

## **PLANNING & ZONING COMMISSION REGULAR MEETING DECEMBER 10, 2019**

**Present: Regular members acting Chairman Jill Cutler, Keith Bodwell, Ben Gray Jr., James LaPorta, Stephen Saccardi (in 8PM), Anna Timell, and LUA/ZEO Karen Griswold Nelson.**  
**Absent: Alternates James Terrell and Phill West.**

Acting chairman Jill Cutler called the meeting to order at 7:05PM. All members in attendance were seated. At the request of staff and so as to address the election of officers with all regular members in attendance

**Motion** made by Mrs. Timell, seconded by Mr. Gray, to amend the agenda to add (and move) **ELECTION OF OFFICERS** as per Commission bylaws under **Agenda 6 - Other Business Proper to come before the Commission** and to add **New application SP#250 - West Cornwall Development Group - Special Permit for the change of use of the barn (currently approved for residential with a special permit for an apartment) to a Restaurant - 417 Sharon Goshen Turnpike:** unanimously approved.

### **PUBLIC HEARING:**

**Lawrence M. Stevens Jr. / Applicant-owner - Resubdivision of 293 Cream Hill Road- (Assessor's Parcel D12-01-02) - 4 residential lots including an existing single family residence in R-3/R5 zone.**

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

Acting chairman Jill Cutler called the hearing to order at 7:07PM with regular members Jill Cutler, Keith Bodwell, Ben Gray Jr., James LaPorta and Anna Timell seated for the hearing.

The legal notice as published in the Waterbury Republican on November 28th and December 5<sup>th</sup> was read into the record by staff (Karen Griswold Nelson/kgn)

Information as read into and made part of the record by staff (kgn)

- A copy of the application as found on file in the Land Use office and available electronically by request to the Land Use office Application signed by applicant/owner and appropriate fees have been submitted
- Mapping entitled Proposed resubdivision map prepared for Lawrence M. Stevens, 293 Cream Hill Road, prepared by Mathias Kiefer, dated September 26, 2019 (with
- Stevens Resubdivision - 293 Cream Hill Road, Cornwall CT, Site Development Plan - 100 Scale Site Plan prepared by Patrick Hackett, dated October 1, 2019
- Stevens Resubdivision - 293 Cream Hill Road, Cornwall CT, Site Development Plan - Lots 1 and 2 prepared by Patrick Hackett, dated October 1, 2019
- Stevens Resubdivision - 293 Cream Hill Road, Cornwall CT, Site Development Plan - Lots 3 and 4 prepared by Patrick Hackett, dated October 1, 2019
- Stevens Resubdivision - 293 Cream Hill Road, Cornwall CT, Sanitary Report prepared by Patrick Hackett, dated September 17, 2019
- Stevens Resubdivision - 293 Cream Hill Road, Cornwall CT, Driveway plan and profile to Lot 4 prepared by Patrick Hackett, dated October 1, 2019 - sheets 1 and 2

- Stevens Resubdivision – 293 Cream Hill Road, Cornwall CT, Erosion and Sedimentation Control Notes and Details, dated September 17, 2019
- Stevens Resubdivision – 293 Cream Hill Road, 100 Scale Site Plan – E&S Plan, dated September 17, 2019
- Stevens Resubdivision – 293 Cream Hill Road, 100 Scale Site Plan –Soils and slopes more than 20%, dated September 17, 2019
- Stevens Resubdivision – 293 Cream Hill Road, 100 Scale Site Plan –100 scale Open Space Plan - dated October 1, 2019.
- (As per Section 2.7 Public Hearing). 3 Public Notice. A Public Notice of any public hearing shall be given by the Commission as required by State Statute. (Said notice was read into the record)
- Request for Waiver dated October 1, 2019 in accordance with section 3.3.16 for flagging of wetlands
- (As per Section 2.7 .3) A list of names of all current adjoining property owners of record.
- (As per Section 2.9 - Decision on a Subdivision Involving Inland Wetlands) December 3, 2019 IWWA minutes showing discussion and action on App#637. (Made part of the record by staff)
- (As per Article III . 4 Sewage Disposal Report) A written sewage disposal report prepared by a qualified engineer and certified as accepted by the Health Official. October 3, 2019 report from Torrington Area Health.
- Technical request by staff (kgn) for waiver from the submission of a Mylar as shown under 4.2 Record Subdivision Map. The record subdivision map shall be prepared with an accuracy meeting or exceeding standards for a “Class A-2” type of survey as specified in the “Code of Recommended Practice for Standards of Accuracy of Surveys and Maps,” approved by the State Board of Registration for Professional Engineers and Land Surveyors. *All maps shall be clearly and legibly drawn on polyester film (Mylar) .003 thick or better, on sheets of 18” x 24” or 24” x 36”.*
- Reference was made by staff as to pertinent sections of the Zoning Regulations (Section 4 – Minimum Lot and Dimension Requirements for all Zones) for compliance with minimum lot areas and other dimensional requirements.
- Note was made by staff (kgn) that the Land Use office has received no specific written communication either by mail or electronically pertaining to application.
- Note was made by staff (kgn) that in accordance with Section 5.4 “Driveway and Accessways”, Driveway intersections with the street and separating distances between driveway intersections shall be located to provide adequate sight line distances based upon the street traffic volume and conditions and requirements of the Board of Selectmen or the State D.O.T. has been referred to the Board of Selectmen. Maps had been provided by staff to the Office of the First Selectmen and the public works department for their review and comment.

Representatives for the applicant, Pat Hackett, PE, Mathew Kiefer, licensed surveyor and legal representative for the property owner, Attorney William Manasse were in attendance to represent the application.

(Partial transcript of the public hearing attached to the minutes upon completion.)

**Motion** made by Mrs. Timell, seconded by Mr. Gray to close the public hearing for **Lawrence M. Stevens Jr./ Applicant-owner - Resubdivision of 293 Cream Hill Road- (Assessor's Parcel D12-01-02 ) - 4 residential lots including an existing single family residence in R-3/R5 zone; unanimously approved.**

**Motion** made by Mr. Gray, seconded by Mr. Bodwell, to amend the agenda to act on **PENDING APPLICATIONS. Lawrence M. Stevens Jr. / Applicant-owner - Resubdivision of 293 Cream Hill Road- (Assessor's Parcel D12-01-02) - 4 residential lots including an existing single family residence in R-3/R5 zone prior to all other business; unanimously approved.**

**Motion** made by Mr. LaPorta seconded by Mr. Gray, to approve the application of **Lawrence M. Stevens Jr. / Applicant-owner - Resubdivision of 293 Cream Hill Road- (Assessor's Parcel D12-01-02) - 4 residential lots** including an existing single family residence in R-3/R5 zone as per oral and written testimony of the applicant and his representatives including the information and mapping referenced and made part of the record and to grant the requested waiver. 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.

Mr. Saccardi in and seated for the balance of the meeting.

#### **ZONING APPLICATIONS:**

**ZP#1078 0 Covered Bridge Electric Bike Shop – Interior modifications for sales and food services - 421 Sharon Goshen Turnpike.**

1. **APPROVAL OF MINUTES:** November 12, 2019 meeting. Deferred at request of staff).

2. **NEW APPLICATIONS.**

**SP#250 – West Cornwall Development Group - Special Permit for the change of use of the barn (currently approved for residential with a special permit for an apartment) to a Restaurant – 417 Sharon Goshen Turnpike.**

**Motion** made by Mrs. Timell, seconded by Mr. LaPorta, to set **App#250** for public hearing at the January 14<sup>th</sup> regular meeting; unanimously approved.

3. **PENDING APPLICATIONS.**

**Lawrence M. Stevens Jr. / Applicant-owner - Resubdivision of 293 Cream Hill Road- (Assessor's Parcel D12-01-02) - 4 residential lots including an existing single family residence in R-3/R5 zone.**

4. **CORRESPONDENCE AND COMMUNICATIONS RECEIVED.**

**Report from staff on the October 29<sup>th</sup> 5<sup>th</sup> Thursday NWCOC meeting.**

Information from the October 29<sup>th</sup> COG meeting was made part of the record for discussion.

Griswold Nelson gave an overall summation of the three speakers, Michael Klemens from Salisbury, Tim Abbott from HVA and Ray Furse from SolarWorks regarding new applications being brought forward to both local commissions and the Connecticut Siting Council for renewable energy options, and in particular solar “farms” and/or arrays ranging from home, educational and municipal sites to large scale options. There was general discussion as to how these new applications could impact local communities and if and how local land use agencies and commissions could be proactive in making changes on the local regulatory level.

**5. ZONING OFFICER/LAND USE ADMINISTRATOR REPORT.** (See Election of Officers)

**6. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION.**  
**Approval of Meeting dates – Year 2020.**

**Motion** made by Mr. LaPorta, seconded by Mrs. Timell, to approve the meeting dates for the second Tuesday of every month , January 14, February 11, March 10, April 14, May 12, June 9, July 14, August 11, September 8, October 13, November 10 and December 8, Commencing at 7:00 p.m. at the Cornwall Library: unanimously approved.

**ELECTION OF OFFICERS:**

There was general discussion of the open roles of the three elected positions (Chair, vice chair, and Secretary) and the expectations of time, commitment, and expertise for the members willing to be elected to the three positions. Griswold Nelson addressed her plans as Land Use administrator to have evening hours available for all Land Use commission members (P&Z, IWWA and ZBA) to discuss and better understand the roles and interaction between the three entities under the Land Use Office’s supervision.

**Motion** made by Mr. Saccardi, seconded by Mr. Bodwell, to elect Jill Cutler as Chairperson, Ann Timell as Vice chairman, and James LaPorta as secretary; motion unanimously and seconded again by Mr. Gray and Ms. Timell; unanimously and collaboratively approved.

**7. WORKSHOP MEETING** with town planning consultant Tom McGowan, regarding proposed changes to the zoning regulations.

Griswold Nelson addressed email correspondence received that afternoon from Commission Town planner Tom McGowan regarding his inability to attend the evening’s meeting. There was general discussion of expectations regarding the implementation of the recommendations in the Town Plan in the year 2020 and staffing to move forward.

**8. ADJOURNMENT**