



## 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: Glen Sexton, Chair  
Jim Trompke, Vice Chair  
Lillian Camus, Secretary, PVPC Rep  
Rob Chauvin, Treasurer  
Robert Sheehan, Jr., Member

Others: Ken Comia, PVPC

Absent:

Meeting: Thursday, October 3, 2019

Location: 1 Library Lane, Old Carnegie Building, Granby, MA

### Minutes

**CALL TO ORDER:** Glen Sexton called the meeting to order at 5:30 p.m.

### Administrative Items

#### Approve Bills

None

#### Approve Minutes

#### *Approval of September 23, 2019 Minutes*

Glen Sexton asked if there were any changes to the September 23, 2019 minutes. Hearing none

Motion was made by Rob Chauvin and seconded by Lillian Camus to approve the September 23, 2019 minutes. Motion carried 3 in favor, 0 opposed, 1 abstained (Robert Sheehan, Jr.)

Glen Sexton noted the September 23, 2019 minutes indicated the next Planning Board meeting would be on September 30, 2019. However, the meeting was postponed to tonight because the September 30 meeting was not posted in time according to the Open Meeting Laws.

## Correspondence

None

## Zoning Bylaw Update

Lillian Camus noted the Town's Zoning Bylaws need to be updated to reflect the May 2019 changes approved by the Attorney General. Mrs. Camus suggested PVPC update the Zoning Bylaw document and the Board agreed.

Motion made by Lillian Camus and seconded by Robert Sheehan, Jr., for Pioneer Valley Planning Commission (PVPC) update Granby's Zoning Bylaws to include the May 2019 changes approved by the Attorney General. Motion carried 4 in favor, 0 opposed, 0 abstained

## **New Business**

### Medical Home Office – South Street

Lillian Camus explained to the Board why the request for a Special Permit and Site Plan Approval from Sharon Lehman/Audrey Walker for a home office at 6 South Street was before the Board. Mrs. Camus reminded the Board they had reviewed the Special Permit at their September 9, 2019 meeting and, after consulting the Table of Use Regulations, determined there was no need for Planning Board approval a home office was allowed in that location.

Upon further review, it was determined the Table of Use Regulations and the detailed wording for the Land Use Classification did not match. The Board has learned previously that attorneys go by the written word, not charts or tables. The use of the home office as a psychiatric practice puts it in the Medical Office Land Use Classification (Medical or Dental Laboratory) and thus, according to the Table of Use Regulations needs Special Permit and Site Plan Approval.

A public hearing has been scheduled for the Special Permit and Site Plan Approval for Tuesday, October 15 at 6 p.m.

### Dollar General Sign

The Board reviewed a Special Permit request from Heather Hopkins Dudko to install three signs for a Dollar General store. After discussion, the Board determined a public hearing would need to be scheduled for the Special Permit. The public hearing will be Monday, November 4, 2019 at 5 p.m.

### Veterans Memorial Wall

Rob Chauvin noted the Friends of Granby's Veterans would be ready to meet with the Planning Board in early November for a Site Plan Approval for the Veterans Memorial. The Board agreed to put the Veterans memorial wall on the November 4 agenda.

## **Old Business and Information**

### Continue Review of Proposed Solar Bylaw

Lillian Camus suggested the Board review the suggested changes so far and vote on them individually as they are discussed. The Board agreed. Mrs. Camus read the four changes and then the Board voted. The Board also reviewed the Town Attorney's comments on the proposed bylaw changes.

- 5.99.1d. – Add “for the purposes of this bylaw, the Planning Board may engage with an outside consultant at the applicant’s expense per MGL Chapter 44 Section 53G.”
  - Motion made by Jim Trompke and seconded by Robert Sheehan, Jr. to approve section 5.99.1.d as read. Motion carried 5 in favor, 0 opposed, 0 abstained

6:40 p.m. – Rob Chauvin left the meeting.

- 5.99.3.b – Distance Requirements – All solar photovoltaic installations shall have a minimum distance of 100 feet from the property line, 100 feet from each side property line and 100 feet from the rear property line. A buffer of 30 feet would begin after the 100 ft.
  - Motion made by Lillian Camus to approve section 5.99.3.b as read. No second.
  - Motion made by Glen Sexton to approve section 5.99.3.b as read minus the last sentence “A buffer of 30 feet would begin after the 100 ft.” No second.
  - As no motion was seconded and no other motions were brought forward, the wording will stand as:
    - 5.99.3.b. Distance Requirements  
All solar photovoltaic installations shall have a minimum distance of 100 feet from the front property line, 50 feet from each side property line and 50 feet from the rear property line. No trees shall be removed outside the limit of work boundary. The Planning Board may allow a lesser setback along a property line where, in its judgment, the proposed facility is not likely to negatively affect an existing or permitted land use on the abutting property. The Planning Board may require a greater setback along a property line where, in its judgement, the proposed facility is likely to negatively affect an existing or permitted land use on the abutting property.
- 5.99.11.b. Inspections add “The Planning Board shall require an inspection three years from certificate of completion and every five years thereafter until the project is decommissioned. Inspection including an up-to-date decommissioning cost shall be initiated by the Planning Board and/or its designee at the expense of the owner or operator of the large-scale ground-mounted solar installation.
  - Motion made by Robert Sheehan, Jr. and seconded by Jim Trompke to approve section 5.99.11.b as read. Motion carried 4 in favor, 0 opposed, 0 abstained
- 3.2 Dimensional and Density Regulations – Structures Other Than Dwellings – Add a third asterisk after Structures Other Than Dwellings. At the bottom of the table add three asterisks with the wording “Minimum distances from the property line for large-scale ground-mounted solar photovoltaic installations are as follows: Front – 100 feet, Side – 50 feet and Rear – 50 feet (See Section 5.99)
  - Motion made by Robert Sheehan, Jr. and seconded by Jim Trompke to approve Section 3.2 Dimensional and Density Regulations as amended regarding Structures Other Than Dwellings with three asterisks with the wording “Minimum distances from the property line for large-scale ground-mounted solar photovoltaic installations are as follows: Front – 100 feet, Side – 50 feet and Rear – 50 feet (See Section 5.99). Motion carried 4 in favor, 0 opposed, 0 abstained

Glen Sexton asked if the Board wanted to discuss clear cutting that was raised at the public hearing. The Board discussed and agreed there were many ways a landowner can get around a general bylaw regarding clear cutting of trees.

#### *Solar Bylaw Revised Schedule*

Schedule for review of the current Solar bylaws in order to meet the deadline of January 31, 2020.

- 10/31 – Proposed Bylaw Changes to Attorney General giving 92 days for review which would be 1/31/20
- 10/28 – Special Town Meeting – then giving 14 days to incorporate any changes from STM to get final Bylaw changes to AG
- 9/23 - Date of Public Hearing –giving 3 weeks to incorporate any suggestions from public hearing and get final docs to Cathy for STM
- 9/02 – Second Public Hearing Notice Sent
- 8/19 – First Public Hearing Notice Sent
- 8/05 – Bylaw Package Sent to Selectboard

#### **Any Other Business**

##### Agenda Items for **October 15** Meeting –meeting starts at 5:30 p.m.

- Administrative
- Medical Home Office – South Street – Public Hearing

##### Agenda Items for **November 4** Meeting –meeting starts at 5 p.m.

- Administrative
- Veterans Memorial Wall

#### **Review of Action Items**

The Board postponed review of the open action items.

#### *Open/New Action Items*

| <b>Item</b>  | <b>Responsible Party</b> | <b>Due Date</b>    |
|--|--------------------------|--------------------|
| Finalize Solar Bylaw changes documents and send to Cathy Leonard                         | Ken Comia                | October 4, 2019    |
| Update Granby's Zoning Bylaws with the May 2019 changes approved by the Attorney General | Ken Comia                | November 4, 2019   |
| Follow up with Town Counsel RE Access to solar projects                                  | Glen Sexton              | September 30, 2019 |
| Research prime farmland definition   | Ken Comia                | September 30, 2019 |
| Create a response to Granby DG Series, LLC zoning letter for Glen's signature            | Lillian Camus            | September 12, 2019 |

| <b>Item</b>   | <b>Responsible Party</b> | <b>Due Date</b>    |
|---|--------------------------|--------------------|
| Create and send an e-mail to Christina Boucher noting what documents are needed before the Planning Board can make a decision   | Lillian Camus            | September 12, 2019 |
| Contact GZA RE Sending in letter and credentials for Planning Board to consider for Approved Peer Reviewer List   | Ken Comia                | September 23, 2019 |
| Work with Ken Comia to finalize Permitting Guide and post on Town website   | Lillian Camus            | September 23, 2019 |
| Have 10 copies of the Permitting Guide printed in color.  | Lillian Camus            | Ongoing            |
| Obtain pricing for hiring a temp for the Recording Secretary position   | Lillian Camus            | Ongoing            |
| Meet with High School Principal re possible Recording Secretary candidates – UPDATE: Glen will try to contact the High School Principal if the current applicant is not interested in the job. Waiting to hear back from principal. No response from high school principal. | Glen Sexton              | In Progress        |
| 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 Planning Board meeting will be Tuesday, October 15, 2019 at 5:30 p.m. in the upper level of the Carnegie Building.

### **Adjournment**

Motion was made by Jim Trompke and seconded by Robert Sheehan, Jr. to adjourn at 7:09 p.m. Motion carried 4 approved, 0 opposed, 0 abstained

I, Lillian Camus, certify that these minutes are true and accurate minutes of the October 3, 2019 Planning Board meeting.

Respectfully submitted,

Lillian Camus. Secretary