

DRAFT

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CORNWALL PLANNING COMMISSION (CPC)

Regular Meeting

July 17, 2018 • 7:00–9:50 pm

MEMBERS PRESENT: Holly Noordsy, Andrea Landsberg, Conor Stinson, Jim Duclos, Bobbi Carnwath

ALSO PRESENT: Sean Stearns, Raph Worrick

The meeting was called to order at 7:00 pm

QUORUM—established

AGENDA

Jim MOVED /Andrea SECONDED a motion to approve the agenda as presented.

Motion passed – 4 in favor, 0 opposed.

MINUTES

• **June 20, 2018**— Andrea MOVED / Jim SECONDED a motion to approve the minutes as posted. **Motion passed** –5 in favor, 0 opposed (1 late arrival).

ANNOUNCEMENTS

- **Correspondence**—Holly received an email from the Chlodnicki & Synnott families regarding progress on their plans for the Cornwall Country Store—there are sewage options that have been identified. Appreciation was expressed for the support they have received.
- **Planning Workshops**—No one was able to attend the re-scheduled ACRPC workshops.

PUBLIC COMMENTS—[*Raph, Sean*] Both expressed similar concerns, based on the initial version of the draft proposed regulations. The discussion with them focused on the following issues:

- Quantity of directives, bordering on micromanagement, with the burden falling on just one portion of the town's residents.
- Historically poor enforcement
- Too many overlays containing too many “special features” leading to too many variances.
- Lack of encouragement for new businesses.
- A lack of clarity in certain sections as to when/where/how/to whom the regulations in those sections apply. Those parameters should be indicated at the top of the relevant section, not buried down in the details.

- Some categories of use appear to be the same as others, yet have differing descriptions and requirements that seem to be applied indiscriminately. (Ex: among several home-based endeavors there may be some that are classified as “occupation” while others are labelled as “business,” yet the underlying characteristics may be nearly identical.) More clarity is needed.
- Concern regarding the assumption that development disrupts wildlife. Wildlife seems to pass unimpeded through many local neighborhoods, including within the more densely populated neighborhoods in Middlebury.
- Regulations should focus on what's important and can be enforced, leaving aside those that are unenforceable.

PC responses:

- Agreed that greater clarity throughout is needed, and that they are focused on that.
- Thanked Sean and Raph several times for taking the time taken and the effort made to reach out to the PC with their concerns. Many of the issues covered in the proposed regulations come from the Town Plan, which in turn comes about as a result of those, like Sean and Raph, who participate and provide constructive feedback.
- Quite a bit of the draft content is mandated by the State and comes directly from Statute. The PC is required to include it, despite the repetition and additional volume created by doing so. A sincere effort to reduce where they can will be made.
- Much of the need for granularity comes from the fact that when the regulations are left vague, they are open to too much interpretation. The courts as well as the town have a great deal of difficulty in making a determination on an issue brought before them when there is too much ambiguity. It is necessary to be specific about what a given regulation is designed to do.

OLD BUSINESS

• ***Review draft of proposed zoning/subdivision regulations.***

- Commission discussed the concerns presented by Sean and Raph with attention on how they might be addressed. Board discussed having a longer period of time between the warning and the holding of the public hearing. Also discussed was being able to indicate portions of the draft that have been changed from the earlier version as an aid to identifying the changes.
- Review of feedback from Town Counsel resulting from a meeting Andrea and Holly had with him. Also, discussed were the results of a meeting held with DRB members Barbara Greenwood and Magna Dodge to discuss the DRB’s feedback.
- Short discussion on content of the Executive Summary which will be needed when the PC approves the proposed regulations and prepares for their hearing.
- The Special Features Overlay, Major Subdivision, and PUD sections received a significant amount of review attention, with a number of changes discussed.
- Additional changes made throughout.

- Andrea requested that PC members get any additional comments to her as soon as possible, she would like to have an updated version to the group shortly and a final version for review prior to the August 15 meeting.

NEW BUSINESS—None

OTHER BUSINESS—None

ADJOURNMENT—Andrea. **MOVED** / Jim **SECONDED** a motion to adjourn the meeting at 19:50pm. **Motion passed** – 5 in favor, 0 opposed.

Respectfully submitted,
Robin Conway, Substitute Minute-taker