

Board of Selectmen  
Special Meeting

June 1, 2016  
4:30 P.M. Town Hall

Present: Bruce Adams and Mike VanValkenburg.

Also present: Darlene Brady, Kevin Brady and Chris Garrity.

Mr. Adams called the meeting to order at 4:30 p.m.

Mr. Adams made a motion to accept the Town of Kent Petition to request the Board of Selectmen of the Town of Kent to warn a special Town meeting for the purpose of considering and voting on the adoption of an ordinance to prohibit the landing of aircraft on Lake Waramaug, substantially in accordance with the proposed ordinance attached. Mr. VanValkenburg seconded the motion and the motion carried.

Mr. Adams made a motion to set a Special Town meeting on Friday, June 17, 2016 at 7:00 p.m. Mr. VanValkenburg seconded the motion and the motion carried.

Mr. Adams made a motion to table the approval of the agenda for the special Town Meeting scheduled on Friday, June 17, 2016 until the regular BOS meeting on Tuesday, June 7, 2016 to allow the Public Restroom Committee to warn a meeting to make a recommendation to the BOS. Mr. VanValkenburg seconded the motion and the motion carried.

Mr. VanValkenburg made a motion to adjourn the meeting at 4:37 p.m. Mr. Adams seconded the motion and the motion carried.

  
Joyce Kearns  
Administrative Assistant

*These are draft minutes and the Board of Selectmen at the subsequent meeting may make corrections. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.*

# Petition

Pursuant to Connecticut General Statutes, Sec. 7-2 and Sec. 2-5 of the Code of Ordinances of the Town of Kent, the undersigned being qualified to vote at town meetings of the Town of Kent, hereby apply to the Selectmen of the Town of Kent to warn a special meeting for the purpose of considering and voting the adoption of an ordinance to prohibit the landing of aircraft on Lake Waramaug, substantially in accordance with the proposed ordinance attached.

SIGNATURE OF VOTER	PRINTED NAME	ADDRESS (NOT P.O. BOX)	TOWN	ZIP
1 <i>Maureen A. Brady</i>	MAUREEN A. BRADY	51 ELIZABETH ST	KENT	06757
2 <i>Dan Kahan</i>	Daniel Kahan	7 meadow st	Kent	06757
3 <i>Bruce P. Wilkins</i>	Bruce P. Wilkins	8 Judd Ave. Kent	Kent	06757
4 <i>Donna Wilkins</i>	Donna Wilkins	8 Judd Ave Kent	Kent	06757
5 <i>Barbara Lyach</i>	BARBARA LYACH	8 Tuck Ave Kent	Kent	9274117
6 <i>Thomas Brady</i>	Thomas Brady	51 Elizabeth St	Kent	06757
7 <i>Darlene Brady</i>	Darlene Brady	12 Elizabeth St	Kent	06757
8 <i>Gil Aviles</i>	GIL AVILES	11 COBBLE LANE	KENT	06757
9 <i>Jeff Anderson</i>	Jeff Anderson	16 Swifts Lane	Kent	06757
10 <i>Chris Dallara</i>	CHRIS DALLARA	51 MAPLE ST. EXT.	KENT	06757

I, the circulator of this petition page do hereby attest and state under the penalties of perjury that my address is person whose signature appears on this page signed the same in person in my presence, that I either know each signer or that each signer satisfactorily identified himself or herself to me, and that all the signatures of said page (s) were obtained not earlier than six months to the filing of said petition.

Dated at Kent, Connecticut, this 28th day of May, 2016.

Signature of Circulator

Printed name of Circulator

12 Elizabeth St Kent CT

in the presence of each person whose signature appears on this page signed the same in person in my presence, that I either know each signer or that each signer satisfactorily identified himself or herself to me, and that all the signatures of said page (s) were obtained not earlier than six months to the filing of said petition.

BY *Kevin Brady*  
TOWN CLERK

(1)

**PROPOSED ORDINANCE**

**REGARDING PROHIBITION OF AIRCRAFT LANDINGS ON LAKE WARAMAUG**

**FOR ADOPTION BY THE TOWNS OF KENT, WARREN AND WASHINGTON**

**MINDFUL** that the operation of Aircraft (as hereinafter defined) on the waters of Lake Waramaug would pose serious risks to other concurrent users of Lake Waramaug; and

**COGNIZANT** of the unavoidable danger of contamination of the Lake by Aircraft from other water bodies which would compromise the many year undertaking to preserve the quality of the water of Lake Waramaug from invasive species and other pollutants; and

**CONCERNED** that the operation of Aircraft on Lake Waramaug would create unduly noisy and congestive conditions inconsistent with the scenic beauty and tranquility of Lake Waramaug that are enjoyed by the general public;

**BE IT RESOLVED THAT:**

1. No person shall land any aircraft of any type, including but not limited to planes and helicopters ("Aircraft"), on Lake Waramaug, nor shall any Aircraft take off from Lake Waramaug, unless an unforeseeable emergency arises and the operator of such Aircraft cannot safely land the Aircraft at any alternative location.
2. The landing of an Aircraft on Lake Waramaug shall be prima facie evidence of a violation of this ordinance and the violation of any provision of this ordinance shall be an infraction.
3. Whenever a violation of this ordinance occurs, proof of the registration number of any Aircraft concerned shall be prima facie evidence that the owner was the operator thereof.
4. Any person violating this ordinance shall be fined two hundred and fifty dollars for each landing and each takeoff. Such fines shall be levied by law enforcement by citations in accordance with Connecticut General Statutes See Section 7-148 as the same may be amended from time to time.
5. In addition to any fines or penalties imposed in this section, this ordinance may be enforced by injunctive procedure in the Superior Court. The town may further recover from any violator any and all costs and fees, including reasonable attorney's fees, expended by the town in enforcing the provisions of this article.
6. This ordinance shall not preclude any additional enforcement action taken by any appropriate town, state or federal official conducted pursuant to any applicable ordinance, regulation or law of the town or state or the United States of America.
7. All remedies and penalties provided for in this ordinance shall be cumulative and independently available to the town, and the town shall be authorized to pursue any and all remedies set forth in this section to the fullest extent allowed by law.
8. This ordinance is adopted pursuant to Connecticut General Statutes §7-148.
9. This ordinance shall take effect fifteen (15) days after publication of a summary of its provisions pursuant to Connecticut General Statutes, §7-157(b).
10. The First Selectman is hereby authorized and directed to inform the Federal Aviation Authority and other competent Federal and State governmental authorities and all appropriate Aircraft pilots associations of the adoption of this ordinance and of any violations thereof that should occur in the future.

11. It is hereby declared to be the intention of the town that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unlawful by valid judgment or decree of the court of competent jurisdiction, such unlawfulness shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

2016 MAY 31 A 9:01

BY

TOWN CLERK

# Petition

Pursuant to Connecticut General Statutes, Sec. 7-2 and Sec. 2-5 of the Code of Ordinances of the Town of Kent, the undersigned being qualified to vote at town meetings of the Town of Kent, hereby apply to the Selectmen of the Town of Kent to warn a special meeting for the purpose of considering and voting the adoption of an ordinance to prohibit the landing of aircraft on Lake Waramaug, substantially in accordance with the proposed ordinance attached.

SIGNATURE OF VOTER	PRINTED NAME	ADDRESS (NOT P.O. BOX)	TOWN	ZIP
1 <i>Stacey Kabasakian</i>	Stacey Kabasakian	7 meadow St., Kent CT	Kent	06757
2 <i>Ed Raftery</i>	ED RAFTERY	17 MEADOW ST. KENT	KENT	06757
3 <i>Stephanie Raftery</i>	STEPHANIE RAFTERY	17 MEADOW ST KENT	KENT	06757
4 <i>Ben Brady</i>	Ben Brady	12 Elizabeth st Kent	Kent	06757
5 <i>Kevin Brady</i>	Kevin Brady	12 Elizabeth St.	Kent	06757
6 <i>Scott Palmer</i>	SCOTT PALMER	80 No. Main St 3A2	Kent	06757
7 <i>Andrew Ocif</i>	Andrew Ocif	193 Segar mtn Rd, Kent	KENT	06757
8 <i>Steven Abbate</i>	Steven Abbate	99B Cobble Rd. Kent, CT 06757	Kent	06757
9 <i>Carol Kallstrom</i>	Carol Kallstrom	144 Upper Kent Hollow Rd <del>Kent, CT</del>	Kent	06757
10 <i>Brent Kallstrom</i>	Brent Kallstrom	144 Upper Kent Hollow Rd	Kent	06757

RECEIVED FOR RECORD  
KENT TOWN CLERK

I, the circulator of this petition page do hereby attest and state under the penalties of perjury that my address is 12 Elizabeth St Kent CT 06757 and that each person whose signature appears on this page signed the same in person in my presence, that I either know each signer or that each signer satisfactorily identified himself or herself to me, and that all the signatures of said page (s) were obtained not earlier than six months to the filing of said petition.

Dated at Kent, Connecticut, this 28th day of May, 2016.

Signature of Circulator

*Kevin Brady*

Printed name of Circulator

Kevin Brady

BY

TOWN CLERK

*John Rooney*

10

**PROPOSED ORDINANCE**

**REGARDING PROHIBITION OF AIRCRAFT LANDINGS ON LAKE WARAMAUG**

**FOR ADOPTION BY THE TOWNS OF KENT, WARREN AND WASHINGTON**

**MINDFUL** that the operation of Aircraft (as hereinafter defined) on the waters of Lake Waramaug would pose serious risks to other concurrent users of Lake Waramaug; and

**COGNIZANT** of the unavoidable danger of contamination of the Lake by Aircraft from other water bodies which would compromise the many year undertaking to preserve the quality of the water of Lake Waramaug from invasive species and other pollutants; and

**CONCERNED** that the operation of Aircraft on Lake Waramaug would create unduly noisy and congestive conditions inconsistent with the scenic beauty and tranquility of Lake Waramaug that are enjoyed by the general public;

**BE IT RESOLVED THAT:**

1. No person shall land any aircraft of any type, including but not limited to planes and helicopters ("Aircraft"), on Lake Waramaug, nor shall any Aircraft take off from Lake Waramaug, unless an unforeseeable emergency arises and the operator of such Aircraft cannot safely land the Aircraft at any alternative location.
2. The landing of an Aircraft on Lake Waramaug shall be prima facie evidence of a violation of this ordinance and the violation of any provision of this ordinance shall be an infraction.
3. Whenever a violation of this ordinance occurs, proof of the registration number of any Aircraft concerned shall be prima facie evidence that the owner was the operator thereof.
4. Any person violating this ordinance shall be fined two hundred and fifty dollars for each landing and each takeoff. Such fines shall be levied by law enforcement by citations in accordance with Connecticut General Statutes Sec Section 7-148 as the same may be amended from time to time.
5. In addition to any fines or penalties imposed in this section, this ordinance may be enforced by injunctive procedure in the Superior Court. The town may further recover from any violator any and all costs and fees, including reasonable attorney's fees, expended by the town in enforcing the provisions of this article.
6. This ordinance shall not preclude any additional enforcement action taken by any appropriate town, state or federal official conducted pursuant to any applicable ordinance, regulation or law of the town or state or the United States of America.
7. All remedies and penalties provided for in this ordinance shall be cumulative and independently available to the town, and the town shall be authorized to pursue any and all remedies set forth in this section to the fullest extent allowed by law.
8. This ordinance is adopted pursuant to Connecticut General Statutes §7-148.
9. This ordinance shall take effect fifteen (15) days after publication of a summary of its provisions pursuant to Connecticut General Statutes, §7-157(b).
10. The First Selectman is hereby authorized and directed to inform the Federal Aviation Authority and other competent Federal and State governmental authorities and all appropriate Aircraft pilots associations of the adoption of this ordinance and of any violations thereof that should occur in the future.

11. It is hereby declared to be the intention of the town that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unlawful by valid judgment or decree of the court of competent jurisdiction, such unlawfulness shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

2016 MAY 31 A 9:01

BY

TOWN CLERK

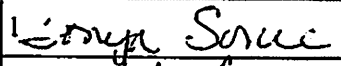
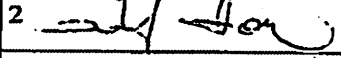
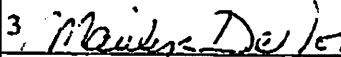



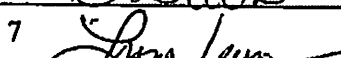
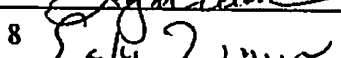
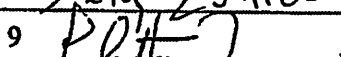

# Town of Kent Petition

TOWN CLERK

BY

2016 MAY 31 4 40 PM

Pursuant to Connecticut General Statutes, Sec. 7-2 and Sec. 2-5 of the Code of Ordinances of the Town of Kent, the undersigned being qualified to vote at town meetings of the Town of Kent, hereby apply to the Selectmen of the Town of Kent to call a special meeting for the purpose of considering and voting the adoption of an ordinance to prohibit the landing of aircraft on Lake Waramaug, substantially in accordance with the proposed ordinance attached.

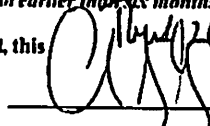
SIGNATURE OF VOTER	PRINTED NAME	ADDRESS (NOT P.O. BOX)	TOWN	ZIP
	Tonya Soule	41 Fuller Htn Kent, CT	Kent	06757
	Anthony Iovino	21 Elizabeth St. Kent, CT	Kent	06757
	MARILYN R. DEVOS	111 KENT CORNWALL Rd. KENT, CT.	Kent	06757
	Emily Dought	24 Elizabeth St, Kent, CT	Kent	06757
	Victoria C Penhale	221 Kent Cornwall Rd	Kent	06757
	Debbie Bain	P.O. Box 44 Kent Ct	Kent	06757
	Lynn Werner	40 Dygan Rd mailing to Box 54 Cornwall, Bklyn, Ct 06757	Kent	06757
	Sally Zimm	38 Flanders Ln	Kent	06757
	F. ANTHONY ZIMM	32 Flanders Ln	Kent	06757
	Jesse Klingebiel	69 Skiff Mt Road	Kent	06757

RECEIVED FOR RECORD  
KENT TOWN CLERK


I, the circulator of this petition page do hereby attest and state under the penalties of perjury that my address is 56 ELIZABETH ST person whose signature appears on this page signed the same in person in my presence, that I either know each signer or that each signer satisfactorily identified himself or herself to me, and that all the signatures of said page (s) were obtained not earlier than six months to the filing of said petition.

Dated at Kent, Connecticut, this 26 day of May, 2016.

Signature of Circulator



Printed name of Circulator CHRISTOPHER J. GARRITY

2016 MAY 31 4 40 PM  
BY  TOWN CLERK (10)

**PROPOSED ORDINANCE**

**REGARDING PROHIBITION OF AIRCRAFT LANDINGS ON LAKE WARAMAUG**

**FOR ADOPTION BY THE TOWNS OF KENT, WARREN AND WASHINGTON**

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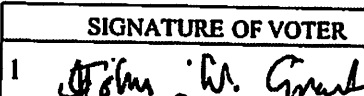
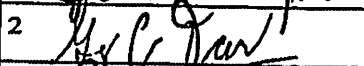
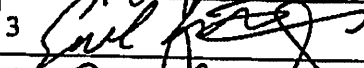


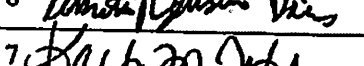
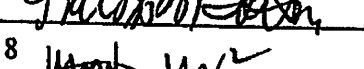
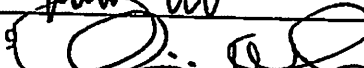


2016 MAY 31 A 9:01

BY

TOWN CLERK

## Petition

Pursuant to Connecticut General Statutes, Sec. 7-2 and Sec. 2-5 of the Code of Ordinances of the Town of Kent, the undersigned being qualified to vote at town meetings of the Town of Kent, hereby apply to the Selectmen of the Town of Kent to warn a special meeting for the purpose of considering and voting the adoption of an ordinance to prohibit the landing of aircraft on Lake Waramaug, substantially in accordance with the proposed ordinance attached.

SIGNATURE OF VOTER	PRINTED NAME	ADDRESS (NOT P.O. BOX)	TOWN	ZIP
1 	JOHN W GRANT	80 North Main Street Kent 10"	Kent	06757
2 	GARY C. DAVIS	46 HIGHLAND RD.	So. KENT	06785
3 	SAC L. L. L. L. L.	9 BURGE Street	Kent	06757
4 	Allan T. Maulx	22 Carter Rd	Kent	06757
5 	Gregory Eads II	180 Macalonic Rd	Kent	06757
6 	ROBERT M. DAVIS	46 HIGHLAND RD.	So. KENT	06785
7 	Katherine Totten	8 Halls Ln	Kent	06757
8 	MARSHALL WINSON	85 Kent Cornwall Road	Kent	06757
9 	Alicia Winson	85 KENT CORNWALL ROAD	" Kent	"
10 	Jessie Randall	27 Botsford Rd	RECEIVED FOR RECORD KENT TOWN CLERK	06757

I, the circulator of this petition page do hereby attest and state under the penalties of perjury that my address is 46 HIGHLAND RD SO KENT person whose signature appears on this page signed the same in person in my presence, that I either know each signer or that each signer satisfactorily identified himself page (s) were obtained not earlier than six months to the filing of said petition.

Dated at Kent, Connecticut, this 17<sup>th</sup> day of May, 2016.

**Signature of Circulator**

Printed name of Circulator SARY C. DANES

2015 MAY 13 10:48 AM  
to me and that all the signatures of said  
BY *[Signature]*  
TOWN CLERK

(10)



**PROPOSED ORDINANCE**

**REGARDING PROHIBITION OF AIRCRAFT LANDINGS ON LAKE WARAMAUG**

**FOR ADOPTION BY THE TOWNS OF KENT, WARREN AND WASHINGTON**

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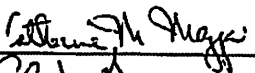
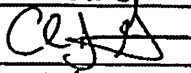
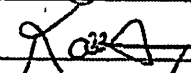
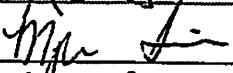
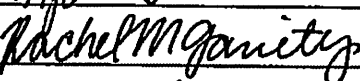
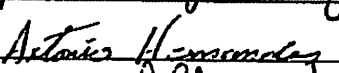

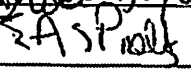
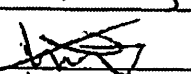
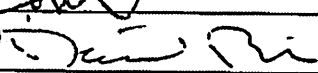
2016 MAY 31 A 9:01

BY

TOWN CLERK

TOWN OF KENT  
Petition

Pursuant to Connecticut General Statutes, Sec. 7-2 and Sec. 2-5 of the Code of Ordinances of the Town of Kent, the undersigned being qualified to vote at town meetings of the Town of Kent, hereby apply to the Selectmen of the Town of Kent to warn a special meeting for the purpose of considering and voting the adoption of an ordinance to prohibit the landing of aircraft on Lake Waramaug, substantially in accordance with the proposed ordinance attached.

SIGNATURE OF VOTER	PRINTED NAME	ADDRESS (NOT P.O. BOX)	TOWN	ZIP
1 	CATHERINE M. MAZZA	1 Macedonia Rd., Kent school	Kent	06757
2 	CHRISTOPHER J. GARRITY	56 ELIZABETH ST. KENT	KENT	06757
3 	Karen J. Garrity	56 Elizabeth St Kent	Kent	06757
4 	Morghan Loring	22 Valley View Rd Kent CT	Kent	06757
5 	Rachel M Garrity	56 Elizabeth Street	Kent	06757
6 	Antonio Hernandez	43 Elizabeth st	Kent	06757
7 	Veronica Limbos	39 Kent Rd	Kent	06757
8 	Liz PRETTY	120 Kent Hollow Rd	Kent	06757
9 	DAVE FAIRTY	31 HALL LN	Kent	06757
10 	Tim B. Bittner	30 State St Kent	Kent	06757

RECEIVED FOR RECORD  
KENT TOWN CLERK

I, the circulator of this petition page do hereby attest and state under the penalties of perjury that my address is 56 ELIZABETH ST.  
person whose signature appears on this page signed the same in person in my presence, that I either know each signer or that each signer satisfactorily identified himself or herself to me, and that all the signatures of said page (s) were obtained not earlier than six months to the filing of said petition.

Dated at Kent, Connecticut, this 27th day of May, 2016.

Signature of Circulator

Printed name of Circulator

CHRISTOPHER J. GARRITY

2016 MAY 31 AM 11:00  
I hereby certify that each  
page (s) were obtained not earlier than six months to the filing of said

BY

TOWN CLERK

(10)

**PROPOSED ORDINANCE**

**REGARDING PROHIBITION OF AIRCRAFT LANDINGS ON LAKE WARAMAUG**

**FOR ADOPTION BY THE TOWNS OF KENT, WARREN AND WASHINGTON**

**MINDFUL** that the operation of Aircraft (as hereinafter defined) on the waters of Lake Waramaug would pose serious risks to other concurrent users of Lake Waramaug; and

**COGNIZANT** of the unavoidable danger of contamination of the Lake by Aircraft from other water bodies which would compromise the many year undertaking to preserve the quality of the water of Lake Waramaug from invasive species and other pollutants; and

**CONCERNED** that the operation of Aircraft on Lake Waramaug would create unduly noisy and congestive conditions inconsistent with the scenic beauty and tranquility of Lake Waramaug that are enjoyed by the general public;

**BE IT RESOLVED THAT:**

1. No person shall land any aircraft of any type, including but not limited to planes and helicopters ("Aircraft"), on Lake Waramaug, nor shall any Aircraft take off from Lake Waramaug, unless an unforeseeable emergency arises and the operator of such Aircraft cannot safely land the Aircraft at any alternative location.
2. The landing of an Aircraft on Lake Waramaug shall be prima facie evidence of a violation of this ordinance and the violation of any provision of this ordinance shall be an infraction.
3. Whenever a violation of this ordinance occurs, proof of the registration number of any Aircraft concerned shall be prima facie evidence that the owner was the operator thereof.
4. Any person violating this ordinance shall be fined two hundred and fifty dollars for each landing and each takeoff. Such fines shall be levied by law enforcement by citations in accordance with Connecticut General Statutes See Section 7-148 as the same may be amended from time to time.
5. In addition to any fines or penalties imposed in this section, this ordinance may be enforced by injunctive procedure in the Superior Court. The town may further recover from any violator any and all costs and fees, including reasonable attorney's fees, expended by the town in enforcing the provisions of this article.
6. This ordinance shall not preclude any additional enforcement action taken by any appropriate town, state or federal official conducted pursuant to any applicable ordinance, regulation or law of the town or state or the United States of America.
7. All remedies and penalties provided for in this ordinance shall be cumulative and independently available to the town, and the town shall be authorized to pursue any and all remedies set forth in this section to the fullest extent allowed by law.
8. This ordinance is adopted pursuant to Connecticut General Statutes §7-148.
9. This ordinance shall take effect fifteen (15) days after publication of a summary of its provisions pursuant to Connecticut General Statutes, §7-157(b).
10. The First Selectman is hereby authorized and directed to inform the Federal Aviation Authority and other competent Federal and State governmental authorities and all appropriate Aircraft pilots associations of the adoption of this ordinance and of any violations thereof that should occur in the future.

11. It is hereby declared to be the intention of the town that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unlawful by valid judgment or decree of the court of competent jurisdiction, such unlawfulness shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.


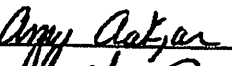


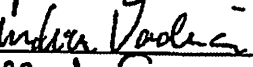


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KENT TOWN CLERK  
2016 MAY 31 A 9:01

BY

TOWN CLERK

TOWN OF KENT  
Petition

Pursuant to Connecticut General Statutes, Sec. 7-2 and Sec. 2-5 of the Code of Ordinances of the Town of Kent, the undersigned being qualified to vote at town meetings of the Town of Kent, hereby apply to the Selectmen of the Town of Kent to warn a special meeting for the purpose of considering and voting the adoption of an ordinance to prohibit the landing of aircraft on Lake Waramaug, substantially in accordance with the proposed ordinance attached.

	SIGNATURE OF VOTER	PRINTED NAME	ADDRESS (NOT P.O. BOX)	TOWN	ZIP
1		Stephen Doncella	381 Kent Cornwall Road	Kent	06757
2		Amy MacRitchie <sup>For Jay</sup>	411 Bulls. Cr. Rd	S Kent	06785
3		Alex Casey	34 Kent Cornwall Rd	Kent	06757
4		SEAN GILSON	22 Keniko Rd, South Kent, CT	S Kent	06785
5		Andy Vadnais	46 Bulls Bridge Rd, South Kent, CT	Kent	06785
6		Connie Manes	29 Treasure Hill Rd South Kent CT	Kent	06785
7		Lawrence W. Andrew	127 Kent Hollow Rd Kent CT	Kent	06757
8					
9					
10					

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KENT TOWN CLERK

I, the circulator of this petition page do hereby attest and state under the penalties of perjury that my address is 46 HIGHLAND RD 50 KENT and that each person whose signature appears on this page signed the same in person in my presence, that I either know each signer or that each signer satisfactorily identified himself or herself to me, and that all the signatures of said page (s) were obtained not earlier than six months to the filing of said petition.

Dated at Kent, Connecticut, this 28th day of MAY, 2016.

Signature of Circulator 

Printed name of Circulator GARY C. DAVIS

BY  TOWN CLERK (7)

**PROPOSED ORDINANCE**

**REGARDING PROHIBITION OF AIRCRAFT LANDINGS ON LAKE WARAMAUG**

**FOR ADOPTION BY THE TOWNS OF KENT, WARREN AND WASHINGTON**

**MINDFUL** that the operation of Aircraft (as hereinafter defined) on the waters of Lake Waramaug would pose serious risks to other concurrent users of Lake Waramaug; and

**COGNIZANT** of the unavoidable danger of contamination of the Lake by Aircraft from other water bodies which would compromise the many year undertaking to preserve the quality of the water of Lake Waramaug from invasive species and other pollutants; and

**CONCERNED** that the operation of Aircraft on Lake Waramaug would create unduly noisy and congestive conditions inconsistent with the scenic beauty and tranquility of Lake Waramaug that are enjoyed by the general public;

**BE IT RESOLVED THAT:**

1. No person shall land any aircraft of any type, including but not limited to planes and helicopters ("Aircraft"), on Lake Waramaug, nor shall any Aircraft take off from Lake Waramaug, unless an unforeseeable emergency arises and the operator of such Aircraft cannot safely land the Aircraft at any alternative location.
2. The landing of an Aircraft on Lake Waramaug shall be prima facie evidence of a violation of this ordinance and the violation of any provision of this ordinance shall be an infraction.
3. Whenever a violation of this ordinance occurs, proof of the registration number of any Aircraft concerned shall be prima facie evidence that the owner was the operator thereof.
4. Any person violating this ordinance shall be fined two hundred and fifty dollars for each landing and each takeoff. Such fines shall be levied by law enforcement by citations in accordance with Connecticut General Statutes See Section 7-148 as the same may be amended from time to time.
5. In addition to any fines or penalties imposed in this section, this ordinance may be enforced by injunctive procedure in the Superior Court. The town may further recover from any violator any and all costs and fees, including reasonable attorney's fees, expended by the town in enforcing the provisions of this article.
6. This ordinance shall not preclude any additional enforcement action taken by any appropriate town, state or federal official conducted pursuant to any applicable ordinance, regulation or law of the town or state or the United States of America.
7. All remedies and penalties provided for in this ordinance shall be cumulative and independently available to the town, and the town shall be authorized to pursue any and all remedies set forth in this section to the fullest extent allowed by law.
8. This ordinance is adopted pursuant to Connecticut General Statutes §7-148.
9. This ordinance shall take effect fifteen (15) days after publication of a summary of its provisions pursuant to Connecticut General Statutes, §7-157(b).
10. The First Selectman is hereby authorized and directed to inform the Federal Aviation Authority and other competent Federal and State governmental authorities and all appropriate Aircraft pilots associations of the adoption of this ordinance and of any violations thereof that should occur in the future.
11. It is hereby declared to be the intention of the town that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unlawful by valid judgment or decree of the court of competent jurisdiction, such unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

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KENT TOWN CLERK

2016 MAY 31 A 9:01

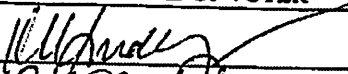
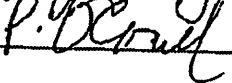
BY

TOWN CLERK

## TOWN OF KENT

## Petition

Pursuant to Connecticut General Statutes, Sec. 7-2 and Sec. 2-5 of the Code of Ordinances of the Town of Kent, the undersigned being qualified to vote at town meetings of the Town of Kent, hereby apply to the Selectmen of the Town of Kent to warn a special meeting for the purpose of considering and voting the adoption of an ordinance to prohibit the landing of aircraft on Lake Waramaug, substantially in accordance with the proposed ordinance attached.

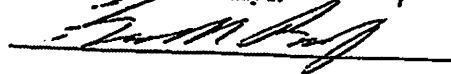
SIGNATURE OF VOTER	PRINTED NAME	ADDRESS (NOT P.O. BOX)	TOWN	ZIP
1 	Kathleen Lindennager	51 Elizabeth St Kent, CT 06757	Kent	06757
2 	Patricia D'Connell	35 Segon Mtn Rd. Kent CT 06757	Kent	06757
3				
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7				
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10				

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KENT TOWN CLERK

I, the circulator of this petition page do hereby attest and state under the penalties of perjury that my address is person whose signature appears on this page signed the same in person in my presence, that I either know each signer or that each signer satisfactorily identified himself or herself to me, and that all the signatures of said page (s) were obtained not earlier than six months to the filing of said petition.

Dated at Kent, Connecticut, this 28<sup>th</sup> day of May, 2016.

Signature of Circulator



Printed name of Circulator

Kevin Brady

in the presence of me, that each of the signatures of said page (s) were obtained not earlier than six months to the filing of said petition.

BY

TOWN CLERK

(2)

**PROPOSED ORDINANCE**

**REGARDING PROHIBITION OF AIRCRAFT LANDINGS ON LAKE WARAMAUG**

**FOR ADOPTION BY THE TOWNS OF KENT, WARREN AND WASHINGTON**

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11. It is hereby declared to be the intention of the town that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unlawful by valid judgment or decree of the court of competent jurisdiction, such unavailability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

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2016 JUN -3 A 11:42

BY  TOWN CLERK

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KENT TOWN CLERK

2016 MAY 31 A 9:01

BY  TOWN CLERK