



**Town of Beacon Falls
Planning & Zoning Commission
Regular Meeting Minutes- June 16, 2022
10 Maple Ave Beacon Falls, CT 06403**

(Subject to revision)

Members Present: Donald Molleur (**DM**), Michael Rupsis, (**MR**), Marc Bronn (**MB**), Michael Pratt (**MP**), Jonathan Conte (**JC**) Jack Burns (**JB**)

Members Absent: Robert Starkey (**RS**), Harry Roscoe (**HR**), Howard Leeper (**HL**),

Others Present: Town Planners Savannah-Nicole Villalba (**SNV**) Keith Rosenfeld (**KR**), Zoning Enforcement Officer Michael Mormile (**ZEO**), Residents Cody and Christina Muth 229 Burton Rd.

1. Call to Order/Pledge to the Flag:

DM opened the meeting at 7:30 P.M.

2. Read and Approve Minutes from Previous Meetings:

Motion to accept minutes from the May 23, 2022, Special Monthly Meeting, as submitted. Motion made by **MP**, Seconded by **MR**.

All ayes. Motion carried.

3. Comments from the Public:

None

4. Reports:

- a. Zoning Enforcement Officer- Report was submitted to commission showing new permits.
- b. Town Engineer- **DM** no new updates.
- c. Town Planner- **SNV** Continue to work with community members with matters as they arise. Personal note I will be resigning my position as of next week 6/22/22.

5. Old Business:

- a. Chatfield Farms/EG Home LLC- No new updates, Ron Nault updates as of last month's meeting. HOA is working with builder on some issues.
- b. Board/Commission Member Training- Awaiting confirmation of training dates.
- c. Cannabis Moratorium – **KR** presented a packet to commission with a set of zoning regulations. These are all regulations that were derived through the Cannabis Working Group through the commission that will allow for these types of uses in the Industrial site zone subject to a site plan and some additional conditions/safeguards. We will need to set up a public hearing and consider these amendments to the zoning regulations. **MP** Change Town of Beacon Falls Fire Department to Fire Marshal Office/Fire Department as the chief is the same as the Fire Marshal but if that changes down the road. As the Fire Marshal makes those decision now. **KR** will make those changes. **MB** If the meeting takes place in July these regulations wouldn't start until the end of the moratorium. **SNV** the moratorium ends September 10 will we confirm, even if you hold the public hearing now you can set the date for September 11. **KR** we will create a motion for July and commission will need to do a vote for a public hearing in July. We will then send a



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referral to the COG and a copy in the town clerk's office. Attached at the end of minutes. **Motion to schedule Public Hearing for Cannabis Establishment Zoning Regulations: PZC-06162022-1-TA, for Thursday, July 21, 2022, at 7:00pm in the Town Hall Assembly Room. MP/MR. All ayes. Carried.**

- d. **343 Lopus Road/Tri-Tec Americas LLC – Solar Array**- No Update
- e. **Accessory Residential Poultry and/or Livestock Use Regulations**- Closed. Attached at the end of minutes. **MB Motion to approve PZC-04212022-1-TA with the revisions as presented on the April 20, 2022 version of Article 1 Section 8.4.5-Accessory Residential Poultry and/or Livestock Use Regulations with an effective date of Tuesday, July 5, 2022. MB/MP. All ayes. Carried.**
- f. **Escrow Account- KR** We are currently working with staff and planners to create an escrow system to allow experts to be paid during applications, that are beyond the knowledge of the staff, i.e., Hydrologist, Engineer, Licensed Environmental Engineer, etc. Memo provided to Commission for further review.

6. New Business:

- a. **C.G.S. 8-24 Referral:** DM: Remove from agenda, discussed at last meeting 5/23/22 and positive recommendation sent to BOS.
- b. **C.G.S. 8-30J:** We have sent a letter to Office of Policy Management to asking for extension so that we may added it with the POCD. We have received confirmation of receipt from Mr. Daniel Morley Assistant Division Director CT office of Policy & Management.
- c. **141 South Main Street-** Statement of Intent from Qamara Al Talemini was emailed and Chairman DM read statement to commission. Attached at the end of minutes. KR will reach out to the prospective applicant with the steps needed for an application.

7. New Applications: None

8. Petitions from Commissioners: None

9. Correspondence & Payment of Bills:

10. Adjournment: Motion made to adjourn at 8:08 p.m. by **MR/MP, all ayes. Carried.**

Meeting adjourned at 8:08 pm.

Respectfully Submitted,

Leah Rajvong
Clerk, Planning & Zoning Commission



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Town of Beacon Falls

To: Don Molleur, Town of Beacon Falls Planning and Zoning Chairman
From: Keith Rosenfeld, Town of Beacon Falls Town Planner
Date: June 15, 2022
Re: Proposed Cannabis Establishment Zoning Regulations

Presented are proposed amendments to the Beacon Falls Zoning Regulations regulating Cannabis Establishments in the Town. It is recommended that a public hearing for their consideration be scheduled for the regularly scheduled, July PZC meeting date.

1. ADD TO SECTION 6.4 PROHIBITED USES

6.4.11 A Cannabis Retailer, Cannabis Hybrid Retailer, Cannabis Delivery Service and Cannabis Micro Cultivator as defined as defined in Connecticut General Statutes (CGS) Section 21a-240.

2. ADD TO SECTION 9: DEFINITIONS

9.4.1 "Cannabis" means marijuana, as defined in section CGS 21a-240.

9.4.2 "Cannabis Cultivator": A person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space.

9.4.3 "Cannabis Establishment" means a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter.



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9.4.4 “Cannabis Delivery Service” : A person that is licensed to deliver cannabis from (A) micro-cultivators, retailers and hybrid retailers to consumers and research program subjects, and (B) hybrid retailers and dispensary facilities to qualifying patients, caregivers and research program subjects, as defined in section 21a-408, or to hospices or other inpatient care facilities licensed by the Department of Public Health pursuant to chapter 368v that have a protocol for the handling and distribution of cannabis that has been approved by the department, or a combination thereof.

9.4.5 “Cannabis Food and Beverage Manufacturer”: A person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages.

9.4.6 “Cannabis Hybrid Retailer”: A person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.

9.4.7 “Cannabis Micro-Cultivator”: A person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the commissioner.

9.4.9 “Cannabis Producer”: A person that is licensed as a producer pursuant to section 21a-408i and any regulations adopted thereunder.

9.4.10 “Cannabis Product Manufacturer”: A person that is licensed to obtain cannabis, extract, and manufacture products exclusive to such license type.

9.4.11 “Cannabis Product Packager”: A person that is licensed to package and label cannabis.

3. ADD TO SECTION 41 INDUSTRIAL DISTRICT NO. 1



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41.1.1 Cannabis Cultivator, Cannabis Food, Beverage Manufacturer, Cannabis Producer, Cannabis Product Manufacturer, Cannabis Product Packager subject to the provisions of Section 51 and provided that:

1. The production and/storage of cannabis shall be conducted indoors.
2. The Beacon Falls Police Department shall review and approve a proposed security plan for the facility.
3. The Beacon Falls Fire Department shall review and approve the storage of fertilizers associated with the production of cannabis and the fire-fighting feasibility of the proposed facility.
4. The production and/or storage of cannabis shall not create the emission of dust, odors, fumes, smoke, wastes, noise, vibrations, traffic, and environmental impacts to surrounding properties.
5. The applicant shall have received a provisional license approval from the Connecticut Department of Consumer Protection to operate either as a Cannabis Cultivators or a Cannabis Food and Beverage Manufacturer.
6. The applicant shall submit a sign package for review and approval by the Planning and Zoning Commission.

4. ADD TO SECTION 42 INDUSTRIAL PARK DISTRICT

42.6 Site Plan: Prior to approval of an "APPLICATION for a CERTIFICATE OF ZONING COMPLIANCE" for a use permitted under this Section, a site plan shall be submitted and approved in accordance with the provisions of Section 51.

42.6.1 Cannabis Cultivators, Cannabis Food and Beverage Manufacturer, Cannabis Producer, Cannabis Product Manufacturer, Cannabis Product Packager subject to the provisions of Section 51 and provided that:

1. The production and/storage of cannabis shall be conducted indoors.



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2. The Beacon Falls Police Department shall review and approve a proposed security plan for the facility.
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**Town of Beacon Falls
Building Department**

To: Town of Beacon Falls Planning and Zoning Commission

From: Savannah-Nicole Villalba, AICP Candidate, Town of Beacon Falls Town Planner



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Date: June 8, 2022

Re: PZC-04212022-1-TA: Accessory Livestock Regulations Amendment

Commissioners,

The Commission requested during the April Regular Meeting that staff revise the approved accessory livestock regulations to require the minimum lot size to have one horse be 40,000 square feet.

Staff addressed this by doing the following:

- Removed 8.4.7.10 – General Application Requirements from the Accessory Livestock Regulations.
- Amended 8.4.7.2.1 – Specific Livestock Requirements so that the minimum lot size changed from 0.75 acres to 40,000 square feet.
- Amended Table 1 – Number of Permitted Accessory Residential Poultry or Livestock Uses.
 - This table was amended so that lots must be 40,000 square feet to have one livestock unit.

DRAFT MOTION

Motion to approve PZC-04212022-1-TA with the revisions as presented on the April 20, 2022 version of Section 8.4.5 – Accessory Residential Poultry and/or Livestock Use Regulations with an effective date of Tuesday, July 5, 2022.



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8.4.5. ACCESSORY RESIDENTIAL POULTRY AND/OR LIVESTOCK USE

The intent of this section is to provide regulations for the keeping of a very limited number of poultry and/or other livestock for personal use, enjoyment, or personal consumption provided that such animals are kept in a sanitary and non-offensive manner and consideration has been made to the number of animals, size of the lot and proximity of adjacent residences. These regulations are for the R-1, R-2, and R-3 Residential Zoning Districts in the Town of Beacon Falls.

8.4.5.1 FARMS AND FARMING OPERATIONS AS A PRIMARY USE

Farms and farming operations as a primary use of a property shall conform to the standards set in Article 1 Section 8.8.

8.4.6. DEFINITIONS

8.4.6.1. POULTRY, RESIDENTIAL ACCESSORY USE- chickens, ducks, turkeys but not guinea hens, peacocks, emus, or ostriches.

8.4.6.2 LIVESTOCK, RESIDENTIAL ACCESSORY USE- horses, cows, donkeys, sheep, goats, rabbits but not pigs and minks.

8.4.6.3 LIVESTOCK UNIT, RESIDENTIAL ACCESSORY USE-

- A) One horse or one cow or one donkey,
- B) Two sheep or two goats,
- C) Sixteen chickens or sixteen rabbits.

8.4.7 GENERAL APPLICATION REQUIREMENTS

1) An application for a Certificate of Zoning Compliance shall be submitted to the Zoning Enforcement Officer per Section 3 and Section 72 of the Town of Beacon Falls Zoning Regulations for an accessory residential poultry and/or livestock use. A plot plan shall be provided depicting:

- A) the areas designed for the keeping of the livestock and/or poultry.
- B) the total number of type of livestock and/or poultry kept; and
- C) the locations, type and size of the shelters, grazing areas, keeping areas, and fences.

2) An application for an accessory poultry and/or livestock use must be submitted and signed by the owner of such property.



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- 3) Poultry and/or livestock must be owned by the residents or owner of the premises on which they are kept.
- 4) The keeping of poultry and/or livestock under this provision shall be for the personal use of the residents or owners of the premises on which they are kept. Stabling of livestock other than those owned by the owner or resident of the lot is prohibited and no 4-H project shall be conducted simultaneously with the accessory poultry and/or livestock use.
- 5) The keeping of said poultry and livestock under this provision shall not be construed as allowing the establishment of any commercial enterprise.
- 6) Poultry and livestock offspring shall not apply to the calculation of number of animals until after weaning.
- 7) The raising or breeding of livestock exclusively for their pelts is prohibited.
- 8) Additional regulations of the Public Health Code, the Department of Energy and Environment Protection, the Connecticut Department of Agriculture, or the Connecticut General Statutes may apply.
- 9) An applicant may be required to submit an erosion and sedimentation control plan, depending on the site-specific characteristics of the property.
- ~~10) Horses or ponies may be kept on a lot of less than five (5) acres provided that the lot contains an area of not less than 40,000 square feet for each such animal and the total number thereof does not exceed three (3).~~

8.4.7.1 SPECIFIC POULTRY REQUIREMENTS

- 1) **Number of Poultry.** A property shall meet the requirements of Section 8.4.8 - General Accessory Residential Poultry and/or Livestock Use Requirements in order to keep up to a maximum of eight (8) poultry.
- 4) **Management.** Poultry shall be suitably contained on the premises at all times. Free range poultry are prohibited.

8.4.7.2 SPECIFIC LIVESTOCK REQUIREMENTS

- 1) **Minimum lot size.** A property must be greater than or equal to **forty-thousand square feet (40,000 sq. ft.)** in order to keep livestock as an accessory residential use.
- 2) **Number of Livestock.** A property which meets the minimum lot size may keep up to one (1) livestock unit. A property of one (1) acre or more may keep up to 1.0 livestock units and 0.5 livestock units for every additional acre thereafter. Please refer to Table 1 – Number of Permitted Accessory Residential Poultry or Livestock Uses for additional information.



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3) **Management.** Livestock shall be suitably contained on the premises at all times. Free range livestock are prohibited.

8.4.8 GENERAL ACCESSORY RESIDENTIAL POULTRY AND/OR LIVESTOCK USE REQUIREMENTS

1) **Roosters.** Roosters are not permitted on property which has less than three (3) acres.

2) **Waste Management.** The storage and management of waste (e.g., a combination of manure and bedding) for poultry and/or livestock shall be in accordance with the Public Health Code, as amended. In no case shall waste be located closer to the property lines than the minimum setback requirements for structures and enclosures for the keeping of poultry and shall not exceed two (2) cubic yards at any given time.

2) **Setbacks and Permitting Requirements.**

A) The area used for grazing, exercising, or training of such animals shall be located at least ten (10) feet away from any lot line and securely fenced in to prevent straying and to prevent the public from entering the enclosure.

B) Any pre-existing non-conforming fence for confining livestock may be repaired, maintained, or replaced.

3) **Site- Suitability in Impact.** To minimize potential adverse impacts, the following shall apply:

A) Sites with slopes of greater than 15% shall be avoided or improved to avoid heavy surface water runoff, soil erosion, sedimentation, or hazardous conditions for keeping poultry under these regulations.

B) Structure for the keeping of accessory residential poultry and/or livestock under these regulations shall not be permitted directly over land containing an on-site sewage disposal system. Structures and enclosures (such as fenced areas) shall not be permitted directly over wells.

C) Property drainage shall be provided to avoid collection of water. Water shall be diverted from accessory residential poultry and/or livestock under keeping in areas; however, such water shall not pollute surface or subsurface water supplies nor shall runoff be directed at neighboring properties.

Table 1- Number of Permitted Accessory Residential Poultry or Livestock Uses



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Lot Size	Allowed Accessory Poultry and/or Livestock
Less than 0.5 acres – 40,000 square feet	8 poultry (See Section 8.4.7.1).
40,000 square feet – 1.0 acre	8 poultry (See Section 8.4.7.1) and 1.0 livestock unit (See Section 8.4.7.2)
More than 1 acre	8 poultry (See Section 8.4.7.1) and 1.0 livestock unit (See Section 8.4.7.2) and an additional 0.5 livestock units for every additional acre thereafter.

From: Qamar Al-Tameemi <gamaraltameemi@gmail.com>

Sent: Wednesday, June 15, 2022 10:05 AM

To: Lisa Daigle <ldaigle@beaconfallsct.org>

Subject: Re: Town of Beacon Falls

Hello,

I apologize for any inconvenience, but can you forward this one to the zoning commission instead? It includes a small revision.

To the zoning commission:

We hope to use 141 South Main Street in Beacon Falls to start a new business. At the location, we hope to dismantle salvaged cars, purchased from auctions, and ship some of the car parts to the Middle East (such as Dubai and Iraq). We will properly dispose of the rest of the car parts.

We would begin the process by cutting the car into two or three parts using a power saw. Then, some of the car parts would be removed such as: engine, gear, headlights, tail lights, alternator, electrical parts, doors, and seats). Outside of the property, we would have a forty-foot shipping container where we would place the above-listed car parts. The rest of the car parts would be properly disposed of. During the process, there will be no grease or oil waste produced, given



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we are not performing any maintenance or repairs on the cars. Our work will not cause any noise disturbances to our neighbors or any other harmful impacts on the area.

In summary, we hope to dismantle salvaged cars using rechargeable, handheld tools, such as a power saw and half-inch impact wrench.

Thank you for your time and consideration.

Ali Al Tameemi and Qamar Al Tameemi