

# TOWN OF GRANBY PLANNING BOARD

## Meeting Minutes

July 11, 2023

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

Erin Palmitese

Jane Crego, Chairman

Carl Nylén, Vice Chairman

Rhonda Nipper

Tom Anthony

Lori Blackburn

Lisa Somers, Clerk

Also Present: Aneissa Brownell, Cheryl Anthony, and Town Planning Attorney Jamie Lynn Sutphen.

### **BUSINESS**

#### Aneissa Brownell – Sketch Plan Conference/Preliminary meeting

An application was completed on the opengov system for approval of an SUP with Site Plan review of an existing home occupation that was cited by the Town Codes Office. Aneissa Brownell explained that she opened a dog kennel business on property recently purchased, and utilized space that was previously used by Mr. Hafner for dog breeding. She didn't know that she needed Town approval but responded quickly when receiving the paperwork from the Codes Office. She stated that she boards, dog sits and watches dogs overnight, extended stays, or for short trips and vacations. She has 15 kennels total and has only 8 for cold season use. Each kennel can have a single dog or a family of dogs, each kennel has private run outside under the overhang with chain link fencing. Additional secondary barrier surrounding all runs to ensure dog safety. She added that there is an additional concrete area connected to the building with chain link fencing for more exercise and play. Security cameras are placed around the kennels and outside areas for use by the owner, possible access to clients in the future. For buffering – a wooden fence along front of building, and TVs and radios utilized to calm the dogs. The Board reviewed the materials (site plan, narrative and SEAF) with the following points of discussion.

- Business sign located along Ritchie Road – The sign is large at 4'x8' or 32 sqft – the applicant stated that they had received the sign from a person that makes signs in Oswego, and that they too thought that it was large. There is a second sign located further down the long driveway of their property to further direct clients to the kennel area. An area variance request could be applied for with the ZBA.
- An existing accessory structure with two overhangs is being used for the business. The Board members discussed the classification of the business as being a Major Home Occupation, primarily because an accessory structure is utilized instead of the principal structure. The property is located in the A-1 zoning district.
- Employees – only herself with no future plans to hire.
- Sales – minor – leashes mainly, some toys.
- Survey discussed because it's confusing to the Board - it only shows a portion of the property and does not contain a surveyor's stamp/seal with signature, or other map particulars. The original property was split into three parcels – the Brownell's purchased a triangular shape that splits the farm into two additional lots that continue to be farmed. The Brownell's also own a second lot that is located north of the adjoining split parcel, and is therefore not a contiguous parcel. The Board would like to see the full survey plat at the next meeting, and are allowing the partial map (which shows the Brownell's property in its entirety) to be used for the home occupation site plan.
- Hours of business operation were detailed on the applicant's narrative and found to be reasonable by the Board. Monday through Friday from 8am to 6 pm, and Saturday and Sunday from 8 am to 12 pm. Any deviation is special arrangements. Aneissa Brownell explained that she arranges for her clients to arrive at specific times to allow them and her ample time to get situated and comfortable with the surroundings. At most, 2 vehicles would be waiting at any one time.
- The driveway and half circle area in front of the pole barn appears to be large enough to handle the expected clientele – the applicant needs to specify parking on the site plan.
- Exterior lighting was missing from the site plan, and is an element that is required – applicant agrees to add location of lights. The sign also has lighting which is solar and pointed at the sign and not the roadway – compliant with code.

- Attorney Sutphen asked how the waste is disposed of. Individual poop bags are used and placed into a larger bag that is picked up with regular trash removal.
- The property has a private well with pump access in the barn.
- Interior service of dog grooming salon available for the boarder clients, with minimal external client grooming business.
- Future plans for improvements include interior wall separation between the kennels, possible lighting along driveway, improved mat flooring in the building, turf or concrete behind the barn, and pavement in parking area.
- The size of the structure was discussed because the regulations allow for a maximum of 1,000 sqft of interior space in an accessory structure to be used for a home occupation, the building (from County Real Property Records) size is 1,400 sqft. The attorney advised that because the sizing is definitional to the regulation it does not qualify for a variance request. The applicant was asked to provide a floor plan of the interior space and demarcate 400 sq ft of space that would be used for personal storage and not for the business. Attorney Sutphen stated that the home occupation regulations are intended to be restrictive because it involves allowing business activity in residential neighborhoods while controlling their impact on the surrounding community. Although this property is very rural with considerable distance between residences, other properties in the A-1 district experience much closer development – the regulation has to equally apply everywhere.

A short form EAF Part 1 was supplied for SEQR review which the Board read aloud; the following changes were made:

- ~ Question #1 – No, action does not involve legislative adoption.
- ~ Question #2 – No, action does not require action by any other governmental agency.
- ~ Question #3 – Site acreage is 3.7 acres, nothing to be disturbed, total acreage is 3.7 acres.
- ~ Question #4 – Agriculture land use checked.
- ~ Question #8a – Not substantial traffic created.

Chairman Crego stated that the Clerk would run the EAF Mapper Summary Report to confirm the environmental answers for the next meeting, and the Board would complete Parts 2 and 3 at that time. A Public Hearing was scheduled for the August 1<sup>st</sup> meeting. Applicant was instructed to pay fee, supply a floor plan, original survey plat, and add specifics to site plan (lighting, sign and parking) for the next meeting.

#### Axe Chuckers – Liquor License Application

The Planning Board discussed a request from the Town Board for their input regarding whether the business known as “Axe Chuckers” should be allowed a waiver of time limits to expedite their liquor license application. The property owners received Site Plan Approval on 4/6/21 to operate an entertainment venue in one of the two buildings located on the property, and a fitness studio in the other building. In the time since then, the owners have pursued an expansion of the building without the issuance of a building permit from the Codes Department (October 2022), or modification approval of their approved Site Plan. The Sawyers were informed that the addition to the building and the additional activity of alcohol usage constitutes a change of use, and would therefore require proper documentation in order to modify and amend their Site Plan at the 11/1/22 Planning Board meeting. A Special Public Hearing had been scheduled for 11/17/22 for the Modification to accommodate the time constraints of the Sawyers, which was ultimately cancelled due to the owner’s notification, on 11/14/22, that they would not be in attendance, nor would they be going forward with plans to alter the building and would instead use the second building for private events. Due to the resistance and inability of the owners to fulfill the requirements of the Town to implement the proposed changes to their business, the Planning Board is not in favor of granting a waiver which would allow usage that has not been approved for their property. The Board further advises that the Town Board duly inform the NYS Liquor Authority of the non-compliant property status as well. A motion to send a memo to the Town Board that the Planning Board is not in favor of waiving time limits for the reasons discussed was moved by Member Tom Anthony. The motion was seconded by Member Carl Nylen, all were in favor and the motion carried.

#### **MINUTES**

A **motion** to approve meeting minutes for June 6, 2023 was **moved** by Erin Palmitese and seconded by Tom Anthony, all were in favor, and the **motion carried**.

#### **ADJOURN**

With no other business before the Board a **motion** to adjourn at 8:15 pm was **moved** by David Crockford and seconded by Rhonda Nipper, all were in favor, and the **motion carried**

Respectfully submitted by: Lisa Somers, Planning Board Clerk