

PLANNING & ZONING COMMISSION REGULAR MEETING APRIL 10, 2018

Present: Regular members David Colbert, Jill Cutler, Peter Kalmes, James LaPorta, Anna Timell, alternate members Virginia Potter, Phil West (in 7:25PM) Commission planning consultant Tom McGowan and LUA/ZEO Karen Griswold Nelson.

Absent: Stephen Saccardi and Ben Gray Jr.

Chairman David Colbert called the meeting to order at 7:010PM. Alternate member Ginny Potter was seated for regular member Stephen Saccardi.

PUBLIC HEARING: (Continued)

SP#244 – Cornwall LLC /Richard Wolkowitz, manager - Special exception for the construction of a single family residence and septic system outside of the buildable area – Section 4.6 “Minimum Lot and Dimension Requirements in an R-3 zone – Assessor’s Parcel D09-05-01/with access at northeast corner of Cream Hill and Cogswell Road.

The entire proceedings were recorded electronically and are available in the Cornwall Land Use office. Chairman David Colbert opened the public hearing at 7:10PM. Members David Colbert, Jill Cutler, Peter Kalmes, James LaPorta, Ginny Potter and Anna Timell were seated for the public hearing.

The legal notice as published in the Waterbury Republican on March 29 and April 6, 2018 was read into the record by staff (Griswold Nelson). Note was made that the hearing had been continued from the March regular meeting due to “a noticing defect” as well as inclement weather which resulted in the entire meeting being cancelled. The cancellation was posted on the website and the Library properly posted prior to the meeting.

Receipts of certified mailings to abutting neighbors as previously submitted, sent within the required time before the opening of the scheduled April 10 hearing were part of the record with note made that there is no requirement for the notices to be resent.

Information made part of the record.

- A copy of the application as found on file in the Land Use office and available electronically by request to the Land Use office.
- Note was made that the application has received Inland wetlands approval in June 2013. (Application and mapping made available for review.)
- 03/20/2018 correspondence from Julia Scott to David Colbert
- 03/08/2018 correspondence from James Fishman to Karen Nelson in the Land use office.

Staff advised the Commission of the administrative request that the hearing be continued to the May 8th meeting so that commission members may be afforded the opportunity to make individual site walks, The buildable areas and the proposed siting were to be staked out prior and commission members to visit the site on an individual basis or accompanied by staff.

The floor was opened to the applicant’s representative for his presentation.

Patrick Hackett, PE and representative for the applicant addressed the application and the mapping provided showing areas of wetlands and steep slope, areas of buildable area and the proposed area for a single family residence.

Phil West in 7:25PM (not seated)

There was questions raised (McGowan) regarding the section of the regulations that the applicant had chosen relating to the status of the pre-existing lot with clarification that the choice, as stated on the map, was 4.4 and not 4.6 and that a corrected legal notice would be published for the May 8th meeting.

In response to questions (commission and audience), there was clarification (First Selectman Ridgway from the audience) regarding the status of the former town road ("Old Cream Hill Road) on the subject property as discontinued or abandoned, details of the septic and access. The reasoning behind the choice of the site, as relating to grading, cut and fill, the cost of utilities, the contours of the site, the lack of complete ownership of an alternative access and the approved driveway was discussed by Mr. Hackett.

Staff provided mapping supplied and approved as part of the June 2013 Inland wetland approval with review by Commission members. Excerpts of the May 7 and June 4, 2013 Inland wetlands minutes were read into the record that addressed the conditions and details of the wetlands approval.

The floor was opened to the public.

Biffie Dahl Estabrook, raised questions and concerns regarding the application as submitted. In response to concerns as to the legal noticing, there was clarification by staff as to the noticing by the Town at large in the Waterbury Republican

Tracy Gray read written communications from Priscilla Rogers Boomer into the record. It was noted (Richard Wolkowitz) of his attempts to contact Priscilla Boomer regarding her property. Note was made by staff that the application had been approved according to the State of Connecticut/Town of Cornwall Inland wetlands regulations. (Correspondence cited Maryland Department of the Environment standards relating to wetlands impacts).

Motion made by Mr. LaPorta, seconded by Ms. Cutler, to continue the public hearing to the May 8th regularly scheduled meeting

1. APPLICATIONS FOR ZONING PERMITS. (See LUA/ZEO report.

2. APPROVAL OF MINUTES: February 13, March 20^h and January 20th meeting minutes.

Motion made by Mrs. Timell, seconded by Mr.; Kalmes to approve the minutes of the February 13, 2018 regular meeting; approved Mr.'s Colbert and Kalmes, Mrs. Timell and Mrs. Potter.

Motion made by Mrs. Timell, seconded by Mr. LaPorta to approve the minutes of the March 20, 2018 special meeting; approved by Mr.'s Colbert, Kalmes, LaPorta and West, Mrs. Timell and Mrs. Potter.

3. NEW APPLICATIONS: None.

4. PENDING APPLICATIONS.

SP#244 – Cornwall LLC /Richard Wolkowitz, manager - Special exception for the construction of a single family residence and septic system outside of the buildable area – Section 4.6 “Minimum Lot and Dimension Requirements in an R-3 zone – Assessor’s Parcel D09-05-01/with access at northeast corner of Cream Hill and Cogswell Road

5. CORRESPONDENCE AND COMMUNICATIONS RECEIVED.

- **March 29th, NWHCOG 5th Thursday meeting minutes and correspondence. (Colbert/Nelson)**
- **Cornwall in the Numbers prepared by Anna Timell**

6. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION.

7. LUA/ZONING OFFICER’S REPORT.

Yearly Renewal of ZP#1004 granted to the Cornwall Co-op Farm Market – Seasonal Farmers market on the Pine Street Town green to conduct a seasonal farmers market on the Town of Cornwall Pine Street Town Green. Renewed by staff.

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

ZP#1040 – Thalia Scoville/Fred Scoville – 36’ x 30’ agricultural structure (barn) to replace and enlarge old structure – 256 Town Street – Permit approved

ZP#1041- Richard Pandiscio – 13’ x 24’ deck on an existing single family residence – 111 Great Hollow Road. Permit approved.

ZP#1042 – Scott Harris – 12’ x 20’ accessory structure (no foundation) – 50 Kent Road. Permit approved.

Griswold Nelson addressed (and provided photo’s) of Chairman David Colbert and commission Planning Consultant receiving awards at the March 22, 2018 Connecticut Federation of Planning & Zoning Commission meeting in Plantsville.

8. PLANNING WORKSHOP to include but not limited to discussion of proposed “agricultural” regulations being brought forth for discussion by the Economic Development subcommittee, 2020 Plan of C&FD subcommittee reports and appointments and other zoning/subdivision regulatory matters.

Revised regulations and March 21st correspondence from town attorney Perley Grimes were made part of the record for discussion.

There was general discussion of the proposed regulations as relating to questions and recommendations made in the Grimes correspondence. There was discussion as to the meaning of secondary and/or subordinate uses and the consideration of guidelines as to give direction and guidance to staff and commission members in the future.

Motion made by Mrs. Cutler, seconded by La Porta, to set the proposed regulations with minor revisions as agreed upon for public hearing at the June 12th meeting; approved Mr.’s LaPorta and Kalmes, Ms. Cutler, Mrs. Timell and Mrs. Potter. Opposed by Mr. Colbert.

9. ADJOURNMENT.

Motion made by Mrs. Timell, seconded by Ms. Cutler, to adjourn at 9:30PM; unanimously approved.

Respectfully submitted,

Karen Griswold Nelson