

PLANNING & ZONING COMMISSION REGULAR MEETING DECEMBER 12, 2017

Present: Regular members David Colbert, Peter Kalmes, James LaPorta, (Stephen Saccardi in 7:30 and out 7:45PM), Anna Timell, and LUA/ZEO Karen Griswold Nelson.

Absent: Regular members Jill Cutler and alternate members Virginia Potter and Ben Gray Jr.

Others present: First Selectman Gordon Ridgway and members of the public.

Chairman David Colbert called the meeting to order at 7:05PM. All regular members were seated for the evening's business.

PUBLIC HEARING

One Lot Resubdivision (validation) - Thalia Scoville owner/Fred Scoville applicant - Assessors Map E10-05-11 and as described as a 4.6 acre parcel in an R-3 Zone with access from Town Street.

The entire proceedings were recorded electronically and are available in the Cornwall Land Use office. Chairman David Colbert opened the public hearing at 7:07PM. Members David Colbert, Peter Kalmes, James LaPorta, and Anna Timell were seated for the public hearing. The legal notice as published in the Waterbury Republican on December 1st and December 8, 2017 was read into the record. Receipts of certified mailing were submitted for the record by the applicant, Mr. Fred Scoville.

Documents made part of the record by Commission staff:

- Copy of the signed application
- Re-subdivision map entitled "Scoville Resubdivision Town Street Cornwall Ct, Site Development Plan" prepared by Patrick Hackett, dated October 31st, 2017, Revisions "Resub notes November 2017".
- November 13, 2017 correspondence from Torrington Area Health showing approval of feasibility plan submitted for septic and well.
- Copy of Map#998 as recorded in Cornwall Land Records entitled "Map Prepared for Ralph I and Thalia Scoville, dated May 1981" by Richard Adams constituting record of an A-2 survey for Parcel B (parcel under consideration)

Griswold Nelson gave a brief overview of the application, addressing the decision by the applicant's legal counsel, Attorney Charles Roraback and Land Use staff to require the applicant to obtain re-subdivision approval to validate the creation of the lot so as to assure that the transfer of the parcel in the future would be legal and binding.

Patrick Hackett, P.E. and engineering representative for the applicant, gave an overview of the plans submitted and re-addressed the history of the site.

As relating to Section 5.7.4 c of the Subdivision regulations regarding open space, after general discussion regarding the transfer of the land being part of estate planning, it was agreed that the application met the provisions of the section and was exempt from any set-aside or fee-in-lieu of.

The floor was opened to the public for comment.

Lynn Scoville, Town Street, raised general questions regarding the process.

Hearing no concerns or questions from the Commission or the public regarding the application under discussion:

Motion made by Mrs. Timell, seconded by Mr. LaPorta to close the public hearing at 7:30PM: unanimously approved.

Motion made by Mr. LaPorta, seconded by Mrs. Timell to amend the agenda to act on **4. PENDING APPLICATIONS. One Lot Resubdivision (validation) - Thalia Scoville owner/Fred Scoville applicant** – prior to all other business: unanimously approved.

With agreement that the application complied with all of the provisions of the subdivision regulations including the requirements of Section 5.7. 4c for “Open Space”.

Motion made by Mr. LaPorta, seconded by Mr. Kalmes, to approve a **One Lot Resubdivision (validation) - Thalia Scoville owner/Fred Scoville applicant – Assessors Map E10-05-11 and as described as a 4.6 acre parcel in an R-3 Zone with access from Town Street as per the “Resubdivion Map supplied** “Re-subdivision map entitled “Scoville Resubdivision Town Street Cornwall Ct, - Site Development Plan” prepared by Patrick Hackett, dated October 31st, 2017, Revisions “Resub notes November 2017” and the oral and written testimony of the record, the applicant, and the applicant’s representative. As part of the approval, it is the Commission’s finding that the Application as filed complies with Section 5.7.4c for “Open Space” (Note to be added to the mylar to be filed). Motion unanimously approved.

Discussion of Agenda item #1 as part of **Agenda Item 7, ZEO report**

2. APPROVAL OF MINUTES. October 10th regular and October 20th Planning meeting and November 14 regular meeting minutes.

Action on October 10th minutes deferred.

Motion made by Mr. LaPorta, seconded by Mrs. Timell to approve the minutes of the November 14th minutes as presented; unanimously approved.

3. NEW APPLICATIONS:

SP#242 – Malka Percal applicant - Special permit for the proposed change of an existing non-conforming structure (partly within the front setback) from non-residential to a detached accessory apartment – 260 Sharon Goshen Turnpike.

Motion made by Mr. LaPorta, seconded by Mr. Kalmes to set application #S#242 for public hearing at the January 9th regular meeting; unanimously approved.

5. CORRESPONDENCE AND COMMUNICATIONS RECEIVED.

5th Thursday NWCOC meeting report from Anna Timell. Made part of the record. **Connecticut Federation of Planning & Zoning Agencies Quarterly Newsletter.**

To be discussed at a later date at the request of staff.

6. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION.

Chairman Colbert asked that the Commission consider moving the January 20th Planning meeting back to Town Hall so as to avoid scheduling conflicts at the school with agreement to do so.

Motion made by Mr. LaPorta, seconded by Mrs. Timell, to change the location of the January 20th Planning meeting to the Cornwall Town Hall commencing at 10AM; unanimously approved,

Chairman Colbert addressed the proposed membership of the Natural Resources 2020 Town Plan of C&D subcommittee, asking the Commission approve his recommendation for Debby Bennett, Marguerite Purnell, Hector Prud'homme and Katherine Freygang.

Motion made by Mr. LaPorta, seconded by Mrs. Timell, to appoint Debby Bennett, Marguerite Purnell, Hector Prud'homme and Katherine Freygang to the Natural Resources 2020 Town Plan of C&D subcommittee; unanimously approved.

7. LUA/ZONING OFFICER'S REPORT

General discussion and additional questions deferred until a later date.
Due to weather condition, Griswold Nelson out 8:00PM.

1. APPLICATIONS FOR ZONING PERMITS.

ZP#1033 Vladamir Parizksky owner/Sabin Landscaping – Construction of a tennis court – Whitcomb Way. Permit approved.

ZP#1034 – Kathleen Cain owner/Peter Rosalo applicant – 12' x 22' deck in existing footprint of screened in porch on a detached existing residential accessory structure ("farm hand house created in the 1950's) – 157 Cream Hill Road. Permit approved.

ZP#1035 – 26/44 Kent Road LLC– 8,000 square foot structure for the warehousing of lumber materials – 44 Kent Road.

ZP#1036 – Tom Levine applicant/owner – Covered walkway from main house to barn – 92 Town Street.

ZP#1037 – Kathryn & Douglas Green owners – Construction of a 28' x 36 garage – 344 Cream Hill Road.

8. PLANNING WORKSHOP to include but not limited to discussion of the fall Planning Forum, subcommittees and proposed "agricultural" regulations being brought forth for discussion by the Economic Development subcommittee.

Due to weather conditions, general discussion with extended discussion deferred to the January meeting when Town Planner Tom McGowan could be in attendance.

9. ADJOURNMENT.

Motion made by the chair to adjourn at 8:30PM; unanimously approved

Respectfully submitted

Karen Griswold Nelson