

RECEIVED

NOV 30 2023

BY: *Van J. Dineen*
Town Clerk

**TOWN OF CORNWALL
PLANNING & ZONING COMMISSION
PO BOX 97 - CORNWALL, CT. 06753
Phone - (860) -672-4957 Fax - (860) - 672-4069
Email Landuse@cornwallct.gov**

November 2, 2023

Att: Executive Director: Robert Phillips
Northwest Hills Council of Governments
59 Torrington Road #A
Goshen, CT 06756

Enclosed please find a copy of amendments being proposed by the Planning & Zoning commission to amend and/or revise the following sections of the Cornwall Zoning Regulations: Section 10.1 Accessory Dwelling Units (entire section) and Article 3 - Definition of Buildable Area,

The Planning & Zoning Commission has set a public hearing date on this amendment for December 12, 2023, commencing at 7PM at the Cornwall Library, Pine Street Cornwall. .

Please address any comments to the Planning and Zoning Commission at the above referenced address.

Respectfully yours,

Karen Griswold Nelson
Karen Griswold Nelson, LUA
Town of Cornwall

**TOWN OF CORNWALL
PLANNING & ZONING COMMISSION**

Memorandum regarding amendment to current Regulations (Article 10.1 “Accessory Apartments & Apartment Uses”)

Prepared by Janell Mullen, Planning Consultant

Finalized and updated for Public Hearing on December 12, 2023

SUGGESTED LANGUAGE:

The suggested text amendment can be found verbatim below. This Section would be located within the Regulations as Section 10.1, which will be renamed from 10.1 “Accessory Apartments & Apartment Uses” to “Accessory Dwelling Units”.

10.1 Accessory Dwelling Units

a. Intent & Purpose

The purpose of this regulation is to broaden the Town's supply of dwelling units in all zones by allowing for accessory dwelling units (ADUs) (both attached and detached) by zoning permit. An accessory dwelling unit can be defined as a separate dwelling unit that is (a) is located on the same lot as a principal dwelling unit of greater square footage, (b) has cooking facilities, and (c) complies with (or is otherwise exempt) from any applicable building code, fire code, and health and safety regulations. The provisions of this section are intended to enable diverse housing options across all income levels in various locations throughout the Town of Cornwall.

b. Approval Process

An accessory apartment in a single-family dwelling (ie attached) shall require a zoning permit. An accessory apartment to be located in an accessory structure (ie detached) shall also require a zoning permit.

Any additional accessory dwelling units (aside from a first) on a single lot shall require a Special Permit.

The conversion of a single-family dwelling to a multi-family dwelling unit shall require a Special Permit.

This information is also represented in the table found below:

Type of ADU	Approval Process
Attached (located within a dwelling unit)	Zoning Permit
Detached (located within an accessory structure)	Zoning Permit (with site plan)
Additional ADU (whether attached or detached)	Special Permit (with public hearing)
Single-family conversion to Multi-family	Special Permit (with public hearing)

(original)

c. Specific Provisions for Accessory Dwelling Units

The following requirements shall apply to all Accessory Apartments in all Zones:

1. Compliance with other Codes/Requirements. The applicant shall provide documentation indicating approval from the local area health district (eg Torrington Area Health) certifying that the site's septic is adequate to support the proposed use. The Commission may require additional information to indicate compliance with other applicable requirements (such as Inland Wetlands requirements, building and/or fire code).
2. Parking. Adequate off-street parking shall be provided on the lot on which the accessory dwelling unit is to be located. The minimum parking required for an accessory apartment application shall be two (2) spaces for the principal dwelling and one for each accessory dwelling unit, as indicated on the **Table of Minimum Parking Requirements**.
3. Site Plan. A Site Plan/plot plan shall be required to show compliance. The plan shall be adequate to show compliance with setbacks, adequate and safe site and unit access (eg compliance with the driveway requirements) as well as the required off-street parking. The ZEO and/or Planning & Zoning Commission reserve the right to ask for additional information such as an A-2 quality survey to determine compliance.
4. Zoning Permit Filed on Land Records. Prior to the commencement of construction and/or the establishment of use, the owner shall file a copy of the Zoning Permit for an Accessory Dwelling Unit on the Town Land Records.
5. The livable floor area of the apartment shall be no greater than 1,200 square feet (unless approved by Special Permit) and shall be less than the livable floor area of the primary dwelling unit.
6. No more than one accessory apartment (attached or detached) shall be permitted on an individual lot without Special Permit approval.

d. Accessory Dwelling Units requiring a Special Permit

A Special Permit shall be required for:

1. A detached accessory dwelling unit greater than 1,200 square feet
2. A second accessory dwelling unit (attached or detached) on any lot. Only one attached and one detached accessory dwelling unit shall be allowed per lot.

e. Adaptive Re-use – Conversion of a Single-Family Dwelling to Multifamily

An application for conversion of an existing single-family dwelling to a multi-family dwelling shall meet the standards of the Special Permit requirements (**Article 8**) and satisfy the General Standards (**Article 5**).

DEC 50 2023

BY: *Kevin J. Dineen*
Town Clerk

**TOWN OF CORNWALL
PLANNING & ZONING COMMISSION**

Memorandum regarding amendment to current Regulations (Article 10.1 “Accessory Apartments & Apartment Uses”)

Prepared by Janell Mullen, Planning Consultant

Finalized and updated for Public Hearing on December 12, 2023

SUGGESTED LANGUAGE:

The suggested text amendment can be found verbatim below. This Section would be located within the Regulations as Section 10.1, which will be renamed from 10.1 “Accessory Apartments & Apartment Uses” to “Accessory Dwelling Units”.

10.1 Accessory Dwelling Units

a. Intent & Purpose

The purpose of this regulation is to broaden the Town's supply of dwelling units in all zones by allowing for accessory dwelling units (ADUs) (both attached and detached) by zoning permit. An accessory dwelling unit can be defined as a separate dwelling unit that is (a) is located on the same lot as a principal dwelling unit of greater square footage, (b) has cooking facilities, and (c) complies with (or is otherwise exempt) from any applicable building code, fire code, and health and safety regulations. The provisions of this section are intended to enable diverse housing options across all income levels in various locations throughout the Town of Cornwall.

b. Approval Process

An accessory dwelling unit in a single-family dwelling (ie attached) shall require a zoning permit. An accessory dwelling unit located in an accessory structure (ie detached) shall also require a zoning permit.

Any additional accessory dwelling units (aside from a first) on a single lot shall require a Special Permit.

The conversion of a single-family dwelling to a multi-family dwelling unit shall require a Special Permit.

This information is also represented in the table found below:

Type of ADU	Approval Process
Attached (located within a dwelling unit)	Zoning Permit
Detached (located within an accessory structure)	Zoning Permit (with site plan)
Additional ADU (whether attached or detached)	Special Permit (with public hearing)
Single-family conversion to Multi-family	Special Permit (with public hearing)

c. Specific Provisions for Accessory Dwelling Units

The following requirements shall apply to all Accessory Dwelling Units in all Zones:

1. Compliance with other Codes/Requirements. The applicant shall provide documentation indicating approval from the local area health district (eg Torrington Area Health) certifying that the site's septic is adequate to support the proposed use. The Commission may require additional information to indicate compliance with other applicable requirements (such as Inland Wetlands requirements, building and/or fire code).
2. Parking. Adequate off-street parking shall be provided on the lot on which the accessory dwelling unit is to be located. The minimum parking required for an accessory dwelling unit shall be two (2) spaces for the principal dwelling and one for each accessory dwelling unit, as indicated on the **Table of Minimum Parking Requirements (Article 11)**.
3. Site Plan. A Site Plan/plot plan shall be required to show compliance. The plan shall be indicate setbacks, adequate and safe site and unit access (eg compliance with the driveway requirements) as well as the required off-street parking. The ZEO and/or Planning & Zoning Commission reserve the right to ask for additional information such as an A-2 quality survey to determine compliance.
4. Zoning Permit Filed on Land Records. Prior to the commencement of construction and/or the establishment of use, the owner shall file a copy of the Zoning Permit for an Accessory Dwelling Unit on the Town Land Records.
5. The livable floor area of the accessory dwelling unit shall be no greater than 1,200 square feet (unless approved by Special Permit) and shall be less than the livable floor area of the primary dwelling unit.
6. No more than one accessory apartment (attached or detached) shall be permitted on an individual lot without Special Permit approval.

d. Accessory Dwelling Units requiring a Special Permit

A Special Permit shall be required for:

1. A detached accessory dwelling unit greater than 1,200 square feet
2. A second accessory dwelling unit (attached or detached) on any lot. Only one attached and one detached accessory dwelling unit shall be allowed per lot.

e. Adaptive Re-use – Conversion of a Single-Family Dwelling to Multifamily

An application for conversion of an existing single-family dwelling to a multi-family dwelling shall meet the standards of the Special Permit requirements (**Article 8**) and satisfy the General Standards (**Article 5**).

**TOWN OF CORNWALL
PLANNING & ZONING COMMISSION**

Memorandum regarding amendment to current Zoning Regulations

Article 3- Buildable Area definition

Prepared by Janell Mullen, Planning Consultant

Finalized and updated for Public Hearing on December 12, 2023

The definition to “**Buildable Area**” (Section 3 pg 5) shall read:

A rectangular area of a lot, with a minimum dimension of one-hundred (100) feet per side, that contains no wetland soils, waterbodies, watercourses, utility and/or access easements, rights-of-way, or any naturally occurring slope exceeding twenty-five percent (25%) as measured by using two (2) foot intervals. All buildings, except for accessory buildings that are less than two-hundred and fifty (250) square feet, shall be located within a buildable area.

TOWN OF CORNWALL

PLANNING & ZONING COMMISSION

Memorandum regarding amendment to current Zoning Regulations

Article 3- Buildable Area definition

Prepared by Janell Mullen, Planning Consultant

Finalized and updated for Public Hearing on December 12, 2023

The definition to **"Buildable Area"** (Section 3 pg 5) shall read:

A rectangular area of a lot, with a minimum dimension of 100 feet per side, that contains no wetland soils, waterbodies, watercourses, utility and/or access easements, rights-of-way, or any naturally occurring slope exceeding twenty-five percent (25%) as measured by using two (2) foot intervals. All buildings, including accessory buildings greater two-hundred and fifty square feet, shall be located within a buildable area.