

TOWN OF KENT
PLANNING AND ZONING COMMISSION
41 Kent Green Boulevard
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Phone (860) 927-4625 Fax (860) 927-4541

NOVEMBER 12, 2015 REGULAR MEETING MINUTES

The Town of Kent Planning and Zoning Commission held a regular meeting on Thursday, November 12, 2015 at 7:00 p.m. in the Kent Town Hall.

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2015 NOV 16 A 11:22

Donna Hayes TC
TOWN CLERK

1. CALL TO ORDER

In Chairman Johnson's absence, Vice Chair and Secretary, Matt Winter, opened the meeting at 7:07 p.m.

2. ROLL CALL AND APPOINTMENT OF ALTERNATES IF REQUIRED

Commissioners Present: Matthew Winter, Wesley Wyrick, Darrell Cherniske, Marc Weingarten, Karen Casey, Adam Manes and Alice Hicks

Staff Present: Donna Hayes, Land Use Administrator
Jennifer Calhoun, Land Use Clerk

Marc Weingarten was elevated to voting status.

3. READING AND APPROVAL OF MINUTES:

3.A. Regular Meeting Minutes of September 10, 2015.

Mrs. Hayes noted that at the last meeting Mr. Winter asked to have her review the tape to see if the motion for SiS, G was correct with regards to the parking spaces. She noted that it was incorrect and should state "keeping in place the same conditions from the original approval and adding a requirement to lease a parking space offsite that is maintained and designated within 500 feet".

Mr. Weingarten moved to approve the regular meeting minutes of September 10, 2015 with the change stated above. Mr. Cherniske seconded and the motion carried unanimously.

3.B. Regular Meeting Minutes of October 8, 2015.

Mrs. Hayes noted that under the title for the Campland application, it should state lot 49 instead of lot 51. Also, Mrs. Hicks noted that it should be Mr. Chavka instead of Ms. Chavka.

Mr. Weingarten moved to approve the regular meeting minutes of October 8, 2015 with the changes stated above. Mr. Cherniske seconded and the motion carried unanimously.

3.C. Special Meeting Minutes of October 20, 2015.

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Mr. Manes moved to approve the special meeting minutes of October 20, 2015. Mr. Weingarten seconded and the motion carried unanimously.

3.D. Special Meeting Minutes of October 22, 2015 (Kent Barns)

Ms. Hicks moved to approve the special meeting minutes of October 22, 2015 (Kent Barns). Mr. Manes seconded and the motion carried unanimously.

3.E. Special Meeting Minutes of October 22, 2015 (Public Informational Meeting)

Mr. Wyrick moved to table the special meeting minutes of October 22, 2015 (Public Informational Meeting). Mr. Manes seconded and the motion carried unanimously.

4. PUBLIC COMMUNICATIONS (ORAL):

No public communications at this time.

5. OLD BUSINESS:

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

No action taken.

Mr. Manes made a motion to move up agenda item 6.A.1 at this time. Ms. Casey seconded and the motion carried unanimously.

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

- 6.A.1.** Applications #76-15SP and #77-15C, David L and Deborah M Bain, 21 North Main Street, change of use from commercial to mixed residential and commercial, Map 19 Block 14 Lot 3.

Mr. David Bain was present for the application. Mr. Winter read the legal notice into the record. The public hearing opened at 7:15 p.m.

Mrs. Hayes stated that the application is for a change of use from commercial with Bain Realty downstairs and various offices upstairs to mixed residential/commercial with an apartment upstairs. According to the regulations, the proposed application would require 10 parking spaces total. The submitted site plan does not show parking. Mr. Bain noted that 2 cars can park into the garage and he thought he could fit 15 cars in the parking lot. Mr. Bain then sketched the parking on the plan. The total spaces shown were 14. Mr. Winter scaled the drawing and noted that he had at least the 10 required spaces.

Mrs. Hayes then asked how wide the driveway was and Mr. Bain did not know. Mrs. Hayes noted that he needed 24' in width for the access aisle.

The Commission discussed this requirement noting that Mr. Bain would need the 24' in width. Mr. Bain noted that he had a right-of-way through the back of the property, but he did not think that was 24' and added that he would still like to use the access off of Route 7. The Commission discussed the option of approving the application requiring Mr. Bain to install a 24' wide accessway. It was decided that Mr. Bain seek a variance from

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this regulation. The driveway is also right against the property line and the regulations require it to be 10' away. Mr. Bain noted that he would seek a variance from this regulation also. If Mr. Bain's variances are approved, the Commissioners could then vote at the next meeting on the application.

Mr. Winter asked if there would be any additional lighting added with the application. Mr. Bain noted that there would not be any additional lighting.

Mr. Wyrick made a motion to table application #76-15SP and #77-15C. Mr. Manes seconded and the motion carried unanimously.

5.B. DISCUSSION AND POSSIBLE DECISION

5.B.1. Rewrite of Zoning Regulations

It was noted that a meeting would be scheduled on Wednesday, November 18th at 7:00 p.m. for the review of the comments made at the public informational meeting.

Mr. Winter noted that he thought the public informational meeting was better attended than he thought it would be and he felt there were good thoughts and feedback.

Mrs. Hayes stated that she had received comments from Jos Spelbos as well as Rick Levy and if the Commissioners would like copies of these letters, to let her know. She informed the Commission of Mr. Levy's comments. Mr. Winter suggested bringing Mr. Levy's comments up to Glenn Chalder and let him address them.

Ms. Hicks brought up a comment that was made at the informational meeting about preventing chain stores. Mr. Winter noted that the Commission should talk about this also with Glenn Chalder.

6. NEW BUSINESS:

6.B. DISCUSSION AND POSSIBLE DECISION

6.B.1. Application #78-15C, John Gleason for Cynthia Gustafson, 21 Bridge Street, change of use from car sales, repair, apartment and retail to car sales, repair, apartment, retail and contractor's office, Map 19 Block 13 Lot 10.

No one was present for the application. Mrs. Hayes noted that they would like to add a contractor's office as a use to the property. She added that there was no parking shown on the plan. Also, no information about employees or clients. Without this information, the Commission could not act on the application.

Mr. Wyrick made a motion to table application #78-15C. Mr. Manes seconded and the motion carried unanimously.

7. STAFF REPORT:

7.A. Cease and Desist Order: 8 South Road, Map 10 Block 40 Lot 38

Mrs. Hayes noted that she thought the next step would be to talk to Attorney Mike Zizka. Ms. Hicks asked Mrs. Hayes to walk the Commission through the timeline of events. Mrs. Hayes noted she had a conversation with Mr.

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Burt in July and she gave him a deadline of 30 days to remove the vehicles. He came in again and noted that he needed a little more time so she gave him a couple of weeks. After those weeks had passed and no cars had been moved, she issued a notice of violation. On September 26, 2015 she issued a Cease and Desist Order. When he received the order, Mr. Burt stated that he would be removing the cars the week of October 13th. After unforeseen circumstances, Mr. Burt said that he could not remove them at that time.

The Commission then discussed options for the next step. Options included asking Mr. Zizka to take Mr. Burt to court or that he could issue him a letter threatening court. It was finally decided that Mrs. Hayes should speak to Mr. Zizka and ask him what he recommends and also the costs of taking Mr. Burt to court.

8. REPORT OF OFFICERS AND COMMITTEES:

Mr. Winter noted that they would be scheduling an Incentive Housing Subcommittee meeting the end of November or beginning of December. Mrs. Hayes explained that the Subcommittee will address the drainage at the meeting. Mr. Winter noted that he would not be available until December 7th.

9. OTHER COMMUNICATIONS AND CORRESPONDENCE:

9.A. Administrative Permits and Certificates of Compliance

No action taken.

9.B. Financials: July through September, 2015.

No action taken.

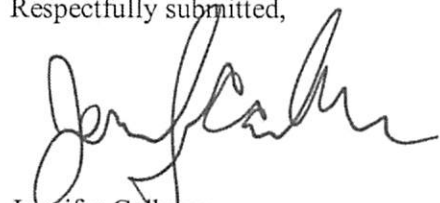
9.C. Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter, Fall 2015.

No action taken.

10. ADJOURNMENT

Mr. Wyrick moved to adjourn the meeting at 8:24 p.m. Mr. Manes seconded and the motion carried unanimously.

Respectfully submitted,



Jennifer Calhoun
Land Use Clerk

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