

TOWN OF KENT
PLANNING AND ZONING COMMISSION
41 Kent Green Boulevard
P.O. Box 678
Kent, CT 06757
Phone (860) 927-4625 Fax (860) 927-4541

RECEIVED FOR RECORD
KENT TOWN CLERK
2017 MAR 13 P 3:54
BY *Dray*
TOWN CLERK

MARCH 9, 2017 REGULAR MEETING MINUTES

The Town of Kent Planning and Zoning Commission held a regular meeting on Thursday, March 9, 2017 at 7:00 p.m. in the Kent Town Hall.

1. CALL TO ORDER

Mr. Johnson called the meeting to order at 7:02 p.m.

2. ROLL CALL AND APPOINTMENT OF ALTERNATES IF REQUIRED

Commissioners Present: John Johnson, Chairman; Darrell Cherniske, Alice Hicks, Anne McAndrew, Matt Winter

Staff Present: Donna Hayes, Land Use Administrator

Mr. Johnson elevated Ms. McAndrew to voting status.

3. READING AND APPROVAL OF MINUTES:

3.A. Special Meeting Minutes of February 16, 2017.

Ms. McAndrew moved to approve the Special Meeting Minutes of February 16, 2017, as written. Mr. Cherniske seconded and the motion carried unanimously.

4. PUBLIC COMMUNICATIONS (ORAL):

No action taken.

5. OLD BUSINESS:

5.A. PUBLIC HEARINGS (Possibility of closure, discussion and decision on the following):

No action taken.

5.B. DISCUSSION AND POSSIBLE DECISION

5.B.1. Rewrite of Zoning Regulations

TOWN OF KENT PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES FOR MARCH 9, 2017

These are draft minutes. Corrections may be made by the Commission at the subsequent meeting. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.

Ms. Hayes advised the Commission that a special meeting will be held on March 16th at 7:00 p.m. to review the comparison sheet she prepared.

6. NEW BUSINESS:

6.A. PUBLIC HEARINGS (Possibility of closure, discussion and decision on the following):

6.A.1. Application #'s 09-17SP and 10-17C, The Marvelwood School, Inc., 473 Skiff Mountain Road, Map 7 Block 17 Lot 1, renovations and addition of a performing and fine arts center with associated parking to existing gymnasium.

Mr. Johnson opened the public hearing at 7:05 p.m. and read the legal notice into the record.

Ms. Hayes explained that the School was in front of the Commission back in 2014 for the same application. The Commission had approved the proposal at that time but the special permit was never filed on the land records and had expired. Both Mr. Winter and Mr. Cherniske asked why the special permit had never been filed. Ms. Hayes said that she did not know.

Mr. David Woods, of Marsh + Woods Architects, LLC, was present to address the Commission. He explained that he thought the reason the special permit was never filed was because fund raising for the project was on going, they were in the process of hiring a director of the arts which is now done and the School now has a substantial amount of the funds available to start the project. Mr. Woods continued that it has taken all this time to work with the DEEP due to personnel changes and the requirement that they are requiring a review of the entire campus.

Mr. Woods explained the changes as a result of the new director of the arts and the theater consultant. The biggest change is the fly which is at the front of the stage. The lighting is pretty much the same. The project consists of the renovation of the old girls' gym and an addition of an arts center. The restrooms were shifted to provide more office space; the scene shop and props/costume areas were also increased in size. All of these changes have increased the size of the addition. The black box theater had a change to the height of approximately 2' or 33' total height to accommodate lighting scaffolding. Adding insulation to the outside of the roof might add another foot to the height. The use of the black box theater's use has also been further designated. The class room wing's height will remain at 25'. The fly has changed based on changes to the actual theater. Previously the seating for the theater would rise from the existing concrete deck of the gym. The theater consultant recommended digging out the front section of seating with a cross isle having the stage level with the existing concrete deck. It better accommodates handicap accessibility. This change also enabled the scene shop and costume shop to be level which allowed for a basement of 11' instead of a basement under the raised stage. This change also eliminates the need for exterior pinning of the back of the existing gym. The height of the fly is changed from the originally proposed height to 50'. Mr. Woods pointed out that the previous top of the peak was 51' and the midpoint was 51.45'. The 50' height is more uniform and set so far back from the front of the building it is almost not visible. The courtyard was changed by the arts advisory board. It was their suggestion that it be entirely closed in because it would allow it to be used all seasons of the year. This area could be used for art gallery exhibitions or music sessions. The front lobby glass enclosure was also increased by extending out it just past the front of the building. The atrium area will be covered by a flat roof in order to enable the building to be more environmentally friendly. The current thinking is that it be covered by solar panels; engineering design has just begun. They are also thinking about installing geothermal wells. These two energy efficient measures might allow for a smaller basement. This roof area will not be seen.

**TOWN OF KENT PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES FOR MARCH 9, 2017**

These are draft minutes. Corrections may be made by the Commission at the subsequent meeting. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.

Mr. Cherniske asked if there would be any light emittance from the fly. Mr. Woods said no. Ms. Hayes asked if the fly was always in that location. Mr. Woods said that it was in that location but it was peaked and turned.

Mr. Winter asked if the mechanical spaces on either side of the theater would be big enough to handle heating and cooling. Mr. Woods said that he thought it would be fine and that the venting would be carried in the ceilings. They still have not figured out where the mechanicals will go from the black box. Mr. Winter asked if the mechanicals would be seen if they are placed on the flat roof. Mr. Woods said that the only place where it might be seen would be behind the black box, but if that turns out to be the case, he will put them in the attic space above the bathrooms. The other issue that still needs to be discussed is whether or not the duct work can be run in a trough around the perimeter of the space.

Ms. Hayes asked if Mr. Woods could talk about the lighting on the outside of the building. Mr. Woods presented the Commission with a lighting sheet. He explained that the L5 fixture is a flood light and only 6 of them are emergency only lights. They will only go on in case of an emergency. Eight will provide some illumination to the students. Most of the L5s are located along the back and side of the building providing lighting to the service drive. They are intended to be cutoff and aimable toward to the courtyard. The emergency lights are located at the exits. The L2s are a small fixture with a downlight component. The L1 are in the roofs. There was an increase of one in the total number of bollards. This additional light is placed down by the black box; the others are in their original location. The uplights were discussed in 2014 and are placed around the front entry gallery. The agreement was that they uplight to the roof. That area is enclosed in channel glass which is slightly opaque but you can't see in. The intent is that they make the area glow when there is a special event. The plan is to make the box glow when there is a special event and also make the roof glow. The lighting consultant is currently looking at this area and they might remove the uplights since they are competing. Mr. Woods would like to leave them in for now. Under the previous approval, it was conditioned that the lights go off at 9:30 or at least 30 minutes after an event has ended. The School is okay with that condition. The floodlights around the back of the building will probably be on a timer and motion detector. Mr. Johnson asked if the motion detector lights will remain on all night long. Mr. Woods said that shortly after the 2014 approval, someone had tried to break into a couple of the buildings and the School feels that the motion detection lighting was instrumental in preventing the intruders from being successful.

Mr. Johnson asked Ms. Hayes if there was anything special that had to be done with regard to the height of the building. Ms. Hayes referred him to §5.10.

Mr. Woods said that there were special conditions that were included in the 2014 Resolution of Approval that the School is still in agreement with. With regard to runoff, Mr. Woods referred the question to Jeremy Oskandy, EIT with Arthur H. Howland & Associates. He explained that with the new addition, the amount of water heading toward the east would be reduced.

Mr. Cherniske asked if any additional drainage volumes would need to be addressed based on the new depth of the basement. Mr. Oskandy said it would be easier to explain the work to be done. He showed the Commission the new driveway and the addition of an access drive to the back of the gym. This will provide access to the loading area for the fly. The new basement location eliminates the need for a connection to the existing footing drains. Mr. Johnson asked how that is possible if the basement is going down 3' deeper. Mr. Oskandy explained that the new drain will be coming from the opposite corner which eliminates the need for such a deep trench. Because of the impervious surface increase and the increase to the size of the building, the original size of the detention pond had to be increased.

**TOWN OF KENT PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES FOR MARCH 9, 2017**

These are draft minutes. Corrections may be made by the Commission at the subsequent meeting. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.

Ms. McAndrew asked if the access driveway at the back of the building was large enough for a fire truck to turn around. Mr. Oskandy said that the fire truck could get back there now but there is not enough room for it to turn around. Mr. Woods commented that there is actually more access to the back of the building than there was originally. The area is big enough for a small box or panel truck to turn around. Mr. Oskandy said that the curve on the side of the building was widened to accommodate a fire truck. The actual size of the access driveway is 15' and was not designed for two-way traffic.

With regard to the plantings around the detention pond, Mr. Oskandy referred to Ms. Denise Lord's original comments and increased the amount and types of plantings accordingly.

Mr. Oskandy said that the detention pond will handle approximately 95% of the runoff. Mr. Winter asked if the existing eastern stormwater basin would be able to handle the additional 5%. Mr. Oskandy said that he did not run those calculations but feels that it would be sufficient. Mr. Cherniske asked if the runoff from the tennis courts would be impacting the detention pond. Mr. Oskandy replied that almost all of the runoff from the tennis courts would be going to the detention pond and the increased size will be able to handle it.

With regard to the lighting, Mr. Oskandy said that the fixtures he has on his plan are a little different than Mr. Woods plan. Mr. Woods plan would override what is being provided by Howland. Mr. Oskandy said that the emergency lights are not modeled on their plan. There is practically no over light from the proposed fixtures and that the addition of the fixtures in the back is because of the increase to the length of the access drive. Mr. Woods said that the bollards that they are proposing are 19" high and will be on timers to shut off at 9:30 p.m.

Mr. Oskandy said that he did not believe there would be any spillage at the back of the building because of the elevation of the tennis courts. Mr. Woods said that they are spotted underneath the roof overhang. Ms. McAndrew asked if the tennis courts had lights and Mr. Woods said no.

Mr. Winter asked if they were proposing any changes to the pole mounted lights. Mr. Woods said that he would like to change them but nothing is planned at this point in time.

Mr. Winter asked if Mr. Oskandy could explain the sanitary system. Mr. Oskandy said that the original proposal had the sewer line coming out of the building, across the front lawn and into the existing system. The DEEP is now requiring that the system actually exit the building in the front and run around the outside of the addition and into the septic system on the northeast side of the gym. Mr. Oskandy said that he did not know if that system would have to be added to or if a newly constructed system would have to be created. With the changes to the personnel at the DEEP the system is very complicated but Howland has responded to the comments and suggestions proposed by the DEEP.

Mr. Johnson asked about conditions to the usage. Ms. Hayes said that there were none. She explained that she took the original Resolution of Approval from 2014, updated it to correspond to the new sheets submitted and kept the original conditions. Ms. Hayes read the conditions and noted two possible issues: the lighting sheet; and the condition that the lights at the front entrance not wash on the glass wall. Mr. Woods said that the lighting sheet should be changed to reflect the lighting sheet prepared by Marsh + Woods and that he did not believe that there was any way to keep the light from washing on the glass panels. The intent of the fixtures is to illuminate the canopy but the design of the light will cause some splay to reach the glass panels. He said that there might be a change to the type of lighting after he has more meetings with the lighting consultant. Mr. Winter said that it might be a good idea to still refer to

**TOWN OF KENT PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES FOR MARCH 9, 2017**

These are draft minutes. Corrections may be made by the Commission at the subsequent meeting. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.

III.3. Mr. Woods said that they do not match. Mr. Oskandy said that his plan is only representative and not the actual fixture. Mr. Winter said that he would like to have an actual representation of what is being used. Mr. Woods asked that Mr. Oskandy change his sheet and Mr. Oskandy said that they could write a letter explaining that his lighting is only representative. Mr. Winter said that they would be willing to accept such a letter.

Ms. Hayes said that the next condition of approval was the submission of the type of generator and any sound attenuation systems that would be installed. Mr. Woods said the generator is now just an option and he is not sure if the school will be buying it now or later. When the gym was built, they did install stubs and the school put the generator in at a later time. Mr. Johnson asked if the generator was a part of this application. Mr. Woods said that it was but did not think the school would purchase it at this point in time but would like to include it as part of the approval.

Mr. Johnson asked if these plans had been sent to Anchor Engineering for review. Ms. Hayes said that they had not and §17.4.2.a. requires that the plans be reviewed for structures 3,000 sf or more. Ms. Hayes said that she did not anticipate a lengthy review since Ms. Lord from Anchor Engineering had done one in 2014 when the original project was first submitted.

Ms. Hayes asked Mr. Woods he would explain how they were planning on handling the 5,080 cy of fill to be removed from the site. Mr. Woods said that it would go offsite and Mr. Oskandy added that there was a possibility that it would be needed on site. Mr. Woods said that he hoped the school would be able to find a place to use it on site. He suggested putting it at the back of the cafeteria because he did not think the school would want to pay to have it trucked off site. Mr. Woods said he would discuss it with the school. Mr. Cherniske asked if the Commission would need to know where it was going. Ms. Hayes said that she would like to see where it would be going because of the amount of wetlands on the property. Mr. Winter commented that he would like to see what type of erosion and sediment controls will be placed around it until the area is stabilized.

Ms. Hayes asked how they would be handling the parking since they increased the size of the building. Mr. Woods said that the prior application was for 300 seats; this application would be for 350 – 360 seats. He continued that the school guaranteed that there would not be simultaneous events at the theater and the black box theater and that they might have the graduation ceremony at the main theater which would not reach the 300 mark. The reason for the size of the theater is based on the advice from the theater consultant who stated that 350 would be a better size should the school decide to affiliate itself with the Sharon Playhouse summer theater at some point in time. The size of the theater is not driven by the school population. Mr. Wood said that the previous application provided parking along the drive, some hardening measures along the roadway, overflow parking at the horseshoe on the dorm side and parking behind the classrooms by the new gym. Ms. Hayes commented that there is only one handicap space by the black box and asked if there would be additional handicap spaces provided closer to the theater. Mr. Wood said that there is handicap accessibility on the other side of the building. Mr. Cherniske said that there is plenty of parking due to the size of the campus but would not want to see emergency vehicles hampered by guests parking on the roadway because they did not want to walk far. Mr. Woods suggested adding that the school put up no parking signs as a condition of approval.

Ms. Hicks asked if there was seating in the gym. Mr. Woods said that there are pull out bleachers on one side and a graduation ceremony could be held there. He continued that he did go to a dinner there when the gym was first opened. The dinner was set up on the gym floor and there were approximately 200 people there. Ms. Hicks asked if there was any possibility that it would be used at the same time as either the theater or the black box. Mr. Woods said no.

**TOWN OF KENT PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES FOR MARCH 9, 2017**

These are draft minutes. Corrections may be made by the Commission at the subsequent meeting. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.

With regard to Ms. Hayes' last comment in her staff report, Mr. Johnson said he did not hear anything that would indicated that the new facility would be used for something other than an accessory use to the school. Ms. Hayes agreed.

Mr. Winter said that he would be in favor of designating handicap parking spaces at the apex of the horseshoe temporarily during any event. He also liked the idea of hardening the edges of that area as well.

Ms. Hayes asked how high the retaining wall would be. Mr. Oskandy said that it would run from 2' to 6' to 9.5'. Mr. Winter asked if the end of the access drive would be curb only and Mr. Oskandy said yes. Curbing the area will help direct any runoff from the tennis courts.

Mr. Winter asked what the underground utility was. Mr. Oskandy said that he did not know but that it would remain the same. He believes it was picked up from a historical map and might have provided service to the tennis courts when they were lighted. Mr. Winter asked if a supplemental transformer will be installed. Mr. Oskandy said that he believed that the existing electricity will be buried and Mr. Woods said the service will be upgraded.

Mr. Johnson stated that because the plans were going to be reviewed by Anchor Engineering, the public hearing should remain open. Mr. Oskandy replied that would give him an opportunity to revise the lighting plan and that Ms. Hayes would update the Resolution of Approval. Ms. Hayes asked Mr. Oskandy to send PDF's to Denise Lord at Anchor Engineering.

Mr. Winter moved to table Application #'s 09-17SP and 10-17C, The Marvelwood School, Inc., 473 Skiff Mountain Road, Map 7 Block 17 Lot 1, renovations and addition of a performing and fine arts center with associated parking to existing gymnasium to the next regular meeting. Mr. Cherniske seconded and the motion carried unanimously.

6.B. DISCUSSION AND POSSIBLE DECISION

6.B.1. Application #11-17C, 24 South Main Street Kent, LLC, 24 South Main Street, construction of 3-bay garage with storage and a change of use from restaurant/apartment to restaurant/apartment/contractor business, Map 19 Block 13 Lot 44.

Mr. John Gleason, owner of 24 South Main Street, was present to address the Commission.

Ms. Hayes told the Commission that Mr. Gleason purchased the property in question and plans on converting a small area in the restaurant to his contractor's office and would also like to put up a detached 3-bay pole barn/garage with storage above. The application is for a change of use and for the construction of the pole barn/garage.

Mr. Winter asked where the access to the garage bays would be and Mr. Gleason said that the doors would be facing Route 7/South Main Street.

Mr. Winter asked Ms. Hayes if she had any information regarding the subdivision and asked if there was anything that should be of concern. Ms. Hayes replied that she did not know the complete history of the

TOWN OF KENT PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES FOR MARCH 9, 2017

These are draft minutes. Corrections may be made by the Commission at the subsequent meeting. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.

subdivision; only that in 1990 a variance was granted for a re-subdivision. This new application meets the current regulations and the past re-subdivision has no impact on it.

Ms. Hicks asked where the parking will be once the building is constructed. Mr. Gleason said that the additional parking spaces on the southern side of the building were available to replace those taken up by the construction. He continued that additional parking spaces could be created once the neighboring property completes their retaining wall. Mr. Gleason asked if the bays in the garage could be included in the parking space count.

Mr. Winter asked if he would need to appear before the ARB. Ms. Hayes said that he would.

Ms. Hayes referred the Commission to the proposed location of the dumpster. After speaking with Mr. Gleason, it was determined that he could possibly go to a smaller dumpster that could be rolled to the front of the property for pick up allowing cars to park along the northern side of the new garage. Mr. Gleason commented that smaller dumpsters would require the refuse to be picked up more often which would eliminate any odors or rodent problems.

Mr. Winter asked what the parking requirement would be. Mr. Gleason said that the restaurant would be 59 seats. Ms. Hayes said that would require 20 parking seats and 2 for the employees. Loosing 13 spaces would still leave Mr. Gleason with enough spaces. Ms. McAndrew asked where the house next door would park. Ms. Hayes explained that the house next door had 4 spaces on the property but there is a 3 space, undefined parking easement. Mr. Winter did the calculation and determined that the property contained enough parking spaces to accommodate the change of use and the new garage.

Mr. Johnson asked what Mr. Gleason planned on doing with regard to lighting. Mr. Gleason said that he planned on putting motion detection lights on the building for security reasons.

Mr. Winter asked if Mr. Gleason planned on keeping all of his business vehicles on site. Mr. Gleason replied that a couple of the workers have been bringing them home since his last move. Two would come and go and one would be stored there. They would be parked inside. There would be enough room since he has cut down on his inventory.

Mr. Winter asked if Mr. Gleason planned on putting gutters on the new structure. Mr. Gleason said that he would add them but that it would sheet flow as there are no footings. Mr. Gleason said that the property is very flat. Mr. Johnson said that he thought the Building Official would require gutters but asked if the gutters would drain to the neighbor on the north. Ms. Hayes asked that Mr. Gleason keep that in mind.

Mr. Winter asked about the loading area for the restaurant. Mr. Gleason replied that their delivers are very minimal. The drivers park right out front and the delivery man goes in the front door. There is an alley to the back, but that leads directly into the kitchen.

Ms. Hicks moved to approve waivers to §4.3.1., 4.3.3., 4.3.7., 4.3.8., 4.3.9., 4.3.10., 4.3.11., 4.3.12. and 4.3.13. Mr. Cherniske seconded and the motion carried unanimously.

Mr. Winter moved to approve Application #11-17C, 24 South Main Street Kent, LLC, 24 South Main Street, construction of 3-bay garage with storage and a change of use from restaurant/apartment to restaurant/apartment/contractor business, Map 19 Block 13 Lot 44. Mr. Cherniske seconded and the motion carried unanimously.

TOWN OF KENT PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES FOR MARCH 9, 2017

These are draft minutes. Corrections may be made by the Commission at the subsequent meeting. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.

7. STAFF REPORT:

7.A. Land Use Clerk

Ms. Hayes reported that the candidate she hired rescinded her acceptance of the job offer because she had received and accepted an offer of full time employment. She received two new resumes that looked promising and asked that the Interviewing Subcommittee be reinstated so that interviews could be scheduled. Her plan would be to contact NWCOG to see if any other Town might have someone who was looking for additional hours. She will also contact Warren and see if they would be willing to do some sort of a job share.

Ms. McAndrew moved to create an Interviewing Subcommittee consisting of Mr. Johnson and Mr. Winter. Mr. Cherniske seconded and the motion carried unanimously.

8. REPORT OF OFFICERS AND COMMITTEES:

No action taken.

9. OTHER COMMUNICATIONS AND CORRESPONDENCE:

9.A. Administrative Permits and Certificates of Compliance

No action taken.

9.B. Regional Plan of Conservation and Development 2017 – 2027 Resident Input Survey

No action taken.

9.C. Leggette, Brashears & Graham, Inc., Results of Water-Quality Sampling (Woodward and Edelman), Audubon International Monitoring Program, Bull's Bridge Golf Club

Ms. Hayes explained that testing had been done on the Woodward and Edelman properties and that if a Commissioner would like to review the entire test result, she had them in her office. As was previously approved, the next test will not take place until 2021.

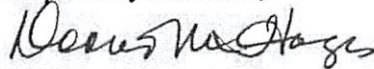
9.D. Monthly Financials – FY '16 – '17; July through February

No action taken.

10. ADJOURNMENT

Mr. Winter moved to adjourn at 8:55 p.m. Ms. Hicks seconded and the motion carried unanimously.

Respectfully submitted,



Donna M. Hayes, CZEO
Land Use Administrator

**TOWN OF KENT PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES FOR MARCH 9, 2017**

These are draft minutes. Corrections may be made by the Commission at the subsequent meeting. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.

RECEIVED FOR RECORD
KENT TOWN CLERK

2017 MAR 13 P 3:54

BY  TOWN CLERK