

PLANNING & ZONING COMMISSION SPECIAL IN-PERSON MEETING NOVEMBER 28, 2023

Present: Regular members Anna Timell, Christine Gray, James LaPorta, Phill West, alternate member Bruce Bennett, and LUA/ZEO Karen Griswold Nelson

Absent: Regular members Keith Bodwell and Stephen Saccardi and alternates Will Evans and Michelle Shipp.

Others present: Commission Planning Consultant Janell Mullen

Chairman Anna Timell called the meeting to order at 7:04PM with a quorum established. Alternate member Bruce Bennett was seated for regular member Keith Bodwell.

CONTINUED PUBLIC HEARING SP#257 – Jayne and Gordon Ridgway owners/Ian Ridgway and Jayne Ridgway applicants - Special permit for a farm cidery and farm store as per 10.5.f (Agricultural & Accessory Uses subject to Special permit) and special permit for a detached accessory apartment as per Section 10.1 (Accessory Apartments and apartment uses) - 142 Town Street.

Chairman Timell addressed the Commission's decision to continue posting information on the website. Note was made of the Commission's intent to continue the public hearing for the receipt of information from the Inland Wetlands Agency and the intent and process for a Commission site walk.

Chairman Timell gave an overview of the process and procedure for the evening's continued public hearing for a special permit including timing.

Information on file in the Land Use Office (and as posted on the Minutes and Agenda website under "Materials for Continued Public hearing) and forwarded to all Commission members prior to the meeting

- Mapping entitled "Site Development Plan prepared by Gordon Ridgway 142 Town Street, by Colby Engineering and Consulting, Goshen CT, sheets 1 and 2, dated 11/12/2023
- Narrative prepared by Ian Ridgway and Jayne Ridgway 142 Town St. Cornwall, CT
- Legal notice for continued hearing as published in the Republican American and filed in the Town Clerk's Office, and posted on the Cornwall CT website under materials for Continued Public hearing.

The floor was opened to the applicant's representative, William "Bill" Colby, PE of Colby Engineering, Goshen, CT. Mr. Colby, referenced mapping (on file and as referenced) addressed the change in the plans for the cider barn from the original plans, including distance (over 700 feet), driveway design, conservation easements by the Conservation District as shown and changes as approved for parking and septic within the easement. Mr. Colby addressed the parking, the proposed accessory apartment, well and septic as approved by TAHD, setbacks and imperious surface, storm water management, and the requirement for a return to the Inland wetlands Agency.

In response to questions, (Mr. Bennett) as relating to lighting, Mr. Ian Ridgway gave an overview of the lighting. Hearing no other questions, the floor was opened to the co-applicant Ian Ridgway. Mr. Ian Ridgway read a letter into the record. (Placed on file)

The floor was opened to the Commission for questions.

In response to questions,

(Mr. Bennett) regarding hours, Mr. Ian addressed the expanded hours as addressed in the narrative

(Mr. LaPorta) regarding the essential nature of the a "tasting room," with Mr. Ridgway addressed his views regarding the essential nature regarding a tasting room.

(Mr. Bennett) regarding refrigerated storage with response from Mr. Ridgway.

(Ms. Gray) regarding details in the State Statute for Manufacturing permit for a farm winery, with response from Chairman Timell and Mr. Ridgway. (Note was made by staff that the document referred to was part of the record.

(Mr. LaPorta) regarding limits to amount of alcohol being served, with response from Mr. Ridgway. Chairman Timell) addressed information already made part of the record regarding the matter.

(Ms. Timell) regarding the current acreage of apples on the property, Mr. Ridgway addressed the current and future number of trees on the property.

The floor was opened to the audience.

Nancy Berry read correspondence into the record. (Written copy submitted)

Joseph Ellis, Town Street, addressed concerns and questions regarding various statements in the revised narrative. (Written communications supplied to the Commission secretary Griswold Nelson after the close of the hearing was made part of the record)

Betty Spence, Lake Road, read comments of support and concerns into the record.

Bill Berry, Lake Road, read correspondence into the record. (Written copy submitted)

Attorney Joseph Williams, from the firm of Shipman and Goodwin, Hartford, CT, and representative for Ian Ingersol, abutting neighbor, addressed concerns and issues from both the original and current versions of the application. Attorney Shipman addressed email correspondence regarding legal citations sent to the Land Use office (made part of the record and to be emailed to Commission members by staff kgn).

Ian Ingersol, 136 Town Street, addressed concerns regarding the application, relating to zoning regulations and case law. Written correspondence (file folders) was submitted for the record and to be distributed to the Commission member by staff.

Attorney Joseph Williams, from the firm of Shipman and Goodwin, Hartford, CT, and representative for Ian Ingersol, abutting neighbor, addressed additional concerns and issues from both the original and current versions of the application.

Motion made by Mr. LaPorta, seconded Mr. Bennett, to continue the hearing to the December 12th, 2023 regular meeting in the Cornwall Library in person and hybrid; unanimously approved

1. APPROVAL OF MINUTES; November 14 regular meeting

Motion made by Mr. LaPorta seconded by Mr. West to approve the minutes of the meeting (as filed with the corrected date); approved by members in attendance. Ms. Gray abstained.

There was general discussion by Commission members and staff as to protocol and process for public hearings with recommendations from Ms. Mullen regarding the same.

Discussion turned to the consideration and protocol for commission site walks. Griswold Nelson was to arrange a site walk with the applicant.

2. NEW APPLICATIONS; None.

3. PENDING APPLICATIONS

1. SP#257 – Jayne and Gordon Ridgway owners/Ian Ridgway and Jayne Ridgway applicants - Special permit for a farm cidery and farm store as per 10.5.f (Agricultural & Accessory Uses subject to Special permit) and special permit for a detached accessory apartment as per Section 10.1 (Accessory Apartments and apartment uses) - 142 Town Street.

2. Amendments to the Zoning regulations - Article 10.1 “Accessory Apartments & Apartment Uses”. Public hearing December 12, 2023 regular meeting.

3. Amendments to the Zoning regulations - Article 3 - “Definitions” – Buildable Area’ - Public hearing December 12, 2023 regular meeting.

4. SP#260 – Little Guild/Town of Cornwall/Cornwall Conservation Trust/applicants – Little Guild/Cornwall Conservation Trust – (owners)– Site Plan Modifications and modification to existing Special Permits– 285 Sharon Goshen Turnpike.

Motion made by Mr. LaPorta, seconded by Mr. West, to set Application **SP#260** for public hearing at the December 12th, 2023 regular meeting; unanimously approved,

4. CORRESPONDENCE AND COMMUNICATIONS.

(Referenced in minutes of receipt)

5. ADJOURNMENT.

Motion made by Mr. West, seconded by Mr. LaPorta to adjourn at 8:10PM; unanimously approved,

Respectfully submitted,

Karen Griswold Nelson for Commission secretary Phill West