

KENT TOWN PLAN 1989

REVISION OF THE 1975 TOWN PLAN

KENT PLANNING AND ZONING COMMISSION
KENT, CONNECTICUT

KENT PLANNING AND ZONING COMMISSION

Members

Patricia G. Ferris
Robert L. Knapp
Barbara H. Lasch, Chairman
C.H. Moore, Jr.
Paul J. Moroz
Robert R. Mott
James A. Palmer
Daniel Schiesel
Bruno Smits

Alternates

Gladys A. Blank
James Fallacaro
Janet E. Gordon

Consultant to the Planning and Zoning Commission

Thomas A.J. McGowan, A.I.C.P.
McGowan Associates Planning Services

KENT TOWN PLAN, 1989 - EFFECTIVE DATE 3/3/89

TABLE OF CONTENTS

	<u>PAGE</u>
Introduction	1
Part I -Kent Village Center (Maps of Kent Village Center following page 4)	3
Part II -Housing	12
Part III -Natural Resources, Open Space	18
Part IV . -Roads and Growth Management	28
Appendix	
1. Trends in Population and Employment	36
2. Analysis of Existing Kent Village Center Zoning Policy and Land Use Development Patterns	40
3. Kent Town Plan, 1975	44
4. State Plan of Conservation and Development, 1986	50
Northwestern Connecticut Regional Plan, 1987	

Introduction

The Kent Planning and Zoning Commission was established by a local ordinance and charged with the preparation and adoption of a Town Plan of Development, adoption and administration of subdivision regulations (planning functions) and adoption, administration and enforcement of zoning regulations (zoning function). The required guidelines and procedural requirements for planning and zoning are set forth in the Connecticut General Statutes Chapters 124 (Zoning) and 126 (Planning).

Kent first adopted Subdivision Regulations in 1965, subsequently zoning regulations were adopted for the Town of Kent outside of the Kent Fire District. In 1973 the Kent Fire District established its own Zoning Regulations which were administered separate from the rest of the Town until 1986 when the Fire District Zoning was joined under one set of Zoning Regulations. In 1988 it was voted to disband the Kent Fire District.

Kent's first Town Plan of Development was adopted in August of 1975. Prepared over a two and one-half year period with substantial technical assistance from the State of Connecticut, the plan provides a wealth of planning data and mapped information. Assisting Kent was a State planning team which included a professional planner, cartographer and secretary. Policies and recommendations approved by the Planning and Zoning Commission and adopted in the 1975 plan were for the most part general standards that provided an overall direction to guide future development and conservation in Kent.

The pressure of new development during the 1980's urged the Planning and Zoning Commission in 1987 to begin an update and refinement of the general 1975 Town Plan. This updated Plan reinforces the basic direction of the original plan and adds to it more detailed policies and recommendations needed to respond to increased growth and change in Kent.

Background Assessment

The background trends and policies which were assessed and considered in the preparation of the recommendations for this Plan Update are summarized in the Appendix. These include a review of past and projected population and employment trends; an analysis of existing Village Center zoning and land use policy; the recommendations of the 1975 Kent Town Plan; the 1986 State Plan of Conservation and Development and the 1987 Northwestern Connecticut Regional Plan.

Goal, Policies and Recommendations

This update consists of a hierarchy of recommendations. At the top is the following broad, guiding goal which was formulated at the outset by the Commission based upon local opinion gathered from members of local boards, commissions and a variety of local organizations. Following from the goal the Commission identified the major subject areas of the plan and an overall policy for each. Major subject areas are Village Center, Housing, Natural Resources, Roads Circulation and Growth Management. The specific policies and detailed recommendations in each subject area set forth the actions, regulatory changes and private initiatives necessary to implement the plan.

Plan Update Goal

TO MAINTAIN AND ENHANCE KENT'S SMALL-TOWN ATMOSPHERE, ITS DIVERSITY OF PEOPLE, HOUSING AND EMPLOYMENT OPPORTUNITIES, ESPECIALLY AS FOUND IN KENT'S VILLAGE CENTER. TO PRESERVE KENT'S RURAL CHARACTER AND APPEARANCE, ESPECIALLY ITS OPEN SPACES, VIEWS AND VISTAS AS SEEN FROM ITS SYSTEM OF ROADS.

I - KENT VILLAGE CENTER

Introduction

This is one of the most important sections of the Town Plan Update. Focusing on the Village Center, this section involves analysis and planning recommendations for residential use, single family and multi-family, commercial land use, public utilities (water and sewer systems), village center circulation, parking, signs, lighting and other factors influencing the future development and appearance of the Village Center.

Kent's Village Center is the hub of the Town's activity for business, government and education services. Located on river valley bottom land at the confluence of the Housatonic River and Macedonia Brook, Kent Center is a pleasant mixture of old New England houses and new development.

The following overall policy for the future land use planning and development of Kent Village Center was established based upon a survey of the Town's boards and commission and numerous public and private groups. It was also reviewed and modified after meeting with Kent center merchants and landowners.

Overall Policy

TO MAINTAIN AND ENHANCE THE APPEARANCE OF KENT VILLAGE CENTER AS A WELL DEFINED AND CONTAINED CENTER WITH A MIX OF RESIDENTIAL TYPES AND DENSITIES AND LOCAL, TRANSIENT AND AREA-WIDE SPECIALTY BUSINESSES AND SERVICES.

This overall policy and the policies and recommendations that follow from it are designed to concentrate growth within a clearly defined Kent center while encouraging siting and design that maintain Kent's New England town appearance. These recommendations are designed to permit the variety of housing and business opportunities which is characteristic of Kent's historic development pattern.

NOTE: See the Appendix for the background analysis and a review of existing (1975) Town Plan policy, State Plan policy and the current land use policy as stated and implemented by the Commission in its Zoning Regulations.

Recommendations

1. Village Center Boundaries

The Village Center area should be defined and limited to the existing developed portion of the center area and additional undeveloped land within the natural confines of the Housatonic River Valley bottom land and its flood hazard areas. This will keep high density development off the steep slopes on the eastern and northern borders and out of the low-lying flood hazard areas. With careful site design review, even high density development in the Village Center will be less visible and will not detract from the New England character and appearance of the Village Center. (See Kent Village Center Maps.)

2. Sewer Service and Village Center Zoning

- A) To accomplish this it is essential that the existing and future sewer service area be established to coincide and be limited to the Village Center boundaries.
- B) Zoning districts and site plan criteria for uses in the Village Center sewer service area should be revised and modified to permit a mix of residential densities and types of commercial uses compatible with the overall goal of maintaining Kent's New England village appearance.
- C) It is recommended that the northern and eastern boundary of the Village Center area be set at the base of the steep slopes which is the 440' topographic contour level. The Village Center area should also include the narrow arm of level, contained land along Route 341 and Maple Street Extension to Berkshire Transformer.
- D) It is recommended that the southern boundary of the Village Center area should remain along the Fire District line.
- E) The western boundary of the Village Center area should be the Housatonic River and the inner corridor of the Housatonic River flood hazard area. The Kent School area on the west side of the Housatonic River is served by the sewer system and should also be included in the Village Center to serve Kent School only.
- F) It is recommended that future sewer service extensions be limited to the above defined Village Center. Within the Village Center sewer service area land should be zoned specifically for future development at high densities.

High density single family residential, multi-family residential and commercial uses should be permitted only within the natural confines of the village center as defined above.

- G) Additional land for expansion of high density multi-family development could be established under specific location and site design criteria established in the Zoning Regulations. Design criteria should require the applicant to demonstrate how the development will blend with surrounding land uses and visually enhance the village center.
- H) One of the most important future high density development sites is the commercial-office zone around Kent Green.
- I) Other areas with potential for permitting high density uses and extension of the sewer lines include portions of the land in the northwestern section of the village south of the rail line and north of Johnson Road.

3. Water Service

Public water service is important but not as important as sewers in determining the potential type and density of development. The private Kent Water Company, one of the older water systems in the State, provides public water service to much of the Village Center. (See Kent Village Center Maps.)






Major capital improvements will be needed if the private water system is to service future developments in the village center. The system's water storage capacity is near its limit and some of the original water lines in the Village Center need to be replaced.

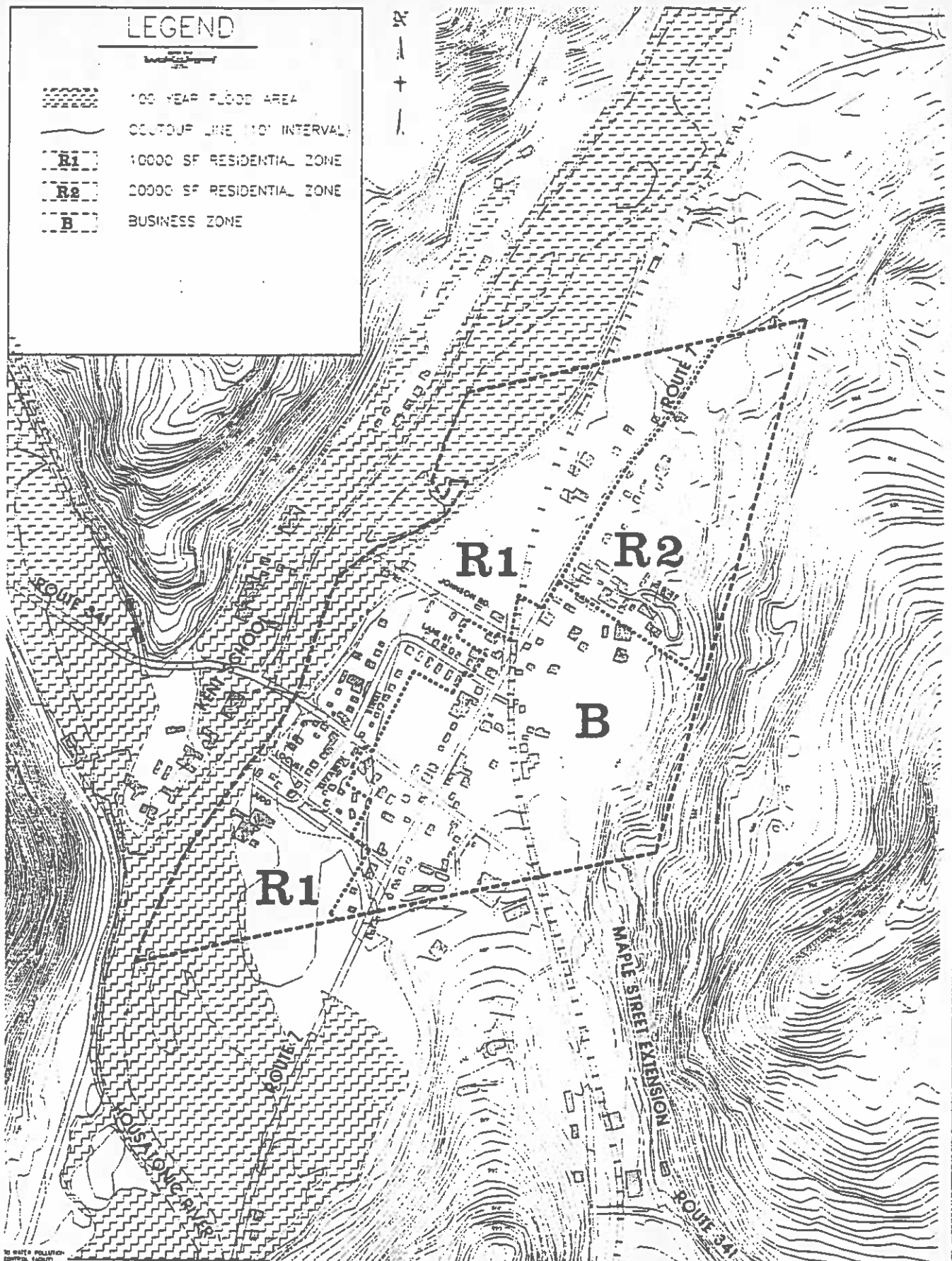
This private water system should be upgraded and available for new growth in Kent Center. Certainly the State Department of Public Utility Control will not permit major new water connections which cannot be properly supported by an adequate storage and delivery system.

4. Zoning Districts in Kent Village Center

Within the Kent Village Center area as defined above it is suggested that zone districts should be defined and amended as follows.

LEGEND

-  100 YEAR FLOOD AREA
-  CONTOUR LINE 10' INTERVAL
-  R1 10000 SF RESIDENTIAL ZONE
-  R2 20000 SF RESIDENTIAL ZONE
-  B BUSINESS ZONE



NO WATER POLLUTION
CONTROL FACILITY

REVISED 1/20/88

KENT PLANNING &
ZONING COMMISSION

TOWN PLAN UPDATE
1989

UTILITIES AND PROPOSED
SEWER SERVICE CORRIDOR
KENT, CONNECTICUT

ROLLETT ENGINEERING ASSOC.
CIVIL & ENVIRONMENTAL ENGINEERS
TORRINGTON, CONNECTICUT

McGOWAN ASSOCIATES
PLANNING SERVICES
LITCHFIELD, CONNECTICUT

For this discussion and recommendations that follow several terms need to be defined.

Lot Size - The minimum required area needed for a single family home or other use.

Overlay Zone - A zone with specialized requirements which is superimposed over a certain part of a conventional zone (see above).

Permitted Use - For each zone there is a list of uses allowed in one of two classifications. A permitted use is a use allowed by right under a zoning permit for which no public hearing is required and special conditions are not imposed.

Special Permit Use - A use which is typically not compatible with the dominant use in a zone, such as a use of a business nature located in a residential zone. These uses may be approved only after a public hearing and possibly according to special conditions of approval.

Yard Setback - The minimum required distance between a lot line and a building on a lot.

Zone or District - A specific area designated for a certain use or uses (e.g. residential zone or commercial zone). There may be more than one single family residential zone each with a different requirement or a minimum size lot.

4.A R-2 Single Family Residential Zone

a. The existing R-2 Zone should be expanded to encompass land not presently served by the sewer system. This would add an R-2 Zone area on the west side of Route 7 from the Congregational Church and cemetery property north to the Fire District boundary. It could also be expanded to include the land on the west side of Route 7 south from Judd Street to the 100 year Flood Hazard Boundary Line.

b. The lot size permitted in the R-2 Zone should be established according to the utility service available as follows:

1. Where no public water or sewer is provided, each lot should have 40,000 sq. ft. of area, and within the lot there should be a 100-ft. square with no inland wetlands or flood plain land.

2. Where either public water or sewer only is provided, the minimum lot is recommended for 20,000 to 30,000 sq. ft.

- c. Within the R-2 Zone it is recommended that subdivisions of 3 or more lots permit cluster housing. This would allow homes on small lots. The cluster subdivision should be allowed only where the overall site will result in a continuity of structural and landscape design on the street frontage and maintain a buffer of green space along the Housatonic River.

4.B R-1 Single Family Zone

- a. The existing R-1 Single Family Zone encompasses all the land west of Route 7 to the Housatonic River. It permits single-family lots on 10,000 sq. ft. lots (less than 1/4 acre). It is suggested that this zone boundary be modified to more closely approximate the existing sewer and water service area. This would change the northern boundary of the R-1 Zone to the Congregational Church and cemetery property and the southern boundary would be Judd Street.
- b. Within this zone it is recommended that the lots with both water and sewer should be of a size suitable to maintain the existing average building setback from the front and side yard lines. Lots with either water or sewer should require a lot not less than twice the minimum for lots with both water and sewer. This change will permit off setting of the home site to one side of the lot. Subsequently when the other utility is extended, the lot can be split into two smaller lots.
- c. Within the R-1 Zone it is recommended that subdivisions of 3 or more lots permit cluster housing. This would allow house sites on small lots where the overall site will include preservation of key open space and features of the street scape or similar sensitive landscape plan design. Cluster subdivisions could also include the requirement to provide a buffer of land along the river corridor.
- d. New Multi-family housing should be permitted in this zone under more specific special permit criteria which will assure that the multi-family use will not devalue single family uses.
- e. Special permit uses in this zone should include home occupations (revised to require criteria for compatibility with a residential neighborhood), bed and breakfast use, churches, non-profit clubs and community houses.

4.C Multifamily Residential Use and Open Space

The Commission should explore the possibility of reducing the amount of required landscaped green space associated with a multi-family development in the village area where a proposed development guarantees protection of farmland or valuable open space outside the village center.

4.D Future Commercial Land Use

Land in the existing Business Zone (see existing Zoning Map) is of two general types. One is the developed land on the main streets, (Route 7 and 341) consisting of the lots and structures fronting on these streets. The other is off-main street land consisting primarily of the developed and undeveloped land associated with the Kent Green shopping area.

The remaining undeveloped off-main street land in the business zone is open, level and visually separated from the main streets. With access provided from both Route 7 and 341 and some attention to site layout this land can be developed in a planned mix of commercial and office uses without detracting from the rural sense of the village center. Basic standards for new commercial development which should be included in the Zoning Regulations are a minimum lot size requirement (approximately 20,000 square feet is suggested) and a requirement that commercial lots must have a minimum percentage of lot area in landscaped green space.

For lots fronting on Main Street (Route 7) and Route 341, zoning criteria should be established for the following purposes:

- To retain the New England historic appearance of the village's Main Street,
- To require safe access-egress to the Main Street and to control high traffic-generating uses which would conflict with the traffic carrying capacity of Route 7 and 341.

The following specific suggestions would apply to uses in the Business Zone:

- a. A Site Plan would be required for all uses subject to detailed site design standards.
- b. Conversion of single family houses for apartment use would be allowed as a special permit under criteria similar to that established for the R-1 Zone with the purpose of retaining the residential appearance of the single family structure.

- c. The Commission should consider establishing site design and architectural review advisory guidelines aimed at blending new buildings and proposed additions into the overall Main Street streetscape. One method used by Planning and Zoning Commissions in a number of Connecticut towns is to create an advisory Architectural Design Review Subcommittee to review site plans in the business district. The Commission should consider establishing site design and architectural review advisory guidelines aimed at blending new buildings and proposed additions into the overall Main Street streetscape.
- d. Landscaped off-street parking should be required to the rear of structures fronting on the Main Street. Off-site and shared parking should be permitted under guidelines established in the regulations to allow new and expanded uses the opportunity to meet off-street parking requirements on nearby parking lots.
- e. On Main Street any new structure should be setback not more than the average setback of the existing principal structures. Changes to existing Main Street structures should be encouraged to maintain the single family appearance of the facade. On Route 341 new structures should be located with minimum (20') front yard setbacks and off-street parking should be located in the rear.
- f. Access and egress requirements should be established in the Zoning Regulations to encourage joint use of access points to Route 7 and 341 and to minimize new curb cuts on the State Highways.

5. Parking, Signs and Lighting in Village Center

The existing zoning requirements for parking, signs and lighting should be reviewed and brought up to contemporary and uniform standards. Local merchants and Town officials should be encouraged to cooperate to improve parking opportunities and the appearance of the Village Center shopping area, especially the location and appearance of signs and lighting.

- A) Off-site and shared parking should be permitted under guidelines established in the regulations to allow new and expanded uses the opportunity to meet off-street parking requirements on nearby parking lots.

- B) The Town should establish a local parking authority (which could be the Board of Selectmen) to be responsible for developing a long-range plan for parking in the Village Center. This plan should consider the need for a Town-owned parking area. A parking authority properly established has the authority to acquire and develop land and to manage funds for the purpose of improving parking in the Village Center.

One idea for the authority to consider is trading the existing Town Hall site for a parking area closer to the Town's commercial center.

- C) Any change of commercial use along Route 7 should be required to present a detailed parking plan and to assure that employees will park in an off-street parking facility. It is estimated that a significant number of customer spaces could be provided on Route 7 if the employees of Main Street businesses were required to park off-street.
- D) The Planning and Zoning Commission should establish a provision in its Regulations which permits an applicant to provide for funds in lieu of parking space requirement. Where an applicant is short of the required number of parking spaces State Statutes authorize the Commission to accept funds in lieu of parking spaces. These funds may not go into the General Fund but must be dedicated to carry out plans for providing public parking such as would be developed by a local parking authority.
- E) New standards are needed in the Zoning Regulations for both signs and lighting. The Regulations should establish standards that are compatible with the historic and rural character of Kent. A model signs and lighting standards regulation for a New England Town is provided in the design book published by the Center for Rural Massachusetts.

6. Land Use Development Review

- A) The Planning and Zoning Commission should establish a special land use review procedure for all major new developments in the Village Center. The Sewer Commission, a representative of the Water Company, the Fire Marshall and other Town officials involved in the decision making process should participate in preliminary site plan review meetings.

- B) The site plan review section and special permit section of the Zoning Regulations should be revised to require architectural drawings of proposed new buildings and major additions. Criteria for special permits should encourage site and building design that is compatible with the rural New England character of the Village Center. Examples of such criteria are also found in the above referenced publication.

II - HOUSING

Introduction

The past six years of rapidly escalating land and housing costs have created a housing crisis in many rural New England towns. In Kent the influx of seasonal homeowners, retirees and land developers has bid up the cost of land and housing. As a result there is a wide gap between the cost of housing and the income of many people in local service industries and town employees. These same citizens make up much of the corp of volunteers who sustain Kent's emergency fire and ambulance services.

This troubling region-wide trend is most pronounced in Litchfield County, which is within New York City's sphere of influence. Housing costs and the high density of development in traditional New York City suburban counties such as Westchester, NY and Fairfield, Connecticut have directed attention to more outlying areas, such as Litchfield County.

This area's combination of comparatively moderate cost of development and the area's exceptionally scenic, rural, high quality environment have made towns such as Kent extremely attractive to the weekend and seasonal New York market. This market, which has long been a secondary factor in the area housing market, has in the past become the dominant factor in the development of Kent. As cited in the background section the Regional Council of Governments estimates that as of 1986 50% of all landowners in Kent are now part-time or non-residents.

Task Force on Housing

In recognition of its housing problem the Town of Kent in April 1987 created an eight-member task force charged to review the Town's housing needs and to investigate the methods of "closing the gap" between housing needs and availability. Within one year the task force was asked to report on its findings. Specifically the task force was asked to: recommend establishing a permanent housing committee or a Town Housing Authority, (b) to encourage formation of a non-profit housing organization and (c) to study incentives to the private sector for providing needed local housing.

Overall Policy

The Housing Task Force recommended that the Kent Town Plan include a strong statement of policy to promote improved housing opportunities such as follows.

TO PROVIDE A VARIETY AND BALANCED SUPPLY OF HOUSING ESPECIALLY TO MEET THE NEED FOR HOUSING FOR LOCAL, RETAIL AND SERVICE BUSINESS EMPLOYEES AND FOR TOWN EMPLOYEES.

NOTE: Highlights of the 1975 Town Plan. Results of the 1987 housing survey and analysis of existing housing policy are provided in the Appendix. The 1975 plan recognized the "average citizen" has been priced out of the Kent housing market. The 1987 survey confirmed a need for lower cost housing.

Recommendations

The following recommendations are offered to stimulate discussion on decisions on the best approach to meeting the gap between housing needs and housing availability in Kent. Developed primarily from discussions held with the Housing Task Force, these recommendations center on regulatory mechanisms which could be helpful to meet local housing needs.

1. Permanent Housing Oversight Group. The plan update supports formation of a permanent housing organization. Such an organization is needed to maintain an up-to-date assessment of the Town's housing needs and to continually explore alternatives and seize opportunities for providing needed housing. It should be noted that in other rural communities non-profit housing corporations have demonstrated flexibility and innovation in designing successful local housing programs.

State Zoning and Subdivision Statutes require that zoning regulations "encourage the development of housing opportunities for all citizens of the Town". In recent years state policy and legislation have become more directive, aimed at requiring individual Towns to take positive measures toward providing additional housing alternatives and opportunities.

Working with a permanent housing group the Planning and Zoning Commission can incorporate amendments to its Zoning Regulations which are designed to

- A) offer alternative housing opportunities,
- B) provide incentives for the private sector to incorporate affordable housing in development plans, and
- C) reduce the cost of development.

The following are recommendations offered in each of these three areas.

2. Modify Existing Housing-Related Regulations and Add New Regulations to Expand the Opportunity for New Housing Alternatives.

A) Revise the zoning regulations related to accessory apartments to permit more opportunities for the use of this form of housing unit.

- a. The survey by the Housing Task Force shows that a significant number of persons who are seeking housing are looking for rental opportunities and that most want to live in a single family neighborhood.

Presently in the Town (outside the Village Center) the owner of a single family home can create and rent an accessory apartment but must remain living in the house. Some older persons who own a house in Kent will have another alternative to remain at home if the Commission permits the lot owner to live in the house or the apartment. Likewise a young couple may find the financing of home construction more affordable if they can begin by living in their accessory apartment while renting the main house.

- b. The policy practiced by the Commission of not allowing an apartment associated with two homes on a single driveway also limits the opportunity for creation of accessory apartments.

Changes to the standards and requirements for accessory apartments could assure that all apartments would be allowed as a special exception on the principle that the apartment use must blend into the single-family neighborhood.

- c. In the Fire District, accessory apartments are not permitted, but guest houses for non-paying guests are permitted. Enforcement of the present guest house regulation is very difficult. Practically viewed this regulation is, in effect, permission for an accessory apartment. If so, the Commission should consider establishing proper standards and requirements for accessory apartments to be allowed as a special permit.

B) Establish a New Special Exception Use for Town Sponsored Affordable Multi-family Housing.

The Zoning Regulations allow multi-family construction only if connected to the Town sewer treatment system. This is a good policy and should be continued. However the Commission could consider allowing Town Sponsored Affordable Multi-family Housing on sites outside the village center where the housing is served by a common water system and/or common septic system.

Such a provision would greatly expand the possibilities for moderately priced housing. Under Town sponsorship it could be assured that the common water septic system would be designed and operated properly.

C) Revise the Cluster Subdivision Section of the Zoning Regulations.

The existing section of the Zoning Regulations which allows clustering of smaller house lots needs to be revised to provide a more precise formula for determining the number and size of lots permitted.

This provision could also be revised to permit attached single-family homes in groups (e.g. up to four units). Under the present regulations one or two family attached units can be clustered on smaller lots.

Where the Commission permits up to four dwelling units per structure it will permit a more efficient use of land and provide the opportunity for lower development costs.

At the same time a two family dwelling should be removed as a permitted use and placed under the special exception section of the Zoning Regulations.

D) Revise Multi-Family Regulations in Village Center - Residential Zones.

Multi-family development is presently allowed as a special permit in the Village Center residential zones. It is recommended that this criteria for a multi-family special permit be revised to include more specific standards designed to better protect surrounding neighborhood single family residential properties. This criteria should also be revised to improve the opportunity for multi-family housing with a mix of dwelling units designed to respond to the housing needs of the Town.

E) Revise the Special Exception Regulations in the Village Center for Conversions of Single Family Houses for Multi-family Use.

The existing regulations allow a special permit for conversion of a single family house to multi-family use within the Village Center residential zone. These regulations as written are confusing. It appears that there is no limit to the number of housing units allowed in a conversion. Also it is not clear if the same standards that apply to new multi-family construction also apply to conversions.

It would be appropriate to establish a separate set of standards and requirements for conversion of existing housing to multi-family use. The Village Center section of the plan update recommended allowing a conversion of a single-family house. This could be allowed under special exception standards that would assure retention of the appearance of the single family residence.

3. Consider Adding Special Incentives and Trade-Offs to Encourage the Private Sector to Provide New Alternative Housing Opportunities.

- A) Consider granting a limited term tax abatement on the value added for the creation of an accessory apartment when the apartment is rented to a person who has qualified for moderate-cost housing through the local housing organization.
- B) Consider allowing a higher density of housing in cluster subdivisions or for multi-family housing in the Village Center where a percentage of the housing units are either sold to or rented through the local housing organization.

The cluster regulation could be drafted to incorporate incentives where a percentage of the units are guaranteed to help meet the Town's need for housing.

The multi-family regulations for the Village Center as written allow a maximum of almost 11 dwelling units per acre. This maximum should be reduced with permission to raise density where a percentage of the units are for local housing needs.

4. Consider Existing Regulations and Amendments Which Help Reduce Housing Development Costs.

- A) The existing zoning regulations do not specify a minimum floor area requirement. Also the regulations permit a minimum street frontage of 25 feet. These two provisions - minimum floor area and minimum street frontage - have a direct bearing on the cost of land and the cost to build a home.

Unlike Kent many towns have established substantial minimum floor area and road frontage requirements which add to the cost of housing. Kent's regulations kept as is will help avoid unnecessary increases in housing costs.

- B. The highest single development cost for land subdivision is typically road construction costs. The Kent Highway Specifications width requirement should be revised to comply with national standards for width. Of most concern is the paved width requirement for a local street which is presently 26 feet. According to National Standards this requirement could be reduced to 22 or 20 feet, with no sacrifice to safety and yet with a substantial reduction in construction costs.

As this map shows, streambelts vary in width from an average of 150' to 300' from the shore of a perennial stream or waterbody. It includes all wetlands adjacent to the stream or waterbody and additional land depending upon the type of soil as necessary to protect the wetland and watercourse. Typically 60% of the land in the streambelt is inland wetland soils which are already regulated by the Town's Inland Wetland Commission. Land area in the streambelt beyond the inland wetland soils is delineated based upon an assessment of the development limitations of the soil type. For example, if the soil adjacent to a watercourse or wetland is a steep sloped, shallow to bedrock soil it is considered to be especially prone to soil erosion, therefore the corridor line is set at a wider band than a more level stable soil.

The Town has several options for action to protect streambelts. At the least it is recommended that the Inland Wetland Commission recognize the critical value of protecting wetlands located within streambelts. Not all wetlands have a equivalent value for protection, generally the wetlands within streambelts are of the highest significance for stream protection.

Also within the system of streambelts both the Inland Wetland Commission and Planning and Zoning Commission should recognize that certain streambelts and wetland areas are of the highest significance. The following is a list of the Town's most significant streambelts and the reasons supporting this ranking.

- A) West Aspetuck River Streambelt and all streambelts within the West Aspetuck River Watershed. The West Aspetuck River watershed is designated as a potential public water supply watershed. A high percentage of the upper part of the watershed has severe limitations for development and strict protection of these streambelts is necessary to maintain its potential use for a drinking water supply.
- B) Wetlands and Watercourses Associated With the Kent Water Company water Supply Wells Located Above the Kent Reservoir off of Route 341. The immediate area around the two water supply wells in this location is regulated by the State Health Code. The wetlands and watercourse feeding these wells should also be protected.

III - NATURAL RESOURCES, OPEN SPACE

Introduction

This section of the plan update identifies and recommends preservation of the Town's critical water and land features. It also identifies the open space and visual features which are important to conserve in order to accomplish the overall goal of the plan to maintain the Town's rural character.

NOTE: The Appendix provides a review of the natural resource and open space recommendations in the 1975 Town Plan, the 1986 State Plan of Conservation and Development and the 1987 Northwestern Connecticut Regional Plan of Development.

The plan recommendations are preceded by an assessment of the substantial amount of existing open space land in Kent. Much of Kent's permanently protected land is owned in fee simple by the State, the U.S. Government or private land trusts and thus is not subject to local taxes. For this reason the plan suggests that in the future the preferred method of protection should be by conservation easements.

Assessment of Existing Open Space in Kent

The picture of open space in Kent has undergone significant change since 1975. There have been numerous diverse additions to Kent's list of permanently protected land, especially the Stanley Works properties. The future holds the prospect of continued change due to development. Much of Kent's privately held open land is in large holdings which are not restricted from development. A principle aim of an open space plan should be to identify critical lands within these large holdings and offer suggestions for protection.

In 1975 Kent's permanent open space inventory totaled 4,270 acres consisting of state park and forest lands (3,300), Town land (200 acres, Emory Park), and the private Pond Mountain Trust (770 acres). At that time a much greater amount of land totaling over 7,000 acres was in privately held large parcels which although kept as open space were subject to potential development. This included private school property (approximately 2,400 acres), various private campgrounds (totaling approximately 900 acres), the Schaghticoke Indian Reservation (400 acres), Preston Mountain Club (1,083 acres), Stanley Works Company holdings (1,550 acres), Connecticut Light and Power (550 acres) and miscellaneous other private open spaces of approximately 350 acres.

Since 1975 the most significant addition to Kent's inventory of permanent open space was protection of the vast Stanley Works Company river valley holdings on both sides of the Housatonic River from the Sharon-Cornwall town lines to Flanders. The total Stanley land in Kent, Sharon and Cornwall was approximately 2,000 acres. Of this total, approximately 1,550 acres were in Kent (800 on the west and 750 acres on the east side of the River.

Stanley Land on the west side of the River has been acquired by the National Parks Service and is now managed by the State Department of Environmental Protection for the preservation and use of the Appalachian Trail. Also on the west side of the river is a 132-acre segment of the St. John Ledges which is protected by The Nature Conservancy.

Much of the east side, although still under Stanley Works ownership, is also protected under conservation easements and a limited development plan which restricts potential future housing to sites which will not detract from the scenic valley and trail views. It also permits continued use of active farmlands, and future clearing of potential farmland for agricultural use only.

Another important permanent open space addition now protected by The Nature Conservancy is the Iron Mountain Reservation.

Conservation easements have become increasingly important in land protection in Kent since 1975. Most notably this includes easements preventing development on scenic farm fields along Cobble Road and other sensitive lands in the Cobble Brook watershed. Recent examples of restrictive easements that have limited development and protected land in Kent include: a 250-acre parcel in the northeastern corner of the Town, a farm field in a subdivision plan for the Conboy Farm on Route 7, and several lots in the Studio Hill subdivision. The regional Weantinoge Heritage land trust has played a vital role in the protection of many parcels and easements in these and other land saving efforts in Kent over the past ten years.

With the above described additions and several other smaller parcels it is estimated that the total amount of permanently protected open space in Kent is in excess of 6,500 acres or 20% of the total area of the Town. Compared to other rural Town's in Litchfield County, Kent has more permanent open space than most.

On the other hand Kent also has more unprotected open space in large holdings. Some of this land has been developed since 1975 and much more will be under increasing pressure for development with continued escalation in land values. Kent's numerous private summer camps and campgrounds have been especially vulnerable to conversion to subdivision development. These parcels, such as Camp Kent with water frontage on South Spectacle Lake, are prime candidates for residential subdivision. Of major concern to the Town is the future disposition of excess private school holdings, such as the 600 acre Kent School for Girls campus which has been the subject of as yet unfulfilled development plans.

Overall Policy

TO PRESERVE CRITICAL WATER RESOURCES ESPECIALLY DRINKING WATER SUPPLY SOURCES, UNIQUE AND FRAGILE ENVIRONMENTAL FEATURES OF STATEWIDE SIGNIFICANCE, TO CONSERVE SCENIC VIEWS, VISTAS AND FARMFIELDS, AND TO DIRECT GROWTH TO THE LEAST VISUALLY AND ENVIRONMENTALLY DISRUPTIVE SITES.

Recommendations

1. Water Resources

It is recommended that the Town establish a system of protected streambelts as the backbone of its plan for protection of water resources.

A streambelt is a corridor of environmentally sensitive land along streams and waterbodies defined by soil types. Protection of streambelts has a number of important resource benefits:

It helps maintain high water quality in the Town's streams, waterbodies and aquifer areas,

It avoids increased flooding and soil erosion and sedimentation of streams, and,

It provides a continuous network of travel ways for wildlife and for scenic and recreational enjoyment.

The 1975 Plan recommended protection of streambelts as the primary element of its natural resource plan. Since that time the method of defining streambelts has been revised and refined by its originator, the U.S. Soil Conservation Service. Using this new method a Town-wide color coded map of streambelts at a scale of 1"=1000' was prepared as part of this plan update.

As this map shows, streambelts vary in width from an average of 150' to 300' from the shore of a perennial stream or waterbody. It includes all wetlands adjacent to the stream or waterbody and additional land depending upon the type of soil as necessary to protect the wetland and watercourse. Typically 60% of the land in the streambelt is inland wetland soils which are already regulated by the Town's Inland Wetland Commission. Land area in the streambelt beyond the inland wetland soils is delineated based upon an assessment of the development limitations of the soil type. For example, if the soil adjacent to a watercourse or wetland is a steep sloped, shallow to bedrock soil it is considered to be especially prone to soil erosion, therefore the corridor line is set at a wider band than a more level stable soil.

The Town has several options for action to protect streambelts. At the least it is recommended that the Inland Wetland Commission recognize the critical value of protecting wetlands located within streambelts. Not all wetlands have a equivalent value for protection, generally the wetlands within streambelts are of the highest significance for stream protection.

Also within the system of streambelts both the Inland Wetland Commission and Planning and Zoning Commission should recognize that certain streambelts and wetland areas are of the highest significance. The following is a list of the Town's most significant streambelts and the reasons supporting this ranking.

- A) West Aspetuck River Streambelt and all streambelts within the West Aspetuck River Watershed. The West Aspetuck River watershed is designated as a potential public water supply watershed. A high percentage of the upper part of the watershed has severe limitations for development and strict protection of these streambelts is necessary to maintain its potential use for a drinking water supply.
- B) Wetlands and Watercourses Associated With the Kent Water Company water Supply Wells Located Above the Kent Reservoir off of Route 341. The immediate area around the two water supply wells in this location is regulated by the State Health Code. The wetlands and watercourse feeding these wells should also be protected.

- C) Streambelts Associated With Cobble Brook Are the core of an Aquifer Area that supplies a third, presently inactive Kent Water Supply Well. The Kent water supply system will need more water for future growth in Kent village center. This proven well is a likely source for this additional supply and its recharge system should be carefully protected.
- D) The Streambelts Around North and South Spectacle Lake. These two waterbodies and their associated wetlands are highly valued for recreational use, wildlife habitat, and ecological and potential archeological significance. Wetlands around these lakes are part of the headwaters of the West Aspetuck watershed and have been designated as important for protection in a variety of studies and surveys, including the State Plan of Conservation and Development. These wetlands are also shown in an inventory conducted by the U.S. Fish and Wildlife Service.
- E) The Streambelt on Womenshenuk Brook, Leonard and Hatch Ponds. These ponds and wetlands have also been identified as especially significant natural features in the State Plan and have been mapped by the Wildlife Service.
- F) The Bull Mountain Brook Streambelt. This includes Mud Pond and its surrounding wetlands, which are recommended for preservation in the State Plan and mapped by the Fish and Wildlife Service. The upper reach of this streambelt affords exceptional scenic vistas and encompasses Irving Pond and the surrounding protected lands.

Preservation of the water quality and control of nutrients into these waterbodies (d, e, and f above) will be possible if the streambelt water frontage is protected from development, septic installation and farm use.

- G) The Thayer Brook Streambelt. Although this streambelt consists largely of land with very severe limitations for development it should be included on this list for special protection due to the State cited significance for protection of threatened plant and wildlife habitat around Chapel Pond and near the confluence of Thayer Brook with the Housatonic.

- H) The Various Tributaries and Streambelts Directly Associated with the Housatonic River. Of these small numerous streams the most vulnerable to development and the greatest potential effect on the Housatonic River is North Kent Brook. Part of the Kent School for Girls is located in the upper reach of this watershed and its future development should be carefully regulated to avoid erosion and sedimentation of the brook and the Housatonic River.

For streambelts of high significance it is recommended that the Inland Wetland Commission amend its definition of regulated land to include non-wetland areas within the streambelt. This amendment would require the Inland Wetland Commission to assess any development or disturbance proposed in a non-wetland portion of a streambelt to determine if it will have an adverse impact upon the wetlands or watercourse in the streambelt.

Many towns have established a uniform wetland buffer or setback requirement for protection of wetlands and watercourses. The variable width streambelt corridor is recommended because it is based upon soil types and is therefore a more rational method of a wetland setback regulation.

2. Housatonic River Corridor.

Since 1975 the Housatonic River has been the subject of much planning and action focused on preservation of its valley scenic quality and management of its recreational uses. As a member town of the Housatonic River Commission, Kent has participated in these studies and implementation actions. In recent years there has been a notable increase in development and recreational pressure in the river corridor. Kent and other river Towns should be receptive to River Commission recommendations for strengthening river protective measures and inter-Town cooperation.

The following is a capsule review of the status of open space protection in the Kent portion of the Housatonic River Valley. The Stanley Works property and the upper portion of the River valley from Flanders north has been permanently protected by the Federal and State governments. South of Kent village center, on the western side of the valley virtually all of the land is in large private and corporate holdings. Outside of the valley bottom almost all of the land is very steep and rocky. Given these severe development restrictions much of the western valley is self preserving. On the east side there is much more developable land, this area will present the greatest challenge to visual conservation of the river corridor.

It is recommended that to improve the opportunity for visual assessment of development proposals in the river corridor any development within 300' of a regional or subregional watershed/ridgeline boundary (as defined by the State Department of Environmental Protection) should be made subject to a site plan design review procedure. This procedure should require information and assessment of the visual impact of the development as viewed from the roads within the river valley.

Recreational management planning for the river corridor is one of the ongoing responsibilities of the Housatonic River Commission. The Bulls Bridge area is identified by the State as one of the most significant sites in Connecticut for plant species of special concern as well as an area of archeological and early American historic significance. For these reasons and due to the limitations for providing emergency services to this location on the river it should be carefully managed for limited river recreational water use.

3. Unique and Fragile Features

The State Department of Environmental Protection has identified fifteen general areas of special concern in Kent which are critical to maintaining the State's biological and wildlife diversity. This inventory includes habitat of Federally listed threatened and endangered species and state identified critical habitat. Some of these sites are permanently protected under state or land trust holdings. However, most are in private ownership and potentially subject to development disturbance.

Numerous unique or fragile feature sites are located within the above identified priority streambelts. Sites as found on land along the shores of the Spectacle Lakes, along Bull Mountain Brook, Mud Pond, Hatch Pond, Thayer Brook and in Bull's Bridge. This finding further supports the importance of careful regulation in these exceptionally sensitive streambelt habitat areas.

Other state identified vulnerable sites are located near the confluences of Macedonia Brook and the Housatonic River, and Thayer Brook with the Housatonic River.

Specific species and habitat locations cannot be identified in this public document in order to preserve these unique and fragile sites from overuse. However, detailed information can remain in the Town files and be utilized during the review of development proposals. Officials from the State Department of Environmental Protection Natural Resources should be contacted whenever development is proposed near these sites.

Historic sites and known and potential archeological sites are also a part of Kent's list of unique and fragile features. Historic sites, such as the early American iron furnace at Bull's Bridge, which is protected by the Connecticut Light and Power Company deserve permanent protection. Kent has a number of other artifacts and historic sites related to northwestern Connecticut's early iron industry which should be systematically protected. Possibly these sites could be highlighted along a river valley historic trail such as has been suggested by the State of Connecticut Department of Environmental Protection.

Many archeological sites in Kent have been identified by the American Indian Archeological Institute based upon surveys done by the Institute. Kent is one of several towns in the County with an exceptional number of known archeological sites (especially along the Housatonic River). It is also one of the highest ranking towns in the county in its potential for archeological findings.

It is recommended that site plans and subdivision plans show the location of known historic sites. Design standards in these regulations should also recommend that new development be sited to avoid destruction or disturbance of known unique or fragile features as identified in this plan and its reference study documents. This reference list includes the State Department of Environmental Protection, areas of special concern, the American Indian Archeological Institute inventory of existing and potential archeological sites and any historic site inventory compiled for Kent.

4. Farmland

In 1975 Kent supported a small but viable commercial farming community. Today there is very little remaining commercial farming. Nevertheless the Town's many actively maintained hay and pasture fields still dot the countryside and are important elements in the Town's landscape. Where located along the Town's road system farm fields provide a pleasing mix of near and far views.

A 1975 study of the scenic quality of Kent identified important views and vistas, many across open farm fields. One of the highest scenic road ratings in this study was the pattern of open fields, stonewalls and tree lines that define the entry way to Kent village center from both the south and the north on Route 7. Local citizen surveys support Protection of the fields and the greenway approaches on Route 7 to the village center. This is one of the most visually critical conservation recommendations of the plan update.

It is recommended that the Town consider establishing a Route 7 highway greenway entry overlay zone on the approach to the village center. Within this overlay zone the Planning and Zoning Regulations could -

require greater building setbacks from the road,

minimize the number of driveway and road way curb cuts to Route 7,

limit new roads to a gravel surface

offer incentives for permanent protection of the farm fields such as a building density bonus or additional homes on private gravel roads.

A large portion of the farm fields on the Route 7 entry to the Town from the south are located in the 100 or 500-year flood hazard area. These floodplains are also prime farmland soils and are worthy of permanent protection.

The State's Farmland Protection Program administrators should be interested in these Route 7 south farm fields. On Route 7 north of Kent village center there are over 400 acres of prime and important farmland on the now protected Stanley Works property. Taken together the farmlands north and south of the village center represent a significant amount of valuable farmland.

5. Open Space Committee

Some of the plan recommendations for protection of natural resource lands and scenic assets deserve a more detailed examination and recommendations. These include suggestions for protected farmfields and views, scenic roads and historic sites. Survey, analysis and mapping of these features was beyond the scope of this project but could easily be accomplished by the Planning and Zoning Commission with the assistance of an appointed Open Space Committee.

Like the present Town Plan Citizens Advisory Group an Open Space Committee could be appointed and charged with completing a survey of scenic roads, using the system developed for the 1975 Regional Study on Conservation and Preservation. One of the authors of this study, Professor Michael Everitt of the Rhode Island School of Design, lives part time in Kent and has expressed an interest in assisting with this type of study for the Town.

Such a committee could raise funds and employ a summer intern through the Massachusetts Audubon College Intern program to conduct a historic site inventory or other aspects of an open space plan.

Successful local open space plans are typically the product of a united effort involving an open space committee or land trust and the Planning and Zoning Commission.

Implementation of a land conservation program must involve private sector land saving action. The Planning and Zoning Commission through its regulations cannot require protection of all of the Town's multiple scenic assets. Its regulatory power is necessarily limited to that which relates primarily to public health, safety and welfare. A local land trust has been proven to be the most effective organization to forge an open space plan and see to its implementation.

It is suggested that if an open space committee is appointed that it also evaluate the need for and methods to establish a local land trust, possibly in affiliation with the Weantinoge Heritage Land Trust. However the town proceeds, it is recommended that the method of land protection best suited for Kent is the conservation easement. Kent already has a very large amount of its land area owned in fee simple by the State and other organizations, which are tax exempt. Under conservation easements preventing development, open space lands are protected, but the land remains on the tax roll.

IV - ROADS AND GROWTH MANAGEMENT

Overall Policy

A Town road system should be designed to permit ease of traffic circulation and for safe movement of traffic and emergency vehicle access. The cost of improving and maintaining Town roads is a major portion of the Town budget. The Town road program therefore should be designed to be cost efficient over the long term.

The location and the design of new roads permitted in a community are directly correlated to the form and appearance of its land use. With careful forethought a Town road program can also shape and support the Town Plan land use and conservation policy. Considering this and the Town's general land use goals the following is an overall road and growth management policy followed by specific accomplishments, policies and recommendations.

TO ESTABLISH A HIERARCHY OF WELL DESIGNED AND MAINTAINED ROADS WHICH (A) PERMIT SAFE AND CONVENIENT VEHICULAR CIRCULATION (B) PROVIDE GOOD ACCESS FOR FIRE AND EMERGENCY VEHICLES. TO SUPPORT THE TOWN PLAN POLICY TO CONTROL AND DIRECT GROWTH AND MAINTAIN AND ENHANCE THE TOWN RURAL CHARACTER ESPECIALLY AS VIEWED FROM ITS SYSTEM OF ROADS.

Accomplishments

1. As part of the Town Plan Update process the Selectmen recognized the need to revise and formalize their Town requirements for road construction. As a result a completely revised Town road ordinance was adopted in early 1988. The ordinance now includes a number of important procedural requirements which will help assure that roads are properly constructed and the Town protected.

For example there is a requirement for inspection procedures during construction and for payment of a road construction permit fee to the Town. These fees are used to pay for a qualified on-site inspector to oversee road and drainage construction and its conformance with approved design plans. Another requires submission of 'as built' plans of construction prepared by the applicant's engineer. The ordinance also spells out the steps and conditions for presenting a completed road to the Town for acceptance into the Town road system.

2. The Kent Board of Selectmen commissioned and has received an engineering analysis of the Town's entire road system. This analysis is a valuable planning tool. It can be used as the information base upon which the Town prepares a long term road capital improvement and maintenance program.

Recommendations

1. Subdivision Regulations.

A professional engineering review of the Town subdivision Regulations concluded that it is lacking modern detailed street and drainage design and construction standards. According to the Commission's attorney the Commission in administering its Subdivision Regulations is powerless to enforce unstated requirements. Without revised road and drainage standards the Town will not be able to consistently assure that new road construction measures up to a satisfactory uniform standard for safety, and sound construction.

The revised Town road ordinance updated procedural requirements but intentionally did not include specific street or drainage design and construction standards which were to be included in the subdivision regulations and incorporated by reference into the Road Ordinance. But the Subdivision Regulations have not yet been revised and until this is completed neither the Commission nor the Board of Selectmen have adequate regulations for road or drainage design and construction.

Essential needed road-and drainage-related revisions to the Subdivision Regulations are as follows:

- A) Define the acceptable form for a performance guarantee (letter of credit), state the required procedure for determining the dollar amount of the performance of guarantee, specify procedures for release of performance guarantee.
- B) Specify technical criteria for road design and construction material and methods.
- C) State acceptable method of determining anticipated volume of storm water runoff and requirements for storm drainage facilities.
- D) Specify minimum required information to be shown on the street and drainage construction plans.

2. Road Improvement Program.

- A) The Board of Selectmen with assistance from a professional engineer should consider preparing a long-term road capital improvement program for Town roads. The recently completed engineering analysis of Town maintained roads provides most of the information needed to determine projected costs for a road capital improvement program.

The Selectmen need a detailed improvement program primarily for the near term (3 to 5 years). However the Planning and Zoning Commission would be in a much better position to review subdivisions if it was provided with a broadly defined 20 year improvement program for all Town roads.

- B) A long-range capital improvement program for Town roads should be adopted as a policy of the Planning and Zoning Commission and used as a guide in reviewing subdivision applications. On the basis of these adopted public documents the Commission would be in a much better legal position to modify or disapprove a proposed subdivision planned along a Town road which does not have the capacity for additional subdivision traffic.
- C) The Board of Selectmen can use the Town road capital improvement program as a basis to evaluate and, if necessary, deny a petition or request to prematurely expend public funds for a major widening or regrading of a local road which is not on the front end of the adopted road improvement schedule.
- D) In developing a long term road improvement program the Selectmen and engineer should consult with the fire and emergency medical services personnel to consider the need for improved time-travel access of emergency vehicles to all areas of the Town, especially the southeastern quadrant. It is suggested that a permanent committee representing all emergency volunteer services and departments be established and charged with making recommendations for emergency services, capital improvement needs and access requirements.

3. Scenic Road Protection.

- A) Kent's roads are all considered scenic yet some are especially so and deserve consideration for some form of permanent protection. A 1975 regional study of scenic roads identified the following outstanding Kent scenic roads - Route 7 and 341 west from Kent center along Macedonia Brook, and local roads - South Road over Geer Mountain along Irving Pond, Kent Hollow Road and Cobble Road. Other Kent roads could be added to this list based upon criteria which include type and width of surface, location of exceptional distant and foreground views and vistas, and location of cultural assets such as historic residences or structures, farm settings etc.

Protection of scenic roads can be accomplished in a number of ways and to different degrees:

- B) Scenic roads and greenbelts can be cited in the Subdivision Regulations as valued open space areas.
- C) An overlay zone along a scenic road greenbelt as recommended for the Route 7 entry way to the village center can be established along other scenic roads. Within the overlay zone house siting and vegetation removal would be allowed under special design standards.
- D) A local scenic road ordinance can be established with the approval of roadside land owners according to the provision of Connecticut General Statutes. To be effective the ordinance should incorporate a scenic road plan which identifies the various landscape features and special visual assets to be protected. The ordinance should also anticipate needed road safety and drainage improvements and provide for flexibility to accommodate safety needs while retaining scenic assets.

4. Private Roads.

Kent land use policy has encouraged construction of private streets. Its private street construction requirements are the least restrictive in the County and not surprisingly the Town has more private streets than other Towns in the County.

Private roads properly constructed avoid local expenditures for maintenance and plowing and the appearance of a gravel surface road is compatible with a rural Town. However these advantages are negated when a private street improperly designed and constructed become a liability to the street homeowners and its ownership is forced upon the Town, as has happened in the past in other Towns.

- A) To guard against this possibility the Town must upgrade its regulations to require private streets to be designed and constructed to the same requirements for all subdivision streets, except the requirements for pavement width, maximum grade and final wearing surface.
- B) One of the most glaring deficiencies of the present private street regulations is that they state no specific standards or requirements for storm drainage, merely requiring that drainage shall be "proper". Drainage requirements should be the same as upgraded requirements for all subdivision streets.

5. Large Parcel Planning

Kent has an unusual number of large land parcels (100+ acres), some with poor access and most with much variation in the suitability of soils for development. Under present regulations the only option for development of these large parcels is single family subdivision or possibly cluster residential subdivisions.

It is recommended that the Planning and Zoning Commission completely revise its cluster regulations to provide more detailed design and layout criteria for housing and open space. It should also consider establishing a Planned Development Zone. Both of these regulations should permit flexibility in the use, design and layout of large parcels while permitting protection of significant amounts of open space lands.

A Planned Development Zone (PDZ) should include minimum qualifying requirements such as a minimum size parcel (50+ acres), deep minimum front and side yard setbacks (e.g. 150' front, 100' side and rear) with permanent protection of the road frontage greenbelt, maximum percentage of land area paved with buildings and parking.

Uses allowed in a PDZ could include single family houses, both detached and attached (i.e. townhouses), multiple-family housing in small groups of four to six per building with varying facades and appropriate separating distances, office uses, and limited commercial uses, including restaurants and commercial recreation uses.

Overall site design would be controlled by two primary requirements. An overall limit would be placed on the ratio of non-residential use to the total residential use floor area. The plan for a PDZ should require identification of any important natural resources or open space features as identified in the Town Plan or from a site survey. The plan should show how these areas will be protected.

The procedure for establishing a PDZ should be stated in detail within a two phase process. The first phase would be limited to review of a Master Plan for the proposed site. The Master Plan would show the location and design of all buildings, accessways, with general drainage, sewage, landscaping etc. provided. It would require adequate detail to clearly show the proposal and to determine its feasibility. On this basis the Commission could approve or deny a change of zone and the Master Plan for the site. If approved, the second phase would require detailed site plan approval with all engineering, architectural and other documentation to be provided before a permit is issued.

In order to reduce the impact of a large development on a small Town such as Kent the PDZ regulations could require that not more than a certain percentage of the total proposed units will be issued permits each year.

6. Land Use Administration and Coordination.

Effective land use regulation requires efficiency, professional assistance and cooperation among the various local land use boards and commissions toward a common goal. Local volunteer boards are relying more on staff and professional assistance to cope with the growing complexity of legal procedures and technical requirements of land use regulation and planning. The following suggestions are offered to help the Town shape an effective local planning and land use program.

A) Planning and Coordination.

- a. It is suggested that the Chairmen of local commissions (Planning and Zoning, Inland Wetlands, Sewer and Water, Board of Selectmen and others) meet once a month (or not less than 3 times a year) for a round table discussion. From these discussions will come many ideas for better coordination and cost effective methods of sharing staff and advisors.
- b. The Planning and Zoning Commission should set one meeting aside each year to review its past activity, to identify new issues in need of special study and to reexamine its Town Plan Policy and Zoning Regulations.

- c. The Planning and Zoning Commission should convene a project review meeting for any large or complex subdivision or site plan proposal. At this meeting all boards and commissions and Town officials can identify their individual concerns which can then be jointly communicated to the applicant.

B) Zoning and Subdivision Regulation.

Implementation of plan policy begins with a clear concise set of Zoning and Subdivision Regulations. Kent's regulations have been amended piecemeal many times over the past ten years. The most significant single amendment was the "as is" incorporation of the Fire District Zoning Regulations into the Town's regulations. This and numerous other individual changes have produced conflicting requirements and ambiguous clauses.

Many changes in the Connecticut General Statutes governing zoning, some of which need to be incorporated into Kent's regulations have been enacted in the past decade,. Especially important are State mandated procedural requirements which should be incorporated either into the regulations or a local set of Planning and Zoning Commission procedural guidelines.

In its present outdated form the Kent regulations make the Commission's job of administration and enforcement unnecessarily difficult and costly. Often the Commission must seek a legal opinion to resolve a contested interpretation of the regulation. Likewise applicants are at times uncertain of the regulation requirements.

- a. The remedy to these problems is a complete revision to the Town's regulations. It is recommended that the Zoning Regulations be revised first. The format and order of the regulations should be reorganized for ease of reference and reading. Inconsistencies must be eliminated and State requirements added.
- b. The revised regulations must clearly state the responsibilities of the Zoning Enforcement Officer. Essential enforcement and procedural requirements should be stated in the regulations with the detail set forth in a policy or guideline handbook. The guidebook could include such matters as the procedural steps involved in an enforcement action.

- c. The first zoning policy to be updated in the revised regulations should be creation of the Village Center Zone and regulations following the recommendations of the Town Plan.
- d. It is suggested that the next major regulation revision should be the Subdivision Regulations. Most important is the need to make the street requirements of the Subdivision Regulations consistent with the Town Road Ordinance. Another critical section in need of update is the set of requirements for maps and plans with separate requirements for the filing of subdivision mylar, site development map and construction map.
- e. Regulation revisions require professional assistance to draft the proposed technical requirements and standards. The Commission must direct the professional in all areas of policy as guided by the recommendations of the Town Plan.

APPENDIX

This appendix material provides a summary of important background information which was reviewed and considered in preparation of the Town Plan Update recommendations. It includes an overview of trends and policy for each of the following:

1. Trends in Population and Employment
2. Analysis of Existing Kent Village Center Zoning Policy and Land Use Development Patterns
3. Kent Town Plan, 1975
4. State Plan of Conservation and Development, 1986
Northwestern Connecticut Regional Plan, 1987

1 - Trends in Population and Employment

The Northwestern Connecticut Council of Governments regional plan, statistics from the State Office of Policy and Management and the report "Jobs for Connecticut's Future" provide information on trends in Kent's population and employment compared to changes in population in the State and region.

Unfortunately the only comprehensive population trend data available for Kent is the 1980 U.S. Census information which is now eight years old. Other than estimates of current population and the local school census, no other up-to-date comprehensive population information is available for Kent. However, a review of the above cited data sources provides useful information for this overview.

Population Growth. Total percent of population increase in Kent between 1970 and 1980 was 25.9%. This was the highest rate of growth in the Northwest region, which averaged 12.3%. This can be compared to the total Litchfield County growth rate of 8.8% and the State rate of 2.5%.

Kent's total population in 1970 was 1,990, in 1980 it was 2,505. Kent's 1986 population was estimated at 2,700 by the State Department of Health Services. Local officials estimate Kent's summer population at 4,000.

In the past several years the applications for creating new subdivision lots has soared in Kent. In late 1987 an estimated 244 single family or cluster residential lots in proposed subdivisions were either pending or recently approved by the Planning and Zoning Commission. This was by far the largest number of new lots under review by any Commission in the Northwest region and perhaps for any rural town in Litchfield County.

Kent village center has also experienced a recent major increase in new commercial construction. These growth indicators indicate that the marketplace is confident of projected strong growth and development in Kent.

Between 1960 and 1970 Kent had by far the highest rate of in migration in the Northwest region. Net in migration is the difference between the number of persons entering a community minus the number leaving. For Kent, net migration between 1970 and 1980 was 531 persons which is a rate of 204.7 persons per 1,000 of total population. This rate is far above the regional average of 133.0 and the nearest other town in Northwestern Connecticut (175.2).

Major Factors Influencing Growth.

The following examines the questions - What are the factors producing Kent's comparatively high rate of growth? Is this high rate of growth likely to continue?

Area of Influence. Along with Warren, Washington and Roxbury, Kent is one of the Towns located on the southern tier of the Northwest region which surrounds the rapidly growing Danbury-New Milford urban corridor.

Pressures from southwestern Connecticut influencing Kent during the 1980's were job growth in the Housatonic region, especially in professional and management positions and housing costs in Fairfield County where some towns have among the highest housing costs in the country.

These factors helped push up the market cost and competition for subdivision lots and new house construction in Kent and the other Towns in the more accessible southern tier of the Northwest region.

Second Home Market. An even greater influence on Kent's rapid growth in the 1980's is the New York metropolitan area second home market. This highly affluent market has in recent years discovered beautiful Litchfield County. Estimates reported by the Northwest Regional Agency's housing needs assessment show, as of 1986, 50% of Kent's landowner's were nonresidents who own second homes or undeveloped land in Kent.

In addition to the widely acclaimed natural attractions of Litchfield County its second home development has been greatly stimulated by provisions of the Federal tax code. In 1983 and 1984 the State Department of Housing reported that many new homes were constructed in Litchfield County in an attempt to 'grandfather' a second home tax deduction which was at that time being considered for elimination. Subsequently the second home deduction was left in the code as one of the few remaining major deductions.

Given the Federal tax stimulus and assuming overall economic stability, the second home market will continue to play a key near term role in housing growth in the region and in Kent. While second home owners add no school costs, neither are they generally available to serve in Kent's largely volunteer government and emergency services corps.

Local Employment Trends. While the second home buyer receives much of the attention in reports of trends in Litchfield County's population and housing, another trend deserves attention. The increase in the number of persons who work locally in professional and technical positions is indicative of an emerging trend which could project a stronger future picture for growth in Kent and the Northwest region.

Regional statistics for the 1970's and 1980's show little growth in the manufacturing portion of the economy suggesting that these traditional components of employment and the economic growth are stable but are not projected for significant change. Observations of area wide growth during the 1980's confirms the continuation of this trend. The absence of good highway or rail access into and through the Northwest region continues to be a major contributing factor to the lack of expansion of manufacturing and other businesses that are heavily transportation dependent.

While manufacturing employment has remained stable the number of persons employed regionally in professional and related fields grew impressively between 1970 and 1980 from 2,170 to 2,751. This 27% increase brings this sector to 29% of the total regional labor force. In Kent the percentage of employed persons who work locally decreased slightly between 1960 (41%) and 1970 (38.6%). But between 1970 and 1980 this figure surged to 1,312 persons or 52% of the Town's total employed population. Many of these new local jobs were in the professional and technical category largely accounted for by persons who work at home.

Statewide the dominant jobs growth trend is also in the professional, managerial and technical workers category. A 1986 statewide employment analysis projects that this employment sector will continue to show the greatest rate of increase between 1985 and 1995.

This report also projects private sector jobs growth to 1995 by county. It predicts Litchfield County will have the State's second highest rate of growth - a 32% increase, or 17,000 new jobs. This projection contrasts with the estimated population and labor force for the County which totals only 10,000 persons, leaving a deficit of 7,000 jobs that will need to be filled by growth in the labor force.

Population Projections. These trends all point to continuing pressure for new growth in the County. For Kent it suggests support for continuation of a high rate of in-migration and population growth. Based on this information the official state projections prepared in 1980 for Kent by the State Office of Policy and Management appear to be on the low side. These are as follows:

TOWN OF KENT - PROJECTED TOTAL POPULATION

Census					
1980	1985	1990	1995	2000	%change 1980/2000
2,505	2,630	2,760	2,880	2,960	18.2

The State's overall projected percentage of growth for the period 1980 - 2000 is 18.2%. The actual percent of population change between 1970 and 1980 was 25.9%. Using the rate of increase experienced in the 70's a straight line projection of population growth in Kent would result in a total population of 3,153 by 1990. The higher growth rate is supported by the State Department of Health Services estimate that Kent's population had already reached 2,700 in 1986.

In conclusion, it appears the Town of Kent will continue to experience a high rate of growth following past trends rather than the decline in rate of growth projected by the State.

2 - Analysis of Existing Kent Village Center Zoning Policy and Land Use Development Patterns

The following facts and observations are based upon review of the current zoning regulations, the development trends over the past ten years and other factors bearing upon the potential for future development in Kent Village Center.

1. Existing Village Center Zoning Policy

- a. In comparison to other Litchfield County village centers the entire Kent Fire District (with the exception of the R-2 Zone) is zoned for a high density of development.
- b. The amount of commercially zoned land in the village center is very large and types of commercial uses permitted are very broad. The undeveloped commercially zoned land is sufficient in size to allow construction of a regionwide shopping and office marketplace.
- c. There is no minimum lot size for a commercial building lot in the Commercial Zone. Therefore, a very high density is possible. Other rural area centers have a minimum commercial lot requirement of 20,000-30,000 sq. ft.
- d. The minimum single family residential lot size of 10,000 square feet in the R-1 Zone is a higher density than typically found in other rural village centers.
- e. The maximum permitted density for apartments or condominiums is 10.9 dwelling units per acre in Kent compared to a much lower statewide average of 5-6 units per acre.
- f. Multi-family developments are allowed anywhere in the R-1 or R-2 Single Family Residences Zone.

2. Existing Development Pattern

- a. Under the present zoning policy the Kent village development pattern has resulted in an increasing high density of development, a mixing of uses, parking and circulation conflicts. This transitional pattern is more common to a rapidly developing area, not a rural center.
- b. Mixing of uses is most noticeable within the Main Street Commercial Zone where development has shifted dramatically from residential to a variety of commercial uses over the past ten years creating an uneasy zone of transition.

- c. In the R-1 and R-2 Zones there is a readily visible pattern of scattered commercial uses mixed with residential. This trend and the zoning permission for new high density multi-family uses in the R-1 and R-2 Zones projects a continued gradual change of uses from the dominant single family residential to a variety of higher density residential use and mixed commercial residential in the R-1 and R-2 Zones.

3. Public Utilities

The Fire District is served by a privately owned water supply and distribution system and Town owned sewer system. With these public utilities available development can be permitted at a higher density in the village center than in outlying areas of the Town which must rely on on-site septic and water.

Although Kent does not now have a formal coordinated land use-sewer policy, many towns have such a policy and use the sewer system plant capacity and distribution lines to help control and direct higher density development. This can be most successful where there is a carefully formulated policy coordinated between the Planning and Zoning Commission and Sewer Commission.

In Kent the sewer distribution system was designed and constructed to permit expansion. The main line's diameter is large and can accommodate much more sewage volume and future growth. In 1975 the sewage treatment plant was at 50% capacity, it is now estimated at an approximately 85% of its capacity but it can be expanded to accommodate additional sewage volume. Presently the Sewer Commission is studying the costs of construction to expand the treatment plant.

A Sewer Commission's primary business is providing sewer service, not land use control. It is the responsibility of the Planning and Zoning Commission to set development policy and coordinate with the Sewer Commission and Town officials to execute this policy.

It is common in many rural village centers to enforce a policy which directs and contains high density development within the boundaries of a planned future village center zone and sewer service corridor. Under such a policy the limits of the village center are well defined and maintained. Communities with no such policy allow high density development to follow sewer line extensions in strip patterns outside the village center. Where this happens the sense of a compact center is soon lost.

Other Towns have also established a policy to permit the sewer system to expand to a certain future maximum total sewage volume. This too is a fundamental method of determining the future size and density of population for the village center.

There is another common method of containing future growth in a village center zone. In fringe areas of the center zone the Planning and Zoning and Sewer Commissions can cooperate by limiting the diameter of a proposed extension of a sewer line lateral so that the lateral will be sized to serve a certain amount of development and no more.

For example, a proposal to extend a lateral sewer line to a boundary portion of the village center sewer service corridor could be approved with a small diameter to serve one new large business or industry rather than constructing an oversized line to the new business, thereby opening adjacent land outside the center to a sewer line connection. Conversely where there is a proposal to extend a sewer line to an under developed portion of the planned future sewer area, the sewer extension should be sized larger to anticipate the additional potential future development.

4. Soil and Terrain

A key physical characteristic which permits more intensive development in Kent Center is its abundance of well drained soils and level terrain. Located in a valley bottom area, much of Kent Center consists of sand and gravel soils. For large areas of the remaining under developed land in Kent Center the only significant terrain related limiting factors for development are flood plain lands along the Housatonic and the steep hillsides that border the village to the east.

5. Road System and Regional Development Pattern

A final factor influencing Kent's future potential growth is Route 7 which the State plans to improve north to New Milford by 1992. This improvement will continue the growth rate of New Milford which is designated in the State Plan as an urban center.

The fact that Route 7 north of New Milford is a winding country highway and not a high speed state highway adds significantly to the trip to work time from Kent to points south. Even so because Kent is the first center to the north of the rapidly developing New Milford - Danbury region it is receiving more development pressure than more removed towns such as Sharon. The State some time ago set aside a major plan for a new Route 7 north of New Milford. However, extensive growth in Kent or other areas along Route 7 in the Northwest region would force reconsideration of the State's Plan for the rebuilding of Route 7.

Summary

In summary it appears that Kent's village center is at a critical point in its development. In the near future major decisions will be made which will have a long term influence on its growth and development. These decisions include expansion of the sewer plant capacity, development plans in the fringe areas of the village center, the future of the private water company and possible changes to the zoning regulations and map for the village center.

3 - Kent Town Plan, 1975

The following is the statement of policy and recommendations from the 1975 Town Plan for residential, commercial, industrial and utility policy as it pertains to Kent Fire District Village Center.

1975 Recommendations.

Village Center District: "The Village Center District is the area within the boundaries of the Fire District. It should be developed at a moderate residential density with commercial uses. The residential units should be single-family and multi-family structures, not exceeding two and one-half stories in height. Single-family houses should be on one-fourth acre to one-half acre lots. Multi-family structures should be designed for 8 to 12 units per acre. All development in the Village Center District should have public sewer and water connections.

Past experience shows that a variety of housing types will appeal to a variety of households of different income levels, including the elderly, young couples, and single persons. The relatively high concentration of residents in the town center will retain and attract adequate private-enterprise services, which thus will be concentrated in one area to serve the entire town. By guiding development in this way, efficient provision of public services -- water, sewer, police, health facilities, and recreation -- can be achieved.

Approval of multi-family projects should be granted in accordance with zoning regulations which require sufficient living space within the units, adequate parking and recreation facilities, and suitable landscaping."

1975 Recommendations.

Semi-Rural District: "The Semi-Rural District is that area located immediately adjacent to the Village Center District, east of the Housatonic River, and below the 500-foot contour line. The boundary is approximate for planning purposes, and must later be defined under the zoning regulations. The Semi-Rural District has the possibility of future sewer and water services. Therefore, it should be developed at a low residential density -- one family per acre -- with provision for an increased density with the extension of utility services.

An increase in density should be regulated by good soil and geological conditions, or by the provision of sewer and water extension in accordance with the size and scale of the development. Where multi-family housing projects are concerned, project approval should depend upon feasible arrangements for public sewer and water service.

Areas within the Semi-Rural District which have good soil --no bedrock or compact till close to the surface, and good drainage without pollution--should be approved for single-family lots of one acre minimum.

Approval of all lots in the Semi-Rural District to be served by septic systems with poor soils or severe physical conditions should require seepage tests between November 15 and May 15 or test pits to ten feet, and review by the Board of Health and Building Inspector/Sanitarian of all leaching field installations. Areas in the Semi-Rural District having severe and very severe limitations for building due to poor soil and geological considerations should comply with the above plus be reviewed by the U.S. Soil Conservation Service prior to acceptance of development plans by the Planning and Zoning Commission.

All subdivision plans in the Semi-Rural District should be reviewed by the U.S. Soil Conservation Service prior to acceptance by the Planning and Zoning Commission."

1975 Recommendations.

Commercial: "Though it normally comprises only a small percentage of the developed land in a community, commercial land use is very important. Commercial activities generate most of the automobile trips, attract much of the income, provide many of the jobs, and frequently present the most widely recognized feature of a town.

The primary focus for commercial development in Kent should be to serve the daily needs of residents. The Plan recommends that commercial services continue to be centrally located, as they are at present, in the Village Center District.

The commercial facilities recently completed or now under construction at Kent Green seem to be adequate for the near future. The population growth for Kent projected through 1985 will not justify the planning of additional shopping areas. This is especially true because of the proximity of New Milford and its large commercial facilities. Later, as population growth creates identifiable neighborhoods, limited amounts of land might be set aside for one or two small stores in such areas as South Kent, Bull's Ridge, Kent Hollow, or East Kent.

Certain commercial uses have a direct relationship to highway locations. These include the various types of automotive businesses: gas stations, public garages, automobile repair shops, and sales rooms or outdoor sales areas for automobiles, trailers, boats, farm equipment, and so on. Other types of uses suited to highway or roadside locations are: restaurants, commercial greenhouses, garden supply stores, veterinary hospitals, furniture and appliance stores, and motels.

As needed, these highway commercial uses should be planned for the Village Center District -- along arterial Routes 7 and 341. Commercial activities should be discouraged from scattering for any great distance along these highways.

Highway commercial uses should be controlled for the following reasons:

Location of commercial uses along highways generate increased traffic and congestion, reducing the capacity of the highway to handle through traffic.

Commercially developed highways are dangerous. Heavy highway traffic creates hazardous conditions.

Commercial development along highways is more risky for the owners than location in an established center, because the principal commercial development may proceed in another direction.

If strip commercial develops it is generally unattractive, tends to drive away residential development, and in many cases has destroyed scenic attractions of a town.

Finally, strip development is an inefficient use of utility services.

Because of a commercial area's intimate relationship with surrounding residential areas, it should be developed in accordance with strict design criteria. The design should include all related activities of the project. Commercial parking on the main street and side streets adds to traffic congestion and increases hazards for people living in surrounding areas. Off-street parking should be included in the commercial site design. Commercial facilities should also be provided with effective buffers from less intensive activities -- residential uses -- in order to minimize any potential blighting influence. The architectural style of commercial buildings should be in keeping with the residential character of Kent. All commercial shopping facilities should be provided with proper landscape treatment, so that they will blend with the environment."

1975 Recommendations.

Industrial: "Kent's Industrial District is located southeast of the Fire District on and around Route 341. Two plants are in operation there, Kent Manufacturing Company and Berkshire Transformer Corporation. The site is well suited to these industries. They have good highway access and potential rail service. Expansion of the present Industrial District is limited by its physical surroundings.

At the present time, Kent may have little attraction for new industries, except perhaps ones with small operations. The Town lacks a skilled labor force and suitable housing. In addition, land costs are high.

If, in the future, Kent sees a need to change or expand its industrial facilities, a site should be chosen which would satisfy the following criteria:

Connection to Town sewer;

Direct access to either Route 7 or Route 341;

Location with least possible detriment to residential development and the environment;

Sufficient land with gentle slopes and good soil types for open industrial development; and

A site large enough for additional industries and for plant expansion, preferably an industrial park.

1975 Recommendations.

Public Utilities:

Water System: The Village Center District (Fire District), the Industrial District, and the immediate area of the Semi-Rural District will remain the only parts of the Town where public water services can be reasonably justified. Other areas of development, particularly for residential use, will continue to be served by individual on-site wells.

Sewer System: Expansion of the sewer system will depend greatly on the types and locations of future development. Since the present system is operating at only 50% capacity, planned development with sewer service is possible.

The most logical areas for expansion are around the Village Center and in the Flanders area. In order to obtain the best possible service/cost ratio, development of higher densities should be encouraged in accordance with this Plan. Developers who ask for extension of sewer service should be required to share the construction costs.

1975 Town Plan Recommendations For Natural Resources and Open Space

Public Open Space Preserves:

There is no minimum size for an open space preserve. These should be large tracts of land held permanently in a natural state, so as to provide green relief from the monotony of development. Woodlands, swamps, and marshes are usually the terrain types chosen for this purpose because they are the habitat of many species of wild life. Nature walks, hiking and bridle trails, and outlooks are useful in such areas. Many of them are owned by public bodies or land trusts. Other methods of preserving land are:

Establishment of stream encroachment lines

Flood plain preservation, by zoning or town ordinance; and

Swamp preservation, usually performed as a conservation measure.

There is no need for the Town to acquire large land tracts for this purpose, even though it may be possible through Federal and State aid. Attention should be focused on encouraging private land trust and gifts to The National Conservancy, and on use of powers available to the Town under existing legislation to preserve ridgetops, wild life areas, wetlands, streambelts, and water bodies.

Conservation

Streambelt and Flood Plain Protection: In Kent, streambelts and floodplains will have much to do with determining the character of the environment. As stated in the Inventory Section, streambelts are defined as year round streams.

It is recommended that streambelts be protected along Kent Falls Brook, Cobble Brook, Thayer Brook, Macedonia Brook, Womenshenuk Brook, and Merryall Brook.

As stated in the Inventory Section, use of flood plains should be carefully controlled.

Wetlands: Wetlands are described in the Inventory Section and the reasons for protecting them have been outlined there. Regulatory authority is provided through Connecticut's Inland Wetlands and Water Courses Act, and in Kent is vested in the Conservation Commission. Wetlands should be protected against indiscriminate filling. The largest wetlands should be preserved as conservation areas.

Methods of Preserving Conservation Areas: There are a number of methods of preserving wetlands and watercourses, with outright acquisition.

- a. At the request of the Town Conservation Commission, stream encroachment lines can be set by the State Department of Environmental Protection, Water Resources Division. It is recommended that the Conservation Commission request encroachment lines along all the major streams in Kent. After they have been established, improper uses can be prevented within the lines.
- b. Amendments to the Subdivision Regulations can set standards regarding the type of development to be permitted within streambelts and wetlands.
- c. Zoning regulations can establish a flood plain zone and restrict uses within it.
- d. The provision of open space in subdivisions, for example through cluster housing development, can be used to protect conservation lands within residential areas.
- e. The Town can acquire development easements to control the use of land, without outright purchase.
- f. Community leaders can interest property owners in giving land in trust. The Pond Mountain area in Kent is one such example.

West Aspetuck River Watershed

Through a variety of methods, protection of watersheds is well assured, provided that available authority is used by the Town and its agencies with due care. The West Aspetuck River Watershed, covering 400 acres, is a special situation, because the State plans at some future time to develop a reservoir on the lower watershed in New Milford. Extensive wetlands in the Kent Hollow area along the West Aspetuck should be considered of great value for future water storage and flood control.

Agriculture:

Everything feasible should be done to keep as many commercial farms in operation in Kent as possible. Farms provide a great variety of benefits to town residents, to local businesses, and to the conservation of open space and wildlife. Public Law 490 is an approach toward solving this problem.

4 - State Plan of Conservation and Development, 1986

State Plan for the Village Center

The State Plan of Conservation and Development revision of 1986 as published showed Kent Center as a "urban growth area". Regional officials after checking with the State Office of Policy and Management were assured that this designation was an error and that the village should have been labeled a Rural Community Center as it had been in 1982 and earlier editions of the State Plan. Nevertheless a comparison of the 1986 State Plan map with previous five year updates of the State Plan shows that Kent's Center development has expanded and intensified considerably over the past 15 years.

A rural community center as defined in the State Plan is a cluster of relatively higher intensity land uses. These are areas where small scale community systems of water supply, sewage disposal and transportation are appropriate but large scale utility systems should be avoided.

If not properly directed development could spread outside the village center and the State Plan designation could eventually be changed from rural community center designation to an urban designation. Other Town centers which in years past had been designated as a "rural community" and are now shown in an "urban category" are Lakeville, Salisbury, Woodbury and Granby Centers. These places although now more intensely developed have retained a rural flavor and appearance. Likewise through careful planning and zoning, Kent's village center can continue to grow yet remain rural in appearance.

* * * *

State Plan Recommendations on Natural Resources and Open Space

The State Plan of Conservation and Development is the State of Connecticut's overall policy plan for the future use of land in Connecticut. Since 1972 (as required by the State legislature) the State Office of Policy and Management has updated this comprehensive State planning document every five years.

Under the provisions of State Statutes and Executive Orders of the Governor, State agencies must be guided by the plan in deciding on locations for State facilities and other State land use decisions.

The 1986 State Plan Map shows general areas recommended for "preservation" areas, "conservation" and rural development. These recommendations, while not binding on the Town of Kent offer valid suggestions based upon extensive detailed mapping and research by State planners.

Preservation. Lands designated "Preservation" in the State Plan are existing preserved lands including all State Park and Forest lands (Macedonia, Kent Falls and Lake Waramaug State Parks, Wyantenock State Forest), Federal land for the Appalachian Trail, private land trust holdings and permanent development easements (Nature Conservancy, Pond Mountain Trust, Cobble Valley easements, etc.)

The State Plan recommends permanent protection of the wetland and streambelt system on the West Aspetuck River in Kent Hollow, the Housatonic River and Macedonia Brook inner corridor floodplains-streambelt from the Village Center south to New Milford. The streambelt system connecting Leonard Pond and Hatch Pond from State Route 341 to Bulls Bridge Road, Mud Pond, North and South Spectacle Ponds and their proximate critical wetlands.

Conservation. Lands designated "Conservation" as recommended on the State Plan map are defined as areas with "a long term public benefit contributing to the State's needs for food and water resources, open space, recreation and environmental quality". Development in these areas must be limited to non-sensitive lands requiring careful site design treatment to protect the land's special resource value.

In Kent major areas recommended for conservation are the water supply watershed lands of the West Aspetuck River, corridors of floodplain and steep valley corridors along the Housatonic River and Macedonia Brook. Other generalized areas labeled "conservation" but not all shown on the plan map are prime agricultural soils of 25 acres or more, natural areas identified by the State of Connecticut Department of Environmental Protection, historic sites, ridgelines, scenic roads and trails.

A high protection priority in the State Plan is the potential water supply watershed of the West Aspetuck River. To safeguard the quality of water in this watershed the State recommends no development should be allowed which results in:

- a. Any source of water contamination
- b. Any permanent disturbance of ground cover vegetation in areas with a slope greater than 5% or disturbance of vegetation on any land for a length of time in excess of more than the growing season.
- c. Installation of septic systems in shallow to bedrock or inland wetland soils.

Another key protective area is the Housatonic River corridor where the State Plan recommends:

- a. Restricting development to the least scenically vulnerable areas of the corridor,
- b. Prohibiting land clearing while preserving vegetation in scenic areas and wetlands and around visible structures, and
- c. Retaining access to potential recreation areas.

The State Plan recommendations for Kent Village Center are summarized under the Village Center section.

* * * *

Northwestern Connecticut Regional Plan 1987 - Summary of Policies and Recommendations Related to Kent

A recently adopted revised regional plan for the nine-town, 363-square-mile Northwestern Connecticut Region is titled "Regional Plan of Development - A policy Plan for the Northwest Corner".

Its overall goal is to preserve and conserve the significant environmental, historic, archeological and cultural areas of the region and to direct intensive development to its village center, especially where public water and sewer facilities are available, such as in Kent Village Center.

Critical conservation areas identified in the regional plan largely agree with the State Plan including flood prone lands, inland wetlands and streambelt corridors, especially on the Housatonic and Shepaug Rivers, and significant wetlands at the headwaters of major streams in water supply watersheds and in major recreational water bodies.

The regional plan generally reaffirms State recommendations as applied to Kent and in several instances provides more detailed recommendations. For example, it recommends a local plan to identify critical farmlands in need of protection, as well as protection of unique and fragile features and hiking trails.

Industrial development is recommended to be located within the fringe areas of village centers where there is access to utilities and major roads. The type of industry should be compatible with the regional population job skills.

The regional housing policy supports local town and private action to provide affordable housing. Formation of local housing assistance groups is encouraged and resources for technical and financial assistance are recommended.

Highway planning is aimed at maintaining the region's existing highway traffic carrying capacity and to improve highway safety. Policies focus on promoting regulatory land use techniques which will permit development without an adverse impact on highway capacity and preservation of scenic and dirt roads. Another transportation element of importance to Kent is the recommendation to preserve State ownership of the Center rail line and to promote through region rail freight service.

In order to maintain the region's highway traffic capacity the regional plan has specific recommendations for both State Highways 7 and 341 outside of the Village Center. It recommends strict control and limits on driveway and other intersections and recommends against commercial development in highway strip corridors along the State highway.

Regional water policy supports the State recommendation for land use protection of existing and potential public water supply watersheds, such as the West Aspetuck River watershed. It also supports local and water company efforts to protect high yield aquifers (5 million gallons per day) with potential for future water supply, to prevent new and eliminate existing hazardous materials and solid waste leachate which could pollute water supplies.

Kent historic sites cited in the plan as regionally significant are:

Captain Philo Beardslee House
Bull's Bridge
Flander's Historic District
Kent Iron Furnace

Key physical features of the region are identified in the regional plan with related limitations for development. These are as follows:

1. All wetlands and watercourses as defined under Inland Wetland Regulations. Especially important wetlands are those that serve as recharge areas associated with aquifers, such as along the Housatonic River in Kent.
2. Slopes greater than 15% are described as costly to develop and with limited use potential. Maximum road grades are generally 15%, septic systems require extensive engineering on steep slopes, and development on steep grades presents a high potential for soil erosion.

3. Shallow to bedrock soils are typically found on steep slopes and exhibit frequent rock outcroppings. The combination of ledge shallow soils and steep slopes severely limits septic installation and house foundations.