

**CORNWALL PLANNING COMMISSION**  
**REGULAR MEETING MINUTES**  
March 16, 2011  
Cornwall Town Hall

Present were: Jim Bolton, Holly Noordsy, Jean Terwilliger, Annie Wilson, Tracy Himmel Isham

Also present were: Katie Geiges, Jim Payne

Meeting was called to order at 7:03pm

Quorum was established

**MINUTES**

Jean MOVED/ Annie SECONDED a motion to approve the minutes of February 16 as written. The motion carried on voice vote.

**ELECTION OF COMMISSION CHAIR(S)**

Holly MOVED/ Jean SECONDED a motion to nominate Tracey Himmel Isham and Jim Bolton as Co-Chairs for the coming year. There were no other nominations. The motion carried on voice vote.

**NEW BUSINESS**

**Public Hearing** - To hear a request by the **Estate of Margaret Payne Robbins**, of 183 King Hill Road, Addison, VT, to subdivide a 90.6 acre lot abutting West Street in Cornwall into two (2) lots: Lot 1 +/- 30 acres and Lot 2 +/- 60.6 acres. This matter was classified by the CPC on October 20, 2010 as a minor subdivision. This hearing was duly warned and posted.

Jim Payne that the purpose of this proposed subdivision is to allow him to acquire a 30-acre piece of land that abuts his property so that he can settle the estate of his grandmother. There are no other options for the family to settle the estate. Once the estate is settled, the intent is to merge the lots back together and have the property stay in the family.

Discussion: Holly said that the proposed subdivision creates a non-conforming lot, which is normally not permitted by the regulations and the Planning Commission has a responsibility to make decisions based on the regulations. Tracey suggested that one option in this case would be for the CPC to deny the application and then the applicant could apply to the ZBA for a variance. The board then made a careful review of Section 151 of the Subdivision Regulations, on waivers and variances and how it applies to this matter. Jim verified that Section 151 gives the CPC the authority to approve this application. The board then discussed conditions of approval that would

uphold the intent of the regulations. Katie Geiges added that, as a neighbor, she feels that the proposed subdivision is in the public interest.

Jean MOVED/ Annie SECONDED a motion to approve the application per Section 151 of the Cornwall Subdivision regulations in order to settle the estate. The non-conforming lot created cannot be developed until such time as it is in compliance with the subdivision regulations and zoning bylaws of the Town of Cornwall. The motion carried on voice vote.

Jim B. informed Jim Payne that his next step is to bring in the mylar of the survey for the Planning Commission to sign. The language of the approval with conditions needs to be written on the deed and also on the survey.

### **OLD BUSINESS**

***Representatives to ACRPC*** - After a short discussion, the board recommended Eric Severy and Marc Cesario to represent Cornwall on the ACRPC.

***Town Plan Update*** – next step is a coordination meeting with Claire – either March 21 at 7 or a date in early April. Katie Geiges said she has signed up to help with the update.

The meeting was adjourned at 8:30 pm

Respectfully submitted, Sharon Tierra, CPC Secretary