

PLANNING & ZONING COMMISSION  
TOWN OF CANAAN  
FALLS VILLAGE TOWN HALL  
108 Main Street, Falls Village, CT. 06031  
December 9, 2021 @ 6:30 p.m.

Public Hearing:

Present: Chairman, Fred Laser, Interim Zoning Enforcement Officer, Janell Mullen, and Regular Members, Vincent Inconiglios, Ted Moy, Greg Marlowe, John Morrissey, Garrett Scavotto and Alice Macchi. Also Present, Alternate Member, Ruth Skovron. Also Present: Henry Todd, First Selectman. Absent: Alternate Member, Marc Rosen.

Also Present (applicants and members of the community): Co-Applicant, Adam Sarosi on behalf of Falls Village Cafe, Tom Scott, Betsy Howie, Daly Reville, Philip Scheller, Lonnie Carter, Ruth Epstein, Diane Chinatti, William Betts, Peter Jensen, Bill Beebe, David Barger (on behalf of the Town of Canaan, as Co-Applicant), Patrick Sullivan, Doug Cohn, Jandi Hanna, Gail Allyn and Kyle Wilkinson.

Chairman Laser called the Regular Meeting to order at 6:31p.m.

Legal Notice read into the record by Chairman Laser. Overview by Zoning Enforcement Officer, Janell Mullen. The seating for the Cafe consists of inside seating for 40 and outside seating for 16, per the floor plan provided with the Application. The property is situated in the Village Business Zoning (refer to page 9 of the zoning regulations). The Special Permit application was submitted for a restaurant use at the Municipal Building located at 107 Main Street, Falls Village, Town of Canaan. The Special Permit approval criteria is as follows: Pursuant to the Town of Canaan Zoning Regulations, the following shall be determined by the Commission for approval: That the proposed use will not have any detrimental effects upon the public legality, safety or welfare, and that the probed use will not conflict with the purposes of the Regulations; that the proposed use is permissible by these Regulations and that the proposed use meets all applicable bulk and other requirements of these Regulations; that the proposed use or activity does not conflict with and will not hinder achievement of applicable goals, objectives, policies, or recommendations of the Plan of Conservation and Development. Presentation by Adam Sarosi: n/c. Question by Commission regarding hours of operation: Sarosi indicated that the current hours of operation are as follows: Monday through Thursday, 8:00 a.m. - 3:00 p.m., Friday and Saturday, 8:00 a.m. - 9:00 p.m., and Sunday 8:00 a.m. - 4:00 p.m. (Janell advised that the complete package can be found on the Town website.)

Public Comment (2-3 minutes allocation of time)

-Diane Chinatti: Expressed disappointment in the Town; complaint regarding barking dogs accompanying outside patrons, odors, smoking; feels she's lost enjoyment of the use of her

property; feels deceived by the owners, as she had been given the impression that the on-site cooking would be limited; comment regarding bears, spilling of oil and concern over drains and where the oil flows to.

-Peter Jensen: 21 Beebe Hill Road: feels the Cafe is a bonus/benefit to the Town and expressed appreciation for the Cafe being in Town.

-Daly Reville: feels the hours of operation need to be increased and would like to see it open continuously from 7:00 a.m. - 5:00 p.m. and made reference to community service for Broadband. Daly commented that the \$1,000 monthly rental is minimal and reiterated her concern over the hours of operation of the Cafe. She will send a follow-up letter.

Gail Allyn: feels the Cafe is wonderful, has great food and supports the Cafe.

Doug Cohn: Comment regarding procedural error to change the use of the business in the municipal building. ZEO Mullen commented on approval criteria.

Peter Jensen: Jensen asked who is the Applicant? Chairman Laser advised that the Applicants are Co-Applicants, the Town of Canaan and Adam Sarosi and identified Selectman Dave Barger as the spokesperson for the Town.

Dave Barger: Barger commented that bringing businesses into Town supports the Town Plan of Conservation and Development and is necessary for the Town to grow. Barger advised that the Town was not part of the business plan but is the co-applicant as the Town owner/landlord.

Lonnie Carter: expressed support for the Cafe owners. Carter referenced the former activities at Toymakers and the motorcycle comings-and-goings that didn't seem to result in any complaints.

Tom Scott: expressed concern for parking issues at the location.

William Betts: 105 Main Street: expressed concern for health and safety issues, but commented that he supports the Cafe and feels it's a great addition to the Town. Concerns expressed were over odors, which he has previously addressed with Henry Todd, First Selectman, and concern over the trash receptacles and oil, and the roaming bears in Town. Betts suggested that an enclosure would help and would also be more attractive.

Greg Marlowe: Question by Commissioner to the Cafe owner, asking if he's looked into bear-proof receptacles? Marlowe also suggested screening of the receptacles to address the concerns of the citizens and noted that the Town would work with the tenant. Marlowe noted that he would like to make screening of the receptacles a condition of the approval.

Henry Todd: Henry Todd commented on the need for permission from the Torrington Area Health District as well as the Fire Marshal for an alternate venting system, noting if the odor discharge were to be higher in the air it could dissipate quicker.

Susan Sweetapple (Falls Village Inn): Sue commented that she would have been a good source for information for a restaurant use and could have offered advice to address some of the concerns that have been discussed. Sue advised that she has bear-proof receptacles and noted that she has a separate dumpster from another company for oil, which gets picked-up by the Company and the oil gets recycled. Sue also advised that she has a vent system that helps with odors.

Public Hearing Closed by Chairman Laser at 7:10 p.m.