

TOWN OF GRANBY PLANNING BOARD

Meeting Minutes

March 1, 2022

A regular meeting of the Granby Planning Board was held at the Granby Community Center, 812 County Route 8 Fulton; and was called to order at 7:00 pm by Chairman Jane Crego.

Meeting Attendance as follows:

David Crockford
Jane Crego, Chairman
Rhonda Nipper
Lori Blackburn

Erin Palmitese
Carl Nysten, Vice Chairman -excused
Tom Anthony
Lisa Somers, secretary

Also Present: Mike and Jessica Baldwin, John and Britney Cox, Rodney DeLong and Supervisor John Snow.

BUSINESS

Mike and Jessica Baldwin – Preliminary Review of Site Plan Application

Mike and Jessica Baldwin presented a site plan drawn to scale as had been requested by the planning board at the meeting in February. The following discussion points were made:

- *Drainage* – the lot has green space along the building length as well as the rear yard that has been sufficient to date to handle the run-off water. Additionally, a culvert exists near the rear driveway to channel water from existing ditch/swale at rear property line. Concrete blocks were placed previously along the driveway entrance to divert stormwater leaving the Walmart parking area via their entrance drive and flooding the applicant's property. Mike Baldwin explained that it would be an easy fix by adding a trough/gutter along the edge of Walmart's entrance road where it intersects the applicant's rear driveway. Future extension of the driveway for use of the back of the building would consist of additional stone and not detract from the ground permeability
- *Additions/changes to initial submission:*
 - 1.) Handicap access for bathroom facilities added to the floor plan of the existing building.
 - 2.) Two fire rated doors added to facilitate ingress/egress for fire safety.
 - 3.) Two interior walls – non-supportive to separate the spaces and to allow for efficient heating/cooling.
 - 4.) Identified location of existing exterior lights, possibly additional light at rear door of building if and when future use is realized.
 - 5.) Location of on-site dumpster.
 - 6.) Existing business sign along State Route 3 to utilized and re-lettered. Applicants advised to discuss signage with the Codes Office.
- *Business Operation:*
 - 1.) Fitness Studio/gym - The front door to have a key fob access to allow member usage around the clock- 24 hours all week. Two employees planned for daytime classes or personal training sessions, with estimated 30 to 40 customers using facility at any given time.
 - 2.) Existing Diner – Plans to continue the breakfast house as it is currently run, but will transition in the future to be a nutrition club catering to the fitness center and general public. Two employees expected, with hours of operation currently between 5:00 am and 11:00 am, but will be extending hours to be from 6:00 am to 5:00 pm in the future.
 - 3.) Rear space of building to be utilized as storage or leased space in future plans, and available for 24-hour access by customer via key fob.
- *Fire Safety* – Mike Baldwin contacted the local Fire Department to inform them of the new business usage of the property. They were instructed to review the building plan with the Town's Code Office to ensure proper fire exit placement and warning systems to be included in the design. Clerk to provide submitted plan to CEO and follow-up to be completed by the applicant. Member Erin Palmitese asked if sprinklers existed in the building, Mr. Baldwin replied that were not and that he verified with NYS code that the were not required. He added that there are fire extinguishers and detectors in throughout the space. She questioned whether the storage area should require sprinklers because of the combustible items, such as lawn mowers, that could be stored. The Baldwins replied that they are not going to allow fire hazardous materials in the storage units like batteries and gasoline – only household items like furniture, textiles and paper that would benefit from a climate-controlled facility. Member Tom Anthony questioned the number of doors for fire exits and suggested an additional door in the middle area on the other side of the building to facilitate emergency needs. He also

suggested that the interior walls be built with non-combustible materials such as steel 2x4's, which Mike Baldwin agreed with for safety and cost, he added that he may surface the interior of the gym walls with metal for aesthetic purposes as well.

The Board scheduled a Public Hearing for April 5th.

John Cox – Preliminary Review of Site Plan Application

John Cox approached the Board and explained that he had received approval from the ZBA for modification of the conditions of the Use Variance attached to the property in 2018, and would like to proceed with the Site Plan review process. The business was now allowed to extend hours of operation, utilize the outdoor space and provide outdoor music at a level in consideration of the neighboring properties. Mr. Cox passed around several photos of the interior space that he had been renovating to illustrate his intended usage, many board members reacted favorably to the interior layout and design.

Discussion ensued as follows:

- *Exterior areas* - John Cox stated that he intended to enclose an area off the back door with fencing for people who would like to smoke. He will also be fencing in the concrete patio and sidewalk area south of the building to totally enclose the exterior areas of usage to control where customer activity is designated, and provide some visual and sound buffering from the neighboring properties. Some discussion ensued regarding possible landscaping which would buffer more noise than a 6-foot fence would. The residential properties are located on the north side of the building and shrubs and trees are already existing along that property line, and the property line to the south consists of a driveway, parking area and grounds of neighboring bar establishment. An area on the north side of the site plan near State Route 48 locates horseshoe pits which could create a noise issue for neighbors – John Cox replied that he will remove them from the grounds and site plan.
- *Signage* – Plans to use existing sign with no changes, just re-lettering. Applicant advised to discuss signage with the Codes Office. The canopy at the main entrance of the pool hall will be replaced and have the business logo, similar to what is existing.
- *Clarify some points of usage:*
 - 1.) Tent – Site Plan denotes a tent on the concrete patio which Mr. Cox states will remain an option for customers should they choose to use it.
 - 2.) Patio is for use by events like weddings, not for regular dining by customers.
 - 3.) Tournaments that last two and three days are considered to be the Special Events, and are limited to ten a year, and subject to earlier opening hours.
 - 4.) Weddings and banquets are events occurring during normal business hours.
 - 5.) Gazebo usage is limited to ceremonies and pictures only. Applicant is aware that the Codes Office will not allow the gazebo to be used until repairs are performed with issuance of a building permit.
- *Landscaping* – John Cox stated that the grounds are completely overgrown and is an element of the property that adds aesthetic value to the business and the neighborhood. He plans to overhaul what is existing to bring back the sculptured affect and add additional landscaping to further enhance the property.
- *Parking* – The Board requested more definition of the area for parking – number of spaces available and layout of spaces to facilitate a safe traffic flow. A stipulation to add to an approval would be no on-street parking allowed.
- *Water* – The building currently has a private well water source and newly installed water pressure tank on the first floor. Connection to the municipal district is anticipated in the near the future.
- *Heating/Cooling* – John Cox stated that the facility will maintain a climate-controlled environment to protect the felts on the pool tables. Doors will remain closed at all times, but be functioning for emergency use.
- *Operation Narrative* - The Board requested that the narrative explaining the business operation be updated to include all elements discussed.

Discussion ensued by the members regarding the preparedness of the plans for a Public Hearing and approval. Member Tom Anthony stated that an engineer should be hired by the applicant to provide a full set of plans drawn to scale that accurately defines all the spaces on the property. The details should be addressed in an initial meeting, then the applicant has the responsibility to present a complete plan in accordance to the Ordinance that specifies what is required – it isn't the job of the planning board to design and readdress the same elements. Member Lori Blackburn stated that she felt the design was sufficient for an existing building, and that prolonging the process only becomes costly to the applicant since the Board meets only once a month.

A Public Hearing was scheduled for April 5th.

Proposed Legislation – Mobile Food Vending

The Board members received copies of an update needed for the Town's 'local codes laws' generated and required by NYS. The Town Board will adopt the proposal without formal review by the planning board because it is codes based, but they are requesting comments from the planning board to ensure compliance with our Town's Ordinance. Member Lori Blackburn stated that she favored the direction the Town government was heading and appreciated the steps being taken to bring Granby into the present with regulations to allow new activities in the Town. She exclaimed that the idea of food trucks was exciting because of the interest and events that could occur in the Town. She asked what the cost for the permit would be, and the timeframe to process the application. Supervisor Snow was present for the meeting and replied that the current fees were nominal but that the Town Board would initiate a fee schedule going forward that would also be minimal. The Codes Office is currently being reorganized with updated software and employee designated responsibilities – the timeframe would be between one to three weeks for turnaround of an application depending upon the workload in the Office which is wholly dependent upon the building season. Member Anthony asked if the legislation was prompted by current activity in the Town, to which Supervisor Snow responded that it has been triggered and dictated by NYS.

Member Lori Blackburn asked why renewals needed in Section VII-D? Supervisor Snow responded that it ensures that the plan is the same and changes haven't occurred that the Town is unaware of. Two renewals are allowed and then a new application for the fourth year.

Member David Crockford asked about the Exceptions clause in Section III. The regulations are primarily intended to provide public safety for an unconventional use where licensing and insurance is not attached per se to a fixed location or property. The Town owned properties are covered by municipal insurances and are therefore not applicable. The second intention of these regulations are to offer a framework or foundation for the Codes Office to control situations that appear unsafe or not in compliance with the proposed regulation.

Member Tom Anthony questioned the need because of similar events of the State Fair and should offer a weekend or two-day option, but after checking the new State regulations website realized that the entire framework is changing. In conclusion, the *Planning Board was in favor of implementing the regulations for Mobile Food Vending as proposed.*

Proposed Legislation Amendment – Solar Energy Systems

The Table for solar systems usage details found within section 4 is in need of minor revisions. The zoning districts where Tier 3 systems are allowed needs completion. The Tier 3 systems are large in design with a minimum lot area of 10-acres and the table does not currently reflect the designated districts. After some discussion it was *determined that Tier 3 systems for Building Mount and Ground Mount for Off-Site/Community Users and Utility were allowable in all districts except for R-1.*

A second revision initiated by the practices of the Codes Office is where Planning Board review is required for ground mount systems for on-site individual users – or the local homeowner. The State initiated a standard permit to assist in the streamlining of permits to provide a cost effective and efficient process for homeowners wanting to use renewable energy, but the Site plan process dictated by these regulations adds additional cost of \$250.00 and considerable time to the process. Since the systems are small in design with little to no disruption to the permeability of the soil, are wholly designed to State and Federal design standards, and are already disallowed within front yards or in front of principal structures, it seems like the required review by the planning board is redundant and unnecessary. *The Members were in agreement and recommended removal of the site plan review process for Ground Mount systems of Tier 1 and 2.*

Education & Training

Supervisor Snow thanked the board members for their service, many of which have been members for multiple terms and others having only been appointed in the past few years. He offered an option for additional training that could be performed in house by the Town Engineer or other qualified professional, for general knowledge of planning duties and practices or for a specific topic that the Board is involved with on an application. He reiterated that he would set up training sessions in-house or support funding to attend area workshops should the members feel the need. He stressed the need for following the procedures established by NYS as well as the local Ordinance and Laws, and that the authority bestowed upon the members of all Boards in the Town are based in the Zoning Ordinance with specific procedures and conduct providing foundational basis for determinations. The Ordinance supports the ideals of the Comprehensive Plan, therefore decisions by Boards can fundamentally change the direction of Town growth if not determined within the bounds established.

NYS Annual Training – Sexual Harassment in Workplace

Town Supervisor John Snow discussed the Town of Granby’s policy regarding sexual harassment – it is not acceptable behavior and will not be tolerated. The policy is outlined in the employee manual and located on the employee bulletin board in the copy room of the Town Hall. Town personnel (Supervisor or Town Attorney) can assist in complaints covering many forms of harassment from either employees or the public. The Town of Granby exercises a zero-tolerance policy. The planning board had no questions; annual training completed.

PRIVILEGE OF THE FLOOR

~ Member Tom Anthony questioned Supervisor Snow whether any progress had been made to change the Special Use Permit designation from the property to the individual property owner/business in order to correct unfortunate land use decisions and actions. Supervisor Snow responded that he would be speaking to Attorney Jamie Sutphen later this week and would run it by her.

MINUTES

A motion to approve meeting minutes with minor corrections for January 11, 2022 and February 1, 2022 was moved by Rhonda Nipper and seconded by David Crockford, all were in favor, and the motion carried.

ADJOURN

With no other business before the Board a **motion** to adjourn at 8:55 pm was **moved** by Tom Anthony and seconded by Rhonda Nipper, all were in favor, and the **motion carried**

Respectfully submitted by:



Lisa Somers

Planning Board secretary