



GRANBY PLANNING BOARD

10 West State Street

Granby, MA 01033

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

Website: www.granby-ma.gov

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

Others: Ken Comia, Pioneer Valley Planning Commission

Absent: Jim Trompke, Chair

Meeting: Monday, April 26, 2021

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

Minutes

CALL TO ORDER: Robert Sheehan, Jr. called the meeting to order at 5 p.m.

Administrative Items

Approval of April 12, 2021 Minutes

Robert Sheehan, Jr. asked if there were any changes to the April 12, 2021 minutes. Hearing none,

Motion was made by Jason Smigiel and seconded by Rob Chauvin to approve the Planning Board minutes of Monday, April 12, 2021 minutes as written. Motion carried 4 in favor, 0 opposed, 0 abstained

Approve Bills

No bills to approve.

5:05 p.m. Motion made by Jason Smigiel and seconded by Lillian Camus to close the regular Planning Board meeting to be reconvened after the Public Hearing and open the Public Hearing for 107-R Carver Street. Motion carried 4 in favor, 0 opposed, 0 abstained

Old Business

5:05 p.m. - Public Hearing – John Placzek 107R Carver Street

Robert Sheehan, Jr. 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.

Robert Sheehan, Jr. noted the Board had sent a letter to Mr. Placzek asking if he would like to withdraw his Site Plan Approval without prejudice. On April 21, 2021 Mr. Placzek sent an e-mail to Cathy Leonard to “cancel my planning board hearing.”

Robert Sheehan, Jr. asked Ken Comia how the Board could vote to close out this application as just canceling it would mean Mr. Placzek cannot do anything for 2 years as he did not withdraw without prejudice.

Ken Comia responded the Board could either deny the Site Plan Approval based on most previous correspondence or just close the Public Hearing.

Lillian Camus noted the Zoning Board of Appeals has denied a Special Permit for 107R Carver Street.

Motion made by Jason Smigiel and seconded by Rob Chauvin to close the public hearing and continue the regular meeting. Motion carried 4 in favor, 0 opposed, 0 abstained.

5:21 p.m. – regular Planning Board meeting continued.

After discussion,

Motion made by Lillian Camus and seconded by Rob Chauvin per Mr. John Placzek’s e-mail dated April 21, 2021 to withdraw his application for a Site Plan Approval for 107R Carver Street. Motion carried 4 in favor, 0 opposed, 0 abstained

New Business

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

Ken Comia reviewed a presentation explaining changes to Chapter 40A Sections 5 and 9 in the recent Housing Choice legislation. The goal of the changes is to make it easier for the local boards to approve housing by a simple majority vote instead of a 2/3 vote.

Additionally, there are revenue sharing agreements and a bonding provision. Mr. Comia noted it is not clear in reading the legislation if it is applicable to Towns without Town Counsels.

Some examples of areas where a simple majority would be required instead of a 2/3 vote are

- As-of-right Housing Developments
- Open space residential developments as-of-right
- Accessory Dwelling Units, either within the principal dwelling or within a detached structure on the same lot, as-of-right
- Accessory Dwelling units in a detached structure on the same lot
- Reducing parking requirements for residential or mixed-use development

Zoning protests now allow a protest to change the voting threshold if it is made by the owners of 50% of the affected land area or abutting land. To affirm a zoning amendment under protest, the City Council or Town Council must approve the protested zoning amendment with a 2/3 majority. Mr. Comia is not clear if this means a 2/3 majority at a Town Meeting as a Town Meeting is not specifically noted in the law.

A judge may also require the person protesting the vote to post a surety or cash bond of up to \$50,000 to cover expenses incurred by the Town to go through the process.

Mr. Comia noted the Board must ensure any bylaw amendments include language as to whether a 2/3 or majority vote is required to pass.

Lillian Camus asked Ken Comia to send the Board his presentation for their information.

Mr. Comia will keep the Board updated as he continues to learn more about the changes.

Schedule Workshops for Reviewing Proposed Zoning and Bylaw Changes

Robert Sheehan, Jr. would like to schedule the workshops when we have a full Board. He also questioned if the Board would be wise to wait to schedule the workshops until after the Town Annual Election when we will have a new sitting member on the Board.

After discussion, the Board agreed to postpone scheduling the workshops until the May 24, 2021 meeting.

In support of the proposed Venue Bylaw, Heather Labonte reviewed a presentation on Harris Mountain Estates & Farm and agritourism. Ms. Labonte emphasized her family has been producing maple syrup through their Harris Mountain Sugar Shack since the early 1980s, has registered Harris Mountain Estate & Farm with the State for produce beginning with blueberries and maple syrup production. Future plans include creating a seasonal farm stand.

Any Other Business

None

Agenda Items for the May 10, 2021 meeting –meeting starts at 5 p.m.

- Administrative
- Anything else that comes up.

Review of Action Items

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

Open/New Action Items

Item	Responsible Party	Due Date
Send the Board the Housing Presentation from tonight's meeting.	Ken Comia	April 27, 2021
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

Next Meeting

The next regular Planning Board meeting will be Monday, May 10, 2021 at 5 p.m.

Adjournment

Motion was made by Rob Chauvin and seconded by Jason Smigiel to adjourn at 6:15 p.m. Motion carried 4 approved, 0 opposed, 0 abstained.

I, Lillian Camus, certify that these minutes are true and accurate minutes of the April 26, 2021 Planning Board meeting.

Respectfully submitted,

Lillian Camus. Secretary

Documents Reviewed at this Meeting:

- Minutes of the April 12, 2021 Meeting
- Documents related to Public Hearing for John Placzek – 107R Carver Street
- Changes to Chapter 40A Sections 5 and 9
- Harris Mountain Estates & Farm presentation