


PNZ Ridgway Application

Ian Ingersoll <ian@ianingersoll.com>

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To: Land use <landuse@cornwallct.gov>

 1 attachments (2 MB)

Ridgway Farm Big Map;

Ian Ingersoll

136 Town Street

West Cornwall, CT 06796

Re: Opposition to Ridgway Proposed Business Location

Executive Summary of Our Opposition to the Ridgway Application

The Planning and Zoning Commission can not approve the Ridgway Application for a home business serving an alcoholic beverage in a residential neighborhood because it adversely affects the value of neighboring land and buildings, is a prohibited home business under Section 10.6.i.1 of the Cornwall Zoning Regulations and fails to protect the public, health safety, and welfare of those of us who live and enjoy recreation on Town Street.

The general requirements of the Cornwall Zoning Regulations include a statement that the purpose of such regulations is to conserve and maintain the value of land and buildings". The approval of the Ridgway application as written would have a material adverse effect on the value of neighboring residential properties.

Section 10.6.i.1 states, "a home business shall not include restaurants, bars, cafes, or other drinking and eating places." The Ridgway's application that includes a hard cider tasting room clearly violates this zoning regulation prohibition.

The Planning and Zoning Commission under Section 10.g.1 states that home businesses must “provide for the protection of public health safety and welfare” and, under Section 10.g.4, “must not hinder or discourage the use of neighboring properties, undermine the environmental quality, or result in adverse impacts to the public health, safety, and welfare.” The serving of an alcoholic beverage to patrons who must drive on a residential neighborhood road with many residential houses and on which numerous pedestrians walk and bicyclists ride is on its face adverse to the public health, safety, and welfare of Cornwall residents.

Expanding on those points:

Article 1 General Requirements and Administration 1.1.3 Statement of Purpose it says among other things, that the purpose of our regulations includes the statement: “to conserve and maintain the value of land and buildings.”

This commercial enterprise in our residential zone would devalue adjacent properties, creating financial loss not only to the neighbors' properties but potentially also to the subsequent devaluation in tax revenue to the town of Cornwall, as adjoining properties would have to be assessed at lower rates due to the presence of this commercial zone they are proposing. Currently, taxes in North Cornwall are four times higher than the same size properties in the village of West Cornwall. If the Ridgways were allowed to turn this into a commercial zone, it would be only fair to be taxed equally with other commercial zones.

The Town of Cornwall has meticulously honed our commercial districts to their current locations in the past for good reason. This apparent end run to get around our regulations of commercial businesses in residential zones should be turned down.

“10.6.i.1 Prohibited Home Businesses 1. A home business shall not include restaurants, bars, cafés, or other eating and drinking places.”

By any definition, this tasting room/store where the public is invited in and money is exchanging hands and sales taxes are being collected would be considered a Major Home Business and needs to abide by our regulations governing home businesses.

"10.6.g. Approval Criteria for Major Home Businesses The approval criteria for a Special Permit application associated with a Major Home Business shall include the following standards: "10.6.g.1. The Commission shall provide for the protection of public health, safety, and welfare." And "10.6.g.4. The nature and the extent of the use shall not hinder or discourage the use of neighboring properties, undermine the environmental quality, or result in adverse impacts to the public health, safety, and welfare. All applicable standards shall be incorporated into the associated plans."

Increased traffic created by this commercial enterprise will endanger pedestrians, including children riding their bikes to the lake and people walking their dogs on Town Street. Excessive noise from an outdoor bar will discourage outdoor use of our property. The minimal traffic associated with the farm stand, with cars stopping and starting and the slamming of doors, has always been tolerated by us, the immediate neighbors, as the farm stand serves the community need, but allowing a full-fledged store and bar goes well beyond acceptable disruption to the neighborhood. In this application, the Ridgways state that the "orchard is planned to be planted in the hayfield that is farthest away from the road and neighboring houses to minimize the impact on the surrounding area." This says that they know this project will impact the neighborhood, which they readily apply to planting trees, which make no noise, but are intentionally ignoring the impact of this commercial building project, with its invitation to the general public to visit as advertised on the internet, will have on the neighboring houses.

Additionally, as shown in the 1985 map on file in the town hall (see attachment below), this location designated as Parcel 4 is barely over 1 acre and is located in our 3-acre residential zone. The existing map on file in the town hall shows the Ridgway land as five distinct parcels treated separately in the December 20th, 1984 Conservation Easement Agreement signed by Bruce and Katherine Ridgway and accepted by William Morill, Commissioner of Superior Court. None of the rest of us would be allowed to build anything on such a small lot, let alone build a full-scale business, including a hard cider tasting room and a store. This store would be similar to the Weingold Farm Store just south of the Goshen Circle, which is located in a commercial zone. While the Ridgway farm already has access to a farm store with no cost to them at The Local in West Cornwall (in Cornwall's own commercial zone with

existing commercial traffic patterns), by their own admission in their application, this new venture will "increase traffic" in North Cornwall not only disturbing neighbors but also disrupting the use of Town Street by the many peaceful pedestrians from all over Cornwall who use this area of North Cornwall to walk and bike and otherwise enjoy the beautiful scenery as if it were a park within which to spend their time. We are happy to have all pedestrian and bike traffic visit here in North Cornwall, but this new commercial business will bring nothing but motorized disruption to our neighborhood. This public walkway/park will all be lost if this commercial venture proceeds.

In summation:

The serving of alcohol in a residential zone affects the neighboring property values and is not permitted under our home business zoning regulations. The PNZ would not be protecting the public safety and welfare as required by our zoning regulations. And allowing any building to be constructed on a one-acre lot in a three-acre zone would be contrary to our zoning regulations.

Ian Ingersoll

Cornwall Planning and Zoning Commission
Town Offices, Cornwall, Connecticut

September 5, 2023

Dear Commissioners:

I am writing in support of Ian and Jayne Ridgway's proposal to construct a barn to be used as a farm store and cidery and as an accessory apartment.

The Special Permit application and its Site Plan seem to thoroughly fulfill each of the requirements dictated by the Zoning Regulations. All the necessary prior approvals from Wetlands, Torrington Area Health, Building Official and Fire Marshall have also been obtained.

The accompanying narrative, which provides details concerning the structure, history and purpose of the undertaking, satisfactorily addresses all the topics properly under consideration in a Special Permit review, illustrating how the application aligns both with the letter of the Regulations and the spirit of the Town Plan of Conservation and Development.

This enterprise has the potential to enhance both Cornwall's agricultural and economic health, and to provide an affordable housing option, all while respecting energy efficiency and the conservation of natural resources.

According to the Site Plan, the site of the proposed barn is 300 feet up the existing drive and 116 feet from the nearest property line, almost three times the required setback of 40 feet. The building is also as close as possible to the line marking the boundary of the Conservation Zone, the placement in both cases apparently indicating a wish to minimize the impact of new construction on the neighborhood.

The most foolproof way not to excite opposition to anything on the grounds of change, traffic, increased density of development, expanded visits to Cornwall by those from out of town, etc., is of course to do nothing new. But maintaining a town of living, breathing, wage-earning people is going to involve adjusting to new circumstances and taking a longer look at what we presently consider Normal.

Farming has historically been messier, noisier, and yes, sometimes even smellier than is a neighborhood of single-family households, but this was the reality that many in Cornwall's older population grew up with, and the mental picture that many still hold as representing our lovely bucolic dream town. On the short road where I live, there is constant coming and going of tractors, trucks and wagons during haying season, with manure spreading and brush hogging of fence lines whenever they fit in. Along with most of my neighbors, I value this activity highly, and put up with any occasional inconvenience, grateful that there are still those willing to do the extremely hard work that keeps the land open and productive.

As for traffic, it doesn't sound to me as though this proposed operation is apt to create more than the fluctuations we already experience from weekday to weekend, or winter to summer, or during beach hours on both sides of the Lake. There is doubtless more vehicular activity and noise generated by mowing and leaf-blowing on residential lawns. Anticipating a similar push back in future discussions, any kind of housing beyond the single-family model is probably going to be questioned on the grounds of increased traffic, noise, or other disruption of the status quo, so we have to keep thinking about the kind of town we want, the people we need in it, and be willing to weigh those positive attributes against less vital considerations.

Margaret Cooley