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May 4, 2018

Via email davidcolbert7@gmail.com

David Colbert, Chairman Planning & Zoning Commission
Town of Cornwall
26 Pine Street
P.O. Box 97
Cornwall, CT 06753

Re: Proposed Farming Regulation Section

Dear Chairman Colbert:

In accordance with our recent discussion, I have revised the 3/21/18 draft of the Cornwall Zoning Regulations to provide for a possible two-step process for the Commission to follow regarding accessory uses to farming operations. A copy of this revision is attached. In doing so, I have included most of the original text from the draft of 3/21/18.

The most significant change is the addition of the paragraph relating to a process for the Commission to follow regarding evaluating accessory uses related to farming. You will see that that procedure involves an initial determination by the Commission as to whether the proposed accessory use is significant or insignificant. If it is insignificant, the Commission may grant the permit without hearing. If it is determined by the Commission to be a significant impact on the neighborhood, then a special permit would be required following the procedure in the Regulations which includes a public hearing. In both instances the Commission would have the authority to impose modifications and conditions to the application for an accessory use. As we discussed, an alternate to this procedure would be the original proposal of 3/21/18 with the changes that I suggested in my letter to you of 4/2/18.

You asked in your email to me of 4/2/18 whether limitations on accessory uses other than farm stores and farm stands could be written into the Regulations. The answer is yes. It is within the discretion of the Commission to limit those other uses. For example, the various accessory uses could all be limited so as not to appear in the front yard of the main dwelling on the premises. Such a restriction would generally be in keeping with current residential neighborhood patterns. A Zoning Commission has broad discretion in creating amendments to its Regulations. In doing so, the Commission is acting in a legislative capacity. It has all



the power and authority confirmed upon it by Connecticut General Statutes § 8-2. Its discretion may be exercised in general to protect the public health, safety and general welfare and building values. Special exception regulations may be adopted subject to standards set forth in the regulations and to conditions necessary to protect the public health, safety, convenience and property values.

Should you or other members of the Commission have any questions concerning this proposal which affects the application process for accessory uses for farming operations, please feel free to give me a call.

Please advise the date of any public hearing on either proposal and let me know if I can be of assistance further prior to the public hearing.

Very truly yours,

Perley H. Grimes, Jr.
PHG:mcl
Attachment

cc: Gordon Ridgway, First Selectman
Thomas McGowan