

TOWN OF GRANBY PLANNING BOARD

Meeting Minutes

September 6, 2022

A regular meeting of the Granby Planning Board was held at the Granby Town Hall, 820 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 - absent

Erin Palmitese
Carl Nylen, Vice Chairman
Tom Anthony
Lisa Somers, Clerk

Also Present: Cheryl Anthony

BUSINESS

MOZD – Mining Overlay District

The Planning Board reviewed the final draft of the proposed legislation regarding mining regulations that was created by the Zoning Code Review Committee. A special presentation on June 22, 2022 was hosted by Committee professionals hired by the Town – Planner Howard Brodsky, Attorney Jamie Sutphen, and Engineer Doug Miller which many of the members attended. A period of question and answers provided constructive clarification of the process for many of the members. The mapping aspect is a component that will occur after adoption of the text. Chairman Crego stated that there was one mine presented on the proposed overlay map that would not be included because it had not received DEC approval. Member Anthony asked if any of the changes discussed at the presentation had been implemented in the text, after cursory review he found that they had. Specifically, he had been concerned about the impact to the individual farmer that that may have a small scale mine and moves material from one property to another; the text specifies commercial activity therefore the farmer would not be required to undergo the process. The members were favorable to the regulations understanding that the number of mines would decrease but would also be reasonably sited so as not to impact the surrounding community as the existing mines have done.

In agreement that the Local Law would serve to protect the residential character and environmental value of both the individual property and the community, while allowing for the commercial pursuit of mining activity, a motion was moved by Member David Crockford, and seconded by Member Tom Anthony, to **recommend that the Town Board adopt the proposed legislation for the Mining Overlay Zoning District (MOZD), and the additional changes to Amend the Zoning Ordinance to accommodate the MOZD and update small scale mining activity, in their entirety.** All were in favor and the motion carried.

Zoning – Cannabis Local Law

The Planning Board members discussed whether local legislation to regulate the use of cannabis within the Town should be considered. Although the NYS Office of Cannabis Management and the Cannabis Control Board have primary jurisdiction over the licensing of adult-use retail dispensaries and adult-use on-site consumption spaces, the municipalities do have the ability to regulate localized issues of time, place and manner in which the sales and use of cannabis can occur specifically within our Town. The state cautions against regulations that make the process and siting unreasonably impracticable, instead suggesting that the proposed cannabis business be regulated and reviewed as any other commercial establishment allowed in the Town. Many members opined that it would be difficult to pass legislation that wouldn't be overturned by the State's Control Board and felt that the existing and updated site plan review and special use permit would suffice in the review of an application for cannabis use within the Town. Further review and definition can be pursued provided the Town Board is in favor of drafting regulations. In light of the directives from the State, the Planning Board **recommends that the Land Uses of 1) Growing, 2) Dispensary-sales, and 3) Consumption, be added to the Use Chart of the Zoning Ordinance** as such. Inclusion within the Chart not only permits the use but also establishes the review and permitting procedures of Site Plan Review and Special Use Permit. Preliminarily, the Board surmised that the R-1 District would not be an area that would allow any of the uses in an effort to protect the inherent value of that Zone, and that the CIT District would allow dispensaries as a retail sales business use which the CIT District was developed for.

MINUTES

A **motion** to approve meeting minutes with minor corrections for August 8, 2022 was moved by Erin Palmitese 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 7:47 pm was moved by Carl Nylen and seconded by Rhonda Nipper, all were in favor, and the **motion carried**

Respectfully submitted by:

Lisa Somers Planning Board Clerk

