

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



BEACON FALLS PLANNING AND ZONING COMMISSION  
Public Hearing  
May 20, 2021  
PZC Sponsored Zoning Text Amendment  
MINUTES  
(Subject to Revision)

1. Call to Order / Pledge of Allegiance

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 on Legal Notice section of Town of Beacon Falls website (per Governor Lamont's Executive Order 71)

**Members Present:** Donald Molleur (DM), Robert Starkey (RS), Marc Bronn (MB), Cody Brennan (CB) Michael Rupsis (MR), Michael Pratt (MP)

**Members Absent:** Jack Burns (JB), Harry Roscoe (HR)

**Others Present:** Regional Municipal Planner Keith Rosenfeld (KR), ZEO Mike Mormile (ZEO)

2. DM announced that he has opened the hearing for public comment regarding the PZC Sponsored Zoning Text Amendment – request to amend Article VI of the Town of Beacon Falls Zoning Regulations by creating a Section 69.13 to establish a proposed floating Residential Industrial Transitional Zone.

KR: I'm the Regional Municipal Planner, working with the Town of Beacon Falls. I would like to read the memorandum I drafted to the Planning & Zoning Commission into the record.

**BACKGROUND**

On October 17, 2019, the Beacon Falls Planning and Zoning Commission (as proposed by the commission) opened a Public Hearing to discuss a both a Transition Zone Regulation Amendment as well as several Property Zone Changes to a Transition Zone designation.

Described "from the end of Pinesbridge Road up to the property owned by Dr. Dey," the Chair described its purpose "is to get ahead of any possible issues that could arise because there is not a current buffer zone in that area".

Two citizens spoke that night, one stating that the change would only benefit one property, while another believed that the new regulations would not be enforced, regarding noise, lights, traffic, etc.

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The Public Hearing was continued to January 16, 2020 regarding the above-referenced proposed Transition Zone and associated property zone changes involving "Dr. Dey's property down to Beaurault [sic] Road".

One citizen questioned the number of properties that would benefit from the change and how the regulations would not be enforced and whether the commission had consulted with other neighbors regarding this proposed transition zone.

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The Public Hearing was then continued to February 20, 2020 regarding the above-referenced proposed Transition Zone and associated property zone changes on Pinesbridge Road.

Again, one citizen testified that night, speaking regarding the fees involved for a zone text change and the reasons that properties were getting this for free. The Chair stated that this was being considered because the Commission believed that it could be best for the town.

The Commission agreed at that meeting to continue the Public Hearing to March 19, 2020, a meeting which never occurred due to the start of the pandemic. No other action has been taken nor has a decision been made regarding either the Transition Zone and/or assorted property zone changes.

It is my recommendation that the Commission abandon the idea of creating both an amendment and several private property zone changes but rather have the Commission concentrate its efforts on creating an amendment that can be applied based on free market needs and/or developer/citizen demands.

#### **CURRENT STATUS**

A Public Hearing is now open to consider a Planning and Zoning Commission sponsored Zoning Text Amendment – request to amend Article VI of the Town of Beacon Falls Zoning Ordinances by creating a Section 69.13 to establish a proposed “Floating” **Residential Industrial Transitional Zone**.

This proposal contains no property zone changes, proposing solely an alternative to traditional zoning. As one would say, the Transition Zone can remain in the zoning “toolbox” until it is needed to be used.

Floating zones can be adapted to meet the specific needs of an impacted neighborhood when it appears that solutions cannot be found in the existing zones. Depending on the proposed usage, the regulations may require a homeowner to either obtain a special exception or site plan approval from the Planning and Zoning Commission or simply be allowed to redevelop his/her property with merely an administrative approval from the ZEO.

This zoning district is primarily intended to provide an acceptable range of land uses and controls for the reuse of underused and blighted residential properties adjacent to industrial uses and properties. The permitted uses are limited to low intensity office and service uses characterized by low traffic generation with little or no customer contact on the premises.

To maintain the residential qualities of the surrounding areas, stringent development and activity standards are imposed.

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In particular, the **Residential Industrial Transitional Zone** district is intended to create a stable edge along the boundaries of an existing industrial area by encouraging the preservation and enhancement of existing housing, including historic structures, and by allowing the provision of new housing, offices, galleries, studios, and other low impact commercial uses.

## CONTEXT

The Planning and Zoning Commission first adopts the floating zone regulations, which do not apply to any particular property, but merely designates a type of use that can be allowed in the municipality. Again, just another tool for the "toolbox" until they are needed to be used.

The second step would be for the actual change of zone.

Past cookie cutter benchmarks can now be replaced with development that is compatible to the specific context of the surrounding area and adjacent uses.

Enhanced design and site plan review can ensure that future development lessens the adverse impacts on the adjoining zones and provides for a smooth transition between them.

Property owners will be able to redevelop their properties in the face of changing needs and shifting economies, utilizing accepted building development guidelines and approved design standards. It is my recommendation that those property owners who are directly impacted by their proximity to industrial areas be the ones to initiate, finance and carry out those specific property zone changes.

RS: What about parking can we revise this? KR: We may want to revise this section – no truck parking adjacent to residential uses. KR: we are not talking about delivery trucks, but those that are part of the business.

DM: If we are putting a buffer around a building, we could have trucks in the back. I would leave it as is.

DM asked if any member of the public wanted to speak in favor of the proposed amendment, or in opposition. No comments from the public.

**DM made Motion made to accept proposal, pending review by Town Attorney, and suggested grammatical revisions table this resolution as presented.**

### 3. Adjournment

**Motion made by DM to close public hearing and adjourn at 7:16 PM.**

Respectfully submitted,

*Lisa Daigle*  
*Planning & Zoning, Clerk*