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By Darlene Brady at 10:58 am, Feb 12, 2024

TOWN OF KENT

Conservation Commission

Regular Meeting Minutes

Wednesday, January 10, 2024 @ 6:30pm

In attendance:

Liddy Baker
Mike Benjamin
Melissa Cherniske
Carol Franken
Connie Manes
Wendy Murphy
Jean Speck
Jos Spelbos

Members of the Public Attending:

Kathryn Boughton
Austi Brown
Lynn Worthington

Call to order

1. A quorum being present, Commission Chair Connie Manes called the meeting to order at 6:34 pm.
2. Welcome Jean Speck. All welcomed Jean Speck, newly appointed as an alternate to the Commission.
3. Accept/Amend Agenda. Commissioners suggested 2 amendments: moving discussion of #9 Correspondence to follow adoption of minutes, as well as adding under New Business "Spring Dates." *Upon a motion by Melissa Cherniske seconded by Carol Franken, the commissioners voted unanimously to accept the agenda as amended.*
4. Accept/Amend Minutes of Regular Meeting November 8, 2023. Commissioners noted that Mike Benjamin should be listed as in attendancet. *Upon a motion by Melissa seconded by Liddy Baker the commissioners voted unanimously to accept the minutes as amended.*
5. Correspondence. 12/15/23 letter from Tai Kern, Land Use Administrator re: 529 Skiff Mountain Rd. Commissioners discussed the application of Austi Brown, currently before the Planning & Zoning Commission, to remove three trees on Skiff Mountain Road for safety/visibility. The application is required because Skiff Mountain Road is a town-designated Scenic Road. The application is made in connection with Ms. Brown's planned construction of an Accessory Dwelling Unit.

Looking to the requirements and guidance of the Scenic Road Ordinance, the commissioners agreed that removal of the selected trees would not be a major impact to the scenic aspect of the road. Melissa added that the Inland Wetlands Commission had also reviewed the application and found no adverse impact. The commissioners discussed with Ms. Brown the opportunity to plant three native trees elsewhere on her property to offset the trees' loss. Ms. Brown is open to this possibility if an appropriate place can be found. She voiced her concern that planted trees be located near a water source to enable her to take care of them. Ms. Brown welcomes the Commission's input on tree species and location. *Upon a motion by Melissa seconded by Liddy the Commission voted unanimously to communicate its support for the application to the IWC, P&Z and BoS.*

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6. Treasurer's Report. Treasurer Liddy Baker reviewed her written report sent via email prior to the meeting. The commissioners discussed the FY24-25 budget request. *Upon a motion by Melissa seconded by Carol Franken the commissioners voted unanimously to authorize Liddy to submit the budget request with no changes at the level of \$2,495.*
7. Public Comment. None. Jean raised the question of the Commission's Annual Report to the town and offered to help draft this. Connie mentioned that she has not received a request for a report and therefore is unclear of the timeline and expected/desired contents for the report. Jean also mentioned that there will be an informational webinar regarding the CT Department of Energy and Environmental Protection's Recreational Trails Grant on January 11th at 1pm.
8. Old Business.
Discussion items
 - A. Street Trees.
 - i. Update Swift Lane Tree planting. On Thursday, November 30th Bruce Bennett, Jos Spelbos, and the Town Crew planted a linden tree by the Templeton Farm residences. The tree was requested by Catherine and Bill Bachrach, who contributed \$350 to its purchase and installation. The Bachrachs provided for the tree in memory of Catherine's brother Hal, a Kent native and HVRHS graduate.
 - ii. Defining & initiating Kent Street Tree Planting Program. The commissioners discussed the design of the program which would underwrite 50% of purchase and installation costs for native, smaller-sized trees up to a certain annual amount yet to be determined, funded through the Kuga Fund. As previously voted the commission will develop guidance and forms for publication and administration of the program, such forms to include a form for obtaining the written commitment of property owners.

The discussion did not come to complete resolution however there was some agreement about the purpose(s) of the program to:

- Promote climate resilience – in areas where there is insufficient shade to public or residential buildings or streetside, to support soil health and water retention, and providing shelter and support for native insects and animals.
- Maximize public benefit – shading sidewalks, in parks and public spaces.
- Supporting “No Net Loss” of street trees in Kent.

There was discussion about limiting the program in the beginning years to sites within the Village Center, then broadening if warranted to other areas of Kent. There was also discussion of mapping priority sites. *The commissioners determined to think about how to further prioritize and define the program and continue the discussion at the February meeting.*

- B. POCD – Planning and Zoning Update. Jos discussed the upcoming public hearing at the Planning and Zoning Commission's meeting 1/23. The hearing includes the proposed revision of the Subdivision Regulations including the regulation sections concerning Conservation Subdivisions. Jos shared his concerns regarding (i) discrepancies within the regulations about what degree of slope is a steep slope; (ii) provisions providing for decreased open space set-aside as well as increased density if affordable housing is included as part of a subdivision application. Jos explained that he had suggested a density bonus as a replacement of the possibility of reduced open space and rather than making this substitution now both options are included and presumably may be used simultaneously. The commission discussed the possibility that the regulations as drafted could be interpreted so as to require no open space – which does not seem appropriate for a “Conservation Subdivision” provision, and diminishes benefits to both

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natural resources and residents qualifying for affordable housing who deserve to live near open space.
Connie will write a letter to submit at the public hearing.

- C. Materials Management in Kent – SAYT/organics recycling, black plastic. Connie called HRRA and was told that the issue of recycling black plastic is very complicated. The HRRA representative did not believe the problem could be addressed by separate collection and processing at the Winter Brothers facility. There was no update on when data from the town survey on the SAYT pilot would be available.

Updates

- D. Report on Farmer Protection Ordinance Revisions. Connie is on the agenda for the Board of Selectmen meeting on January 11th, at which meeting the Selectmen will decide whether the ordinance is ready to go to the Town Meeting for adoption. The Town Meeting is scheduled for January 18th.
 - E. Kent Municipal Open Space Acquisition. No update.
 - F. Green Energy Task Force. Wendy Murphy met with First Selectman Marty Lindenmayer and Dana Slaughter earlier in the week to discuss a plan of action. They are looking to emulate other towns in Connecticut with green energy regulations as well as towns that have high rates of energy audits. They will meet again in a month and form a larger group.
 - G. Housatonic Herbicide Working Group. No update.
 - H. Sustainable CT. No update.
 - I. Regional Recycling Task Force. No update.
9. New Business.
- A. Collaborative Conservation/Affordable Housing project. Connie discussed a new project she is working on with Jocelyn Ayers. For 8 northwest Connecticut towns including Kent, the project brings together land trusts, housing organizations, a representative from the Board of Selectmen and the Planning and Zoning Commission to understand each others' goals and find synergies and opportunities for working together.
 - B. Spring Events. The Kent Center School break is April 15-19. Arbor Day is April 26th. Earth Day is April 22nd. The commissioners proposed that the Town Clean up should take place over the entire month of April, with the Scouts conducting their Village scouring on April 12th or 19th. Spring events will be discussed further in the February meeting.
10. Adjourn. *There being no further business before the Commission the meeting was adjourned at 8:42 pm.*

NEXT REGULAR MEETING: Wednesday February 14th @ 6:30pm

Respectfully submitted by: Connie Manes, Chair

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