

Planning & Zoning Commission
Town of Canaan
Falls Village Town Hall
108 Main Street, Falls Village, CT 06031

December 14, 2022, to commence immediately following public hearing

Regular Meeting

ATTENDANCE: Chairman, Fred Laser, Zoning Enforcement Officer, Janell Mullen, Regular Members: Greg Marlowe, Vincent Inconiglios, Ted Moy and Alice Macchi and Alternate Member, Marc Rosen. Absent, Regular Members, Garret Scavotto and Ruth Skovron.

Community Attendance & Others: Stephen Koshland, Joe Fragale, Cassidy Considine, Andrew Pelletier, Keith Bodwell and Selectman, Dave Barger.

Chairman Laser called the Regular Meeting to order at 6:52 p.m. Alternate Member, Marc Rosen, was seated for absent Regular Member, Ruth Skovron.

1. Approval of Minutes:

- a. P&Z Regular Meeting November 17, 2022: MOTION by Marlowe, seconded by Rosen to approve the minutes of the November 17, 2022 Regular Meeting as presented, unanimous.

2. Public Comment: None

3. New Business

- a. Gravel Operation Renewal – Century Aggregates, Inc. – 75 Sand Road.

Recommendation by ZEO, Janell Mullen, regarding a change in the process, that future renewals be an action of the Commission rather than the holding of a Public Hearing. Mullen made reference to page 27 – Permit Renewals, excavation completed, confirms with one-year projection report. ZEO to review and make recommendation to the Commission. MOTION by Rosen, seconded by Inconiglios to approve the Gravel Operation Annual Renewal of Century Aggregates, Inc., 75 Sand Road; approved unanimously by individual vote (Marlowe recused himself from the vote).

Question/Comment by Stephen Koshland: With regard to a change in the process, should the abutters be notified? It was so decided that yes, the abutters should be notified of any change in the process.

- b. Preliminary review re-subdivision involving lots on Aspen Hill: Preliminary review of proposed re-subdivision plan presentation by Keith Bodwell. Bodwell presented a map, "Bodwell Engineering And Surveying LLC 92 Cream Hill Rd. – West Cornwall, CT 06796 860-318-5300 – Bodwellengineering.com Re-Subdivision Music Mountain Farm Lots 4A and 11A Aspen Hill Drive – Goshen, Map 2 Lot 40 & 46 Prepared For: Riga Construction 95 Main Street – 2nd Floor Canaan, CT 06018 Scale 1" = 150' Project #: 2022-68 Date: December 2022, Sheet 1 of 1. (Said map was not identified as being an A-2 survey. Said survey referenced the Town of

Goshen rather than the Town of Canaan.) Said proposed re-subdivision resulted in an expansion of Lot 4A by adding acreage from lot 11A, with the intention of splitting the remaining acres of lot 11A into 2 parcels.

c. Executive Session – personnel matters: Motion by Marlowe, seconded by Moy, to move the agenda item of Executive Session to the end of the meeting; approved unanimously.

d. 2023 Calendar: It was so noted that the November meeting date should be changed and reflected as November 15, 2023. Motion by Marlowe, seconded by Rosen to approve and accept the 2023 Calendar, as amended (November 15, 2023 Regular Meeting date); approved unanimously.

4. Old Business

a. Cannabis text amendment – review of language and to set public hearing: Review of proposed Text Amendment re: Adult Recreational Cannabis, as prepared by Janell Mullen. The overview stated that it was the consensus of the P&Z Commission to allow for two (2) types of manufacturing licenses, Food & Beverage Manufacturing & Product Manufacturers, associated with the statewide legalization of adult use cannabis. The Commission moved to allow for these uses by Special Permit in the Light Industrial Zone. All allowable adult recreational cannabis uses are contingent upon the applicant receiving a license from the CT Department of Consumer Protection (DCP) and abiding by all state regulations of adult use cannabis. Regarding text amendment, Section 3.3 outlines the Light Industrial Zone, Part C lists all uses allowed by Special Permit (page 24). The regulations would need to be amended to provide for (i) Food & Beverage Manufacturer, and (ii) Product Manufacturers, with an inclusion for additional standards for Special Exceptions involving Adult Use Cannabis, as Part H. – (i.e. license information, employee information, delivery information, site plan and security, sanitary systems approval by TAHD, parking area, site access, lighting plan, loading zone, signage). Janell Mullen commented that zoning text amendments require a public hearing. MOTION by Inconiglios, seconded by Rosen, to approve the proposed text amendments, as revised, and to set a Public Hearing, via zoom, for 1/26/2023 to adopt said revised text amendments; approved unanimously.

b. Firehouse update: Chairman Laser provided an update reporting that George Johannesen of Allied Engineering did a septic evaluation and the tank is cracked and the leaching fields need to be abandoned. Laser commented on potential parking with revised septic area plan proposal and advised that legal counsel, Attorney Chuck Anders, has been hired.

5. Zoning Agent's Report by Janell Mullen: Zoning Report attached. Discussion regarding report items. Discussion regarding lighting. By consensus, the ZEO Report was accepted as presented.

6. Public Comments & Official Correspondence: Chairman Laser commented on receipt of an email communication from Clifton Jaeger dated December 12, 2022 expressing concern over the removal of a sidewalk by a resident on Main Street with comment pertaining to pedestrian

safety. Chairman Laser read the communication to the Commissioners. Janell will send a letter of inquiry to the property owner.

Agenda item 3c – New Business – Executive session – personnel matters: MOTION by Marlowe, seconded by Rosen to go into Executive Session for personnel matters to discuss Commission membership; approved unanimously (8:40 p.m.) MOTION by Rosen, seconded by Inconiglios to come out of Executive session; approved unanimously (9:17 p.m.)

7. Adjournment: MOTION by Moy, seconded by Macchi to adjourn the meeting; approved unanimously. Regular Meeting adjourned at 9:18 pm by Chairman Laser.

ZONING REPORT

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

Issued, during, Special, Meeting, on, December, 14,, 2022

Permits issued:

None.

Zoning Communication/Inquiries:

1. Certificate of Occupancy - 88 Rt 126 - first sign off with new form
2. **13 Miner Street**- Prospective property owner follow-up regarding possible lot line adjustment. ZEO waiting on maps from surveyor which are necessary to determine zoning compliance/feasibility. Complicated site with driveway access to back lot.
4. **80 Undermountain Road**- Resident questions involving zoning application for possible addition to existing single-family dwelling.
5. **53 Belden Road**- follow-up questions regarding the possible use of barn for residence and renovations to existing house.
6. **Aspen Hill** re-subdivision and shared driveway discussed with prospective applicant. They will be on the December agenda as a pre-application to preliminary present their project.
7. **35 Water Street**- ZEO fielded questions from Eversource representative and informed them that this historic building is in the flood hazard overlay zone and the Housatonic River overlay zone in addition to the Village Residential zone. It is unclear if there is a project proposal on the table.

Zoning Complaints:

1. **RT 7 Fuel**- Follow up letter has gone out to those listed under the registered LLC and a follow up call has occurred. The owner is cutting off the canopy lights at 9 pm, and needs to employ its security lighting. The brightness of the light looked to have gotten better as evidenced by drive by on 12/1 at night by ZEO.
2. **Eversource Property in Village Center**- Initial mailed letter in re lighting was returned to ZEO. Proper mailing address for Eversource and/or name of local representative needed.

Please use zoningofficer@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,*