

Planning & Zoning Commission  
Town of Canaan  
Falls Village Town Hall  
108 Main Street, Falls Village, CT 06031  
July 27, 2023, 6:00 p.m.

Public Hearing: 27 Kellogg Road – Special Exception Application for a home-based business (application received on 5/25, public hearing set for Special Meeting on 7/10 at 5 pm and then adjourned to 7/27 at 6 pm due to lack of quorum). Applicant: Jonathan Scott.

ATTENDANCE: Vice Chairman, Stephen Koshland, Zoning Enforcement Officer, Janell Mullen, Regular Members: Greg Marlowe, Vincent Inconiglios, Doug Cohn, Ted Moy, Matthew Macchi and Ruth Skovron. Also Present: Alternate Member, Marc Rosen. Absent, Chairman, Fred Laser.

Others Present: Daly Reville, Scott Belter, Tom Scott, Jonathan Scott, Laurie Wadsworth, Chris Wadsworth, Linda Erwin and Recording Secretary, Alice Macchi.

Vice Chairman Koshland called the Public Hearing to order at 6:03 p.m.

Zoning Enforcement Officer, Janell Mullen, asked that the Applicant make a presentation to the Commission. Jonathan Scott (hereafter "Jack") gave an overview of his business, which he has been doing since 2010, servicing Lime Rock Park race cars. Jack made reference to the storage facility he previously occupied, being the Falls Village Firehouse, as well as some rented garage spaces and space at the race track. Jack advised that the reason for the Special Exception Application was "to consolidate the operations of Housatonic Racing Development, LLC from 4 separate locations into 1. This requires construction of a new building to house all current and future operations." The Application submitted identified the property as being in the Residential/Agricultural zone. The Application noted the description of area in request (acreage involved and location) as being "approximately 1 acre of the 7.12 acres of the property. The acre in question is located at the extreme Northwest of the property." Jack further advised that the structure size would be 60' x 150' and anticipates that it will hold 30-40 cars. Other activities in addition to the storing of the vehicles would include mechanical work. Jack further advised that all the cars are "muffled" which meets the noise regulations imposed on Lime Rock Park. Jack noted that the vehicles are trailered-in and trailered-out for customers. Jack advised that the structure would be steel, single story, with possible upstairs storage and a portion designated for office space for the business. It was noted that the existing use at 27 Kellogg Road is the business of the Falls Village Flower Farm, owned by Tom Scott, the owner of 27 Kellogg Road, thus, there would be the two businesses at the location. It was further noted that the applicant had not had any discussions with any of the neighbors. It was further noted that all the required notices had been sent to and received by the abutters. Given that the property is not owned by the Applicant, the owner, Tom Scott, confirmed that he so authorized Jack's (his son's) Special Exception Application. Discussion regarding the effects of potential noise to the surrounding property owners. Jack noted that he was currently bringing 30+/- cars in and out and that no complaints had been received thus far and commented that the new building would allow for the storage to be in one location which should create less noise, given there will be no

in and out for the vehicles being stored off site. Jack was asked if there would be any special requirements for fire prevention. Jack referenced the building being constructed of steel and any fire mitigation system would be addressed, based on requirements of the insurance coverage. Janell made reference to page 10 of the Regulations with regard to home-based businesses. Comment regarding more than one home-based business at one location. Comment regarding a third business being conducted at the location, the business of a bocce ball court. Discussion regarding home-based businesses in the residential/agricultural zone and reference to pages 12 and 10 of the Regulations, with mention of major home-based business (retail sales) or intermediate. It was asked and answered that the Applicant does not live at 27 Kellogg Road.

Public Comment:

Question by Scott Belter who asked for more information on the concern for noise. Jack commented that there would be less trailering of vehicles in and out, which should result in less noise. Reference to the vehicles being "muffled" was once again referenced. Also noted, no testing of engines, no handling of vehicles.

Comment by Chris Wadsworth, who expressed concern over noise control, indicating that he does not want his property de-valued due to potential noise.

It was advised that Planning & Zoning has the ability to set conditions on approvals.

Discussion regarding conformity with the regulations and allowable uses and the best definition for this use.

Comment by Dale Reville, question of proposed use for such home-based business as defined in the regs, page 89; would not apply to definition.

Comment by Tom Scott, owner of 27 Kellogg Road and owner of Falls Village Flower Farm, inquiring as to partial ownership of Jack's business by Tom, and therefore the proposed use would apply to the home-based business definitions. Discussion regarding percentage of ownership scenario.

MOTION by Marlowe, seconded by Moy, to adjourn the Public Hearing; approved unanimously.

Vice Chairman Koshland closed the Public Hearing at 6:26 p.m.