

PLANNING & ZONING COMMISSION

Town of Canaan (Falls Village) Public Hearing & Regular Meeting Minutes – July 23, 2026
108 Main Street, Falls Village, CT

Attendance

Members – In Person: ZEO Janell Mullen; Chairman Greg Marlowe; Doug Cohn; Matthew Macchi; Eileen Kinsella; Kathy Clark

Members – Via Zoom: Kimberly Mahoney

Members Absent: Vice Chair Stephen Koshland; Tim Metzger

Alternate Members – In Person: None

Alternate Members – Via Zoom: Mark Rosen

Alternate Members Absent: None

Seating of Alternates: Marc Rosen was seated for Vice Chair Stephen Koshland.

Also Present: Selectman Christopher Kinsella; Engineer Keith Bodwell; Habitat for Humanity President Bob Whalen; FVHT President Jandi Hanna; Jim Rutledge; Evan Cooper; members of the public.

1. Call to Order; Approval of Minutes; Seating of Alternates

Chairman Marlowe called the meeting to order at **6:32 PM**.

Motion to seat Marc Rosen for Vice Chair Stephen Koshland: Kinsella; seconded Macchi; **vote: unanimous.**

Approval of Minutes

Regular Meeting – May 28, 2026 Motion to approve: Cohn; seconded Kinsella; **vote: unanimous.**

Special Meeting – Informational Session – June 25, 2026 Motion to approve: Cohn; seconded Macchi; **vote: unanimous.**

2. Public Comments: None.

3. Public Hearing – Text Amendment: Accessory Dwelling Units

Continuation of the public hearing on the Commission-initiated ADU text amendment. Legal notice was read into the record.

Summary of Proposal

- ADUs permitted by zoning permit in all residential zones.
- Definition clarified: *“A second dwelling unit on a property which is clearly accessory in size to the principal dwelling... complete independent living unit with provisions for cooking, eating, sanitation, sleeping, and living activities...”*
- Amendment aligns with the Plan of Conservation & Development.

Public Comment: None.

Motion to close the Public Hearing: Kinsella; seconded Cohn; **vote: unanimous.**

4. New Business

A. ADU Text Amendment – Discussion & Action

Commission discussed next steps and effective date.

Motion to approve the updated and revised Text Amendment as presented: Macchi moved; Rosen seconded. **Roll-call vote:** All in favor; none opposed. **Motion passed unanimously.**

Effective Date: August 1.

B. Re-Subdivision – Aspen Hill Road (Music Mountain Farms, Lots 4A & 11A)

Applicant Presentation – Bodwell Engineering

- Existing two lots (4A and 11A) total approximately 85.75 acres.
- Proposal: Re-subdivide into three lots; expand Lot 4A to ~28 acres; create Lots 11B and 11C.
- 15.01% open space provided, located along state-owned land and the downhill neighbor.
- Soils described as *“all sandy loam... no soils indicative of wetlands.”*
- Applicant walked the GIS-mapped stream area and reported *“no indication... not even seasonal watercourse.”*
- Driveway slopes meet requirements (maximum 12.9%).
- Torrington Area Health feasibility approval included.

Commission Review

Commission reviewed applicable subdivision regulations, including:

- Natural features

- Stormwater management
- Driveway slope
- Open space restrictions
- Monumentation
- Underground utilities
- Fire protection provisions
- Sedimentation and erosion controls

Application deemed complete.

Motion to accept the application for re-subdivision of Lots 4A and 11A: Cohn; seconded Clark; **vote: unanimous.**

Public Hearing Scheduled: August 27, Town Hall, 6:30 PM.

C. Pre-Application – Habitat for Humanity (River Road)

Applicant Presentation – Bodwell Engineering

- Proposal for three single-family Habitat homes on a 2.7-acre parcel.
- Each home to have separate well and septic.
- 100% affordable units; Habitat retains land ownership via ground lease.
- Application expected under CGS 8-30g due to insufficient frontage for three conforming lots.
- Discussion included affordability duration (30 years), deed restrictions, ground lease structure, and administrative compliance.
- Conceptual plan uses existing entrance; modular construction under consideration.

Commission Discussion

Commission reviewed:

- 8-30g requirements
- Affordability plan
- Health/safety review standards
- Public communication expectations

Applicant anticipates formal submission next month.

5. Old Business

A. Village Center Parking Plan

Commission discussed longstanding delays and the need for renewed coordination with the Board of Selectmen.

B. Solar Committee Update

No updates.

C. Old Firehouse Sale

Easement resolution for 33 Railroad Street remains the critical barrier. Discussion included:

- Marketing challenges
- Prior interested buyers
- Estimated renovation costs (\$1M–\$1.2M)

A letter to the Board of Selectmen will be drafted urging action.

D. Dark Skies Initiative

No response from LHK.

Eversource Operations – Warren Turnpike

ZEO will contact Eversource to clarify that they are not operating as a public utility at these locations and to discuss permitting implications.

6. Other Business

A. POCD Implementation – Subcommittee Update

Subcommittee will draft a letter to the Board of Selectmen regarding stalled items. Discussion emphasized the need for progress on long-pending initiatives.

B. Monthly Financial Report

Mileage line expected to exceed budget; overall department projected to remain under budget. Publication expenses remain variable.

7. Regulations Review

A. Village Business Zone Expansion

Commission reviewed public feedback from the June 25 informational session.

Key actions identified:

- Clarify industrial use definitions
- Prepare written responses to public questions

- Conduct additional work sessions
- Provide updated handouts and mailings to affected property owners
- Obtain assessor clarification on tax impacts (zoning changes do not alter tax classification)

Motion to release written responses to Richard Hamilton's inquiries: Macchi; seconded Cohn; **vote: unanimous.**

8. ZEO Report (*see attached*)

9. Public Comments & Official Correspondence

Multiple letters were read into the record, including:

- Resident concerns regarding construction hours at River Road
- Habitat's explanation of subcontractor miscommunication and apology
- Comments on firehouse sale, mapping errors, and affordable housing framing

Commission discussed improved communication protocols, including onsite signage and CEO involvement during construction.

10. Adjournment

Motion to adjourn at 8:46 PM: Cohn; seconded Kinsella; **vote: unanimous.**

Respectfully Submitted, Recording Secretary, Patti Fife

Attachments:

- ZEO Report
- Financials
- Correspondence from: FVHT President Jandi Hanna; Richard Hamilton; Colter Rule
- Correspondence to: Richard Hamilton

Motion/Action

#	Agenda Item	Motion Description	Moved By	Seconded By	Vote	Result	Notes
1	Seating of Alternates	Seat Marc Rosen for Vice Chair Stephen Koshland	Kinsella	Macchi	Unanimous	Approved	Rosen seated for Koshland
2	Approval of Minutes – Regular Meeting	Approve minutes of May 28, 2026 Regular Meeting	Cohn	Kinsella	Unanimous	Approved	—
3	Approval of Minutes – Special Meeting	Approve minutes of June 25, 2026 Special/Informational Meeting	Cohn	Macchi	Unanimous	Approved	—
4	Public Hearing – ADU Text Amendment	Close the Public Hearing on the ADU Text Amendment	Kinsella	Cohn	Unanimous	Approved	No public comment received
5	New Business – ADU Text Amendment	Approve the updated and revised ADU Text Amendment as presented	Macchi	Rosen	Roll-call: All in favor; none opposed	Approved	Effective Date: August 1, 2026
6	New Business – Re-Subdivision (Aspen Hill Road)	Accept application for re-subdivision of Lots 4A and 11A (Music Mountain Farms)	Cohn	Clark	Unanimous	Approved	Public Hearing scheduled August 27, 2026
7	Regulations Review – Village Business Zone	Release written responses to Richard Hamilton's inquiries	Macchi	Cohn	Unanimous	Approved	Related to Village Business Zone Expansion feedback
8	Adjournment	Adjourn meeting	Cohn	Kinsella	Unanimous	Approved	Meeting adjourned at 8:46 PM

Follow-Up

#	Follow-Up Action	Responsible Party	Related Agenda Item	Deadline / Target Date	Notes
1	Contact Eversource to clarify they are not operating as a public utility at Warren Turnpike locations and discuss permitting implications	ZEO Janell Mullen	Eversource Operations – Warren Turnpike	As soon as practicable	No formal deadline set
2	Draft letter to Board of Selectmen urging action on Old Firehouse easement resolution at 33 Railroad Street	Commission / Subcommittee	Old Firehouse Sale	TBD	Letter to address marketing challenges and stalled easement
3	Draft letter to Board of Selectmen regarding stalled POCD implementation items	POCD Subcommittee	POCD Implementation – Subcommittee Update	TBD	Emphasize need for progress on long-pending initiatives
5	Prepare written responses to all public questions from June 25 informational session (Village Business Zone)	Commission / Staff	Regulations Review – Village Business Zone Expansion	TBD	Provide clarity on industrial use definitions and tax impacts
6	Conduct additional work sessions on Village Business Zone Expansion	Commission	Regulations Review – Village Business Zone Expansion	TBD	Updated handouts and mailings to affected property owners also needed

Upcoming Meetings/Hearings

Date	Time	Location	Event Type	Subject / Application	Applicant / Party	Notes
August 1, 2026	—	—	Effective Date	ADU Text Amendment takes effect	Town of Canaan PZC	Commission-initiated amendment; approved unanimously 7/23/26
August 27, 2026	6:30 PM	Town Hall, Falls Village	Public Hearing	Re-Subdivision – Aspen Hill Road (Music Mountain Farms, Lots 4A & 11A)	Bodwell Engineering	Re-subdivide into three lots; 15.01% open space; public hearing scheduled by vote 7/23/26

ZONING REPORT

Town of Canaan (Falls Village) Planning and Zoning Commission
108 Main Street| Falls Village, CT 06031

Prepared for and issued at the regular meeting on July 24, 2026

Zoning permits issued:

1. 100 Belden Street - garage permit (32' x 30')
2. 86 Sand Road - farm stand

Zoning Inquiries:

1. 166 Sand Road - Inquiries from Kyle Case, PE involving possible subdivision of property. Due diligence and site plan preparation is underway.
2. 161 Route 63 - Site visit with Steve Dean to review tree line/encroachment
3. 72 Johnson Road - inquiry involving farm stand for cottage license bakery
4. Aspen Hill Road - Discussions and follow up involving re-subdivision process & procedure - with Keith Bodwell, PE and Keith VanWarren, property owner
5. 62 Route 126 - Inquiries involving presence of wetlands on the property and defining the lot as "buildable"

Misc:

1. FVHT - letter to P&Z outlining sub-contractor operating hours
2. P&Z Addressed Inquiry from Richard Hamilton outlining follow up questions from the Informational Session
3. PermitLink - online permitting system soon to be operational

Public Ads:

Notice of Public Hearing - Text Amendment associated with Accessory Dwelling units

****Please use planningandzoning@canaanfallsvillage.org as my address email for all functions associated with Planning and Zoning and the Town of Falls Village.****

*Respectfully submitted,
Janell M Mullen, Planning Consultant*

9:14 AM

06/09/26

Accrual Basis

Town of Canaan

Account QuickReport

July 2025 through June 2026

Type	Date	Num	Name	Memo	Split	Amount
1011 Planning & Zoning Comm						
1011-101 Zoning Enforce Officer						
Bill	10/06/2025	1349	Janell Mullen Consul...	Inv. 1349	Accounts Paya...	0.00
Bill	11/03/2025	1356	Janell Mullen Consul...	Inv 1356	Accounts Paya...	0.00
Total 1011-101 Zoning Enforce Officer						0.00
1011-104 Secretary						
Paycheck	07/07/2025	49186	CATHERINE BUSH...	VOID:	Checking	0.00
Paycheck	07/21/2025	49286	PATRICIA G FIFE		Checking	160.00
Paycheck	04/06/2026	dd	PATRICIA G FIFE		Payroll Account	560.00
Paycheck	05/11/2026	dd	PATRICIA G FIFE		Payroll Account	0.00
Paycheck	06/08/2026		PATRICIA G FIFE		Payroll Account	0.00
Total 1011-104 Secretary						720.00
1011-201 Postage						
Bill	02/02/2026		Elan Financial Servi...		Accounts Paya...	78.00
Total 1011-201 Postage						78.00
1011-211 Misc						
Bill	02/19/2026		Department of Enivr...		Accounts Paya...	174.00
Bill	04/20/2026	1st qu...	Department of Enivr...	1st Quart 2026	Accounts Paya...	232.00
Bill	04/27/2026		Janell Mullen		Accounts Paya...	107.01
Total 1011-211 Misc						513.01
1011-403 Publication Exp						
Bill	11/17/2025	2951455	Hearst Media Servic...	2951455 - 10/...	Accounts Paya...	56.79
Bill	11/17/2025	2947168	Hearst Media Servic...	2947168 - 9/1...	Accounts Paya...	142.68
Bill	02/25/2026		Hearst Media Servic...		Accounts Paya...	199.47
Bill	02/25/2026		Hearst Media Servic...		Accounts Paya...	142.68
Total 1011-403 Publication Exp						541.62
1011-473 Consultant/Eng						
Bill	11/03/2025		Janell Mullen Consul...		Accounts Paya...	0.00
Bill	02/19/2026	748	Quality Data Service...		Accounts Paya...	750.00
Total 1011-473 Consultant/Eng						750.00
1011-801 Mileage						
Bill	11/03/2025		Janell Mullen Consul...	July - October	Accounts Paya...	114.80
Bill	02/19/2026	11/25-...	Janell Mullen		Accounts Paya...	85.20
Total 1011-801 Mileage						200.00
ZEO/Planner						
Bill	08/04/2025	1341	Janell Mullen	July	Accounts Paya...	1,500.00
Bill	09/08/2025	1347	Janell Mullen		Accounts Paya...	1,600.00
Bill	10/06/2025	1349	Janell Mullen Consul...	Inv. 1349 - Se...	Accounts Paya...	1,500.00
Bill	11/03/2025	1356	Janell Mullen Consul...	Inv. 1356	Accounts Paya...	1,800.00
Bill	12/01/2025	1361	Janell Mullen Consul...	Inv. 1361	Accounts Paya...	1,700.00
Bill	01/05/2026		Janell Mullen		Accounts Paya...	2,100.00
Bill	02/02/2026	1375	Janell Mullen		Accounts Paya...	1,900.00
Bill	03/02/2026	1386	Janell Mullen		Accounts Paya...	2,300.00
Bill	04/06/2026	March...	Janell Mullen Consul...	March 2026	Accounts Paya...	2,100.00
Bill	05/04/2026	April 2...	Janell Mullen Consul...	April 2026	Accounts Paya...	2,700.00
Bill	06/08/2026	1399	Janell Mullen Consul...		Accounts Paya...	2,400.00
Total ZEO/Planner						21,600.00
Total 1011 Planning & Zoning Comm						24,402.63
TOTAL						24,402.63

Town of Canaan
Profit & Loss Budget vs. Actual
July 2025 through May 2026

	<u>Jul '25 - May 26</u>	<u>Budget</u>	<u>\$ Over Budget</u>
1011 Planning & Zoning Comm			
1011-101 Zoning Enforce Officer	0.00	1.00	-1.00
1011-104 Secretary	720.00	1,280.00	-560.00
1011-107 Clerical Expenses	0.00	100.00	-100.00
1011-201 Postage	78.00	100.00	-22.00
1011-211 Misc	513.01	1,000.00	-486.99
1011-401 Attorney	0.00	1,001.00	-1,001.00
1011-403 Publication Exp	541.62	750.00	-208.38
1011-473 Consultant/Eng	750.00	1,000.00	-250.00
1011-801 Mileage	200.00	200.00	0.00
ZEO/Planner	19,200.00	26,160.00	-6,960.00
Total 1011 Planning & Zoning Comm	<u>22,002.63</u>	<u>31,592.00</u>	<u>-9,589.37</u>

Town of Canaan
Profit & Loss Budget vs. Actual
July 2025 through May 2026

	<u>% of Budget</u>
1011 Planning & Zoning Comm	
1011-101 Zoning Enforce Officer	0.0%
1011-104 Secretary	56.25%
1011-107 Clerical Expenses	0.0%
1011-201 Postage	78.0%
1011-211 Misc	51.3%
1011-401 Attorney	0.0%
1011-403 Publication Exp	72.22%
1011-473 Consultant/Eng	75.0%
1011-801 Mileage	100.0%
ZEO/Planner	73.39%
Total 1011 Planning & Zoning Comm	69.65%

Town of Canaan
Profit & Loss Budget vs. Actual
July 2025 through June 2026

	<u>Jul '25 - Jun 26</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
1011 Planning & Zoning Comm				
1011-101 Zoning Enforce Officer	0.00	1.00	-1.00	0.0%
1011-104 Secretary	720.00	1,280.00	-560.00	56.25%
1011-107 Clerical Expenses	0.00	100.00	-100.00	0.0%
1011-201 Postage	78.00	100.00	-22.00	78.0%
1011-211 Misc	513.01	1,000.00	-486.99	51.3%
1011-401 Attorney	0.00	1,001.00	-1,001.00	0.0%
1011-403 Publication Exp	580.95	750.00	-169.05	77.46%
1011-473 Consultant/Eng	750.00	1,000.00	-250.00	75.0%
1011-801 Mileage	200.00	200.00	0.00	100.0%
ZEO/Planner	21,600.00	26,160.00	-4,560.00	82.57%
Total 1011 Planning & Zoning Comm	<u>24,441.96</u>	<u>31,592.00</u>	<u>-7,150.04</u>	<u>77.37%</u>



Pat Fife <fifepat222@gmail.com>

Official Correspondence for P&Z

1 message

Zoning Officer <planningandzoning@canaanfallsvillage.org>

Wed, Jul 22, 2026 at 12:24 PM

To: Greg Marlowe <planningandzoning.marlowe@gmail.com>, Stephen Koshland <planningandzoningkoshland@gmail.com>, Doug Cohn <planningandzoning.cohn@gmail.com>, EILEEN KINSELLA <planningandzoning.kinsella@gmail.com>, Matt Macchi <planningandzoning.macchi@gmail.com>, Kimberly Mahoney <planningandzoning.mahoney@gmail.com>, Tim Metzger <planningandzoning.metzger@gmail.com>, Marc Rosen <rosenpinsky@icloud.com>, Kathy Clark <planningandzoning.clark@gmail.com>
 Cc: Pat Fife <fifepat222@gmail.com>

See below -

----- Forwarded message -----

From: **Colter Rule** <colterrul@gmail.com>

Date: Wed, Jul 22, 2026 at 12:05 PM

Subject: On work after five at River Road

To: Zoning Officer <planningandzoning@canaanfallsvillage.org>, Zoning Officer <zoningofficer@canaanfallsvillage.org>, Jeff Bauman <jeffbauman77@gmail.com>, Laura Wertz <laurawertz@gmail.com>, Lesley Janzen <lesleyjanzen@gmail.com>

Dear PNZ

On numerous occasions in the last few weeks, my neighbors and I noticed that there was work being done after five PM. Two or three times, we walked over and requested they stop. The main culprit said to me "maybe you stopped work on your property at five, but I don't stop work here". Clearly he had been uninformed of the hours that we had all mandated. On two or three occasions, I called Chandy Hannah and suggested that she take action. When there was no action taken, perhaps my phone calls became more emphatic. So be it, we all have to navigate Ruff Waters on occasion., But me and my neighbors were not happy about the situation.

Once the workers began ending at five, I sent a thank you to Miss Hannah.

Miss Hannah and her organization may not know this, but some three weeks ago I was riding my bicycle down to West Cornwall, and there was a semi truck loaded with a bulldozer stuck at the covered bridge. As I am fire police in Falls Village, I offered help. The gentleman driving the truck said I'm looking for River Road. I immediately knew what he was talking about. Clearly, his GPS had taken him the wrong way and I suggested he should not cross the cover bridge with a 40 ton load. He agreed. I offered my help. I loaded my bike on his trailer hopped in the cab and directed him to Route 43, then Johnson Rd., Route seven and then to Lime Rock Station where I delivered him and his truck to the job site across the street from my house. Now you know. I am an always willing helpful participant. Understanding, intelligent and cooperative.

Please read my comments into the record on Thursday's PNC meeting. I cannot attend as I am at a Housatonic River commission meeting. Thank you very much. Colter Rule.



To: P&Z Chair G Marlowe and Enforcement Officer J Mullen
From: FVHT President J Hanna
Date: July 18, 2026
Re: Work Hours at River Road Homes Site

Dear Greg and Janell (and P&Z Commissioners),

I am writing to clarify a couple of events that occurred over the past two weeks.

After approximately six weeks of work at the River Road Homes site with no problems reported regarding the hours of work being, as agreed, from 7:00am to 5:00pm, a predicament began on Friday, July 3rd.

Apparently our contractor, SRConstruction, did not have any workers for the holiday weekend, so a local subcontractor was hired to continue the clearing and chipping. As eventually became clear, SRC neglected to inform him of the working hours' restrictions, so he worked until approximately 7:00pm, despite the protestations of some neighbors.

I was unaware of the noise problem until noticing a few complaining phone messages and texts. I did not choose to respond to the messages due to their discourteous nature. I did follow up by meeting with the subcontractor the next day to inform him of the hours' limitations. He was uncertain whether he should follow his agreement with SRC or my request, but he did stop his chipper at 5:15 that evening, and he left the site shortly thereafter. Later that evening we were hit with the 4th of July storm.

It is my understanding that the following work week (during which we cleared up the miscommunication with SRC) was without problems of noise after hours, until Friday, July 10th when work stopped at 5:00pm, as usual. However, after 9:00pm, I received angry voice messages from two neighbors informing me that someone was running machinery at the RRH site. Upon inquiring, I eventually discovered that the local contractor had a need to move a vehicle for clearing storm damage the next day at another site. He was interpreting "working" very literally.

I want to take this opportunity to apologize to the Planning & Zoning Commission and the Lime Rock Station neighbors for a regrettable and unintended slip in following the working hours' conditions agreed to in the October of 2020 site plan approval process. There was, of course, no purposeful disrespect meant to the neighbors.

Sincerely,
J R Hanna, President, Falls Village Housing Trust, Inc.



Pat Fife <fifepat222@gmail.com>

Fwd: Village Residential Zone vs. Rural Business Zone

1 message

Zoning Officer <planningandzoning@canaanfallsvillage.org>

Mon, Jul 20, 2026 at 6:44 AM

To: Greg Marlowe <planningandzoning.marlowe@gmail.com>, Stephen Koshland <planningandzoningkoshland@gmail.com>, Doug Cohn <planningandzoning.cohn@gmail.com>, EILEEN KINSELLA <planningandzoning.kinsella@gmail.com>, Matt Macchi <planningandzoning.macchi@gmail.com>, Kimberly Mahoney <planningandzoning.mahoney@gmail.com>, Tim Metzger <planningandzoning.metzger@gmail.com>, Marc Rosen <rosenpinsky@icloud.com>, Kathy Clark <planningandzoning.clark@gmail.com>
Cc: Pat Fife <fifepat222@gmail.com>

Good morning,

Please see below communication received from Richard Hamilton regarding the VRBZ. We will discuss the Commission's possible response at Thursday's meeting.

Thanks so much,
Janell

----- Forwarded message -----

From: **Richard Hamilton** <richardh@ehbmail.com>
Date: Wed, Jul 15, 2026 at 12:06 PM
Subject: Re: Village Residential Zone vs. Rural Business Zone
To: Greg Marlowe P&Z <planningandzoning.marlowe@gmail.com>
Cc: Zoning Officer <planningandzoning@canaanfallsvillage.org>

Greg,

Currently the below are all the questions I have, I'll just restate them:

1. If the VRBZ goes through, does my use of 115 Railroad St as a warehouse become a "pre-existing non conforming use"?
2. If it DOES become a pre-existing non conforming use, without a clause under special permit specifically stating "Expansion of pre-existing non-conforming use", do I lose the ability to expand my building?
3. If the answer to the above two questions is yes; would the zoning commission be willing to add "Expansion of Pre-Existing Non-conforming use" to the "By Special Permit" section of the proposed VRBZ? **(I am unclear why this WOULD NOT be included, as it still leaves final decision to the town/zoning committee, and it currently exists in the Special Permit section of all current zones, other than Quarry.)**
4. Would the zoning commission be willing to add warehouse to the "By Special Permit" section of the proposed VRBZ? **(Same concept, I am unclear why this WOULD NOT be included, as it still leaves final decision to the town/zoning committee. I will point out that both Lumber yard and freight terminals/warehouses are BOTH permitted under the current Light Industrial Zone. Lumber yard somehow made the cut for Special Permit of the proposed VRBZ...but freight terminals/warehouses did NOT. That doesn't make a lot of sense to me unless warehouses are being excluded for a specific reason.)**

Unless the proposed VRBZ changes massively, these are my only questions.

I will endeavor to attend the meeting. However the 23rd happens to be my birthday. A P&ZC meeting is not exactly my dream evening!

While my additions to the last meeting were not particularly consequential, I did note that none of my questions or concerns as a business owner were included in the posted minutes of the meeting. I would kindly ask that whether I make the next meeting or not, and regardless of zoom availability or recordings, that the P&ZC respond in writing to my questions, once you have the answers. To be quite frank, I want this stuff written down so the P&ZC can be held to it. A conversation or a verbal assurance will not be enough.

Please forgive me but Ed was treated very dishonestly many years ago by a former selectman, and the town, regarding zoning on Music Mountain (where the current Habitat homes sit). It has been ingrained in me to get everything regarding zoning in writing, and not to just trust anyone's word.

Rich

On 7/15/2026 10:53 AM, Greg Marlowe P&Z wrote:

Good morning Rich,

We have not met yet as a commission since the public meeting we held at Kellogg to discuss your points. We have a regular meeting scheduled for next week and this will be on the agenda. We will discuss what you have listed below for sure, however to make sure we have everything do you mind listing out in an email any other questions or comments that you have so we don't miss anything?

Thanks,

Greg

Sent from my iPhone

Answers for Richard Hamilton's Inquiry

2 messages

Zoning Officer <planningandzoning@canaanfallsvillage.org>

Mon, Jul 20, 2026 at 3:13 PM

To: Greg Marlowe <planningandzoning.marlowe@gmail.com>

Hi Greg,

Possible answers to Richard Hamilton's questions are provided below. I have reworded some of the responses for clarity.

As requested by the Town of Canaan (Falls Village) Planning & Zoning Commission:

1. If the VRBZ gets approved as a Text/Map Amendment, does the use of 115 Railroad St as a warehouse become a "pre-existing non-conforming use"?

Answer:

No. It would not become a pre-existing nonconforming use. Prior to adoption of the VRBZ, the Commission intends to review the permitted uses currently allowed within the Light Industrial Zone to ensure they are appropriately incorporated into the proposed Village Residential Business Zone. The existing permitted use of **"Truck and Freight Terminals and Warehouses"** may be revised to simply read **"Warehouses"** as a permitted use, with the term "warehouse" being defined within the Zoning Regulations for clarity.

2. If it DOES become a pre-existing non-conforming use, without a clause under special permit specifically stating "Expansion of pre-existing non-conforming use", do I lose the ability to expand my building?

Answer:

This question is rendered moot by the response to Question 1, as the warehouse use would not become a pre-existing nonconforming use. However, under the Town's Zoning Regulations, the expansion of a lawful pre-existing nonconforming use may be requested through the Special Permit process, subject to Commission review and approval.

3. If the answer to the above two questions is yes; would the zoning commission be willing to add "Expansion of Pre-Existing Non-conforming use" to the "By Special Permit" section of the proposed VRBZ?

Answer:

This question is also addressed by the response to Question 1. Since the warehouse use is not anticipated to become a pre-existing nonconforming use, no additional language specific to this circumstance is necessary.

4. Would the zoning commission be willing to add warehouse to the "By Special Permit" section of the proposed VRBZ?

Answer:

The Commission will review the list of permitted uses currently allowed within the Light Industrial Zone during its final review of the proposed VRBZ. The intent is to ensure that existing permitted uses are appropriately carried forward into the new zoning district. As part of that review, the existing use **"Truck and Freight Terminals and Warehouses"** may be revised to include **"Warehouses"** as a permitted use, together with an accompanying definition of the term within the regulations.

Thanks!

Janell

Greg Marlowe P&Z <planningandzoning.marlowe@gmail.com>

Tue, Jul 21, 2026 at 8:55 AM

To: Zoning Officer <planningandzoning@canaanfallsvillage.org>

They are appropriate answers to his questions, thank you.

Greg

Sent from my iPhone