

PLANNING & ZONING COMMISSION REGULAR NOVEMBER 12, 2024 HYBRID MEETING

Present: Regular members Anna Timell, Keith Bodwell (Zoom) Christine Gray (Zoom), James LaPorta, Stephen Saccardi and Phill West, Alternates Bruce Bennett, Will Evans and Michelle Shipp, and LUA/ZEO Karen Griswold Nelson

1. Call to order/Establish quorum.

Chairman Anna Timell called the Public Hearing to order at 7:02PM with a quorum established. All members participated in the hearing and the evening's business.

PUBLIC HEARING:

Text amendments to the Town of Cornwall Zoning Regulations:

Within current regulations: Changes to Article 3 Definitions and Interpretations – “Building” “Height”, and “Structure”: Article 6 update to 6.1 Table of Dimensional Requirements” 6.2 “Exceptions to Dimensional Requirements”; and Additional Amendment – the omission of 10.7 “Mixed Uses” and renumbering

The entire proceedings were recorded electronically and are available on the Town of Cornwall website. The floor was opened to staff to address and read information made part of the file into the record.

- The legal notice (as posted on the Cornwall website (with explanatory text/Mullen document) and as published in the Waterbury Republican November 1st and November 8, 2024)
- A copy of the draft amendments on file in the Land Use office and on file in the Town Clerk's office, in compliance with statutory requirements that the amendments be on file in the Town Clerk's Office 10 days prior to the public hearing with attachment to NHCOCG)
- Email correspondence from the Land Use office emailed (October 24, 2024) to Robert Phillips at the Northwest Hills Council of Governments for regulation review to comply with the 35-day statutory time frame.
- Document entitled Regulatory changes – structure and height prepared by Janell Mullen for November 12, 2024, public hearing.

Chairman Timell addressed the proposed changes as “cleaning up definitions” including structure and height, changing the height requirement and clerical corrections to Section 10.7 mixed uses.

The floor was opened to the public for comments and questions. Hearing none,

Motion made by Mr. West, seconded by LaPorta, to close the public hearing for the text amendments as listed; unanimously approved.

PENDING APPLICATIONS.

Text amendments to the Town of Cornwall Zoning Regulations:

Within current regulations: Changes to Article 3 Definitions and Interpretations – “Building” “Height”, and “Structure”: Article 6 update to 6.1 Table of Dimensional Requirements” 6.2 “Exceptions to Dimensional Requirements”; and Additional Amendment – the omission of 10.7 “Mixed Uses” and renumbering.

Motion made by Mr. LaPorta, seconded by Mr. West, to approve the text amendments to the Zoning regulations as presented, with an effective date of December 1, 2024. As part of the approval, the text amendments were found to be consistent with Plan of Conservation and Development goals of updating regulations for statutory compliance; unanimously approved.

1. APPROVAL OF MINUTES; October meeting minutes

Motion made by Mr. West, seconded by LaPorta, to approve the minutes of the October meeting as presented: unanimously approved.

2. NEW APPLICATIONS: None.

3. PENDING APPLICATIONS.

- A. Text amendments to the Town of Cornwall Zoning Regulations:
Within current regulations: Changes to Article 3 Definitions and Interpretations – “Building” “Height”, and “Structure”: Article 6 update to 6.1 Table of Dimensional Requirements” 6.2 “Exceptions to Dimensional Requirements”; and Additional Amendment – the omission of 10.7 “Mixed Uses” and renumbering of Section 10. (Acted on after close of hearing)**

Motion made by Mr. Bodwell, seconded by Mr. West to change the order of business on the agenda to act on all other matters prior to the arrival of Mr. Jones; unanimously approved.

4. CORRESPONDENCE AND COMMUNICATIONS

- Request from the Cornwall Conservation Trust regarding the acquisition of open space land – Deferred.**

5. STAFF REPORT -

- LUA/CZEO – Karen Griswold Nelson
Enforcement Actions – KGN**

ZP#1226 - Scot McCartney owner/John Steitzel applicant – Installation of a LP Propane gas Tanks – 18 Frederick Drive – permit approved.

ZP#1227 - Victoria & Mark Nadler owners/PK Contracting applicants – reconstruction of a mudroom – 113 Popple Swamp Road. Permit approved.

ZP#1228 - Jon Tietz owner/LaPlaca Oil and Propane – Installation of an above ground propane tank – 328 River Road. Permit approved.

ZP#1229 – John Repas owner/Thomas Electric – Installation of a generator – 136 Kent Road. Permit approved.

ZP#1230 – Patricia Bramley – 17’ x 24’ deck – 29 Poughkeepsie Road. Permit approved.

ZP#1231 – Edward and Rose Pinette – Installation of a generator - 150 College Street Permit approved.

ZP#1232 – Tina Jupiter owner/Wright Electric – Move of a generator from the garage to appropriate outdoor site – 20 Whitcomb Way. Permit approved.

ZP#1233 – CHF Cornwall LLC – Modifications to an enclosed porch, installation of a generator, etc. - 40 Cobble Hill Road. Permits approved.

ZP#1234 – Ann Gold - Inground propane tank for a generator and other site improvements – 199 Cream Hill Road. Permit approved.

ZP#1235 – Kate Ward applicant/owner – signs for 366 Furnace Brook Road.

Griswold Nelson addressed the sign-off on the signs as forwarded to Commission prior to the meeting.

6. PLANNING WORKSHOP MEETING –

- **Bylaw review committee report**

Bylaw committee members Christine Gray and Phill West presented an oral report with recommendations. There was some discussion of how by-laws are typically used and what is or is not appropriate to include. The Commission decided to create a separate document for newcomers describing the expectations re: self-preparation (reading the POCD and the Regulations), formal continuing education and attendance.

Note was made by Griswold Nelson that bylaw encompassed meeting dates, times and method and the requirement to file meeting dates with the Town Clerk by November end. Accordingly, Griswold Nelson was directed to file 2025 meeting dates in accordance with the requirement to file such a date with the Town Clerk by December.

Motin made by Mr. Laporta, seconded by Mr. Bodwell that 2025 regular monthly meetings would remain the second Tuesday of the month, (barring holidays), in person and hybrid at the Cornwall library; unanimously approved.

- **Plan Goal discussion – expansion of commercial zones.**

LUA Nelson was directed to bring the large-sized zoning maps to the December meeting. The Commission requested that chairwoman Timell once again invite the EDC to participate/send a representative regarding the matter.

7. STAFF REPORT – as part of zoning permit.

8. CORRESPONDENCE AND COMMUNICATIONS

1. Request from the Cornwall Conservation Trust regarding the acquisition of open space land – Discussion upon arrival of Bart Jones

Caitlyn Lynch of the Cornwall Affordable Housing Commission and Ginni Block of the Cornwall Housing Trust took part as audience members.

During the discussion it was noted that some of conserved land that abutted Route 4 close to Cornwall Village, had already been perc tested in the past and had an approved curb cut. Noting that it would have been ideal as a housing lot, but the seller did not want to consider it, it was recommended that the Cornwall Housing Corporation be represented at meetings with future donors or sellers if such circumstances repeat themselves.

After discussion,

Motion made by Mr. West, seconded by Mr. Bodwell, to endorse the two proposed property purchases. As part of the motion, Chairman Timell was directed to write an appropriate letter to the DEEP. There was a wider discussion of how to ensure that Cornwall's varying Boards, Commissions and Committees collaborate more closely with each other. It was suggested that changes be made to how the Annual Planning Meeting be conducted, perhaps a group discussion of how all Plan partners could support each other. It was suggested that the Commission could also invite representatives from pertinent groups to attend a Commission meeting to discuss how the Commission can help each other meet their goals. Motion called – all in favor with Chairman Timell abstaining.

9. ADJOURNMENT.

Motion made by Mr. West, seconded by Mr. Saccardi to adjourn at 8:35PM; unanimously approved.

Respectfully submitted,

Karen Griswold Nelson for Commission secretary Phill West