

**PLANNING & ZONING COMMISSION REGULAR MEETING SEPTEMBER 10, 2019**

**Present: Regular members David Colbert, James LaPorta, Jill Cutler, Virginia Potter, Stephen Saccardi, Anna Timell and alternate James Terrell, Ben Gray Jr, and Phill West and LUA/ZEO Karen Griswold Nelson**  
**Others present: First Selectman Gordon Ridgway and Hector Prud'homme**

Chairman Colbert called the meeting to order at 7:06PM with a quorum established.

**PUBLIC HEARING: One Lot Resubdivion "Cow Plop Vista" – Estate of Marie Bissell Prentice and T Merrill Prentice AKA Tim - owners/Will Calhoun agent – Assessors Map 10 – Block-1- Lot 10 (Lot 2 of previous subdivision/129 Lake Road)**

Chairman David Colbert recused himself from the hearing.

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

Acting chairman Cutler opened the hearing at 7:10PM. Members seated for the hearing: Jill Cutler, Anna Timell, James LaPorta, Virginia Potter and Stephen Saccardi.

The legal notice as published in the Waterbury Republican on August 30<sup>th</sup> and September 6, 2019 was read into the record by staff.

Information made part of the record

Application and consent form for acting agent Will Calhoun.

Mapping entitled "Cow Plop Vista" 1 Lot resubdivision prepared for Tim Prentice dated March 15, 2019, sheets one and two, prepared by Jason Dismukes PE with accompanying survey map prepared and certified by Ronald McCarthy Torrington Area Health Approval dated September 10<sup>th</sup> (approved to revised plan dated September 9, 2019)

Receipts of certified mailings to abutting neighbors were submitted by Mr. Calhoun. It was noted that the Land Use office had forwarded out copies of the application electronically but had no received no specific written communication either by mail or electronically back. It was stated that the application received Inland wetlands approval.

The floor was opened to the applicant/agent and representatives for the application.

Jason Dismukes, PE with an office in Goshen was in attendance to represent the application. Mr. Dismukes supplied copies of revised plans as referenced in the Torrington Area Health approval made part of the record.

Mr. Dismukes addressed the basics of the plan, stating that the one lot re-subdivision for the Prentice Family was designed to allow the construction of a four bedroom home and driveway that would not be paved and still complied with the driveway requirements with the grade being less than 10% and providing for a 50' turning radius for emergency vehicles. Mr. Dismukes addressed notes added to the plan to address stormwater management. It was noted that Mr. Calhoun had met with the Town of Cornwall road supervisor and it was agreed that the sight lines as shown were acceptable with the sacrifice of a pine tree at the time of construction.

Mr. Dismukes addressed the delineation of the Mohawk Trail on the map, noting that the trail was not defined and was by easement and right to pass, such being acceptable in the plan design.

Mr. Dismukes addressed the buildable area, as shown on the page one of the mapping supplied and as further defined in an inset with "slope in excess of 25%" show in red on the second sheet of the mapping supplied. In response to requests from staff, Mr. Dismukes addressed the use of LIDAR mapping and discussed the change that technology could have on the buildable area definition addressing naturally occurring slope and sites that showed man-made features such as the remnants of an old town road bed cut across the hillside picked up by LIDAR on this site. (Griswold Nelson noted the use of LIDAR on the Cogswell Road/ Cornwall Limited Liability special permit for buildable area) With input from First Selectman Gordon Ridgway in the audience, it was agreed that the old town road bed was no longer part of the town highway/road system.

After general discussion, it was agreed that all concerns and questions had been answered.

There was no one in the audience that spoke for or against the application Motion made by Mrs. Timell, seconded by Mrs. Potter, to close the public hearing for **One Lot Resubdivion "Cow Plop Vista" – Estate of Marie Bissell Prentice and T Merrill Prentice AKA Tim - owners/Will Calhoun agent – Assessors Map 10 – Block-1- Lot 10 (Lot 2 of previous subdivision/129 Lake Road)**; unanimously approved.

**Motion** made by Mr. LaPorta, seconded by Mr. Saccardi, to amend the agenda to act on **Pending Applications** prior to all other business: unanimously approved.

### 3. PENDING APPLICATIONS:

**One Lot Resubdivion "Cow Plop Vista" – Estate of Marie Bissell Prentice and T Merrill Prentice AKA Tim - owners/Will Calhoun agent – Assessors Map 10 – Block-1- Lot 10 (Lot 2 of previous subdivision/129 Lake Road)**

**Motion** made by Mr. LaPorta, seconded by Mr. Saccardi, to approve **One Lot Resubdivion "Cow Plop Vista" – Estate of Marie Bissell Prentice and T Merrill Prentice AKA Tim - owners/Will Calhoun agent – Assessors Map 10 – Block-1- Lot 10 (Lot 2 of previous subdivision/129 Lake Road)** as per the mapping supplied and referenced and as the oral and written testimony of the record: unanimously approved.

Mr. Colbert returned to the proceedings.

### **APPLICATIONS FOR ZONING PERMITS. Under Zoning Officer Report**

#### **1. APPROVAL OF MINUTES:** August 21<sup>st</sup> special meeting minutes.

**Motion** made by Mrs. Timell, seconded by Ms. Cutler, to approve the minutes of the August 21<sup>st</sup> special meeting as presented: unanimously approved.

**2. NEW APPLICATIONS: None.**

**3. PENDING APPLICATIONS: ACTED ON PREVIOUSLY**

**4. CORRESPONDENCE AND COMMUNICATIONS RECEIVED.**

- Correspondence from the Cornwall Conservation Commission regarding the Summary of Public Comments from Cornwall's Community Forums
- Correspondence/notes from the NWCOG 5<sup>th</sup> Thursday/Anna Timell

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

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

**ZP#1069 – Paul Smith and Betsy Maura applicant/owners – Alterations and Additions to a single family residence including a two car garage – 11 Hart Hill Road. Permit approved.**

**ZP#1070 - Trinity Retreat Center owner/Gerald Smith applicant – Construction of a single family residence/Rector's Residence (replacing former dining hall) – 79 Lower River Road.**

**ZP#1071 – Sam Waterston – alterations to an existing accessory apartment – 92 Great Hollow Road.**

**ZP#1072 – Paul Kamin et al/Placement of temporary storage structures – 204 Town Street.**

Griswold Nelson gave an overview of the zoning permits listed.

Correspondence to the Planning & Zoning Commission, from Griswold Nelson, regarding 189 Great Hill Road was made part of and read into the record. It was stated that the correspondence relating to the concerns as the note on an approved subdivision map, stating "Existing House to be Approved" would be made part of the 189 Great Hill Road subdivision file for prospective buyers to reference regarding development of the site. (Griswold Nelson out/returning at 9PM)

**7. PLANNING WORKSHOP** to include but not limited discussion of Town Plan approval process, proposed regulatory changes consistent with the 2010 and 2020 Plans of C&D., 2020 subcommittee (EDC, Natural Resources, Housing, Cultural, and Youth) reports.

The Commission discussed how to move forward with both the 2020 POCD and possible changes to the Home Use and GB zone regulations. It was agreed that the Regular October Meeting would be devoted to the POCD and the Commission would schedule an additional Special Meeting for discussion of the regulation changes with planner Tom McGowan and any further discussion of the POCD. A Special Meeting was scheduled for October 22. The POCD's Public Hearing would remain on the November's Regular Meeting agenda unless the Commission, at its October Meetings, felt substantive changes to the posted draft POCD needed to be made.

Chairman Colbert led a discussion regarding potential revisions to the Home Use regulations. Memos written in August from planner McGowan were used as the basis for this discussion. Following discussion, Colbert agreed to draft the feedback from the Commission, send it along for review by the Commission prior to sending it along to McGowan who then would be asked to draft revised Home Use Regulations.

## **8. ADJOURNMENT**

**Motion** at adjourn at 9:15Pm unanimously approved.

Respectfully submitted

Karen Griswold Nelson