## Town of North Canaan

## Planning and Zoning

## June 13, 2022

## Regular Meeting

Present: Chairman Tim Abbott, Mike O’Connor, Peter Brown, Dalton Jacquier, ZEO George Martin,

*Douglas Humes arrived at 7:10pm after Cooper Brown had been seated for him.*

Alternates: Cooper Brown, Jesse Bunce

Chairman Abbott called the meeting to order at 7:00pm

Chairman Abbott seated Cooper Brown for Douglas Humes as he is going to be late to meeting.

**Mr. Jacquier made a motion to approve the minutes as presented. Mr. Peter Brown seconded the motion. Motion was approved.**

ZEO report was sent to members via email. Mr. Martin read his report into record. Report attached. Mr. O’Connor stated that Mr. Martin has the backing of the board regarding 127/129 Church St as far as going forward with the attorney and further action.

Old Business:

127-129 Church Street – Mr. Martin explained the situation during his report. From his standpoint the commission has extended more than others would have and has been more than generous with time frames. He is ready to turn things to attorney this week.

Cannabis discussion/ possible action on 6-month moratorium. Chairman Abbot stated that last month there was a special meeting to discuss and hear resident’s questions, concerns, feelings regarding cannabis establishments in North Canaan. The commission did not take any action following that meeting. Mr. O’Connor said when Janelle Mullen was here, she said that towns get tax of 3%. This money has some restrictions – it can’t just be put into the general fund, but it is flexible. Mr. O’Connor also mentioned that it may not be a huge influx of revenue for the town and that with $1 million in sales it is only $30,000 to the town which is not huge. Discussion ensued regarding the 6-month moratorium being long enough to go beyond the November election which will include a referendum on Cannabis. Mr. Peter Brown said that his understanding is that during this 6 month the commission must get their ducks in a row and not wait until the election. Chairman Abbott stated that the commission will use the time if a moratorium is enacted to become fully up to speed with as much as they can including legalities as the laws continue to change. We can look a what other towns have done and educate ourselves as best we can. Mr. Humes asked if COG has sample regulations. There is a range of them, and the commission only has a limit of where they have authority. i.e. hours of operation, setbacks. There can be no side deals – no special tax. Recently the caps of 1 per town (dependent on population) have been removed, but the number of available permits has not changed. The town should be aware that the town website is updated as frequently as possible. **Mr. Peter Brown made a motion to approve a 6-month moratorium on cannabis in the town of North Canaan. Mr. Jacquier seconded the motion.** Discussion ensued as Mr. O’Connor believes that an 8-month time frame may be of more benefit. This would give an additional 2 months’ time. Chairman stated as a practical matter 2 additional months may be appropriate. Chairman Abbott called for a vote on the 6-month moratorium. **Motion was denied. Chairman abstained from the vote.**  **Mr. O’Connor made a motion to enact an 8-month moratorium on cannabis. Mr. Peter Brown seconded the motion. Motion was approved.** An 8-month moratorium on cannabis is in effect as of this day.

New business: none

Other business: none

Public comment: Sue Boults thanked the commission with all their help with the 127/129 Church Street properties.

**Mr. Cooper Brown made a motion to adjourn. Mr. Jacquier seconded the motion. Motion was approved.**

Meeting adjourned at 7:22pm

Respectfully submitted,

Ayrslea A Odell

Recording Secretary

A picture containing text, porcelain

Description automatically generatedTOWN OF NORTH CANAAN

PLANNING AND ZONING COMMISSION

Office of the ZEO

TOWN HALL 100 PEASE STREET

NORTH CANAAN, CONNECTICUT 06018

(860) 824-7313

6/13/2022 Report to Commission

Review of proposed work and applications by phone, emails and in person

127 Church Street

Received an email from owner on 5/3/2022 stating her lawyer would be in contact.

To date no contact has been made.

Consulted with the Town Attorney as to how to proceed as performance of clean up seems to have

come to a stop and deadlines have not been meet.

Also how to proceed if owner’s lawyer does contact me.

Following his advice, a onetime extension was forwarded to the owner but fines continue to accrue from the

Original start date of the fines. The waiver of fines has expired and will not be honored as stated in the performance contract which was signed by the owner and myself.

The extension was granted due to the fact some work had been done.

The new deadline is June 15, 2022.

The owner did acknowledge receipt of my email of the extension and also signed for the copy sent by certified mail.

Received an email on 6/3/2022 requesting an extension.

I denied the request as this has been a very long standing issue and extensions have been given in the past and

the issue is still not resolved.

Further action will be turned over to the attorney if compliance is not achieved by June 15,2022 or if the owner’s lawyer does make contact.

Two sign permits issued

1 for 97 Church Street

1 for 91 Main St

3 permits filed for additions, alterations and/or repairs

1 for Granite Ave extension – Approved

1 for 94 Main Street – Denied for lack of setbacks and lack of information on drawings

1 for 15 Lower Road – Denied due to one part of project not allowed as non-conforming.

Application filed for ZBA to review.

6 Field inspections done due to complaints.

2 for Daisy Hill Road for road obstruction. Non found at time of inspections Advised Resident trooper.

4 for 50 Barlow Street no action taken.

Letter that was sent to complainant attached .

Respectfully Submitted

George Martin ZEO