

TOWN OF CANAAN
FALLS VILLAGE TOWN HALL
108 Main Street, Falls Village, CT 06031
Special Meeting, Thursday, November 30, 2023, 6:30 pm

Present: Chairman, Fred Laser, Vice Chairman, Stephen Koshland, ZEO, Janell Mullen and Regular Members, Greg Marlowe, Matthew Macchi, Vincent Inconiglios, and Ruth Skovron. Also Present, Alternate Member, Marc Rosen. Absent, Regular Member, Doug Cohn. Others Present: Chris Kinsella, Glen Chalder, Daly Reville and Recording Secretary, Alice Macchi.

AGENDA:

1. Call to Order & Approval of the Minutes: Chairman Laser called the Special Meeting to order at 6:36 p.m.
 - a. Special Meeting – October 11, 2023: **MOTION by Marlowe, seconded by Skovron to approve the Special Meeting minutes of October 11, 2023, as presented; approved unanimously (abstention by Stephen Koshland).**
 - b. Regular Meeting – Wednesday, October 26, 2023: **MOTION by Marlowe, seconded by Macchi to approve the Special Meeting minutes of October 26, 2023, as presented; approved unanimously.**
2. Public Comments: Daly Reville: Question regarding agent item 4B, noting that a Public Act reference does not give enough information as to the topic of the agenda item. ZEO Mullen identified the Public Act 42-143 as regarding Family Childcare. Reville also inquired as to Greg Marlowe's status on the Planning & Zoning Commission, given that he was no longer a Town Selectman. Marlowe advised that he has been on the PZ Commission in the capacity as an appointed Commissioner since approximately 2008+/- . Reville expressed that she was pleased to see the use of the recording Owl, indicating access to the discussion as being favorable for the community. Comment regarding the renaming of the ZEO position.
3. POCD Update: The Commissioners were provided with a Report provided by Planimetrics (Glen Chalder), which is an update to the Report that was reviewed at the meeting that was held October 26, 2023. Glen asked if after review of this draft, if the Commission would be comfortable with taking it to Public Hearing in January, 2024. Discussion regarding 65-day notice requirement and indicated that the goal for tonight would be to review the latest draft (page-by-change), which revisions should create for a final version. Discussion regarding Town acreage with consensus that the breakdown should be added to the Plan. Discussion/comments, changes. Vincent commented that he felt a reference to Music Mountain should be added. It was advised that the map being reviewed was a zoning map incorporated for the purpose of identifying zones; thus, this would not be the right place to make such reference. Discussion regarding consistency for bullet points, etc. Discussion regarding need for a further spell-check of the document. Koshland suggested having a side bar regarding solar array; discussion. Discussion regarding use of the word "character" with a direction of moving away from the use of the word and discussion regarding an alternate word and the possibility of using the word ambiance. Other options included using the word culture and/or spirit. Discussion regarding the placement of "Legend of Leaders/Partners" to be moved up in the document to clarify references that would refer you to such pages that precede this section (move to follow page 12). Discussion regarding possible v. proposed. Discussion regarding household income and chore services. Comment that social services is a benefit to our young but is also a benefit to our seniors, who are also in need. Discussion as to "Old Fire House" reference noting that Fire House is one word (firehouse). Comment regarding consistence in punctuation as well as tense (present/past). Recommendation to add a line item for advice on available funding (side bar?), see 3B, pg. 41. PZ recommendation for a protocol for Board of Selectmen pertaining to a Grant writer to apply for funding, separate from the POCD. Inconiglios commented that he was looking for a side bar to be incorporated referencing Music Mountain concert hall (see pg. 33, Historic Resources – add more verbiage). Sidebar notation to encourage education and training for other boards and commissions and reference that the state offers educational programs for best practices. **MOTION by Marlowe, seconded by Macchi, to schedule a Public Hearing for the Plan Of Conservation And Development, as amended, to be held on January 25, 2024 at 6:30 p.m., via zoom; all in favor, approved unanimously. Further discussion regarding 65-day notice requirement.**

4. New Business

- a. Calendar of Meeting Dates – 2024: December, 2024 meeting to be a Special Meeting held 12/17/2024; November, 2024 meeting to be a Special Meeting held 11/19/2024. Discussion regarding change of time of regular meetings from 7:00 p.m. to 6:30 p.m. Discussion regarding hybrid meetings to commence with the May, 2024 meeting. Discussion regarding confirmation as to the need for a quorum to be present in the room for such hybrid meetings (in person or via zoom); such requirements to be looked at further for clarification. Recommendation by Marlowe that language be added to set forth that hybrid meetings indicate in person and/or via zoom, if available. Discussion regarding availability of Commissioners for 12/28/23 meeting. All can attend except for Stephen. December meeting to occur 12/28/23.
- b. Public Act 42-143 (deadline to comply December 1, 2023): Family childcare facility state mandate, needs to be permitted the same as zoning for single-family housing, definition addition and use addition, insert definition from statutes into the regulations, would require a Public Hearing. Janell will handle compliance and a Public Hearing will be scheduled for December.
- c. Commissioners' Terms & Vacancies: Discussion regarding term expiration for Matt Macchi and Doug Cohn on December 31, 2023. MOTION by Marlowe, seconded by Skovron to recommend to the Board of Selectmen and be presented to the Board of Selectmen for their meeting scheduled for December 11, 2023 that both Matt Macchi and Doug Cohn be re-appointed for a five-year term, giving each a new five-year term to expire on 12/31/2028; all in favor, approved unanimously. It was so noted that Vice Chair Koshland will contact the Selectman's office for this matter to be an agenda item for the December 11, 2023 BOS Regular Meeting. (Home Business Regulations will be postponed to the February, 2024 meeting.) Discussion regarding forming a screening/search group for potential new Commissioners. Stephen, Ruth and Vincent to form a sub-committee for potential, future Commissioners. Further discussion regarding potential candidates which may prefer to be on a sub-committee rather than becoming a Commissioner.

5. ZEO Report: Zoning Permits Issued, Zoning Inquiries, Zoning Complaints/Potential Violations, Training Opportunities and Misc. were addressed in the Zoning Report of November 30, 2023. Questions/comments/discussion. Janell would like to interface with ZBA, so she can properly advise applicants being referred to ZBA. Janell would also like to interface with IWC. Janell has and will reach out to Susan Kelsey and/or Mark Burdick for IWC reports and minutes. There exists no formal establishment as to communication between PZ and IWC, and there exists requirements that need to be met that aren't being met. The Commission authorized Janell to reach out to ZBA. Further, Janell will draft a letter and send to Chairman Laser. Discussion regarding the Board of Selectmen should apprise the IWC regarding the process that needs to followed. By Consensus, the ZEO Report (attached) was accepted as presented.

Old Business: Parking Committee needs to continue.

6. Public Comments & Official Correspondence: Comment by Chris Kinsella regarding Commissioners terms and vacancies and concern for the earlier comment regarding stringent attendance requirements.
7. Adjournment: **MOTION by Marlowe, seconded by Macchi, to adjourn the Meeting; approved unanimously.** Chairman Laser adjourned the Special Meeting at 8:58 pm.

Next Meeting: December 28, 2023 In person/P&Z Meetings will be on Zoom from January – April.

Respectfully submitted, Alice Macchi, Recording Secretary

ZONING REPORT

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

Issued during Special Meeting on 11/30/2023

Zoning permits issued:

Pending- Torrington Savings Bank - waiting on official dimensions to determine compliance- signage shall not exceed 32' sf

Zoning Inquiries:

1. **144 Warren Turnpike** - Current property owner in need of updating Schedule A to coincide with current survey and lot acreage prior to property acquisition
2. **244 Undermountain Road** - Site observation indicated the need for refreshing of their anti-tracking pad
3. **175 Route 7N** - Inquiry from Veronica Vetreschi Designs regarding expansion of use and incorporation of mixed-use on site was followed up by ZEO research regarding the history of use of this property.
4. **114 Beebe Hill Road** - inquiry regarding replacement shed

Zoning Complaints/Potential Violations:

1. **75 Music Mountain** - ZEO has been informed of an "encampment" at this property and has followed up with "zoning letter of inquiry". Has yet to receive response. ZEO will follow up with site inspection and escalate enforcement to a Notice of Violation.

Training Opportunities:

1. UConn Clear resources online: <https://clear.uconn.edu/ua/basic/>.

Misc:

1. **Beebe Hill subdivision** (Coolidge Property Map 4/15-2) has been referred to ZBA - Applicant seeks a variance from the number of lots that can be accessed from a shared driveway due to the steepness in the properties. Awaiting updated on ZBA ruling.
2. **64 Route 7 North** - zoning variance hearing took place on 10/30 since applicant could not satisfy rear yard setback requirement. Awaiting ZBA ruling.
3. **27 Kellogg Road** - no barn for home based business to be constructed. Applicant found alternative location for his racecar related business.
4. **166 Undermountain Road** - This property was subject at a recent wetlands meeting. Awaiting wetlands report and/or meeting minutes.