

TOWN OF GRANBY PLANNING BOARD

Meeting Minutes

August 6, 2024

A regular meeting of the Granby Planning Board was held at the Granby Town Hall, 1919 State Route 3 Fulton; and was called to order at 7:00 pm by Chairman Jane Crego.

Meeting Attendance as follows:

David Crockford	Erin Palmitese - absent
Jane Crego, Chairman	Carl Nysten
Rhonda Nipper - absent	Tom Anthony
Lori Blackburn	Lisa Somers, Clerk

Also Present: Cheryl Anthony, Justin Latierre, Sarah North, Michael Laux, Geoff Rapponi, Jonathan Williams, Travis Mitchel, John Schmauch, Josh Arnold, Town Engineer Doug Miller, and Attorney Jamie Lynn Sutphen.

BUSINESS

Fire Pit BBQ & Saloon – Preliminary Site Approval for CIT property

Jon Williams approached the Board members for approval of an established commercial restaurant business property located at 264 State Rt 48, Fulton. The former Roadhouse 48 was extensively renovated on the interior before closing down several years ago in 2019, and Mr. Williams signed a lease to operate it as an upscale BBQ restaurant that will host live music and entertainment, and potentially provide a venue in the future for large events such as weddings, clam bakes, festivals and company picnics. He explained that he has years of experience and believes that the restaurant can become a mainstay for Granby and Oswego County. The building needed very little work other than deep cleaning, a few commercial upgrades in the kitchen, and the installation of a new raised septic system. The Town Codes Officer and Health Department performed cursory inspections and will soon supply occupancy and approvals to open, but also needs planning board approval before moving forward. He planned to open on August 15th but was unaware of the additional steps needed to open the existing business and is asking the Board to consider an approval at tonight's meeting. He also has submitted his 30-day notice for liquor license as well as petitioning for a waiver of the 30 days.

Mr. Williams provided a PowerPoint detailing his request with an aerial photo of the property, interior and exterior features, and plans for future expansion. The restaurant will be open throughout the week from 11 am to 8 pm, breakfast available on Sundays, and music be provided between 11 pm and 2 pm on Thursday, Friday, and Saturday. He added that he would like to develop the rear property of 13 acres in a few years to grow the business. Chairman Crego stated that his proposal is the same use as the previous business, is appropriately located with the CIT district is therefore in conformance to the Zoning Ordinance. A formal site plan will be needed that details what is existing and what is proposed. Member Tom Anthony asked why a site plan was needed since nothing is different. Chairman Crego replied that all businesses require an updated site plan when either a new owner has purchased the property, business has been nonoperational for a period of time, or a reopening occurs involving changes – all in an effort for the Town and the owner to realize what is allowed and what is expected. Attorney Sutphen asked for details about the existing parking area. Its currently gravel without painted lines, he plans to pave in the future and clean existing areas of woodpiles for additional parking spaces. Approximately 50-60 spaces currently with handicapped parking near front of building. He also stated that the current sign is rusted so a new sign will be installed that meets zoning requirements. Member Carl Nysten asked what term the lease is – initially 2 years, but he has already triggered an automatic extension to 15 years due to the clean-up efforts and money invested to date. Member Lori Blackburn asked about the live music. The previous owners had music without issue due to the lack of neighbors in the area and the sound buffering provided by the abundance of trees around the property periphery.

Attorney Sutphen advised the Board that they could make a finding that the property and proposal is an existing conforming use, and that it would be a reasonable request to have a site plan. Member Tom Anthony stated that the Board needed to clarify the parameters for what is expected for the site plan if an approval is given tonight.

Members agreed that for now a sketch on an existing survey map will suffice in order to commence operations. A detailed engineered site plan will be required later when he begins to modify the grounds and activities. He was directed to add existing and proposed lighting to the sketch site plan. Without further discussion a motion was moved by Member Lori Blackburn and seconded by Member David Crockford, to approve the use and site as existing and conforming so that business operations may commence subject to the submission of a formal site plan for informational purposes. All were in favor and the motion carried.

Resolution # 2024-01

BE IT RESOLVED, by the Planning Board for the Town of Granby, the proposed use and site is an existing conforming use, and with no changes being made, is hereby approved so that business operations may commence subject to returning to the Planning Board with submission of a formal site plan for informational purposes; any changes to the site or use in the future will require site plan approval.

A vote was taken:

<i>Jane Crego, Chairman,</i>	<i>Aye</i>
<i>Carl Nysten, Member</i>	<i>Aye</i>
<i>David Crockford, Member</i>	<i>Aye</i>
<i>Rhonda Nipper, Member</i>	<i>Absent</i>
<i>Erin Palmitese, Member</i>	<i>Absent</i>
<i>Tom Anthony, Member</i>	<i>Aye</i>
<i>Lori Blackburn, Member</i>	<i>Aye</i>

5 AYES 0 NAYES 0 ABSTENTIONS – APPROVED.

BUSINESS

Walmart –Preliminary Review for Site Plan Approval for an Expansion Project

District Manager, Michael Laux, and representatives of the Architects for the Walmart project presented renderings of the current façade and the proposed façade, and discussed the need to begin the exterior painting project before fall settles in. Paint samples were provided to the Board of the two existing colors to remain, with the dark brown replacing areas currently painted red. Mr. Laux explained that the job would also include repair/replacement of the board and batten siding where needed. Member Lori Blackburn commented that the new color scheme modernizes the building. Member Carl Nysten asked how long the paint will last. Mr. Laux replied that the corporate offices for Walmart plans to remodel and update every 5-7 years, the Fulton store is long overdue. Chairman Crego asked the Engineers to present the revised site plan while the members considered the painting proposal.

Justin Latierre of Colliers Engineering recapped the changes requested while displaying pages of the plan set provided to the Board members. A row of parking spaces was removed to accommodate the newly added sidewalk through the center of the parking lot to facilitate pedestrian and bike traffic in a safe manner. The sidewalk at the intersection with State Rt 3 and up the access road is in good condition, some reworking will occur at the parking lot access to assimilate safer transitions for all utilizing the entrance. Directional signage for delivery trucks has been updated to reflect the proper access to the circle at the rear of the store. The engineers looked at the side entrance off of County 3 but were unable to add a sidewalk because property line constraints. Signage and striping for the new pickup area were detailed in the plan set. Member Blackburn commented that it looks like there are too many crossing areas along the front face of the store, and asked if traffic will be delayed or backed up. The Store manager replied that nearly 90% of access is from the State Rt 3 egress so there should be no impact to the traffic generated from the side entrance. Engineer Doug Miller asked what the pickup area in the back would be used for. The District Manager replied that it will be a DSD area – ‘direct store delivery’ area for smaller vendors such as soda and chips.

The Board members were satisfied with the changes and scheduled a Public Hearing for September 3, 2024.

A motion duly made by Member Carl Nysten and seconded by Member Lori Blackburn to approve the painting portion of the project as presented.

Resolution #2024-02

BE IT RESOLVED, by the Planning Board for the Town of Granby, the proposed painting project is hereby approved in order to accommodate the shortening painting season of this year.

A vote was taken:

<i>Jane Crego, Chairman,</i>	<i>Aye</i>
<i>Carl Nysten, Member</i>	<i>Aye</i>
<i>David Crockford, Member</i>	<i>Aye</i>
<i>Rhonda Nipper, Member</i>	<i>Absent</i>
<i>Erin Palmitese, Member</i>	<i>Absent</i>
<i>Tom Anthony, Member</i>	<i>Aye</i>
<i>Lori Blackburn, Member</i>	<i>Aye</i>

5 AYES 0 NAYES 0 ABSTENTIONS – APPROVED.

BUSINESS

ELP Granby Solar LLC; VCRenewables – Preliminary Review of site plan for solar energy system project

Travis Mitchell and John Schmauch of VCRenewables reviewed the submission list of updated documents that had been supplied to the Town and the Board members. The following discussion points ensued;

- Member Anthony asked for documented approval from **Natl Grid for interconnection** to the proposed solar project. Engineer Doug Miller added that confirmation would need to be on Natl Grid letterhead. The applicants replied that they had preliminary approval and were waiting for the final details of the cost structure.
- The applicants discussed the updated the location and **landscaping plan**. The project is categorized as a Tier 3 Utility System and is located within the A-1 zoning district as is permitted by the Town’s Zoning Ordinance. The new landscaping plan added over 1,000 trees for visual buffering at a cost of \$500,000. The plan provides for a wall of arborvitae where existing vegetation stops in order to provide nearly 100% visual buffering of the project from all residences located around the perimeter of the project site. Visual screening simulations were provided. The giant arborvitae will be planted with a 4-foot offset in a double row, and initial plants will be 6-foot in height with projected 3-feet of growth per year. The trees will be 8-feet in width and provide a wall of vegetation. Resident Cheryl Anthony commented that a “wall” is not very natural looking. The applicants responded that it was what the Planning Board requested.
- The applicants updated the members with email correspondence from the DEC regarding the **NYS wetlands** present on the property. The DEC does not allow panels to encroach into the wetlands – the Federal wetlands are more lenient, but none exist on the property.
- Engineer Doug Miller asked if the applicants would **guarantee** that the firm that owns the system will not flip it once construction is complete. Applicants unable to answer request.
- Member Anthony asked why the investment to design a system without a CESIR in hand. The applicants replied that the capacity is there.
- Engineer Doug Miller asked how many systems have been energized and are currently running – six.
- Member Blackburn asked what the **benefit to the community** is to allow construction of this project. The applicants stated that the power would be utilized locally, and improved infrastructure and substation. The engineer added that they really didn’t answer the question.
- **Glare and noise analysis** documentation was provided that proves that noise will not reach the property lines.

The Board members stated that they would continue to review the documents and opted to schedule a public hearing to inform the public of the proposal and get their feedback. The Hearing was scheduled for Tuesday September 3, 2024 at 7:00 pm. The SEQR NOI for declaring Lead Agency for the Coordinated Review of the project classified as a Type I has already been completed by the Board Attorney Jamie Sutphen; Parts 1,2 and 3 need to be reviewed by the Board members; and County 239 Review referral to be made by the Clerk Lisa Somers. The applicants will supply/update the digital shared folder which includes the updated documents.

PRIVILEGE OF THE FLOOR

~ Chairman Crego informed the Board that ‘Tee Time’ golf range located across from Battle Island submitted a request for a liquor license from the state. The business is located within the R-1 zoning district and started before the zoning regulations were adopted therefore is no site plan approval filed with the Town records. Some discussion ensued regarding the pre-existing and nonconforming status, the current usage and composition of the site, whether food and alcohol would be considered as an accessory use, and whether the change expands the use. The Codes Office will need to inspect the property and ascertain what changes are proposed.

MINUTES

A **motion** to approve meeting minutes for July 2, 2024 with was **moved** by David Crockford and seconded by Carl Nylen, all were in favor, and the **motion carried**.

ADJOURN

With no other business before the Board a **motion** to adjourn at 8:32 pm was **moved** by Tom Anthony and seconded by Carl Nylen, all were in favor, and the **motion carried**

Respectfully submitted by, Lisa Somers, Planning Board Clerk