

## **PLANNING & ZONING COMMISSION REGULAR MEETING APRIL 14, 2020**

**Present: Regular members Chairman Jill Cutler, Ben Gray Jr., James LaPorta, Stephen Saccardi, Anna Timell, alternates Tommy Eucalito, James Terrall and Phill West AND LUA/ZEO Karen Griswold Nelson.**

**Absent: Regular member Keith Bodwell**

Chairman Jill Cutler called the meeting to order at 7:08PM. All members present were acknowledged with Mr. Terrall seated for Mr. Bodwell.

**Motion** made by Mr. Gray, seconded by Mrs. Timell, to amend the agenda to open the special meeting/public hearing prior to all other business; unanimously approved.

### **PUBLIC HEARING:**

**Hugh Cheney applicant/JP Morgan Chase Bank NA owner – Resubdivision of land for the creation of two residential lots (one 10 acre containing an existing single family residence) 72 Flat Rocks Road/Great Hollow Road. (Legal notice on Town website)**

The entire proceedings were recorded electronically (On Zoom) and are available in the Cornwall Land Use office.

Chairman Jill Cutler called the hearing to order at 7:11PM with regular members Jill Cutler, Ben Gray Jr. Stephen Saccardi, James LaPorta, Anna Timell, and alternate member James Terrall seated for the hearing.

The legal notice, as posted on the website was read into the record by staff.

Staff, (Griswold Nelson) stated that due to CoVid19 prescribed legal measures, the Legal notice, as being read, was posted on the Town website and not published in the Waterbury Republican.

Griswold Nelson stated that due to current COVID 19 prescribed legal measures, all of the information on file in the Land Use office, was to be posted (in PDF form) on the website prior to the opening of the meeting. It was stated that the information, posted on the website, that morning and available in the Land Use office included:

- A copy of the application, containing signatures of the applicant and property owner.
- Record subdivision mapping entitled “Proposed Re-Subdivision map prepared for Hugh Cheney – 72 Flats Rocks Road/Great Hollow Road, Cornwall CT dated April 6, 2020 prepared by Mathias Kiefer.
- A list of abutting neighbors to 72/Flat Rocks Road/Great Hollow Road
- Torrington Area Health approval.
- April 2, 2020 correspondence from the Office of the First Selectman regarding the status of Great Hollow Road.
- A report from the Cornwall Inland Wetlands agency as required by statute.

Griswold Nelson stated that receipts of certified mailings to abutting neighbors were not required by regulation and that the Land Use office has received no specific written communication either by mail or electronically pertaining to this matter.

Griswold Nelson stated that she had visited the site, both from a wetland and zoning perspective in her capacity as ZEO and IWWEEO, and that the information on the website for both the wetlands application and the subdivision application had been prepared by herself acting in her capacity as Land Use administrator. Griswold Nelson stated that all of her concerns have been satisfied. (Phil West in/no seated)

Attorney Peter Ebersol, from the firm of Ebersol and McCormick, Torrington, and legal representative for the applicant, addressed the proposed re-subdivision of the 69.826 acre parcel containing a single family residence into two parcels, one containing the existing residence, and the balance expected to be sold to the State of Connecticut.

There was general discussion of the requirements of the subdivision regulations to require that both parcels comply with current zoning regulations including lot size, setbacks, buildable area, and feasibility of septic and well and appropriate access. There was discussion of the Flat Rocks Road address rather than Great Hollow Road being used based on access for emergency (fire, ambulance, etc.) only feasible from the Flat Roads Road side. There was general discussion of the access for other property owners off the maintained section of Great Hollow Road (south) With agreement that all concerns had been satisfied

**Motion** made by Mr. LaPorta, seconded by Mr. Gray to close the public hearing at 7:24PM; unanimously approved.

**Motion** made by Mr. Terrall, seconded by Mrs. Timell, to amend the agenda to act on **PENDING APPLICATION - Hugh Cheney applicant/JP Morgan Chase Bank NA owner - Resubdivision of land for the creation of two residential lots (one 10 acre containing an existing single family residence) 72 Flat Rocks Road/Great Hollow Road** prior to all other business; unanimously approved.

**Motion** made by Mr. Gray seconded by Mr. LaPorta, to approve the application of **Hugh Cheney applicant/JP Morgan Chase Bank NA owner for the resubdivision of land for the creation of two residential lots (one 10 acre containing an existing single family residence) 72 Flat Rocks Road/Great Hollow Road** as per the oral and written testimony of the applicant and his representatives including the information and mapping referenced and made part of the record. It is the finding of the Planning and Zoning Commission that the applicant and his representatives have demonstrated that the application complies with the appropriate sections of the both the Zoning and Subdivision regulations; unanimously approved.

#### **REGULAR ZONING MEETING:**

##### **1. APPROVAL OF MINUTES:** March 10, 2020 regular meeting.

**Motion** made by Mrs. Timell, seconded by Mr. LaPorta to approve the minutes of the March 10th, 2020 regular meeting as presented; unanimously approved.

2. **NEW APPLICATIONS. NONE**
3. **PENDING APPLICATIONS.**
4. **CORRESPONDENCE AND COMMUNICATIONS RECEIVED.**
5. **LUA/ZONING OFFICER'S REPORT/ZONING PERMITS**

**Yearly renewal of ZP#0786 dated May 14, 2009 granted to Bianca Langer Griggs to conduct a seasonal farmers market. – 413 Sharon Goshen Turnpike.**

**Yearly Renewal of ZP#1004 dated March 2017 granted to the Cornwall Co-op Farm Market to conduct a seasonal farmers market on the Town of Cornwall Pine Street Town Green.**

Relating to the renewal of the farmers markets, Griswold Nelson addressed her knowledge of the current COVID19 pandemic's impact on the two farmers markets. Reading from an email from Pat Bramley, it was noted that Pat had suggested that farm stands could help lessen the impact of the current issues being faced by the Farmers markets. Griswold Nelson suggested that there be outreach, to both representatives of the Farmers Markets, Pat Bramley and Bianka Griggs regarding the change in regulations for Farm stands from special permit to zoning permit. There was discussion regarding the local vendors from both farmer's markets being encouraged to apply for permits and that the fee for these temporary, perhaps permanent stands, be waived if so deemed appropriate by the Commission.

**Motion** made by Mr. Gray, second by Mrs. Timell, that the \$75.00 fee for Zoning permits for Cornwall farmers markets vendors farm stands be waived and that the Land Use office contact the Farmer's market's representatives regarding the Commission's decision; unanimously approved.

6. **OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION.**
7. **WORKSHOP MEETING** – Update by chairman regarding the process for regulatory changes consistent with the newly adopted Town Plan of Conservation and Development,

There was general discussion of the process for moving forward on the process, (in the age of zoom meetings) for regulatory changes with members to review the implementation table and prepare their list of their top five priorities and forward them to chairman Jill Cutler.

## **8. ADJOURNMENT.**

**Motion** made by Mr. LaPorta, seconded by Mr. Gray, to adjourn at 8:15PM; unanimously approved

Respectfully submitted,  
Karen Griswold Nelson