

TOWN OF GRANBY PLANNING BOARD

Meeting Minutes

November 1, 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 Nysten, Vice Chairman

Tom Anthony

Lisa Somers, Clerk

Also Present: Attorney for the Planning Board – Jamie Lynn Sutphen, Randy Perry, Tina & Paul Sawyer, Cheryl Anthony, and Supervisor John Snow.

BUSINESS

Randy Perry Jr.

Randy Perry Jr. submitted an application for site plan review of a proposed home occupation consisting of an address of convenience at his residence on State Rt 48. His father, John Messere, has owned the Car Corner in Fulton for many years and recently sold the property, but would like to continue dealing with automobile sales without a permanent sales lot. The DMV requires that his license signage be placed on a building for public viewing although he does not need to actively do business at the location. He would buy and sell autos directly at the auction yard and establish delivery to anticipated buyers off-site, therefore the sign at his son's home would be only an address of convenience and never be an active retail location. Mr. Perry stated that his home sets several hundred feet off of the roadway and behind tree lines therefore the signage would not be readily visible to the traveling public. Chairman Crego asked the size of the sign – Mr. Perry replied that it is 3'x 2'. She also asked if DMV would find it acceptable placement since the public won't be able to see it, which Mr. Perry answered that DMV is aware of the location and doesn't have an issue because if it is posted then driving up the driveway would provide easy visibility for those that require it. Chairman Crego asked whether his father, is living at the house, to which he replied no, he lives elsewhere and can not post the signage at his current residency. Attorney Sutphen commented that this is a threshold issue for the Home Occupations Regulations of the Town. A residence is allowed in any Zoning District but the code has various levels of activity criteria that limits the location or extent of usage. The signage places the application into the Minor category requiring Site plan review, but all home occupations must be conducted by an on-site resident/owner of a primary dwelling and because Mr. Messere does not reside at the property, it's not allowed. She added that another issue is the size of the sign, the code limits the size to 4 sq. ft. and the proposed 2'x3' sign would exceed that requirement. A variance through the ZBA could be requested if the other criteria didn't already squash the application. Randy Perry asked if he it would be allowable if he applied for a DMV Dealer's License, which the Board members replied yes, although a variance for the sign size would be a required element. He stated that this was a time sensitive situation because his father has a deadline of December 15th to keep his current license active, and it takes 6 months to process a new license so he may be back in the future if he chooses to apply for his own DMV Dealer's License.

Ethan & Taylor Dashnau

Although the applicants submitted a paid application for planning board review, no one is present at the meeting to represent the application, therefore the Board did not commence the review process. The clerk will contact applicants for update.

Paul & Tina Sawyer

The Sawyer's own and operate a business at 12 Harold Drive that they are expanding with the construction of a 12'x24' addition to the back side of the axe-throwing venue. The Codes Office referred them to the Planning Board for Site Plan Review due to the proposed modifications to the approved site plan of the property. Paul Sawyer stated he didn't understand the rationale for appearing before the planning board because the business activity was not changing and that they are still an axe-throwing venue. Tina Sawyer added that they have been getting the runaround from the Town offices and it seems that the rules get made up along the way, their business is being impacted by the drawn-out processes of permit approvals. They also stated that they were told to appear because of the liquor license that they have applied for. Chairman Jane Crego replied that the planning board doesn't have an approval process based on alcohol but if they are planning to add it to the business activity then it would be a modification to their existing approval, along with the

additional square footage they plan to build. Attorney Sutphen explained that the Site Plan approval involves the map depicting the physical layout of items such as the buildings, parking and lighting, but also includes the actual operating activities of the business. The Planning Board doesn't authorize alcohol usage, but a step of the Liquor License approval process is written notification to the Town Board. Chairman Jane Crego asked the Sawyer's to explain their proposed modification involving the addition, its usage, and any other changes internally because of the added space. Tina Sawyer stated that a major part of their business has been parties and that the patrons would like them to add alcohol to the party planning package that they offer because the individual businesses/corporations will not agree to adding it as a separate item. They host parties at the venue, which has proven to be too small for their needs as is, and they have a movable trailer venue that they take to other locations. The additional space will allow them to physically segregate the food and drink portion from the axe-throwing areas to improve safety as well as functionality. The 12'x24' addition will be the space for people to sit, mingle and partake in the refreshments that are part of the planned party. She emphasized that it is not a bar, and they will not be altering their business hours to act as a drinking establishment. The Board asked if the participants bring their own food, to which they replied no they will have a kitchen area to supply pizzas and sandwiches, maybe some deep fryers. The Board asked if the planned kitchen would be in the new space being built, and the Sawyers answered no, they are redesigning the interior floor plan to separate the sitting space, throwing area, kitchen and entry desk. Chairman Jane Crego replied that the original approval plan included vending machine snacks only, so the addition of a kitchen will require Health Dept. and Codes Office permits and inspections. The applicants responded that it wouldn't be a full blown out kitchen and that it only needs to fulfill a requirement for the liquor license in that they must provide food if alcohol is served. Mr. Sawyer was surprised because he wasn't told it would require any permits for the construction of the addition, he further stated that he should never have applied for a permit because many other properties in Granby have added structures without getting permits and the Town has never known. Chairman Jane Crego replied that when the annual fire inspection came due, you would have not received your operating permit because of the modifications being completed without approval from the Town and County Offices. Discussion resumed and the Board stated that they needed updated floorplans to illustrate the use of the interior, similar to what they had supplied with the initial approval in 2021. Paul Sawyer responded that they weren't building a whole kitchen just an area to place a conveyor style pizza oven, a fryer or two, and area to make sandwiches. Attorney Sutphen asked if they had already applied for their liquor license and whether they had an attorney to assist in that process, which they replied that they had applied and had also hired an attorney. The Planning Board Attorney commented that she thought they may be putting the cart before the horse so to speak, because the Liquor Board would require detailed layout drawings of the building interior as well as the overall site plan, and that they could require changes to what has been approved here which would require the applicants to return for yet another modification. The attorney asked the board members to review the checklist of required elements within the Zoning Ordinance for Special Permit and Site Plan review regulations that had recently been revised in 2021. The list was extensive and discussion arose regarding the need for an engineered plan which Member Tom Anthony stated they had been asked to supply in the past and had instead given a 11"x18" survey (2019) with hand drawn elements of the business, then a smaller plan 8.5"x14" in 2021. The Clerk provided the original map for Board review, Member Erin Palmitese stated that it would be unfair to ask for a new plan in light of what we had accepted previously. The Board members were in agreement to allow the use of the existing site plan for the modifications being proposed, and that the Sawyers should amend the approved approval package with all of the changes they are making – internal to the building and external on the site, as well as changes to the operating activity. Detailed building material specifications along with elevational renderings to show the exterior aesthetics of color and texture, as well as roof lines, window and door placement are another item within the purview of the planning board to request. The applicants were not favorable to spending money on plans and that they intended to match the existing siding and roofing materials of the original structure. Tina Sawyer voiced her opinion that the Town has thrown roadblocks every step of the way, and that the requirements make it difficult for businesses to operate, concluding that they don't have extra funds to spend on paperwork. She also thinks she would rather take her business to nearby Fulton or Oswego instead.

The members listed the following items they would need to proceed:

- ~ update the approved site plan to scale.
- ~ an updated floorplan lay-out of the axe-throwing venue – to include interior walls, windows, doors, as well designated uses of areas such as axe-throwing, check-in desk, party area, liquor area, and food preparation/kitchen area with identified elements of apparatus.
- ~ description of the exterior materials for the façade in lieu of elevational drawings.
- ~ complete a new Site Plan application with SEQR EAF.
- ~ update narrative with new business operation activities.

A Public Hearing was scheduled for Thursday November 17, 2022 at 7:00 pm pending the receipt of completed application and all requested paperwork. The applicants agreed to supply all materials to Clerk Lisa Somers by Monday

November 14, 2022 which would allow scanned copies for the Board members to review previous to the Hearing later that week.

PRIVILEGE OF THE FLOOR

~ Supervisor John Snow discussed the proposal for a large solar field that was received by the Town and distributed to the planning board members. The proposed project size is 20MW and will encompass nearly 100 acres of property. The developers are currently negotiating the two phases of the CESIR agreement with National Grid, which needs to be approved before commencing planning board review per the Towns Solar Energy Systems Local Law. The developer expects to be ready for a Town presentation next fall. In brief discussion with the Supervisor, they stated that they are familiar with the Town's requirements without issue, are good with the PILOT program and are anticipating incorporation of sustainable practices of animal grazing – sheep or goats.

~ Supervisor John Snow commented on the recent news of the Micron facilities establishing long-term investment in Central NY and the impact that will spillover to all the surrounding communities including Granby. It poses great opportunities for the future livelihoods of our residents as well as opportunities for community prosperity. Granby is open to change but will need to develop ways to manage the anticipated growth – the Comprehensive Plan updates will be a valuable tool to govern and guide future development.

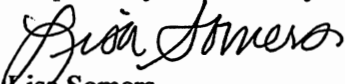
MINUTES

A **motion** to approve meeting minutes for October 4, 2022 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 7:55 pm was **moved** by Erin Palmitese and seconded by Carl Nylen, all were in favor, and the **motion carried**

Respectfully submitted by:



Lisa Somers

Planning Board Clerk