

**PLANNING & ZONING COMMISSION, Town of Canaan**  
Falls Village Town Hall, 108 Main Street, Falls Village, CT  
Regular Meeting Minutes  
Wednesday, December 16, 2009

Present: Mike O'Neil, Zoning Enforcement Officer, and Regular Members, Greg Bidou, Alison Orr-Andrawes, Alice Macchi, Tom Scott (acting as Chairman in Fred Laser's absence), Ruth Skovron and Jody Bronson. Absent: Fred Laser, Chairman, Regular Member, Stephen Koshland and Alternate Member, Vincent Inconiglios.

Also Present: Greg Marlowe.

Regular Meeting called to order at 7:09 p.m. by Tom Scott, acting Chairman.

**AGENDA:**

-Change of Order on Meeting Agenda: **MOTION** by Orr-Andrawes, seconded by Skovron to change the order on the Meeting Agenda so that *New Business* follows #4/*Correspondences and Public Comments*; unanimous. **MOTION** by Bidou, seconded by Skovron to change the order of the matters under *New Business* by changing 1c to 1b and 1b to 1c; unanimous.

1. a. Approval of Minutes, P&Z Regular Meeting held November 18, 2009. Discussion regarding 2 changes to the minutes: page 1, matter #1b, change Town's people to townspeople and page 2, matter #5, correct typo of proposed date for public hearing for regulation changes from 12/19/09 to 12/16/09. **MOTION made by Bidou, seconded by Orr-Andrawes it was moved to accept, as amended, the minutes of the P&Z Regular Meeting held on November 18, 2009; unanimous.**

b. Approval of Minutes, P&Z Public Hearing held November 18, 2009. **MOTION by Bronson, seconded by Skovron it was moved to accept, as presented, the minutes of the P&Z Public Hearing held on November 18, 2009; unanimous.**

2. ZEO Report (December 16, 2009) by Michael O'Neil. Copy attached:

Mike read his report to the Commission. O'Neil added that he spoke to someone on 12/16/09 regarding a deer fence. Following brief general discussion, the **ZEO Report (12/16/09) by Mike O'Neil was ACCEPTED.**

3 Correspondence and Public Comments: N/A

4. New Business

a. Lot Line Revision, 154 Point of Rocks Road, Lock and Robert Neimeth – No applications presented by Neimeth and Neimeths not present, therefore, no discussion;

b. Amendments and changes to Zoning Regulations – 5.13.1/General fences, walls and similar structures may be erected so that any such fence, wall or similar structure... and 5.13.2/Deer fencing may require commission approval based on Zoning Enforcement Officer's site visit and/or interpretation, so that any such deer fencing... Approved, by consensus, as submitted in Tom Scott's email of 12/9/09. **MOTION by Orr-Andrawes, seconded by Bronson, to approve the changes to the zoning regulations set forth in the attached "Proposed Zoning Regulation Changes, dated December 16, 2009, which shall have an effective date of February 1, 2010,**

**with the notice of such changes to be published in the Lakeville Journal; unanimous by individual note (opposed: None);**

c. Renewal of Special Permit, Century Aggregates, Sand Road – discussion as to process only (inasmuch as the public hearing was not closed) regarding questions of Commission: (1) can a buffer zone area be located in a residential zone (refer to legal counsel for opinion), (2) seek opinion of legal counsel regarding legality of division of Marlowe lot, including current status of property and confirmation of merger of lot with Century Aggregate property, and (3) need for an updated plan to show existing buffer zone area and proposed buffer zone area and further to verify the same would be in conformance with the issued court Stipulation;

d. Review proposed 8 Barnes Road Cell Tower options as per Attorney Judith Dixon letter – Tom Scott read memo of 12/9/09 from Judith Dixon, Esquire, Town Counsel, to Fred Laser. Following discussion, the Commission agreed that an engineering firm should be hired to address some of the concerns set forth in Dixon's letter. **MOTION by Bidou, seconded by Bronson to obtain an estimate for services from a qualified engineer to review AT&T documentation addressing (1) steep terrain safety concerns for emergency personnel on the access road, to include drainage issues, and (2) design flaws; unanimous;**

e. Review 2010 P&Z schedule – **MOTION by Skovron, seconded by Orr-Andrawes, to accept the Planning & Zoning Meeting Schedule 2010, as prepared and presented by Mike O'Neil; unanimous.**

5. Old Business: N/A.

6. Any other business to properly come before the Commission: N/A.

There being no further business, Bidou moved, Bronson seconded, to adjourn the meeting. Unanimous.

7. Adjournment. Regular Meeting adjourned at 9:35 p.m. by acting Chairman, Tom Scott.

Respectfully submitted, Alice Macchi, Recording Secretary.

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Notations: Allison Orr-Andrawes and Tom Scott will be absent for the following Regular Meetings: 1/27/10 & 2/24/10.