,400 sq. ft. for a barn for agricultural use.
- Jim Trompke noted we don't have the right to restrict the garages to 1,200 sq. ft. Attached garages can be larger than the house. This is according to Massachusetts Building Code. I think we have to do more research on this. The restriction would be strictly for detached garages.

6:56 p.m. Jim Trompke back online.

Jim Trompke reviewed the proposed Zoning and Bylaw Amendment 5.

ARTICLE 5 amends the BYLAWS OF THE TOWN OF GRANBY, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION I – AUTHORITY, PURPOSE AND DEFINITIONS, Section 1.2 Definitions, by adding definitions, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION III – USE REGULATIONS, Table 1, Schedule of Uses, 3.2 Agricultural, adding 3.2.10, Private event venues, and SECTION V – SPECIAL USE REGULATIONS AND PERFORMANCE STANDARDS, by adding Section 5.14 – Private event venue, establishing standards and criteria for permitting.

Amend Section 1.2, by addition definitions: Private Event and Private Event Venue

Private Event – An event that is periodic or special in nature, with guests in attendance by invitation only and not open to the public. Examples include, but are not limited to a banquet, reception, ceremony, service, or open house.

Private Event Venue – A site or facility approved by the Town of Granby to conduct Private Events by renting or leasing to private parties on a commercial basis.

Amend Section 3.2, by adding use, 3.2.10 Private Event Venue and permitting these uses in the RS zone by Special Permit and Site Plan Approval from the Planning Board.

<b>3.2 AGRICULTURAL</b>								
3.2.10	Private Event Venue	Subject to Section 5.14	<b>RS</b>	<b>RM</b>	<b>GB</b>	<b>I</b>	<b>I-2</b>	<b>VC</b>
			SP-SPA/PB	N	N	N	N	N

Add 5.14, Special Event Venue as written:

#### 5.14 Special Event Venue

##### 5.14.1 General Requirements:

- (1) The minimum parcel size shall be 10 Acres in the Residential Single Family Zoning District.
- (2) Adequate area of all-weather surface for off-street parking shall be provided. No parking will be allowed on public or private roads. See Section 5.6.
- (3) Private Event Venues shall have adequate water and wastewater facilities, either permanent or temporary, approved by the Granby Board of Health.
- (4) There shall be no overnight accommodations for transient guests.

#### Comments from the Public

- I don't understand what we're trying to change. People have events all the time at their homes and at Dufresne Park.
  - The Planning Board was approached by a resident of the Town of Granby that feels that they have a picturesque property that could accommodate such a venue, however, they are not zoned for it. We took it under consideration and said OK Let's put something together and we'll put it out there and see what the general public has to say.
- How many acres does person have?
  - I don't know the total acreage but it has to be more than 10.
- Does she want to have constant events or is this a one-time shot? Like a wedding.
  - Something similar to that, I believe.
- Ken Comia explained his research into bylaws in other Towns in the Commonwealth.
- If she owns over 10 acres she's considered agricultural, right?
  - Ken Comia - It's actually 5 acres. You can only ask for a permit from the Planning Board for this type of use if you have 10 acres.
- If someone has a couple of acres and has a graduation party would they need to get a permit for that one day graduation party?
  - Ken Comia - I wouldn't see the need per this particular bylaw.



Jason Smigiel reviewed the proposed Zoning and Bylaw Amendment 6.

ARTICLE 6 amends the BYLAWS OF THE TOWN OF GRANBY, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION III – USE REGULATIONS, Table 1, Schedule of Uses, 3.5 Retail and Services, amending 3.5.21, and renumbering the following 3.5.22, 3.5.23, 3.5.24, Large Scale Ground Mounted Solar Photovoltaic Installation (LSGMSPI) mounted on top of a canopy that is constructed over a parking lot.

<b>3.5 RETAIL and SERVICES</b>								
3.5.20	Large Scale Ground Mounted Solar Photovoltaic Installation (LSGMSPI)	Subject to Section 6.2 & 6.3 Special Permit Planning Board with Site Plan Approval (SP-SPA/PB) and Section 5.99 (LSGMPI) SP-SPA/PB	<b>RS</b>	<b>RM</b>	<b>GB</b>	<b>I</b>	<b>I-2</b>	<b>VC</b>
			SP-SPA/PB	N	N	SP-SPA/PB	N	N
3.5.21	Large Scale Ground Mounted Solar Photovoltaic Installation (LSGMSPI) on top of canopy constructed over a parking lot	Subject to Section 6.3 Site Plan Approval (SPA/PB) and Section 5.99 (LSGMPI)	<b>RS</b>	<b>RM</b>	<b>GB</b>	<b>I</b>	<b>I-2</b>	<b>VC</b>
			SPA/PB	SPA/PB	SPA/PB	SPA/PB	SPA/PB	SPA/PB
3.5.22	Mixed Residential/ Business	Where uses are located in the same building	<b>RS</b>	<b>RM</b>	<b>GB</b>	<b>I</b>	<b>I-2</b>	<b>VC</b>
			N	SP-SPA/PB	SP-SPA/PB	N	N	SP-SPA/PB
3.5.23	Cannabis Retail Operation	Distance shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the cannabis establishment is or will be located. No closer than 500 ft. property line to property line straight line to public or private school to include any licensed daycare. In any case, where the measurement is determined to be in question, the Planning Board may require verification of distances by a Registered Land Surveyor at the expense of the applicant.	<b>RS</b>	<b>RM</b>	<b>GB</b>	<b>I</b>	<b>I-2</b>	<b>VC</b>
			SPA/PB	SPA/PB	SPA/PB	SPA/PB	SPA/PB	SPA/PB
3.5.24	Business Estate Lots	Subject to Section 5.13	<b>RS</b>	<b>RM</b>	<b>GB</b>	<b>I</b>	<b>I-2</b>	<b>VC</b>
			N	N	Y	Y	Y	N

Ken Comia explained the changes.

## Comments from the Public

- I don't understand this. For example if there's no business in Granby Cash & Carry and they want to put solar panels in their empty parking lot. They would just need Planning Board approval? Are there certain sizes of solar panels or unlimited?
  - They could park cars under the solar panels.
- If someone wants to put solar on their driveway instead of on their house?
  - No, this has nothing to do with residential. You can put that anywhere you don't need Planning Board approval.
- So it must be certain dimensions, right?
  - It's not so much by feet but by scale. Large-Scale Ground-Mounted Solar Panels. Basically, it's saying you can do it over a parking lot.
- Are there parking lots that are vacant in Granby?
  - No, it's a correction in our Bylaws that conflicts with itself.
  - Ken Comia explained you would require a special permit for any kind of solar installation on top of a parking lot. This clarifies that you wouldn't need a special permit and would be allowed by right.
  - It's also to be in compliance with the Green Community requirements. It makes it clearer.
- I heard you're going to put a sidewalk on Rt. 202. Is that part of a Green Community.
  - That's Mass DOT. We have no control over that other than input.
- Would the solar over the parking lots be similar what UMASS has at the Mullins Center where cars can definitely park underneath it?
  - Yes.
- Before the next meeting could everyone on New Ludlow Road, Pleasant Street and East Street get a letter from the Town of Granby of these Zoning changes. That would be respectful to the residents.
  - I don't think that could happen before the meeting. The abutters were all notified of the changes. The hearing will be continued.
- On your notice it says to go to the Town Hall second floor to get a copy of everything. Town Hall is closed and it's not an easy situation to get in there.
  - Note taken.

The Board discussed the timeline to get any changes completed.

7:42 p.m. Motion made by Jason Smigiel and seconded by Rob Chauvin to close the public hearing. Motion carried 4 in favor, 0 opposed, 1 abstained (Jim Trompke).

7:42 p.m. Regular meeting resumes.

Motion made by Robert Sheehan, Jr. to table Articles 1, 2, 3, 4 and 5 and vote to approve article 6 to be sent to the Town Meeting.

Amending the motion to read: Motion made by Robert Sheehan, Jr. and seconded by Jason Smigiel to Table Articles 1, 2 and 3. Motion carried 4 in favor, 0 opposed, 1 abstained (Jim Trompke).

Motion made by Robert Sheehan, Jr. and seconded by Jason Smigiel to table Articles 4 and 5. Motion carried 5 in favor, 0 opposed, 0 abstained.

Motion made by Robert Sheehan, Jr. and seconded by Jason Smigiel to approve Article 6 as written to be sent to the floor of Town Meeting. Motion carried 5 in favor, 0 opposed, 0 abstained.

Ken Comia will send Article 6 to Cathy Leonard on behalf of the Board for inclusion in the May Town Meeting.

#### 121 West State Street – Stephen Marion Site Plan Amendment Request

Stephen Marion requested an amendment to the previous Site Plan Approval. Mr. Marion is requesting to be allowed to rent a portion of the bays.

The Board reviewed revised site plan drawings. The only change is inclusion of a total of 16 parking spaces.

Jim Trompke asked Ken Comia how we can amend an already amended Site Plan Approval.

Ken Comia explained the Board can make a decision tonight based on the proposed change in language from Mr. Marion. However, if the Board would like additional information now would be the time to request it based on the revised use of the building. The Board can treat this as an amended Site Plan Approval as they did at the last meeting, but in the case of additional information being presented that's something the Board can ask, too.

Lillian Camus noted at the last meeting Mr. Marion said there would not be parking in the front, and 16 is an awful lot of spaces. Renting out one bay should have enough parking spaces already in the back. Also, looking at the diagram it doesn't show how much you're potentially renting out and it doesn't show doors anywhere.

Mr. Marion noted he can certainly amend the parking spaces. He was just drawing parking spaces where they could potentially be.

Lillian Camus said she would personally prefer no parking spaces in the front and I would like to show what particular space is being rented out and how they could get into the building.

Mr. Marion noted at a previous meeting the drawing showed four garage doors and four entry doors. If he were to rent it out each tenant would have a separate garage door and entry door.

Jim Trompke asked if Mr. Marion had any prospects in mind. Mr. Marion responded he did not.

Jim Trompke asked Ken Comia for his opinion if Mr. Marion is going to put a tenant in there does he have to go to the Building Department? It's a change of use as it's not for his own use. The Building Department would want to know the type of use and he would determine if you weren't approved for this and he can't give you an occupancy permit until to go to the Planning Board. That way we would be approving a specific use based on the tenant.

Ken Comia concurred. Based on the previous decision, knowing it was a shell of a building for Mr. Marion's company property to be stored there, I think if you are going to be splitting these into suites where it's possible you will be renting each individual suites out to different tenants, the Building Department would need to be involved with regards to determining whether or not that specific use is allowed in the district. It wouldn't necessarily necessitate a new Site Plan Approval, but because of the way it has been presented over time I think

these types of amendments will be forthcoming knowing that if the Building Department is not satisfied with the permit decision the Planning Board has approved for that parcel the amendments will be coming. The determination by the Building Inspector would want to see each individual tenant for compliance with the amended Site Plan Approval.

Mr. Marion asked for clarification as to whether he needs approval if he rents to a business similar to his.

Jim Trompke noted the difference is we could go ahead and approve it for 16 parking spaces. And, then you're doing something in there that may not agree with the Building Code. The Building Code Officer will say you're authorized to rent out 1,000 sq. ft. for someone else's storage. He may look to us for Planning Board approval. This is a specific use in this particular 1,000 sq. ft. It requires parking spaces for the tenant. There's a formula for this.

Stephen Marion will contact Greg Briggs to explain the change of use and ask what is needed and if it is allowed.

Robert Sheehan, Jr. suggested Mr. Marion ask Mr. Briggs if handicap parking spaces need to be indicated on the plan.

## **Old Business**

### OS Site Plan – Review for Completion to post the hearing

The Board reviewed documents submitted for a potential public hearing.

Ed Chapdelaine explained Ed Os Company wants to expand their warehouse/office facility. We were at the Board approximately 2 years ago. To make it economically feasible due to COVID-19 driving up costs it was down scaled.

Lillian Camus noted the documents did not include an application, the site plan did not show parking spaces and she questioned if the Building Inspector has been the plans.

Ed Chapdelaine the parking that is there now where the employees park is not striped. There is also some parking for box trucks in the back.

Lillian Camus responded she would still like to see the parking spaces on the plan. And, as noted earlier by Bob Sheehan, Jr. the Building Inspector might require handicap parking.

Mr. Lasier noted besides the increase in cost, the addition was scaled down in size so no sprinklers would be needed.

Mr. Lasier will take the plans to the Building Inspector for a determination as to whether or not the Planning Board needs to review the plans.

After discussion,

Motion made by Robert Sheehan, Jr. and seconded by Jason Smigiel to wait for input from the Code Enforcement Building Inspector regarding the Os property at 8 West State Street. Motion carried 5 in favor, 0 opposed, 0 abstained.

### 17 New Ludlow Road – Review Application

The Board reviewed documents submitted for a Site Plan Approval.

Jim Trompke noted the Building Inspector decided the site is in the Industrial Zone and only needs a Site Plan Approval.

After discussion, the Board decided to send a letter to Northeast Paving asking for the following additional documents: a full engineer site plan with a detail of stormwater management on it by a stamped engineer and a signed and dated application.

Ken Comia to put together a letter for Cathy Leonard to send out.

### Response to Town Administrator – 39 West State Street

Lillian Camus explained the Town Administrator is waiting for a response in writing from the Planning Board regarding 39 West State Street.

After discussion, Lillian Camus will create a letter to the Select Board saying that any changes to the Site Plan at 39 West State Street will require Site Plan Approval by the Planning Board.

Jim Trompke will stop by to see Cathy Leonard to sign the letter.

### **Any Other Business**

None

### Agenda Items for the April 26, 2021 meeting –meeting starts at 5 p.m.

- Administrative
- PVPC Presentation on Changes to chapter 40A Sections 5 and 9
- Schedule Workshops for reviewing proposed Zoning and Bylaw Changes
- 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>
Sign the Turley Publication Invoice and give to Cathy Leonard for processing	Jim Trompke	April 13, 2021
Ask Cathy Leonard to contact Mr. Placzek to ask him if he would like to formally withdraw his application without prejudice	Lillian Camus	April 13, 2021
Send Article 6 to Cathy Leonard for inclusion in the May Town Meeting	Ken Comia	April 14, 2021
Create a letter to Northeast Paving for Cathy Leonard to send out requesting documents	Ken Comia	April 14, 2021
Create response to Select Board re: 39 West State Street for Jim to sign	Lillian Camus / Jim Trompke	April 14, 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>
Send approved Proposed Zoning Bylaw Changes Public Hearing Notice to Cathy Leonard for publishing	Lillian Camus	Completed
Create letter to Greg Briggs for Jim Trompke to sign Re Matt's Bicycle Shop	Lillian Camus / Jim Trompke	Completed
Ask Cathy Leonard to ask Greg Briggs to provide the Planning Board with his review of the 17 New Ludlow Road application	Lillian Camus	Completed

### **Next Meeting**

The next regular Planning Board meeting will be Monday, April 26, 2021 at 5 p.m.

### **Adjournment**

Motion was made by Robert Sheehan, Jr. and seconded by Jason Smigiel to adjourn at 8:57 p.m. Motion carried 5 approved, 0 opposed, 0 abstained.

I, Lillian Camus, certify that these minutes are true and accurate minutes of the April 12, 2021 Planning Board meeting.

Respectfully submitted,

Lillian Camus. Secretary

### Documents Reviewed at this Meeting:

- Minutes of the March 22, 2021 Meeting
- Documents related to Public Hearing for John Placzek – 107R Carver Street
- 17 New Ludlow Road – Review of Application documents
- Proposed Zoning and Bylaw Amendments
- 121 West State Street – Stephen Marion – Site Plan Review
- 8 West State Street – Review of Application documents