Town of North Canaan
Planning and Zoning
Public Hearing
August 8, 2022

Present: Tim Abbott-Chairman, Peter Brown, Mike O’Connor, Doug Humes, Dalton Jacquier, ZEO
George Martin
Alternates: Ed Capowich, Jesse Bunce, Cooper Brown

Chairman Abbott called the meeting to order at 6:58pm
All members in attendance and all alternates in attendance. Quorum established; no alternates seated.

Chairman Abbott thanked everyone for coming out for the meeting.

Purpose of this hearing is the presentation by Mountainside for special permit. Mr. Martin has what is
needed from them.

John from Mountainside presented the return receipts to ZEO for file. Plan has not changed. They are
still looking to add 3 additional offices which they lost due to COVID. Existing same building that the
offices were in – they are getting rid of patio. There will be a common bathroom.

Public comment: None

Mr. Martin asked if there were any responses from the cards. Nothing was received back other than a
call of support from DEEP.

Mr. O’Connor made a motion to close the public hearing. Mr. Humes seconded the motion. Motion
was approved.

Public hearing closed at 7:04pm

Respectfully submitted,

Ayrslea A Odell
Recording Secretary
Present: Tim Abbott-Chairman, Peter Brown, Mike O’Connor, Doug Humes, Dalton Jacquier, ZEO George Martin

Alternates: Ed Capowich, Jesse Bunce, Cooper Brown

Chairman Abbott called the meeting to order at 7:04pm

Attendance taken quorum established no alternates seated.

Opening remarks by Chairman Abbott: Chairman wants to draw attention to the subdivision regulations which date back to 1971 that were sent to each member. After the last meeting the members should have received the housing plan draft in their email. This commission will have a busy second half of the year. We will be looking at regulations which have been reviewed by a consultant and continue to educate on the options that there are for regulating recreational cannabis if it is voted in.

Minutes from July had one spelling error of Chairman Abbott’s name. Mr. O’Connor moved to accept the minutes with the spelling correction. Mr. Jacquier seconded the motion. Motion was approved. Mr. Brown abstained from the vote.

ZEO report: Mr. Martin sent the report out to the members and read it into record. Today he was notified from Community Health and Wellness, in writing, that they wish to extend their existing permit which expires in 2 days and which the commission approved last August for 1 year. He would like the commissions’ input on how to proceed. This is not a special permit so technically Mr. Martin could act on this without the commission, but because the commission were the ones to approve it last year it should be discussed. Mr. O’Connor moved to amend the agenda adding this item to the last item under new business. Mr. Brown seconded the motion. Motion was approved.

Old Business:

Mountainside permit: Mr. O’Connor stated that although he typically does not like to act on a permit right after a public hearing he sees not controversy or impact from this item and it is in compliance so can be acted on tonight. Members were in agreement. Mr. O’Connor made a motion to approve the special permit for Mountainside. Mr. Brown seconded the motion. Motion was approved.

Town of North Canaan Affordable Housing plan draft follow up. Last month Jocelyn Ayer presented the draft plan to the commission, asked for them to review the plan and to give feedback as to whether they felt it was consistent with the plan of conservation and development. Chairman Abbott asked if the
members had reviewed it and did they feel it is consistent with the plan? Chairman Abbott stated he had compared the two and found that it is very clear to point #3 regarding the diverse community. There are a lot of options in the plan and these are all recommendations. Mr. O’Connor reviewed the plan and felt they addressed a lot of the zoning regulations and did not feel it changed a lot of the regulations. Mr. Abbott stated it is a thoughtful not directive report. Chairman Abbott made a motion that this draft housing report appears to the commission to be consistent with the town plan of development of 2018. Mr. O’Connor seconded the motion. There was discussion relating to members not having been here and abstentions. Mr. Bunce, Mr. C. Brown, and Mr. Capowich all agreed with Mr. O’Connor that it falls within the general prevue of regulations. Motion was approved. Mr. Peter Brown and Mr. Jacquier abstained from vote.

New Business:

John Considine 96 Main Street presentation of proposed 2 upstairs apartments project. There will be 2 new stairwells for access to each apartment. Parking is in the rear. The first floor will remain offices – lawyer’s office and insurance. The property is all the way to old school deli, the Ghi’s building, and the old pet store. The commission and ZEO stated that Mr. Considine’s plot plans must reflect everything and he has to calculate the number of parking spaces for each apartment and for the number of personnel in the offices.

Mr. Humes made a motion to move 96 Main Street to a public hearing on September 12 at 7:00pm. Mr. P. Brown seconded the motion. Motion was approved. The commission discussed that a full plot plan has to be done with the application. Mr. Considine must send out certified letters regarding the public hearing to surrounding neighbors which includes across the street. There is a linear distance for this in the regulations. All steps were explained to Mr. Considine and he acknowledged understanding.

Workshops – Chairman Abbott spoke about the consultant findings for the regulations and bringing those up to compliance by the January due date and also working on putting together a plan for cannabis if it is voted in by residents in November. Chairman Abbott made a motion to propose the 4th Monday of both September and October at 7:00pm for workshops. Mr. Jacquier seconded the motion. Motion was approved. Workshops will be Sept 26 and Oct 24 at 7:00pm. Mr. O’Connor stated that these are not required to be meetings. Chairman Abbott wants to be transparent so public will be allowed to attend.

Community Health Wellness application extension – Mr. O’Connor would like them to clean up the area – mow etc. There was a discussion surrounding stipulations for an extension. Technically this should be something that the ZEO could approve or not, however given that the extension was done by originally by the commission it would be better if they came before the board again. The permit expires in 2 days so that won’t happen now. Discussion of a smaller time frame etc. They do not have a State permit for the driveway yet. They are thinking October/November to break ground. They would have to come in for the September meeting. If the State DOT changes the driveway it changes the original approved plan and that automatically means they should come back. Suggestion they come to September meeting and bring update what they have. If anything then changes they must come back. Chairman Abbott made a motion to approve the year extension with the stipulations that they come before the commission in September meeting and present a status update and then if anything changes or expects to be changed they have to come back prior to breaking ground. Mr. Jacquier seconded the motion. Motion was approved.
Other business: There was a question regarding the presentation of the Honey Hill project last month. This was an informational discussion only there is no application or anything thus far. Chairman Abbott again stated that if any discussion comes to the commission, he will recuse himself and leave the room as he has a conflict of interest in this situation. Mr. Capowich asked if the subdivision regulations that exist are appropriate for a private property where the town will not own anything. As far as the commission knows there are no exceptions in the regulations for private property. There was a discussion if it is a subdivision or not as the entire land would be owned by an association. Mr. O’Connor stated if this comes to fruition the commission would need legal advice. Mr. Humes believes there is a town ordinance regarding building a road to town specifications. There was a discussion of different zoning type areas in this project.

There was a discussion regarding when there is an election there should not be a meeting held within the town hall the night before. We won’t know about primaries until a few weeks before, but we should not be in the building at all because of the voting machines. Chairman Abbott was not aware but will know for the future.

Public comment: None

Mr. O’Connor moved to adjourn. Mr. Humes seconded the motion. Motion was approved.

Meeting adjourned at 8:01pm

Respectfully submitted,

Ayrslea A Odell
Recording Secretary
August 8, 2022 Report to Commission

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

Special Permit Application Received and processed for Mountainside.
Posted notice of hearing for special permit in Waterbury Republican newspaper as required.

Permits issued
VFW for serving structure and memorial gazebo
Chris Crane for pole barn / garage

Completed site reviews for compliance
Compliance letters sent for
37 Old Turnpike South - Passed
70 Moses Mcade Road - Passed