

PLANNING & ZONING COMMISSION

Town of Canaan, Falls Village Town Hall
108 Main Street, Falls Village, CT

Regular Meeting Minutes – Thursday, September 23, 2021

Present: Fred Laser, Chairman, Tom Scott, Zoning Enforcement Officer, Regular Members, Alice Macchi, Greg Marlowe, Vincent Inconiglios, John Morrissey, Garret Scavotto, Ted Moy

Absent: Alternate Member, Marc Rosen, Alternate Member, Ruth Skovron.

Also present: Janell Mullen, Planning Consultant for P&Z, Dave Barger, Selectmen

Regular Meeting called to order at 7:04 pm by Chairman, Fred Laser

AGENDA:

1. Approval of Minutes

- a. P&Z Regular Meeting minutes of July 22, 2021: MOTION by Vincent Incognilios, seconded by Ted Moy, to approve the Regular Meeting minutes of July 22, 2021, as presented, unanimous.
- b. P&Z Regular Meeting minutes of June 24, 2021 with revision to statement made referring to the number of dogs allowed per property. After review of P&Z Regulations, there is no documentation regarding number of dogs allowed per property in the current regulations. MOTION by Vincent Incognilios, seconded by Garret Scavotto, to approve revised Regular Meeting minutes of June 24, 2021 as presented, unanimous.

2. New Business

- a. Chairman Laser updated the Commission on the following items pending review. The upgrade of P&Z Regulations, there are a number of areas without definition or are outdated and updates by State of CT regarding Land Use Legislation need to be incorporated into the regulations.

Janell Mullen, P&Z Consultant presented a review of State of CT Land Use Legislative updates. Janell gave an overview of changes by State of CT regarding Land Use Reform (HB 1607) PA21-29, P&Z Commission Training (HB 1607) PA21-29 and Adult-Use Recreational Cannabis legislation bill PA 21-1. See attached Ct Land Use Legislative Update 2021.

Land Use Reform coalition DeSegregateCT impact on P&Z such as reorganization of the Zoning Enabling Act (8-2) and legalization of accessory dwelling units by right.

Also, P&Z Training legislative update as of January 2023. ZEO must be certified by CT Association of Zoning Enforcement Officials. Also, each P&Z Commission member must complete 4 hours of training by January 2024 provided by NWCOG and UCONN.

Regarding Adult-Use Recreational Cannabis. The Legislation informs how towns will address use of recreational cannabis. Towns may place restrictions on hours of operation and restrict proximity to churches and schools. Licensing is provided by State with much State oversight. Currently the State has not issued applications for licensing at this time and will issue guidance for municipalities in the near future.

- b. Request by Board of Selectmen for Adult-Use Recreational Cannabis Moratorium. Commissioner Greg Marlow discussed being proactive before application process begins and the need for a moratorium. Janell advised Cannabis Moratorium is a temporary limitation not longer than a two-year term. The Commission discussed structure of a moratorium, specific language regarding retail and an effective start and end date. The P&Z Commission agreed to a one-year moratorium. Chairman Laser proposed that Janell Mullen draft language description for one year moratorium.

The Commission will set a timeline and develop language for Moratorium on Adult-Use Recreational Cannabis, P&Z Regulation revisions, Village Residential Business Zone Expansion informational session and State of CT statutory changes.

- c. Review Change of Use at 107 Main Street – Chairman Laser advised that the Falls Village Café has applied for a liquor license with the State of Connecticut, the Café has received a 90 day provisional license and will need to apply for Change of Use with Planning & Zoning. Tom Scott ZEO has provided the form and instructions to Town of Canaan, owner of 107 Main Street property and spoken with co-applicant the Falls Village Café.
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- 3. ZEO Report: Tom Scott, Zoning Enforcement Officer, read his September 2021 monthly report into the record. Questions, comments, discussion followed. By consensus, the ZEO Report of September 2021 was accepted as presented.

4. Correspondence and Public Comments: None
5. Old Business: Proposed Village Residential Business Zone Q&A Informational Session, discussion regarding upcoming schedule and potential date, procedure for notices and mailings to be provide to town residents, concerns over COVID meeting options of in-person vs Zoom.
6. Any other business to properly come before the Commission: None
7. Adjournment: MOTION by Greg Marlow, seconded Garret Scavotto to adjourn the meeting; unanimously. Regular Meeting adjourned at 8:57 p.m. by Chairman, Fred Laser

Minutes respectfully submitted by Liz Laser



LAND-USE REFORM (HB 1607) [PA 21-29](#)

Many concepts from [DeSegregateCT](#) (land-use reform coalition) have made their way into this legislation. The measures that will impact our small town and our P&Z include the following:

- Reorganization of the Zoning Enabling Act (8-2) - effective Oct 1, 2021
- Legalization of accessory dwelling units (if towns BOS and P&Z don't opt out) by right- effective January 1, 2022
- Minimizes parking requirements (unless a town opts out):
One (1) parking space for each studio or one-bedroom
Two (2) for each dwelling unit with 2+ bedrooms
- Requires that each town provide for multifamily dwellings
- Use of the term "character" or "rural character" unless it is expressly articulated by clear and explicit physical standards

TRAINING (HB 1607) [PA 21-29](#)

Beginning January 1, 2023:

- The zoning enforcement officer (ZEO) must be certified by the Connecticut Association of Zoning Enforcement Officials.
- Each member of the Planning & Zoning Commission must complete at least four (4) hours of training by January 1, 2024, and shall complete subsequent training every other year thereafter. Such training shall include at least one (1) hour concerning fair and affordable housing policies and may also consist of process and procedural matters, Freedom of Information Act, the interpretation of site plans, surveys, maps, and the impact of zoning on the environment, agriculture, and historic resources.

ADULT-USE RECREATIONAL CANNABIS PA 21-1

Effective July 1, 2021:

- A town may hold a referendum on whether to allow the recreational sale of marijuana, upon petition of 10% of municipal voters and at least 60 days before a regular election
- Municipalities cannot prohibit the delivery of cannabis to consumers if made by someone authorized.
- Towns may prohibit them recreational cannabis establishments from opening, reasonably restrict their hours or signage, and/or restrict their proximity from specific establishments (eg churches, schools)