

## **PLANNING & ZONING COMMISSION REGULAR MEETING JUNE 12, 2018**

**Present: Regular members David Colbert, Jill Cutler, James LaPorta, Stephen Saccardi, Anna Timell, and alternate members Virginia Potter, Phil West and Ben Gray Jr. (in 7:15) and LUA/ZEO Karen Griswold Nelson.**

**Absent: Peter Kalmes.**

Chairman David Colbert called the meeting to order at 7:030PM. Alternate member Ginny Potter was seated for Peter Kalmes

### **PUBLIC HEARING:**

**Amendments to the Zoning Regulations** - Amendments to Section 5.11 to include all agricultural/farming/farm regulations and definitions including the existing farmer's markets regulation; Amendments to Section 3.1 to include reference language to the Section 5.11., Section 3.3 to include "special permit" listed in Section 5.22, and Amendments to Section 16, "Definitions" to refer agricultural/farming/farm related definitions to Section 5.11.

The entire proceedings were recorded electronically and are available in the Cornwall Land Use office. Chairman David Colbert opened the public hearing at 7:03PM. Members David Colbert, Jill Cutler, James, LaPorta, Steve Saccardi, Anna Timell, and alternate member Ginny Potter were seated for the public hearing. Ben Gray Jr. in at 7:15.

The legal notice as published in the Waterbury Republican on June 1 and June 8<sup>th</sup> 2018 was read into the record by staff.

Documents made part of the record:

- A copy of the draft amendments on file in the Land Use office and on file in the Town Clerk's office, dated May 22, 2018, in compliance with statutory requirements that the amendments be on file in the Town Clerk's Office 10 days prior to the public hearing.
- Email Confirmation, dated May 4 from the Land Use office to Jocelyn Ayer at the Northwest Hills Council of Elected Official of the receipt of rough "unformatted" draft regulations sent to the Northwest Council of Government for review to comply with the 35 day statutory time frame.
- Copies of final draft amendment and guidelines, as amended including changes sent to the Land Use office by Commissioner Anna Timell on May 9<sup>th</sup> posted of the town website by Land Use administrator Karen Griswold Nelson.
- Copies of correspondence dated April 2, May 1 and May 4 from legal counsel Perley Grimes to David Colbert, chairman of the Planning and Zoning Commission.
- Copies of emails and communications between commission members, Tom McGowan dating from August to showing the original regulations proposed and the recommendations and proposed changes to the current regulations being brought forth.
- June email correspondence from the Northwest Hills Council of Elected Officials (Read into the record.)

Note was made that due to the fact that these amendment were being brought forth by the Commission, there are no other noticing requirements.

Correspondence s received by the Land Use office from Hector Prud'homme was read into the record as per oral request by Mr. Prud'homme.

Anna Timell, chairman of the Economic Development Subcommittee (members Timell, LaPorta, Cutler and Potter) addressed the process undertaken by the subcommittee and the Commission since 2016 to prepare and bring forth the regulations as presented, referencing documents used as guidance, including the 2010 Town Plan of Conservation and Development and "Planning for Agriculture – A Guide for Connecticut Municipalities – 2016 Edition". Mrs. Timell addressed input and meetings with Town Planner Tom McGowan, the Cornwall Agricultural Commission, among others.

The floor was opened the public for questions and comments.

Tommy Eucalito addressed his interest in starting a farm in Cornwall, raising questions regarding certain activities.

Gordon Ridgway, (First Selectman) addressed his support for proactive regulations, noting young people looking to farm and attend farm based events in the area. Mr. Ridgway addressed what is going on nationwide in support of agriculture and farming.

Debbie Bennett raised questions regarding the balance between incidental, accessory or subordinate uses and how such determination would be made.

Ben Gray Jr., (P&Z alternate) read tax language from the State Statutes, questioning if the regulations could be tied to the state tax code. (Information cited to be made part of the record to the Land Use office)

Hector Prud'homme, addressed his wishes to see the draft regulations improved in a comprehensive and careful matter.

Other questions and comments

Tommy Eucalito (disc golf course agricultural?)

Hector Prud'homme (farm home enterprises?)

Ben Gray need for clarification regarding Grimes and Ayer's input

Gordon Ridgway (farms allowed in all zones)

Tim Lundenborg (looking to start a brewery- special permit needed?)

Bill Dinneen, chairman of the Agricultural Commission and speaking on behalf of the Commission, commended the commission on all its efforts, adding that the Commission should take into consideration all what was said and submit a final draft for re-review.

Chairman Colbert reported on a phone conversation he had with Tom McGowan just before today's Meeting in which Tom McGowan expressed reservations regarding the current proposed regulations when compared to those prepared by attorney Grimes.

After discussion as to close, continue or review, it was agreed to review and revise and bring a new draft back to public hearing.

**Motion** made by Mr. LaPorta, seconded by Mrs. Cutler, to close the public hearing for **Amendments to the Zoning Regulations**; unanimously approved.

**Motion** made by Mrs. Timell, seconded by Mr. LaPorta to amend the agenda to act on **3. NEW APPLICATIONS** prior to all other business; unanimously approved.

Due to the applicant Joseph Rogers, in attendance, SP#246 acted on first. **SP#246/ZP 1049- G.A.G.S INC owner/Cornwall Plumbing and Heating LLC applicant – Change of Use from a gas/Convenience Store with/2 apartments to a Plumbing/Heating Business w/2 apartments – 103 Cemetery Hill Road. Set for public hearing July 10<sup>th</sup>, 2018.**

Mr. Rogers stated that he was withdrawing the application. No action taken.

**SP#245 – Cathleen and John McMahon applicant/owners – Special Permit for a detached accessory apartment – Section 8.10 – “Apartment uses in Residential Zones” – 240/246 College Street. Set for public hearing July 10<sup>th</sup>.**

#### **1. APPLICATIONS FOR ZONING PERMITS.**

**ZP#1045 – Carol and Michael Fleisher applicant/owners – 12’ x 8’ Screened Porch – 24 Flats Rocks Road. Permit approved.**

**ZP#1046 – Cara & (Richard) Weigold applicant/owners – 30’ x 40’ pole barn – no plumbing, no foundation, no residential or commercial components - 158 Bunker Hill Road. Permit approved.**

**ZP#1047 – Cheryl Hensen (Hensen Family Properties) owner/David Williamson owner – 10’ gazebo – 194 Dibble Hill Road. Permit approved.**

**ZP#1048 – Jeffrey Ward applicant/owner – 12’ x 35’ addition – 45 Pierce Lane. Permit approved.**

**ZP#1049 – GAG’S INC. /owner Cornwall Plumbing and Heating applicant – Change of use on a residential site from Gas/Convenience store with 2 apartments to Plumbing and Heating with 2 apartments – 103 Cemetery Hill Road. Set for public hearing.**

**2. APPROVAL OF MINUTES:** May 8<sup>th</sup> and January 20<sup>th</sup> meeting minutes.

**Motion** made by Mr. Gray, seconded by Mrs. Timell, to approve the May 8th minutes as presented; unanimously approved

#### **3. NEW APPLICATIONS:**

**SP#245 – Cathleen and John McMahon applicant/owners – Special Permit for a detached accessory apartment – Section 8.10 – “Apartment uses in Residential Zones” – 240/246 College Street. Set for public hearing July 10<sup>th</sup>.**

**Motion** made by Mrs. Cutler, seconded by Mrs. Timell, to set SP#245 for public hearing on July 10; unanimously approved.

#### **4. PENDING APPLICATIONS.**

**Amendments to the Zoning Regulations (as listed above)**

**Amendment to the Zoning Regulation Section 8. 12.4** of the regulations to read “No more than six guest rooms should be permitted” – Set for public hearing. July 10<sup>th</sup>.

**5. CORRESPONDENCE AND COMMUNICATIONS RECEIVED.**

**6. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION.**

**7. LUA/ZONING OFFICER'S REPORT.**

**8. PLANNING WORKSHOP** to include but not limited to discussion of the progress, the of 2020 Plan of C&DF, 2020 subcommittee (EDC, Natural Resources, Housing, Cultural, and Youth reports and appointments and other zoning/subdivision regulatory matters. Reports of Plan of C&D subcommittees

**HOUSING:**

**Motion** made by Ms. Cutler, seconded by Mrs. Timell, to appoint George Wolfe, Joanne Wojtusiak, Lisa Simont, Jackie Schiller and Ginni Block to the Housing Plan of C&D subcommittee; unanimously approved.

**ECONOMIC DEVELOPMENT**

With note that a name had been left off the list of members;

**Motion** made by Mrs. Cutler, seconded by Mrs. Timell, to add Jacque Schiller to the EDC Plan of C&D subcommittee; unanimously approved.

Mrs. Timell gave an overview of the recent subcommittee meeting. (Minutes on file and made part of the record.)

**NATURAL RESOURCES**

Mr. Colbert gave an overview of the work of the recent subcommittee meeting (Minutes on file and made part of the record). Mr. Colbert stated that they had been working on the creation of a map to try to show what areas of Cornwall might be best suited for increased density and that Jocelyn Ayer sent mapping and support information from the IHZ proposal of some years back.

**YOUTH** – Ben Gray and Phil West

Phil West offered to help Ben Gray Jr. in working on the posting of material regarding the POCD on the website. The Commission addressed preparing a survey and also having a POCD update Meeting for the Town tentatively to be held in the Town Hall in October.

**9. ADJOURNMENT.**

**Motion** made by Mrs. Timell, seconded by Mr. West to adjourn at 8:55 PM; unanimously approved.