

Beacon Falls Inland Wetlands & Watercourses Commission
10 Maple Avenue
Beacon Falls, CT 06403



BEACON FALLS PLANNING AND ZONING COMMISSION
Public Hearing
February 11, 2021
Application PZC-091420-1-ZC
MINUTES
(Subject to Revision)

1. Call to Order / Pledge of Allegiance

2. Chairman Donald Molleur called the meeting to order at 7:00 P.M. and the call was read into the meeting minutes. Public Hearing legal notice was published in the Republican-American on January 29, 2021 and February 03, 2021.

Members Present: Donald Molleur (DM), Harry Roscoe (HR), Jack Burns (JB), Robert Starkey (RS), Marc Bronn (MB), Cody Brennan (CB) Michael Rupsis (MR), Michael Pratt (MP)

Members Absent: Tom Bunosso (TB)

Others Present: Keith Rosenfeld (KR), Mike Mormile (MM), Attorney Barbara Schellenberg (BS) Attorney Steven Bellis on behalf of Hopp Brook Estates (SB)

Motion made to nominate Lisa Daigle as Permanent Clerk- RS/CB all ayes.

Harry Roscoe recused himself from the hearing.

- 3. DM announced that he has opened the hearing for public comment regarding application PZC-091420-1-ZC – Hopp Brook Estates Zone Change request for land adjacent to Oakwood Drive (Parcels located at Map 12- Block 2- Lot 27 & Map 13 – Block 1- Lot 13)**

DM: The purpose of this public hearing is that application P-2017-212-A was approved on October 19, 2017, with an effective date of November 15, 2017. There was a legal notice of decision and approval published in the newspaper after that hearing that contained some administrative errors. The notice did not mention the project ID or name, no applicant's name, and the wrong property description. As a result, it was agreed by the Town attorney and the applicant to amend the notice of approval and republish that notice of approval.

This procedure, if approved this evening, will have an effective date of March 1, 2021. Now I have to remind everyone that this amendment is only an administrative correction to an already approved application.

I will open this up to the applicant if he would like to make a presentation or add comment.

SB: Back in February 2017, a zone change and text amendment was presented to the Planning and Zoning Commission by me. There was a public hearing. They went for a couple months, and it closed on June 15, 2017, and the town at the time was represented by Attorney Stephen Byrne. Attorney Byrne and the Commission made several changes and drafts to the text amendment. And eventually, as the chairman suggested, there was a vote to approve the zone change and text amendment, which we call PROD on October 19,

2017. As the chairman was starting to explain, there was a glitch that I was not aware of, nor anyone on this Commission, that the notice that was published in the paper had some deficiencies. And I agree with the Chairman and the Town attorney that after reading the law, and specifically a Supreme Court case Wilson versus Planning and Zoning that this Commission has to vote to approve the zone change and text amendment. Notice will then be republished prior to the end of the effective date, and that would remedy the glitch.

I will agree to continue the special exception application, until after the effective date. And I will not present any material tonight on this special exception. Nor should the public, discuss any of the particulars of the special exception.

Unfortunately, we're going to have to put this over until the next month whenever you have your meeting, and I will be then presenting the details of the special exception. And after I'm done the public has every right to comment. And then the commission can discuss it. But that's not going to happen tonight. And there's nothing we can do about it it's nothing that this Commission did wrong. It's something that happened in 2017.

Maureen Carroll, 90 Burton Road – When will this draft be corrected? Why did it take this long to realize the error?

DM: We're hoping for a decision tonight to correct the draft, which will then be posted on the website tomorrow, and the effective date of the change will be March 1. We will schedule a meeting for some time in the very beginning of March, so we can continue this process. And at that point, we will be getting into the nuts and bolts of the project. I cannot speak for the error; I wasn't on the commission at that time.

KR: I'm the town planner of the Town of Beacon Falls. The hearing tonight is for the text amendment, and the zone change. The amendment to the text can be found on the Commission website. That is what is or should be approved tonight. Part of the requirement of that is for the applicant to come back with a site plan, under the special exception regulations of the town Zoning Regulations. That is what Don is referring to as the nuts and bolts That's the roadways. That's the septic systems. That's the water system. That's the housing. That's the landscaping, all those things that go into a site plan will be then demonstrated by the applicant. At the next public hearing, people will have the opportunity to comment on those parts. I hope that clears this up.

Mary Ellen Fernandes, 5 Sharon Drive – the Legal Notice is for an application for a Zone Change, but this is a clerical error correction. The Chairman said that he was not taking comments on this right now.

BS: Barbara Schellenberg, Land Use Counsel. There was an application filed by the applicant in 2017. This is actually a hearing on the new application filed by the applicant, which is identical to the application filed in 2017. You have the right to comment on the application that we are currently addressing.

DM: I did not say that I was not taking comments from the public. This public hearing is about a new application that came before this board PZC-091420-1-ZC.

Mike Erlingheuser, 15 Lorraine Drive - Why do we to keep postponing the talk that the town is concerned about – about having a low-income housing area in the town. Enough is enough. What are we waiting to discuss? There is no positive for the town. Who approved the project? Did the Selectman? Why was the Town not aware of it? 150-250 homes are

going to ruin our home value and going to bring issues to our school system. We were told we would discuss this last meeting. Why did you guys approve this?

DM: There are legal obligations by the town to make this correction. We have to do it, so we can move forward. I did not see any other way around it. Our attorneys did not see any other way around it. And for us to, I think, to make this right and not to have any other problems down the road. If the resolution is approved tonight, then we will hold a hearing on March 4th. I was not on the Board then, so I cannot answer your question (about approval).

Brian Townsend, 25 Oakwood Drive - Would be possible to proceed with the meeting so we have a further understanding of what you're trying to accomplish. I'm quite concerned obviously because my side door is about 20 feet away from where they're trying to build new houses.

KR: Yes, I would like to just reiterate what why we're here. And the reasons why you need to come back on March 4th. In 2017, the Planning and Zoning Commission for Beacon Falls approved a floating zone- a zone change, and an amendment to the zoning regulations that allowed for a PROD- planned residential development. They were going into the zoning regulations and would regulate a parcel of land near the Bethany town line.

Three years ago, the zone change should have been placed on the zoning map and the amendment should've been put in the zoning regulations. The problem is that once the Commission approved it, there's a period of time that they had to advertise the approval, which allows for an appeal process to occur and an effective date to begin. The notice was done incorrectly, thus everything was defective. It didn't destroy it, it just held everything in limbo. Tonight, they are trying to correct it, legitimize the approval of the amendment. And that will then allow for a site plan. A plan that shows actual sewers and roads and all the physical things – At that point, Attorney Bellis will present a case. The Commission will ask questions and the public will comment on the plans. We have these plans in the land use office and online. And that plan will then either be approved or denied.

Paul Lavalley, 6 Woodland Path – Was this meeting supposed to start at 7:15?

DM: There are two agendas. This meeting was scheduled to start at 7:00 PM.

Brian Townsend, 25 Oakwood Drive – Could you outline some of these discrepancies? We're just trying to change the name and location that was on a previously submitted piece of paper, essentially?

DM: The whole thing falls back on an error by the prior Commission or the Clerk that put the wrong address, no applications, no applicants name, or site name on the publication. Which made it illegal -what we're doing tonight is trying to correct that by an amendment, and that's all it is, is just to correct and publish a new advertisement of an old action. It was a legal notice in the paper, we have to correct that error.

Martin Hubbard, 10 Oakwood – What was the error? Does that mean you have to start all over again? Who is still on the Board from 2017?

DM: The Legal Notice listed Burton Road & Fairfield Place as the location. At this point, the Commission in 2017 approved the application. The legal notice of their decision was wrong.

As for the Commissioners at that time, I don't know – we have quite a few Board members now. It was an approved application. Just because we change Commission members doesn't mean we can change the outcome of a prior application decision.

Brian Townsend, 25 Oakwood Drive –You are just changing the name of the location in notice correct?

DM: Just putting the right location.

Christopher Kopjanski, 138 Feldspar -I disagree with some of the characterizations I've heard here tonight. Which is it, is it a zone change or an administrative action? Why wasn't it listed as an administrative action? What it really was, was a lack of legal notice. It was so deficient that your attorney says you have to hold another meeting about it. They are trying to say we can't comment on the application that's been put in, and that the error of another commission should be excused. Why would you excuse someone that's made such a grievous error? It's a defective notice you've posted a new application. And now you can start from New. If the zones change, then the waiting period has ended. This is the time to make comments on the application before us on the application that you posted for today's meeting. It's not an administrative error. It was so bad you needed to re host it. Is that correct or am I wrong?

BS: To clarify, it was a defective legal notice. The reason the word administrative is being used is because posting of a legal notice, is an administrative act.

The substantive act was when the Commission in 2017 made its decision. The Commission was not confused about the property, and the Commission did not make a mistake. It was the clerk who made an administrative mistake. So, that this really doesn't fall on the Commission back in 2017. They knew which property they were dealing with. They made their decision based on proper information for them.

Christopher Kopjanski, 138 Feldspar – Its not fair to the public because we did not get the right notice, the right to appeal. The appeal process has been tainted by this so bad. Why is this listed as a Zone Change meeting?

BS: The general law is that, if there has been no substantive change, just because there are new members of the Commission, that doesn't mean they start from square one. Again, the reason it is noticed as a public hearing on a zoning change application is because that is what is before the commission to consider tonight. The chairman is simply trying to explain for clarification, to the public, and anyone else who is listening why this occurred. This situation is a little unusual. But this Commission is trying to do the right thing that required a new zone change application.

Christopher Kopjanski, 138 Feldspar –So, if we require a new zoning change application. I think it's fair for the public. But we have a new public comment period where we can comment on the new zoning change application. And that should be held tonight.

BS: That's right, the public is being given the opportunity to comment on this zone change application. However, the zone change application does not involve the specifics of the project that the applicant will present through a special exception application, as Mr Rosenfeld explained the zone change has nothing to do with things like safety issues, traffic septic all those access, all those kinds of things are specific to the plan so that that has nothing to do with the application that is before the commission during this public hearing

the public is being given the opportunity to comment on the application that is before the commission right now.

Christopher Kopjanski, 138 Feldspar –I don't think the commission should approve this zone change. I think that there's hundreds of people, if not 1000s in this town that completely disagree with changing the zone, and the structures of their neighborhoods. I'm ashamed that some people tried to call this an administrative error we're going to correct, and only now over 40 minutes later, you're telling us, we can actually comment here, we can disagree here, we can suggest to the commission, don't approve this, this was a mistake. Nobody likes this idea.

Kevin Dokla, 10 Timber Ridge- How does that zone change impact the surrounding roads surrounding neighbors or is this truly just a zone change for that parcel of land? From the beginning, have stood in front of the attorney on this project from the beginning. And I could say, myself, along with many people in the neighborhood have opposed against this every single time. And if we attended all these and they've never ended well on the builder side but always in favor for the public side. How would this had gotten approved if we attended these meetings?

DM: In 2017 there was a zone change proposed to the Town of Beacon Falls for site development on area of land off Oakwood. They went through a public hearing, listened to the public, and the Commission at that time approved the zone change. The clerk published the notice of the results of the Commission's decision in the paper. But it had errors. Those errors were recently discovered by the Town Planner. We contacted both attorneys and agreed, they had to change. Easiest way to do it was to put in a new application that mirrored the old application. It does not null and void the old application. The zone change stays in place. It has been approved by the Town. We can't un-approve it. How it came about I wish I knew, but I was not on the Commission at that time.

If the application for the zone change meets the requirements of the Beacon Falls Planning and Zoning Regulations, we cannot deny. Its law. If it has been put into our regulations. However, down the road, we have a discussion during the special exception application, which deal with the actual workings and mechanics of the project.

Caryn Carson, 35 Kaelas Way- Is there an appeal process for the zone change, because if the document was filed incorrectly, how would our residents have had a chance to file an appeal?

DM: That is correct and one of the reasons for this amendment. It allows that process to take place. The Town had input during the original application in 2017.

Caryn Carson, 35 Kaelas Way- And the advertisement of that notice was done correctly? When a zone change is made, residents are supposed to have a public hearing where they can give input.

DM: No – the notice of that approval was posted with an error. When a zone change is made, that is correct, residents have a public hearing. The Zone Change was made in 2017 with a public hearing.

KR: The public hearings were held in May and June of 2017. The decision came on October 16. I would urge you to go back on the website and look at the agendas and those minutes.

Dan Gordon, 18 Oakwood Drive - We've been living here since 2015, and the meetings of 2017 that you're mentioning, we never received any legal notice of these meetings. The only legal notice that we started receiving were the Wetlands Commission meetings back in 2019, which myself and three other houses received notices from the, the attorneys for Hopp Brook, because we are close to the project. We never received notice about Zone Changes or anything like that back in 2017.

Brian Townsend- 25 Oakwood – Is there any appeals process to this?

DM: There is an appeal process, but you would have to contact your attorney. I can't elaborate on that.

Caryn Carson, 35 Kaelas Way- On the Town Website, the Plan of Conservation. For this area, the zoning change made for it was marked as open space. So, any open space in town can be changed?

KR: In August of 2016, the applicant came before the Commission, had a public hearing, and started an update of the Plan of Conservation and Development. So, what you see is the 2013 POCD - that has been changed it was changed, and it was voted on January 19, 2017. It was approved and advertised, as I understand. That needs to be changed as well.

Christopher Kopjanski, 138 Feldspar – I'm under the impression that this is a brand-new meeting for a new application that the old application was unlawfully posted. And that now this is a new zoning application before the Commission and the Commission has full discretion to approve or deny this application. Is that correct?

DM: The new application was put in to mirror the application of 2017 so we can move forward and make the amendment to correct the publication of approval from the old application. It sounds. It's a real tough process.

BS: It is correct again that there is a new application. However, it must be taken into consideration what was done before. Just because members of a Commission change, that alone does not mean that they automatically have a right to make a new decision. They have to consider if there has been any key substantive change since that time, which to my understanding, not to be the case, and prejudice to the applicant also needs to be considered. So again. Yes, you are correct. This is a new application. However, it is an unusual set of circumstances. The Commission must take that all into consideration when making its decision tonight.

Mike Erlingheuser, 15 Lorraine Drive- maybe we should all look into an attorney.

Brian Teras, 4 Timber Ridge – If this amendment does not pass tonight, what does that mean? I'd like to say that I strongly oppose the approval of this amendment.

BS: If this draft resolution is not adopted tonight, then the applicant would not be able to go forward on its special exception.

Scott DiGioia, 40 Kaelas Way – I also oppose this.

Maureen Carroll, 90 Burton – Why would any of you not deny it?

Tricia Paugas – 39 Kaleas Way – I am also opposed to this

Mike Cleary, 17 Oakwood Drive - The glitch was regarding a parcel of land at Fairfield place and Burton road. Wasn't that a totally different development than what we're talking about? Was the announcement meant for that parcel? I join the others in opposition of the amendment.

DM: It was referencing the wrong development.

Mike Denovellis, 38 Kaleas Way – I'm against this.

Rebecca Rubino, 9 Hockanum Glen Drive – I am also against this

Paul Grammar, 12 Hockanum Glen Drive – I want to know what can be done to amend or repeal this.

BS: The law is such that just because members of a Commission change, that does not mean automatically that they necessarily have the right to make a different decision. Again, this is an unusual situation. There was a substantive approval. There was a defect in a legal notice that in essence was a clerical error. As I said before, there are various considerations, including prejudice to the applicant, that have to be taken into consideration. I expect when the Commission considers the motion tonight. It will have an appropriate discussion and vote accordingly.

Paul Grammar, 12 Hockanum Glen Drive – So as we're hearing the addresses were wrong. Multiple people on the road that this impacted directly have stated they have not been notified. Can't we believe that there are other errors that have not been addressed yet?

KR: I'm talking as an advocate for the town now - the reason why we're doing this is to allow due process to finally occur. The, the laws have been changed by the governor, that allows us to publish results on our website. Once it's published on the website. Then the appeals process begins. And there's a 15-day period. And that's why we have set an effective date. Not to not to steer this in any shape or form. But this is what this Commission is trying to do tonight is to effectively allow for the due process to occur for the publication to be done correctly. And for the process then to allow for the second step

Christopher Kopjanski, 138 Feldspar - I think there are too many public comments tonight, to be able to finish this meeting in a timely manner. It should be tabled until all public comments can be heard on this matter.

Diane Betkoski, 133 Blackberry Hill - I'm opposed to this change. I'm a past member of the Conservation Commission. I've worked on the plan of conservation. When the zoning change was made, did it align with this plan of conservation. I can list several errors of record, just of late, where we're making decisions on inaccurate information. One example is the house that just went up in 144 blackberry Hill. They used an aerial map, and it actually was a map that depicted a tent for someone's graduation party. So the house was sized and approved larger than the lap error. And there's numerous other issues that you can just drive around town and see that there are errors and what's appalling is that oftentimes members of these Commission, are the ones you see plowing bulldozers, and somehow getting a job. So, politics enter and that is a shame. This is a wonderful town, I'm a lifelong resident, and it's very upsetting that when you volunteer for a Commission job. People are not operating under the highest ethical standards.

Andrea Waxler, 83 Fieldstone Lane- I've been listening very carefully to the conversation. It sounds like there is a lot of chaos and confusion and what I'm concerned about is that this original zoning approval was in 2017. This is 2021, that a lot of the people on the Commission currently were not involved in the original zoning decision. And I believe that the decision tonight should be tabled so that all of the information needs to be gathered again and people are so disturbed by all of this that we need to pause and give everyone enough time to bring everything together for the people in the community to respond appropriately. I think 15 days is not enough, given is to set 2017, and now it's 2021. And we really need to pause and re address a lot of the issues that were brought this evening.

John Porpora, 48 Twin Oaks Trail, - I think the fact that we're just coming up and learning that there was an error in 2017 about this application says that number one it was never really a valid application, and that there should be a public hearing for all residents as to whether or not they're in favor of a zoning change application, because it doesn't seem like was ever noticed properly.

Tricia Paugas – 39 Kaleas Way –I understand that the Commission has changed. We've been here for almost seven years. And it's a very close-knit community. After all error after error after error and it seems to be kind of cycling between Commissions and boards. So how can you reassure us that an error like tonight is not going to happen again? We had an error tonight.

DM: There's no way I can assure that. I have been a resident of this Town for all of my life. We have a new board. It is really not an error, but an interpretation. At the beginning of the meeting, I had a dissertation as to why this meeting was taking place, what happened and how we can correct it. I can't put all that into an agenda.

Justin Wolfhanger, 6 Timber Ridge Road – Opposed to this as well. This is a major error no different than a police officer, not reading Miranda rights. So, I think you need to deny the application. You guys have the power right now to deny this.

DM: We cannot deny an application that has already been approved.

BS: I believe what the Chairman was trying to say is the fact that there was this clerical error, that alone is not a basis to deny an application.

Christopher Kopjanski, 138 Feldspar- Do you believe you have the authority to deny this application?

BS: I would agree there is authority, it's not a question of authority. The Commission does have the authority to determine whether it is appropriate to approve or deny this application. The Commission has to consider the circumstances, and make an appropriate decision based on the circumstance, so it's not a question of authority, but it's a question of what the appropriate decision is to make based on the circumstance.

Dan Gordon, 18 Oakwood Drive- When does this application expire?

DM: We have I believe 15 days for appeal, another 65 days after that we have to act, and that is after the special exemption hearing.

Motion made to take a ten-minute recess at 8:37 P.M. DM/MP, all ayes.

Hearing reconvened at 8:47 PM

Barbara Betkoski, 133 Blackberry Hill Road – I am opposed to any type of proposed zoning change.

Ann Walsh, 12 Dolly Drive – I would like for you to deny the amendment.

Nathan Zonas, 16 Oakwood – I'd like to speak in opposition of any zoning changes. Can anyone give me the name of the builder?

Dino Verrelli, 33 Kaleas Way- I oppose this. My understanding is that the Board in 2017 approved this zone change and this meeting was really a technicality of the notice. I think you have heard many people from the town. Clearly is there is a way that this can be overturned or denied, if that is legal to do, I would recommend that.

Connor Perry, 9 Coventry Lane - My family and I oppose any zoning changes and I just had one question, and clarification, first the clarification. How many houses exactly-are there going to be around 100? And also, the intersection at Blackberry Hill – How are we going to fix that problem? The roads are going to be backed up. How do we fix that?

DM: I cannot elaborate on that, that is not the call of this meeting. The nuts and bolts of this project will be discussed on the 4th.

Kristen Jockel, 20 Oakwood Drive - I understand you're trying to respect the due process for the applicant, but I would implore you to uphold the rights and concerns of the community. The decisions that you're rendering regarding these zoning changes and development plans are going to have consequences beyond just the physical addition of its of home to our town, and it's your reputation as Commission members that is under the microscope at this time. And so that being said I strongly oppose this new application and feel it should be denied. Thank you.

Millie Porpora 48 Twin Oaks Trail-I feel when there are mistakes made sometimes, you know, maybe this is a reboot were four or five years past the time of 2017, and now this is all coming up. Maybe it's time to look at it and say we deny this application, we deny this amendment. I just feel it's been going on for quite a while, and now all of a sudden we're being told that amendment should be made. People are very upset about it. People do not want it, this Commission represents the people of this town, and I wish that the Commission does listen to everyone and understand this amendment should not go through.

SB: Hopp Brook Developers LLC is the builder. Its listed with CONCORD who the members are. Its an LLC, a company.

Christopher Kopjanski, 138 Feldspar- How many units could be built with this zone change?

DM: I will not comment on that – that will be discussed at the March 4th meeting.

BS: In terms of specifics of a plan, that is not pertinent to a zone change application. That is relevant to a special exception application, that will come later.

Dan Gorton, 18 Oakwood Drive – Any public hearings moving forward should be in person.

Caryn Carson, 35 Kaelas Way- I would propose for the next meeting to include the Zoom link in addition to the dial-in number.

DM called for any other public comment. No further public comment.

SB: I think that I heard all the comments from the public. And I think that I should state that first, as far as this zone change regulation is concerned. There was a section 22 in the zoning regulations for this particular piece of property. And it allowed for 275 homes. And what precipitated the open space change was that that was going to be reduced. And so, when this zone change took place in 2017, Hopp Brook said we would reduce it to only 130 homes that could be in this particular zone which was less than half. And that was the basis for the zone change in 2017, it was approximately a 50% reduction in the number of homes on this specific land. And then the only other comment I wanted to make, or maybe two, is this is not an affordable housing application. Under Connecticut general statute 8-30G is absolutely not that at all. It's the application for the special exception, as the Chairman has said is published, and any homes that are proposed would be under that regulation. So, there's nothing about low-income housing. The only thing I'd like to say, and. And I know it's difficult because people own property near here. I think it's best to wait until you hear the facts before you form an opinion. I haven't given the presentation yet. Many of the things that you voiced concerns about you may, you may not have a concern after hearing the facts. I understand that if you don't know the facts that you, it's difficult. And you fear for the worst. So, I would just say to everybody, and I'll be respectful and listen to your comments. I just ask that you be respectful and wait until you hear what I have to say, and perhaps there won't be such a disagreement or so much opposition after we presented the facts.

But again, it was nothing that the applicant did, it was simply as the Chairman said he was an error by the clerk. On March 4th, I will present all the information I can to this board, and I want to work with this board to come up with a good project and. That being said, I, I wish this never happened and we could have just proceeded tonight, but I had nothing to do with it. So, I'm working with the Commission and trying to rectify this, and I know the chairman is and counselors, and I just want to proceed in the right way so that's why I'm not saying anything else tonight about the project itself.

Motion made to close public comment portion of the meeting. MR/CB, ayes- DM, MB, MR, MP, CB, RS. JB did not vote.

DM read the following draft resolution into the record:

WHEREAS The Beacon Falls Planning and Zoning Commission had received Application P-2017-212A for a proposed Change to Beacon Falls Zoning Regulations and a change to the Beacon Falls Zoning Map, including:

1. New Section 24 PROD Planned Residential Open Space District
2. Zone Change of R-1 to PROD (Attached Schedule A) for property identified collectively as Assessor's Map 12, Block 2, Lot 27 and Map 13, Block 1, Lot 13.

WHEREAS The Beacon Falls Planning and Zoning Commission had taken into consideration the 2013 Beacon Falls Plan of Conservation and Development (POCD) and had determined that the PROD is consistent with the POCD that was amended on January 19, 2017, allowing this type of cluster development.

WHEREAS The Beacon Falls Planning and Zoning Commission considered this application at a public hearing on June 15, 2017 and approved Application Number P-2017-212A at a regularly scheduled meeting on October 19, 2017.

WHEREAS A recent discovery has determined that the required publication of the decision to approve Application Number P-2017-212A was defective.

WHEREAS The Beacon Falls Planning and Zoning Commission has received a new (identical to P-2017-212A) Application PZC-091420-1-ZC for a proposed Change to Beacon Falls Zoning Regulations and a change to the Beacon Falls Zoning Map, including:

1. New Section 24 PROD Planned Residential Open Space District
2. Zone Change of R-1 to PROD (Attached Schedule A) for property identified collectively as Assessor's Map 12, Block 2, Lot 27 and Map 13, Block 1, Lot 13.

WHEREAS The Beacon Falls Planning and Zoning Commission has again taken into consideration the 2013 Beacon Falls Plan of Conservation and Development (POCD) and has determined that the PROD is consistent with the POCD that was previously amended to allow this type of cluster development and has not been revised since its inclusion.

WHEREAS The Beacon Falls Planning and Zoning Commission considered this application at a public hearing on February 11, 2021.

THEREFORE, The Beacon Falls Planning and Zoning Commission finds that Application Number PZC-091420-1-ZC CONFORMS to the requirements of the Beacon Falls Zoning Regulations, CONTINUES TO BE CONSISTENT with the Beacon Falls Plan of Conservation and Development and is thus approved with an effective date of March 1, 2021.

DM called for a motion to accept amendment as presented.

Motion made to table this resolution as presented. DM/MP all ayes.

4. Adjournment

Motion made by DM to adjourn public hearing at 9:16 PM. MP seconded. All ayes.

Respectfully submitted,

Lisa Daigle
Planning & Zoning, Clerk