

PLANNING & ZONING COMMISSION REGULAR APRIL 8, 2025 HYBRID MEETING

Present: Regular members Anna Timell, Keith Bodwell, Christine Gray, James LaPorta, Stephen Saccardi, Alternates Bruce Bennett, Will Evans and Michelle Shipp and LUA Karen Griswold Nelson.

Absent: Regular member Phill West

Others present: Planning Consultant Janell Mullen. Members of the public including First Selectman Gordon Ridgway, Selectman Rocco Bocco, Cornwall Housing Commission chair Ginnie Block, and Maggie Cooley (Zoom).

Chairman Anna Timell called the meeting to order at 7:04PM with a quorum established. All members participated in the evening's business.

1. APPROVAL OF MINUTES; March regular meeting.

Motion made by Ms. Gray, seconded by Mr. Bennett, to approve the March minutes as presented: approved by members Timell, Gray, LaPorta, Saccardi, Bennett, and Shipp. Mr. Evans and Bodwell abstained due to non-attendance.

2. NEW APPLICATIONS: None

3. PENDING APPLICATIONS. None

4. CORRESPONDENCE AND COMMUNICATIONS.

5. STAFF REPORT -

LUA/CZEO - Karen Griswold Nelson

Enforcement Actions - KGN - none reported.

ZP#1250 - James Vanicky applicant/owner - addition (deck to a single family residence) - 41 Ballyhack Road.

ZP#1251 - William Schenk owner/Cornwall Hospitality LLC applicant - Alteration of a existing structure for a change in use (storage/garage) to food service consistent with historic general store - 25 Kent Road.

ZP#1252 - Skip Lush owner/Valley View Services LLC - Installation of a generator - 112 Cream Hill Road - permit approved.

ZP#1253 - Frederick Bushnell applicant/owner - Installation of a propane tank and generator and placement of a garden shed - 67 Pierce Lane - permit approved.

6. PLANNING WORKSHOP MEETING -

Members of the public, as listed in "Others Present" were invited to take part in the discussion centered on how to increase housing/lot availability in general.

- **Affordable Housing Commission:** Chair Jill Cutler's e-mail was read aloud. Recommendations were: 1. free first cut for children and 2. stipulate that anyone building in a town center must build a multiple-unit dwelling.

- **Board of Selectmen:**
 1. Gordon Ridgway: Cornwall needs an overall Housing Plan. Needs include growing grand list, homes for down-sizers, opportunities for young people who don't qualify for Affordable Housing, dealing with the "geometry of no". The latter consists of set-back requirements and the requirements of the buildable area, all of which tend to increase the size needed for a given lot. We should look at these issues, as well as the zoning map and consider increased flexibility in the "free first cut".
 2. Rocco Botto: Consider decreasing minimum lot sizes (in the 2020 POCD "where appropriate" is stated, look at what this means); keep ecological concerns in mind; consider an overlay zone; we need a "healthy town" with a mix of house types.
- **Affordable Housing Corporation:** President Ginni Block stated that Cornwall needs more moderate-income housing as well as low-income housing. She advised looking at setbacks and mentioned an instance where meeting setback requirements was especially difficult. (Post hoc comment from Anna: problems meeting setback requirements can be addressed by the ZBA).

Commissioners:

- **Stephen Saccardi:** Consider allowing a "cut" (ie. subdivision) where a property is "close" to having enough land for 2 lots, especially for children. There followed discussion about the fact that we could not include discriminatory requirements concerning people/owners in any land use regulation due to the Federal Fair Housing Act.
- **James LaPorta:** We might consider soil-based zoning like Kent has, although this would be expensive. He is generally **not** in favor of changing buildable area requirements. Reiterated the need to keep environmental concerns in mind, especially when it comes to driveways. Reminds us again that there are 317 vacant building lots in Cornwall, according to the Assessor. He suggests expanding our village centers.
- **Bruce Bennett:** Cost of housing is high due to Building Codes. Consider expanding 1-acre zones.
- **Will Evans:** Recommends free "second cut". This triggered a discussion of Chapter 126 of the State Regulations, which governs subdivisions and restricts free cuts. Anna will send the Commissioners a copy of the statute.
- **Keith Bodwell:** Agrees with looking at buildable area, especially the requirement of a rectangular shape which does not always work with Cornwall's topography.
- **Christine Gray:** Agrees that we should reconsider rectangular buildable areas. She also supports the creation of smaller lots in R5 and R3 zones.
- **Planning Consultant Janell Mullen:** Asked us to consider "underutilization", an example being the conversion of homes to short-term rentals and houses that are empty. There followed a discussion of regulating short-term rentals as opposed to prohibiting them. Using a home for short-term rentals in Cornwall should be a privilege. CT recently had a Supreme Court case about the limits of power of Zoning Commissions.
- **Anna Timell:** Rather than making a sweeping decision that "gets rid of" 5-acre zoning (since Cornwall is alone in the Northwest Corner in having this lot size requirement), we should consider an intermediate step of allowing scattered 4 acre lots in R5 zones, and 2 acre lots in R-

3 zones. We could control the circumstances in which this could be done and Cornwall could find out how that works.

Action Outcomes:

1. Christine, Keith, and James will form a Sub-Committee to look at Buildable Areas.
2. Anna and Bruce will look at set-backs.
3. Bruce will use his contacts in Kent to find out more how they got to soil-based zoning and what the outcomes have been.

The discussion was continued to the May regular meeting

7. ADJOURN.

Motion made by Mr. West, seconded by Mr. Bodwell, seconded by Mr. Grany to adjourn at 8:20PM; unanimously approved.

Respectfully submitted,

Karen Griswold Nelson for Commission Secretary Phill West