



TOWN OF KENT
PLANNING AND ZONING COMMISSION
41 Kent Green Boulevard, P.O. Box 678, Kent, CT 06757

REGULAR MEETING MINUTES

The Planning and Zoning Commission held a regular meeting on Thursday, October 14, 2021, at 7:00 p.m. via zoom.

1. CALL TO ORDER

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

2. ROLL CALL AND APPOINTMENT OF ALTERNATES IF REQUIRED

Commissioners Present: Matthew Winter, Chairman; David Birnbaum, Karen Casey,
Darrell Cherniske, Alice Hicks, Adam Manes, Anne McAndrew,
Marc Weingarten, Wes Wyrick

Staff Present: Donna M. Hayes, LUA

3. READING AND APPROVAL OF MINUTES:

3.A. Regular Meeting Minutes of September 9, 2021.

Mr. Manes moved to approve the regular meeting minutes of September 9, 2021 as presented. Mr. Wyrick seconded and the motion carried unanimously.

4. PUBLIC COMMUNICATIONS (ORAL):

5. OLD BUSINESS:

Mr. Wyrick moved to hear agenda items 6.B.1., 6.B.2. and 6.B.3. at this point in the meeting. Mr. Manes seconded and the motion carried unanimously.

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

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5.A.1. Application #'s 52-21SP and 53-21C, Paul Szymanski, P.E., Arthur H. Howland & Associates, for North Main Street, LLC, 0 North Main Street, Map 3 Block 15 Lot 5, proposed conservation development of 13 lots.

Mr. Winter began the public hearing at 7:33 p.m.

Mr. Winter accepted the 80 or so pieces of public comment without reading as was done at the last meeting and they will be included with the minutes of this meeting.

Mr. Winter reminded those present that tonight was the last night they could accept public comment and that the public hearing portion of the meeting will be closed at the end of the discussion. He stated that he will allow the applicant to speak first to address the questions that were raised at the last meeting. Mr. Winter said that he had read all the comments made by the public, some of which he gives credence to; some of which actually impugned the work of the Commission which he did not appreciate but will try to answer if necessary. Some of the letters address the change to the regulations. Mr. Winter explained that prior to the change in the regulations, subdivisions were permitted in the VR2 district, which is where this property exists, in accordance with the permitted density of that zone. Using the standard subdivision regulations, 19 lots/houses would be permitted on the property in question. There was no provision in the regulations to limit the density and no mechanism to allow for smaller lot sizes in trade for open space. The purpose of the added regulation was to provide this mechanism. The added regulation is modeled on the conservation subdivision standards for the RU-1 district in the Town's Zoning Regulations and aligns with the recommendations of the Town's Plan of Conservation and Development. Mr. Winter explained that the Commission began deliberations regarding this new regulation with an informal discussion in December of 2020. Deliberations continued in January, in February with our Town Planner and in March; a public hearing was held in May where favorable comments were received from the WestCOG and the NWH Council of Governments and an additional public hearing was held in June. The process was deliberative, collaborative and public. With regard to the subdivision application, the Commission began considering the current application in a public hearing in July which continued in August and in September. Mr. Winter explained that the Commission is working within strict guidelines provided in the general statutes with regard to timelines. The review is neither rushed nor clipped but again deliberative collaborative and, in all cases, public. Mr. Winter reiterated his comments from last month. The use proposed by this application is permitted by special permit. A special permit requires some subjective analysis. The framework provided in the regulations can be found in Regulation sections §3100, §5000, §10400, §10300, §6700 and in the subdivision regulations. As is the Commission's custom, the Commission will carefully evaluate the proposal. If the Commission finds that the proposal does not satisfy the considerations of the regulations, then they are bound to deny the application. If the Commission finds that the proposal does satisfy the considerations of the regulations, then the Commission is bound to approve. With that, Mr. Winter turned the meeting over to the applicant in order to answer the questions that were brought up at the last meeting.

Mr. Paul Szymanski, PE, representing the applicants, advised the Commission that since the last meeting there has been a lot of correspondence that the Commission received from various groups including himself. He commented that they did receive the third-party engineering review performed by Denise Lord from Barton and Loguidice and based on that they made modifications to the plans. One of the changes is in the relation to the ownership structure. Previously, they were proposing the road to be public which meant that it would be maintained by the Town and the association would maintain the infiltration basins. That has now been revised that so that the road would be private in its entirety. The

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Town will be responsible for no maintenance. The association will be responsible for the maintenance of the road, the cleaning of the catch basins, the plowing, the mowing of the shoulders and the maintenance of all the infiltration basins. The Town would no longer have any obligation in any way whatsoever to maintain any thing on the subject property.

Mr. Szymanski continued that the other modifications consist of recommendations by the Fire Department. Based on their comments, the access to the four southerly units will have a little wider radius as you go into the units. They incorporated grass pavers because it will be utilized in a very minimal situation in an emergency and can support fire apparatus. They also widened that driveway based on Ms. Lord's recommendation from 12' to 15' in width.

Mr. Szymanski continued that they redesigned the infiltration basins based on soils testing that was done on site. They were made shallower and are now approximately 1' deep now. They will hold the water less than 48 hours and it will infiltrate into the ground. They did incorporate high level flow structures into those. Ms. Lord also recommended that they demonstrate vehicular access for emergency situations to the community pool in the rear of the property. The applicants are proposing grass pavers as well off of the driveway serving the four southerly units. They incorporated a pull off that was requested as well as a turnaround at the end due to the fact that it will have little to no usage except for an emergency or perhaps handicap usage from within the facility. Mr. Szymanski stated that they choose grass pavers that can allow for the full infiltration of storm water as opposed to an impervious surface. A guiderail was incorporated on the upper portions of the private road in the northern portion of the site. From a stormwater management perspective during construction, they added additional details to the sedimentation and erosion control plan including a temporary sediment trap for each of the lots. They also incorporated maintenance schedules for the infiltration basins themselves as well as the catch basins.

In addition, based on Ms. Lord's recommendations, Mr. Szymanski said they increased the types of species of plantings to the south of the property from one species to multiple. They provided a series of calculations that Ms. Lord requested as it relates to the routing of storm water through the proposed basins.

In meeting with the Fire Department, they made some revisions to the plans as it relates to the hydrant locations. They were showing one at the end of the private road on the north end of the site. The Fire Department requested, and it was done, that they modify the one hydrant adjacent to the community building; one in the front and one adjacent to the shared drive for the 4 units on the south. Mr. Szymanski advised the Commission that they are in receipt of a letter signing off on the project which was uploaded to the google drive by Ms. Hayes.

Mr. Szymanski reported that they also have had multiple meetings with Department of Transportation as it relates to confirming that sufficient sight distances are provided both looking to the north and the south. These are not only sight distances for those leaving the site to ensure they have the time necessary to safely leave, but those who are coming into the site as well. There is an approval from Gina at DOT who is their traffic engineer signing off on the proposed curb cut which is the existing curb cut. She has confirmed there is adequate sight distance in both directions.

Mr. Szymanski continued that this past Tuesday the Water Pollution Control part of the Sewer Commission was kind enough to meet with him as it relates to the proposed project. He confirmed to the Commission that the applicants are intending to construct an expansion of the sewer main which currently

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exists to the subject project. Currently there are several manholes that are north of the Community House; however, the pipe between those manholes is only a 4" diameter pipe. It serves three homes in that area. The applicant is proposing to extend, at their expense, the sewer main to the Kent Community House that will incorporate the addition of several manholes as well as a suitable pipe size. At that time, they will take the three existing connections that are in the 4" diameter pipe and tie them into the main they are constructing. They will also be providing laterals on both the east and west side of the road to accommodate all of the existing homes as well as any lots that may be currently undeveloped. This will allow anyone from the Kent Community House up to the subject property to connect to the sewer. Mr. Szymanski reported that the proposal has received confirmation from the Sewer Commission that they have adequate capacity to serve the project. The Sewer Commission did confirm that it is in the public interest to extend the main due to the fact they can now serve all of the homes in that area. This will allow additional rate payers to enter into the system and split the expense of their system through additional rate payers. Mr. Szymanski reported that the Sewer Commission is working on redoing their application form with Mr. Bart Clark of Oakwood Engineering and they anticipate they will have that form by Tuesday. Mr. Szymanski said that if his clients are fortunate enough to receive approval from the Planning & Zoning Commission, they will then be applying to the Sewer Commission for a formal connection. It was noted that Ms. Hayes was present at the meeting so she can confirm anything that he said or contrary to what he said.

Mr. Szymanski stated that he was done with his report and turned the meeting over to Mr. Andrew Baccon, one of the owners of the property.

Mr. Andrew Baccon thanked everyone for their time and reported that he did not have a new presentation to show. He said that this project is something they are proud of and that over time he feels that Kent would be proud of it as well. He noted that all the comments are not falling on deaf ears and that he understands the sensitive nature of the site. Over the past month they have been looking to see if there was a way to look at the southern units and was there a way to make it work. They worked with Mr. Szymanski to see what a road would look like going to the lower portion. It is important to note that they are proposing a phasing of the construction starting with the northern groups, the middle and then the southern groups which is not how they were originally planning to begin. He wants to keep the option open on that area and that they are aware that this is a major part of the discussion. They have been having discussion with members of the community that have expressed that there is potential interest in finding a way to protect that portion of the property. Mr. Baccon said that it could be a win/win for the community and themselves but that discussion is in the early stages but will continue in good faith.

Mr. Winter opened the hearing to public comments. It was decided that each person who wanted to speak raise their hand and they will be heard in order.

Mr. Jason Wright had three questions. He asked Mr. Winter what was required from the Commission to grant the special permit as opposed to as of right. Mr. Winter said that he had already answered that question. His second question was to ask that Mr. Winter explain what the developer can do as of right and what about the application is as of right. The third question had to do with the sewer connection. He wanted to know if there was any cost to the Town to add to the sewer and how does the Town handle this. Mr. Winter answered the questions about the regulations and the answer to the sewer commission question would be answered later. Mr. Wright said that he was neither for or against the application, he was looking for transparency.

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Mr. & Mrs. Yewer were next to speak. Mr. Yewer said that he has 5 or 6 things. Mr. Yewer asked about the tree guarantee period. He suggested a three-year period. Next, in the previous meetings they discussed bonding to ensure that some of the site work is done adequately. He asked if a resume had been submitted as was requested in the previous meeting. Mr. Yewer suggested that this project is at least as sensitive as the last application. His goal is to have more open space in the meadow. Mr. Baccon suggested that they are working on a way to increase that. Lastly, he suggested that they speak with Aquarion and do both hookups so they can save some money.

Mr. Winter said that all of those comments were noted in Mr. Yewer's letters and most of those issues will be discussed during the deliberations. They will discuss the request regarding the resumes at the end of the public hearing.

Ms. Wendy Murphy was next to speak. She said that she comes back to the Plan of Conservation and Development whenever she thinks of this application. She asked what is the purpose of the POCD if it is not looked at. In the last 3 editions of the POCD, it was mentioned that this meadow was number 1 in preservation and asked when will the P&Z address this. She asked if there was any procedure by which the Community was formally told that they were about to lose this prized property. The other question was that earlier this week a letter from Mr. Szymanski said that he was switching his plan to a common interest development. She was asked why it was not mentioned tonight.

Mr. Winter asked that the applicant answer the question about the common interest development at the end of public comment. With regard to the Commission's role in the POCD, Mr. Winter said that the Commission is charged with facilitating the creation and rewrite of the POCD. It is a town document and therefore, all commissions are responsible for taking all the recommendations into consideration. The P&Z Commission uses the POCD to educate and inform the decisions when they are rewriting the regulations. Mr. Winter used the POCD during the review of the new regulation with regard to conserving open space. This was not an opportunity that was afforded to the Commission before.

Mr. Doug Wynn, said that he was incredibly sad when he heard about this application. His question was about how they believe that the residents of Kent will come to appreciate and like this new addition to the community. He said that he would like to hear from Mr. Baccon and Mr. Teitz on this. He also asked how the P&Z and Town residents feel that this subdivision would benefit Kent. Mr. Wynn said that he has a fear that this development will have no visible connection to the Town and this might cause Kent to lose their character and change not for the better.

Mr. Winter said that he would answer it from a Commission's standpoint. The parcel in question has been in the VR-2 district since he moved to Town in the early 2000's. The purpose of the VR-2 district is for the expansion of Town to provide us with a space in Town where we are minimizing development out into the rural zone. The plan for that parcel has always been for housing and as laid out by the Zoning regulations and the subdivision regulations from before his time.

Ms. Andrea Schoeny said that she is also a new resident to the Town of Kent and is really excited to buy a house in Town. She is excited about the potential of having more housing in Town and potentially purchasing a larger house that would afford her with the ability to walk to Town. Ms. Schoeny said that she appreciates that Mr. Szymanski and Mr. Baccon are concerned with the concerns expressed by the neighbors and organizations of the Town. She appreciates that this area is zoned for houses, keeping this area residential and keeping the rural area rural.

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Mr. Tim Good had a few comments. He thanked the Commission for what they have done and continue to do. Mr. Good explained who he is and said that he is immersed in both the residential and business aspects of the Town. He quoted comments in various newspapers/magazines regarding Kent being a tourist destination and said that it is very important to keep the northern gateway as open as possible by moving the development to the back of the property or reducing the number of houses. He asked if it was possible to increase the amount of conservation required. Mr. Good said that a lot of the people on this call were there because they live in the Town because of what it offers. He believes that the Commission has to recognize the amount of concern that is being expressed. Mr. Good asked whether or not Mr. Szymanski had prepared a new site plan showing the project being moved to the back of the property.

Mr. Jason Wright said that they need clarity on what the developer has as of right and what the Commissioners are going to be doing outside of that in order for them to complete the project. He wants the Commission to communicate to him clearly what the things are that the Commission does. Both Ms. Hayes and Mr. Winter referred him to the regulations and Ms. Hayes gave an explanation on how the regulations work.

Ms. Murphy said that she wants to come back to the POCD because she does not think that the people understand why it's created. She continued that it does not have any relevance to this application and that an alert should have gone out since so many people care of this piece of property. Ms. Murphy said why budget \$15,000 to rewrite the POCD if it's not being used.

Mr. Winter said that the Commission recently rewrote the Zoning Regulations and referred pretty heavily on the POCD. He explained that the POCD is used to inform the additional conservation development on the property. It is not the purview of the P&Z to purchase property or to inform people when a piece of property goes on the market. Sellers do not come to the Conservation Commission, the Kent Land Trust, or the BOS to ask if they want to purchase it first. He said that it is unfair to say that they do not refer to the POCD and that the comment that it has not been looked at in 10 years is incorrect. Mr. Winter thinks that it was unfair of the former owner of the property who sold it to someone else without recognizing or asking the Conservation Commission or the Kent Land Trust to purchase it. It is unfortunate but believes very strongly that the Commission has done a lot to mitigate the use of the property.

Ms. Sally Zunino commented that she wished her husband was present. She said that the development of this piece of property is offensive to what Kent stands for for her and once it is completed she feels like she will be living in Westchester.

Mr. Winter said that he understands that lots of people don't agree with this development, but the Commission has to look at how this development fits within the regulations.

Ms. Leslie Levy said that she has two questions. The first being what is the price point of the houses and the second is whether or not any will be for Kent Affordable Housing.

Mr. Winter said that he will give those questions back to the developer to answer.

Mr. Doug Wynn said that some very good points have been discussed. With regard to the architectural design, he asked if Kent has an architectural guide or mandate where new developments have to meet

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certain standards. He feels that if the project can't be set back on the property, at least some style guidelines might make it better.

Mr. Winter said that there are guidelines which are explained in the Regulations under the Kent Village District section.

Ms. Maggie Sterns said that she did not think everyone should be educated on the call. She said that she read the letter written by Mr. Szymanski stating that they are not doing a subdivision and asked for an explanation.

Mr. Winter said that within the uses allowed by special permit is a subdivision, common interest development and a planned unit development. Two of the three uses will not require a subdivision application. Ms. Hayes explained that by building a common interest development, they are still required to provide the 40% conservation requirement but they do not have to apply for a subdivision. The development will now be 13 units on one lot instead of 13 units on 13 separate lots.

Mr. Elaine LaFontan from Gaylordsville said that she got wind of this project and was sad to hear about it. She continued that she does not know the developer but she does know about Paul Szymanski. Mr. Winter said that the only comments he will be accepting will be about the application and not about the individuals. Ms. LaFontan said that she has information that she would like to share and asked that anyone interested should contact her directly. Mr. Winter said that everyone has her letter and it would be wrong for him to allow this to be a venue for accusations. Mr. David Carey suggested it be put on the Town's Facebook page.

Ms. Dorothy Yewer wanted to make two quick points. She thinks that some of the confusion is that you have this development on one hand and then you say that this land was always supposed to be for development. On the Character Map it states that Housatonic Meadows is noted on the map as a town character area. The bigger conversation for her is simply that this board has two ways to protect this meadow; one would be to use their own language to modify the 40%; the second is, speaking on behalf of Mr. Zunino, that people on this call figure out a way to purchase this land and deed it back to the Town. Either to the Kent Land Trust or the Town. She feels that the developers are interested in making this a win/win situation. Ms. Yewer feels that the meadow should be protected and they want to work with the developer to do so.

Mr. Winter responded to the percentage by stating that Mr. Yewer included an opinion from his attorney and Mr. Winter does not agree. His interpretation is that the 40% is for minimization and not an increase. He has gotten interpretations from construction attorneys and land use attorneys on his own who do not agree with the Yewer's attorney's interpretation. He said that this will be discussed further during the deliberations.

Ms. Wasti thanked the Commission for their work. She said that she was happy to hear that Mr. Baccon has been reading the letters and have been taking them seriously. Ms. Wasti said that the designs are thoughtful but it breaks her heart to lose that meadow and if they can come to some win/win compromise it will be great. She understands that this land has been set up for development but would be interested in learning about the subjectivity the Commission has with regard to the approval. She has come to terms with the fact that there will be some sort of development. She asked about the speed limit and wondered if anything happened with possibly changing it. Ms. Wasti said that she is worried about the land across

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the street from the subject property and would buy it if it was for sale. She read a small section from the POCD about the gateways to the Town. If this development goes through, she asks that the property across the street be protected especially since it contains wetlands.

Ms. Lisa Wolak said that she watched the last video and asked if the developer could clarify the red barn that will be placed right along the side of Rte 7. While they want it to mimic the southern gateway, they will contain two separate uses; one for the Town and visitors; the other for just the community. She feels that it will have the biggest impact. She would also like to know what the cost of the houses are and that it is very important that affordable housing be available in Town. She is disappointed that none of it will be set aside for Kent Affordable Housing.

Mr. Mark Trevino said that he had supplied a written letter and said that he thought the POCD is something that the Commission had to consider. Mr. Winter said that the POCD is there to create the regulations and then the regulations take precedent. Yes, during the deliberations the Commission does look to the POCD, but the POCD does not offer mandates like the regulations do.

Mr. Rick Levy asked how far north did the Village District Regulations stop. Ms. Hayes replied that this property was the end of the Village District. The piece across the street is part of the VR-2 and the rest is located in the rural district due to the slope. Mr. Levy clarified his question and asked if the ARB had to review this application. Ms. Hayes replied that the ARB had approved the master plan and will have to come before them for each individual structure. With the change to a common interest plan, the development will not have to seek another approval from the ARB since the master plan design remains the same.

Ms. Lauren Gioia said that she is close to the subject project and will be impacted by this development. She asks that it remain open to maintain as much green space as possible.

Ms. Judy Perkins said that she has a different approach based on personal experience. She believes that Kent needs to set themselves up for more pressure like this and feels the regulations need to sync up with the POCD. She does not think that this is a financially feasible development based on the increase in building costs and the timeline. Since all the trades are all so busy and with the delay in shipments of building materials, there is no way they will be able to build within the proposed timeline. Ms. Perkins said that there is a beautiful community barn in her development and it is only used once a year because no one wants to walk there in the snow; there is a tennis court that everyone fights over; there was a proposed pool that was never built and because the development went bust, they are now surrounded by open space. Her question is who will buy them. She would like to know if they are a condo or a PUD because that will influence who will buy them. Ms. Perkins said that the condo fees will be high which will impact the selling price of the units. Since this will not be affordable to the regular people, New Yorkers are the next buying group who will not be interested because it is too close to the road. She does not believe that it will ever be built. Ms. Perkins believes that this has nothing to do with the regulations, it has to do with the cost of housing and the cost of supplies. She recommended that they donate the property to the Kent Land Trust, take the tax credit and build a mansion.

Mr. Winter, seeing no additional hands raised, turned the discussion back to the applicant to address the questions not already addressed.

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Mr. Paul Szymanski, PE, representing the applicant, responded to the following points: the regulation allows three types of developments and when they first proposed the project it was proposed as a subdivision with 13 individual lots. There was a concern brought up regarding the infrastructure that could burden the Town and could possibly lead to a longer approval process. Based on this, the new proposal is that there are no longer lot lines between each home, it is now only one piece of property.

Mr. Szymanski said that with regard to Mr. Larson's question, they are only talking about the zoning regulations. The Town does have subdivision regulations which allow more of an as of right perspective. If they came in under the subdivision regulations, only 15% would go to conservation which was not acceptable to his client. That is why they proposed the new regulation which made the approval process that much longer. The new regulation allows for more conservation.

With regard to the sewer costs, the client will be taking on the cost of the sewer expansion and all related costs associated with it.

The request by the Yewer's with regard to the 3-year guarantee, Mr. Szymanski said that a new condition of approval will be that the guarantee of the trees would be in perpetuity.

With regard to the POCD, Mr. Szymanski said that the goal of the POCD was to create conservation subdivisions in order to create more open space. The new regulation supports that and the applicant is 100% in compliance.

Mr. Szymanski said that they cannot speak to the notification on the sale of the property. The P&Z Commission does not have the responsibility to notify the Town that property is for sale. He continued that his client bought the property and has created the plan presently before the Commission.

The discussion regarding architecture, Mr. Szymanski stated that they did appear before the ARB and provided them with renderings, massing plans and material plans.

Mr. Szymanski confirmed that Mr. Weingarten had requested that the project be moved to the rear of that property. He then shared his screen which showed a revised site plan showing that proposal. Mr. Szymanski looked at the potential of moving the project to the rear and explained if you look at the rear portion of the property there is a large area which consists of slopes greater than 25%. This is one of the noted conservation areas because building on it presents a more detrimental impact with regard to runoff and erosion. Mr. Szymanski said that by moving the project to the area along the train tracks, they could only build 3 houses. Building there would require more impervious surface and a 20' road and would add a significantly more amount of erosion controls and water runoff prevention devices. By moving the project to the back of the property, they can only accommodate 35% of the property as open space and would not be able to apply for a conservation development.

Mr. Szymanski said that he and his client have been at almost every meeting for the past 11 months and can attest that the Commission has asked for and accepted every comment that was given. He continued that his client has accepted every comment and concern and has instructed Mr. Szymanski to take all those comments into consideration while adjusting the original proposals.

A couple of residents brought up the price point of the homes. Mr. Szymanski said that it will be market rate housing and there will be no affordable housing as part of this application.

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With regard to the speed limits, Mr. Szymanski said that they met with the DOT and the letter in the file states that they meet the criteria for speed and site distance.

With regard to a comment from Ms. Perkins about the Town gearing up for more developments like this, Mr. Szymanski said that the Commission carefully considered who would be impacted by this new regulation in the VR-2 zone and explained that the Rural district has a similar conservation regulation.

Mr. Baccon said that Mr. Szymanski did a great job handling what was on the list. With regard to the purpose of the barn, the reason for the community facilities is to allow them to minimize the massing of the units themselves. The change to the common interest ownership is really not a fundamental change to what is actually being marketed. It will allow them to control the construction sequence better.

Mr. Winter thanked the applicant for addressing the questions. Any questions not answered will be answered after the Commission has an opportunity to ask some questions.

Mr. Winter stated that at last month's meeting they had asked for a series of a piece of information, which they received most of. He asked if the KVFD responded to the road structure favorably. Mr. Szymanski replied that was correct and continued that modifications were required to be made to the roadway and the fire hydrants which were done. A letter was submitted to Ms. Hayes. With regard to the Highway Department, now that they are maintaining this as a private road there would be no reason for comment. Mr. Szymanski replied that they had met with Mr. Osborne and his concerns were submitted to Ms. Lord for review. With regard to the Sewer Commission, Mr. Winter said that he did not think that the letter that was received actually agrees to the hook up. Mr. Szymanski replied that those letters were submitted by 10/6 and 10/7. Since then, he met with the Sewer Commission on Tuesday. He stated that he did not think that the Commission would be getting a formal letter, but the approval was given verbally during that meeting. Mr. Szymanski received confirmation that there is adequate capacity to serve the proposed development. He also received confirmation that it is in the future sewer service area which was produced by them in 2009. Mr. Szymanski said that Mr. Bart Clark did state for the record that it was in the public interest to allow for the expansion; allow additional rate payers to connect to the system; to upgrade the lateral; and, to allow the expansion of the sewer to allow future opportunities to the Town. Ms. Hayes agreed.

With regard to the redesign away from Rte 7, Mr. Winter asked if the Commission were to grant approval based on a smaller percentage of open space, would that layout be a viable option for the applicant. Mr. Szymanski said that he believed that they would be in violation of the regulations, but if they decide to go that route, it would not be a financially viable solution due to the tremendous significant cost for the infrastructure. Mr. Baccon added that the cost of the roadway to service the back three houses would be significant and it does not solve the issue of keeping the southerly area open. Mr. Winter said that it was simply a question in case the Commission had the right to reduce the amount of open space.

Mr. Cherniske asked about the sewer. Given that the Town would be getting new sidewalks, Mr. Cherniske asked if they had taken into consideration that nothing would have to be done to them when putting in the sewer. He also asked when they put in the new lateral, will this potentially clean up an issue that can't be seen. Mr. Szymanski said that he was not aware of the leak but that only one home is allowed off of a lateral but in this case there are three. In their case, they are constructing a main and a lateral not only for those three homes, but others and they will connect to the main. This lateral will also

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be available to any new development. Mr. Szymanski said that they will coordinate with other entities to make sure there is no conflict.

Ms. Hicks said that it is not a subdivision or a planned unit development but a common interest development. She continued that since the Community Building affects the size of each individual house, would it be possible to eliminate the Community Building, therefore, increasing the size of each house and reduce the number of houses to protect the southern part of the development. Mr. Winter asked if Mr. Baccon would like to address it. Mr. Baccon said it was a good observation and it won't reduce the number of houses, but just increase the size of the house and therefore, the cost of the houses. He continued that it's about the scale of the unit and making a judgement about the end user and the life cycle of how that is being used in different stages of life. He does not see it reducing the number of units. He considers the Community Building a marketing tool.

Ms. Hicks said that her second question would be how they would formulate the HOA documents. Mr. Szymanski stated that as previously discussed, the HOA document would discuss the criteria of the conservation and the aesthetics of the development. They volunteered that if the Commission did approval this application, the developers would present the HOA documentation for approval and consistency.

Ms. McAndrew asked for clarification on who is absorbing the cost of the sewer extension. Mr. Szymanski replied that the applicant would assume the total cost. Ms. McAndrew asked if that would affect the cost of the homes. Mr. Szymanski said that they knew that the sewer line would be a cost they would have to absorb and does not affect the cost. Ms. McAndrew asked what they considered the market price for the house. Mr. Szymanski said that it would not reflect the current market price now. Since they still have to put together the cost of the sewer installation and since those numbers are not available right now, they cannot answer that question and it is not germane to the approval process. Ms. McAndrew stated that she does not understand why the Community House has no parking since it is not practical. Mr. Szymanski said that there are two parking spaces shown on the site plan. He said that he does live in a similar community with a community house which gets used quite often and does bring the community together. Mr. Szymanski stated that there will be a couple of items that will be stored there. Ms. McAndrew asked if there was parking at his community house and Mr. Szymanski said that he walks back and forth. Mr. Baccon said that he does not anticipate people driving to the community house from their houses.

Mr. Wyrick asked for clarification of the construction phases. Mr. Baccon shared a graphic on the construction sequence. He explained that the building of the southerly units were much more straight forward with regard to construction and site work as compared to the units on the northerly side. Starting the construction on the northerly side is counterintuitive but it is important to the ongoing conversations being held regarding the development of the southerly units. Mr. Wyrick asked that this chart be added to the record. Mr. Winter asked when the Community House and the pool will be constructed. Mr. Baccon said that they would go along with the infrastructure of the road. It's not included in the record, because they want to keep that open to possible change. Mr. Winter asked if they would build phase 1, sell them and then wait to build phase 2. Mr. Baccon said that it will all depend on how quickly they sell. Mr. Winter asked about the phasing of the road construction. He asked if they would build it down to the first course of asphalt and not top until the units along that road are done. Mr. Szymanski said that was correct. He continued that this would allow the base coat to settle and allow for a longer performing top

coat. Mr. Winter stated that sounded good, but the first course should not be allowed to stay uncovered too long. Mr. Szymanski agreed.

Mr. Birnbaum asked if the grass pavers would be suitable for heavier trucks and asked if there were any issues in inclement weather. Mr. Szymanski replied that the pavers is a cellular product that is filled with processed gravel with a base coat beneath them and the cells contain top soil to allow vegetation to grow. During the winter, the area around the pool will not be used so there is no concern. Mr. Birnbaum asked about a performance bond. Mr. Szymanski stated that Ms. Hayes had contacted the Town Attorney. She replied that bonding is only allowed for anything that the Town would be taking over, but since this is now a common interest development she would need to reverify the answer. Mr. Birnbaum stated that the POCD talks about the northern and southern gateways. He asked if there has ever been a discussion about where they actually are. Ms. Murphy said that it is shown on the character area map in the POCD. Mr. Birnbaum said that it sounds like it is not written down anywhere. Mr. Winter suggested that they look at the map in the 2012 POCD. Ms. Hicks says that the Town Character Study does not prioritize character areas. Ms. Murphy said that in one of the studies it does list the top 6 areas but then it does change in subsequent studies.

Ms. Casey said that she senses that the developers are becoming more sensitive to the fact that the Town is very concerned with this development. She believes that there are too many houses on the property and the real solution is less houses. By keeping the southern area open all the way to the back, she believes that there would be better acceptance by the Town. Ms. Casey does not believe she is alone in her opinion and has been saying it from the beginning. With regard to the open space, she believes that our attorney does need to give an opinion on whether or not the Commission can change the percentage. She said that the POCD does come up a lot and she thinks that the POCD provides the balance of the regulation and then our community and our townspeople's idea of how we continue to keep our town the way it is. While the POCD is important and does not rule the Commission, she believes it has been ignored. Ms. Casey said that the developers are giving us tons of information, but they are still not listening to the townspeople. She suggested that they ask the Town to purchase the property or compromise on the number of houses to be built and give the conserved land to the Town. Mr. Winter said that all these comments are powerful and need to be addressed in the deliberations. He asked if there was anything specific needed from the developers. Ms. Casey said that she would like to hear from the developer that they were willing to reduce the number of houses as a compromise.

Mr. Winter said that we are now looking for any additional information from the applicant before we close the public hearing and begin our deliberation.

Mr. Szymanski said that at the beginning of this process, his client wanted to start at the southern end of the property and then work north. Based on the fact that several people had reached out to his client about protecting the southern part of the property, his clients, in good faith, have agreed to start at the most remote portion at the northern end. He believes that his clients have been open to these discussions and will continue with these discussions into the future.

Mr. Baccon said that the major expense of this project would be the infrastructure and they are trying to balance the development to cover the costs that will need to be expended to complete the development. He will continue with the discussion regarding the southern part of the property but they will continue to apply for the 13 houses. Mr. Winter said that the Commission will deliberate on the application that has been put forth.

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Mr. Cherniske asked Mr. Szymanski a question regarding the POCD. In the POCD there is a build out analysis that was created by UCONN. For the village district 2 they did show 12 units on this parcel. He asked Mr. Szymanski if he knew what they used to come up with that number. Mr. Szymanski said that he did not know but that anytime they do something like that it is hard to look at any individual lot specifically. Mr. Cherniske said that the ability to put houses on this lot coexisted with the regulations and POCD for quite some time. It has been established that P&Z has limited ability to protect parcels and part of the POCD's recommendations was to establish an acquisition fund, which was out of the P&Z's purview. Creating the conservation development regulation was a way for the Commission to offer some protection. Mr. Szymanski referred Mr. Cherniske to section 3100.a which states that 4000 sq ft is required for each dwelling unit. Historically, the regulations provided for more density on this parcel.

Mr. Weingarten said that he did not have anything to add other than the fact that the 3 houses in the southern portion of the property are the most problematic and he would like to see something happen with that. He does not believe that the Town has the ability to help in that regard but maybe some of the townspeople could.

Mr. Winter agreed that the POCD suggested that a land acquisition fund be created. He continued that it makes sense to get ahead of our plans. He recommended that as part of the rewrite of the POCD all those who are responsible for carrying out portions of the POCD actually do what is required.

Mr. Winter asked if there was anything that is needed by the Commission to make a decision. Ms. Hicks went back to the elimination of the Community House. Mr. Winter thinks that is an important aspect but no additional information can be presented after the close of the public hearing.

Mr. Wyrick asked if any waivers need to be considered. Ms. Hayes said that she did not think there were any at this point in time. That would be discussed during the decision making process. Mr. Weingarten said that they would need a new letter from the Sewer Commission. Mr. Winter agreed and said that they are allowed to receive communication from the consultants and town partner; therefore the Commission would be allowed to receive information from the engineer, sewer commission and the KVFD. Mr. Winter said that we are still waiting for information from the Sewer Commission. Ms. Hayes stated that there will be a special meeting of the Sewer Commission where they will decide how they will handle the submission of a letter.

Mr. Manes clarified that after the closing of the public hearing the Commission has 65 days to make a decision. Ms. Hayes believes that date is close to December 16th.

Mr. Wynn asked for an answer on the first question which was how this will specifically benefit the Town of Kent. Mr. Winter said that he believes that has been asked and answered and the Commission will discuss this when they deliberate on the merits of the application.

Mr. Wyrick moved to close the public hearing at 10:19 p.m. Mr. Manes seconded and the motion carried unanimously.

Mr. Winter asked the Commission to provide any conditions of approval and any information to prepare a resolution of denial to Ms. Hayes by November 1st. Mr. Winter asked that Ms. Hayes send a reminder

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email. Mr. Winter said that the drafts will be provided at the next meeting to discuss. Mr. Winter said that he really appreciated the community involvement and would appreciate continued involvement.

5.B. DISCUSSION AND POSSIBLE DECISION

5.B.1. Clarification on the baseline of operations and aspirations of Club Getaway.

Ms. Hayes advised the Commission that Mr. Schreiber is currently working with a land use attorney and due to the fact that the Club is still open, he has guests on property and would not be able to attend.

Mr. Manes moved to continue agenda item 5.B.1. to the next regular meeting. Mr. Wyrick seconded and the motion carried unanimously.

5.B.2. Clarification on the role and responsibility of the Architectural Review Board – report by Matthew Winter and Wes Wyrick.

Mr. Wyrick stated that there was a very productive meeting and felt that the ARB just needed a little encouragement. He recommended that they really read the regulations before asking for guidance. Mr. Winter stated that part of the trouble was that they did not have the encouragement and agreed with Mr. Wyrick. He said that the ARB will go back and make a check list of what needs to be done and then meet again.

6. NEW BUSINESS:

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

6.B. DISCUSSION AND POSSIBLE DECISION

6.B.1. Reappointment of Derek Larson as a member of the Architectural Review Board for a two-year term beginning August 11, 2021 and ending August 10, 2023.

Mr. Manes moved to reappoint Derek Larson as a member of the Architectural Review Board to a two-year term ending August 10, 2023. Mr. Wyrick seconded and the motion carried unanimously.

6.B.2. Application #98-21C, Issacharof/Estlund, 84 Spectacle Ridge Road, Map 16 Block 25 Lot 30, addition to existing house located in HorizonLine Conservation District.

Ms. Hayes explained that she believes that the more of the property is located in the HorizonLine than is indicated on the HorizonLine Map and that is another reason why they should be in front of the Commission.

Mr. Roland Levesque from Corporate Construction was present to address the Commission. He explained that they would be adding a second story above the garage totaling approximately 912 sq. ft. A portion of the addition will be outside of the footprint but most will remain within the footprint. He continued that there will not be any site grading changes and no exterior lighting. There will be one small

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sconce that is placed in a covered porch area that will be shielded. Mr. Wyrick asked if the new addition will be any higher than the existing house. Mr. Levesque said that it would not be. Mr. Padron from Gray Organsche added that the new addition will not be higher than the existing house. The majority is being placed on top of an existing flat roof. There is a slight increase to an overhang over the driveway.

Mr. Manes asked if the house was visible from a street or road. Mr. Padron replied that it is hidden at the end of a meandering driveway and is not visible from adjacent properties. Ms. Hayes asked if more than one tree will be removed. Mr. Padron replied that two trees would be removed: one 7" and one 21". Mr. Winter asked if this house will be seen from Richards Road. Mr. Padron replied that was correct and it was noted that the house cannot be seen from Rte. 341.

Mr. Manes moved to approve Application #98-21C, Issacharof/Estlund, 84 Spectacle Ridge Road, Map 16 Block 25 Lot 30, addition to existing house located in HorizonLine Conservation District.

During discussion, Mr. Winter asked about the septic system. Mr. Levesque said that there will be no work done to the existing septic system which is built for 5 bedrooms. Once the work is done, the house will be 5 bedrooms.

Mr. Wyrick seconded and the motion carried unanimously.

Mr. Manes moved to approve the following waivers: 3,5, 6, 10, 11, 12 and 13. Mr. Weingarten seconded and the motion carried unanimously.

- 6.B.3. Application #99-21C, Kent Affordable Housing for Building 15, LLC, 16 Landmark Lane, Map 19 Block 42 Lot 45, change of use from commercial to residential.

Mr. Winter asked if there was anything different with the application from the first application submitted. Ms. Hayes replied that there was a slight adjustment to the property lines in order to square up the property and allow better parking. Otherwise, it was the same. Ms. Suttman gave a brief overview of the proposal again, which is the same as previously presented.

Mr. Winter explained that this is before the Commission again just for a change of use. Mr. Weingarten asked if it would be appropriate to do this since this is just a proposal. Ms. Virginia Bush-Suttman, representing Kent Affordable Housing, explained that this approval is necessary in order to obtain the financing. Ms. Hayes informed the Commission that the property owner asked that the zoning permit not be issued until the sale is complete. Mr. Manes asked if the approval could be conditioned upon approval of funding. Ms. Suttman agreed to this condition since it has been done in the past with other properties.

Mr. Manes moved to approve Application #99-21C, Kent Affordable Housing for Building 15, LLC, 16 Landmark Lane, Map 19 Block 42 Lot 45, change of use from commercial to residential with the condition that funding for the purchase is approved and that the decision is made to move ahead with the project. Mr. Wyrick seconded and the motion carried unanimously.

7. STAFF REPORT:

- 7.A. Vacation

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Ms. Hayes reported that she will be out of the office beginning October 18th and returning on November 1st. She can be contacted via email if necessary.

8. REPORT OF OFFICERS AND COMMITTEES:

8.A. POCD Subcommittee

Mr. Winter advised the Commission that the POCD Subcommittee had met prior to this meeting and that Mr. Chalder told them that there were 432 survey results. The survey and the back up information will be shared on the Town's website as well as on the Town's FaceBook page. Ms. Hayes told the Commission members that the information is available in the public meeting folder identified as the POCD meeting.

9. OTHER COMMUNICATIONS AND CORRESPONDENCE:

9.A. Administrative Permits and Certificates of Compliance: September 7th to October 8, 2021.

No action taken.

9.B. 2020 Annual Monitoring Report, Natural Resource Management Plan, Bull's Bridge Golf Club, by WSP dated August 2021.

Mr. Winter asked that this be left on the agenda for the next regular meeting.

9.C. Monthly Financials – July through August, 2021

No action taken.

9.D. Email chain entitled "Meeting Scan Folder" created by Donna Hayes to Planning & Zoning Commission Members with a start date of October 7, 2021.

Ms. Hayes reminded the Commissioners that replies to emails that she sends out to the Commission should only be returned to her and not "reply to all" as this could be considered ex-parte communication.

Mr. Wyrick left the meeting at this point in time.

10. EXECUTIVE SESSION: Pending Litigation: High Watch Recovery Center, Inc. v Town of Kent Planning and Zoning Commission in Superior Court, Judicial District of Litchfield at Torrington dated November 27, 2020. Discussion of strategy and negotiations with legal counsel.

11. EXECUTIVE SESSION: Pending Litigation: The Roberti Family, LLC v Town of Kent, Connecticut and Planning & Zoning Commission of the Town of Kent, Connecticut in the United States District Court for the District of Connecticut filed April 24, 2020. Discussion of strategy and negotiations with legal counsel.

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Mr. Winter moved to go into Executive Session for both agenda items 10 and 11 at 10:33 p.m. Mr. Manes seconded and the motion carried unanimously.

The Commission returned from Executive Session at 10:48 p.m..

12. Open session involving discussion and possible action on Pending Litigation: High Watch Recovery Center, Inc. v Town of Kent Planning and Zoning Commission in Superior Court, Judicial District of Litchfield at Torrington dated November 27, 2020.

Mr. Manes moved to follow the direction and advice of the Planning & Zoning Commission's attorney. Mr. Cherniske seconded and the motion carried unanimously.

13. Open session involving discussion and possible action on Pending Litigation: The Roberti Family, LLC v Town of Kent, Connecticut and Planning & Zoning Commission of the Town of Kent, Connecticut in the United States District Court for the District of Connecticut filed April 24, 2020.

Mr. Manes moved to continue as we have in the past until there is a reason to do otherwise. Mr. Cherniske seconded and the motion carried unanimously.

ADJOURNMENT

Mr. Cherniske moved to adjourn at 10:51 p.m. Mr. Manes seconded and the motion carried unanimously.

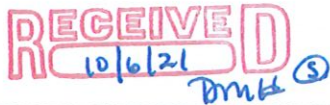
Respectfully submitted,

Donna M. Hayes

Donna M. Hayes, CZEO
Land Use Administrator

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AGENDA ITEM 5.A.1
Donna Hayes <landuseadmin@townofkentct.org>

18

227 North Main Street.

1 message

F. Anthony Zunino <fazunino3@gmail.com>
To: landuseadmin@townofkentct.org

Wed, Oct 6, 2021 at 2:06 PM

I am writing to reiterate the importance of not approving this subdivision.

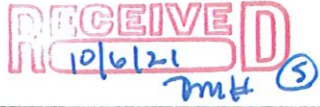
- * It is compromising the Open Space listed in the Kent Character Study as one of the most important areas in Kent to protect.
- * It is being built upon a vital aquifer.
- * It is being proposed under a new zoning regulation which has not been fully understood by the public.
- * It is being proposed by the Engineer who convinced the Town to pass the new zoning regulation.
- * It is opposed by most town residents.

I would propose that:

- * The Town require all of the required open space be along route 7 to protect the Open Space visible from the road.
- * The Town postpone any decision until a satisfactory plan has been submitted that protects the Open Space.
- * The Town ask the Kent Land Trust to meet with the developer to determine if a satisfactory plan could be worked out. (The developer has expressed a willingness to discuss)

Many thanks for all your hard work on this proposal, but it may be the most character changing decision for Kent in many decades.

Tony



AGENDA ITEM 5.A.1

19

Donna Hayes <landuseadmin@townofkentct.org>

New Development North of Town

1 message

Ellie Place <ellieplace@gmail.com>
To: landuseadmin@townofkentct.org

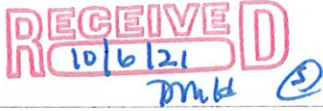
Wed, Oct 6, 2021 at 1:54 PM

Dear Commission,

It has recently come to our attention that a sub-division is proposed for the beautiful rural meadow just north of Kent center. As well as only just hearing of this project we are also very concerned that the intention is to place 13 new dwellings, and barn so close to rte 7. This will have a devastating impact on the environment as well as change the whole feel of rural Kent when entering from the North on rte 7. Once approved please considering there is no turning back. What about how it will utilize the already over taxed Kent's utilities, let alone the disruption it will cause during the construction and beyond.

We urge you to stop this and vote NO !

Ellie L. Place
860.946.9476



AGENDA ITEM 5.A.1 20

Donna Hayes <landuseadmin@townofkentct.org>

Preservation!

1 message

Dillon Morrison-Halas <djmhalas@gmail.com>

Wed, Oct 6, 2021 at 2:07 PM

To: landuseadmin@townofkentct.org

Dear Commission,

It has recently come to our attention that a sub-division is proposed for the beautiful rural meadow just north of Kent center. As well as only just hearing of this project we are also very concerned that the intention is to place 13 new dwellings, and barn so close to rte 7. This will have a devastating impact on the environment as well as change the whole feel of rural Kent when entering from the North on rte 7. Once approved please considering there is no turning back.

What about how it will utilize the already over taxed Kent's utilities, let alone the disruption it will cause during the construction and beyond.

We urge you to stop this and vote NO!



AGENDA ITEM 5.A.1. 21

Donna Hayes <landuseadmin@townofkentct.org>

The development proposal for the northern gateway of Kent

1 message

Sally Zunino <sallyzunino@gmail.com>

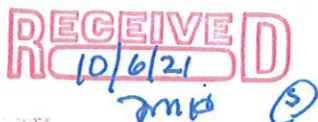
Wed, Oct 6, 2021 at 1:24 PM

To: landuseadmin@townofkentct.org

As a resident of Kent for over thirty years I enjoy living in a town that I consider a rural gem. It is disturbing that people from Long Island City with seemingly no connection to Kent are planning to attempt to create a development that will be a blight on our town. I am disgusted with this proposal and hope that the town has the ability to stop this project.

Sally Zunino

Sent from my iPhone



AGENDA ITEM 5.A.1 22
Donna Hayes <landuseadmin@townofkentct.org>

subdivision

1 message

Rita Kho <chkho2003@yahoo.com>

Wed, Oct 6, 2021 at 11:53 AM

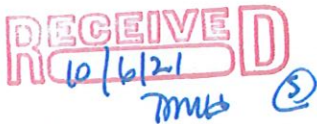
To: "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>

To whom it may concern

After reading all the information regarding the proposed subdivision of Kent's Northern Gateway, we the undersigned vote NO to put that many buildings on such an environmentally sensitive piece of land.

Sincerely,

Rita Kho
&
Ginger Giles
P O Box 947
Kent, CT 06757
TEL: (860) 671-9479



AGENDA ITEM 5.A.1

Donna Hayes <landuseadmin@townofkentct.org>

North Main Street Subdivision

1 message

Georgianne Kent <georgiannekent@gmail.com>

Wed, Oct 6, 2021 at 1:11 PM

To: landuseadmin@townofkentct.org

RE: North Main Street Subdivision

Dear Commission members:

Having carefully read the minutes of the last meeting and the many letters appended to them, it is clear to me that:

- a/ many vital questions remain unanswered by the petitioning parties, and that
- b/ the town is strongly against what anyone can see will be a blight on the Northern entrance to the town.

I am not an architect, but it is obvious that fourteen houses and garages plus community buildings on so small a piece of land, and so close to a major, active highway, are excessive, besides destroying an irretrievable view and probably endangering the environment, on which I understand no study has been done.

Please remember that once the natural beauty of land or ridgeline is compromised, it is gone forever. If the petitioners are able to sell all fourteen houses at what I hear are hundreds of thousands of dollars each, there will be a sea of light where there are now peaceful rural meadows. If they are not able to sell them, Kent will be left with the enormous eyesore of large, unoccupied buildings.

I urge you to vote NO on this appeal.

Respectfully yours,

Georgianne Ensign Kent



Gmail

RECEIVED
10/5/21
DMH

AGENDA ITEM 5.A.1

Donna Hayes <landuseadmin@townofkentct.org>

potential division of land on Kent's Northern Gateway

1 message

Pam White <pammwhite@gmail.com>

Tue, Oct 5, 2021 at 9:58 AM

To: landuseadmin@townofkentct.org

The proposed subdivision on Kent's Northern Gateway:

The current plan is too dense. Just as we thought the effects of global warming would be thirty or more years off – leaving it, we thought, comfortably in the hands of another generation – the density of houses proposed for this land far outstrips the land's ability to handle that density.

Even with an environmental impact statement, which I understand has not been done, we are mired in old thinking and have no idea how the environment we are creating will fare in our great-grandchildren's future.

The necessary sewer pipes, the extra impact on the current state of the sewer and the proposed houses' addition to the already dangerous amount of traffic coming on a piece of Rte 7 where we ask drivers to slow down (they often don't) AND ask them to beware of not just one or two cars, but a possibility of 26 randomly coming and going adding to the already congested route.

In their presentation, the spokesmen for the project noted that no runoff impact had been studied as there is no concern. I disagree. I live farther from the Housatonic than this land is situated, and I have pledged (they asked) to the Housatonic Valley Association that I will pick up all animal fecal matter (from inside and outside of my home) and put it in the garbage rather than the "cheaper" alternative of digging a hole and "burying" it. There is no "cheaper" alternative when it comes to our environment. Once something is in place it historically will stay – entropy is a huge force – until damage is done. That has been our past. Please see that is not our future.

Thank you for your consideration,
Pam White
30 Flanders Lane

617 794 5811

Pam White
pammwhite@gmail.com

[My Art Website, Portraits](#)
[My Blog](#)
[Facebook](#)
[My Facebook Art Page](#)

Coaching/Lifeguide
Page Literary Journal

25

The essential meaning of silence is the giving up of intention.
Silence is not acoustic.
It is a change of mind.
A turning around.
- John Cage



Donna Hayes <landuseadmin@townofkentct.org>

*Duplicate***[Kent CT] The proposed subdivision on Kent's Northern Gatewa (Sent by Pam White, pammwhite@gmail.com)**

1 message

Contact form at Kent CT <cmsmailer@civicplus.com>

Tue, Oct 5, 2021 at 1:58 PM

Reply-To: pammwhite@gmail.com

To: landuseadmin@townofkentct.org

Hello dhayes,

Pam White (pammwhite@gmail.com) has sent you a message via your contact form (<https://www.townofkentct.org/user/31/contact>) at Kent CT.

If you don't want to receive such e-mails, you can change your settings at <https://www.townofkentct.org/user/31/edit>.

Message:

The current plan is too dense. Just as we thought the effects of global warming would be thirty or more years off – leaving it, we thought, comfortably in the hands of another generation – the density of houses proposed for this land far outstrips the land's ability to handle that density.

Even with an environmental impact statement, which I understand has not been done, we are mired in old thinking and have no idea how the environment we are creating will fare in our great-grandchildren's future.

The necessary sewer pipes, the extra impact on the current state of the sewer and the proposed houses' addition to the already dangerous amount of traffic coming on a piece of Rte 7 where we ask drivers to slow down (they often don't) AND ask them to beware of not just one or two cars, but a possibility of 26 randomly coming and going adding to the already congested route.

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the_proposed_subdivision_on_kent.docx

13K



AGENDA ITEM 5.A.1.

27

Donna Hayes <landuseadmin@townofkentct.org>

NO to North Main St. LLC. Application

1 message

Christy Quatannens <cquatannensg@gmail.com>
To: landuseadmin@townofkentct.org

Tue, Oct 5, 2021 at 7:28 AM

Please vote NO to North Main St. LLC Application.

Will there be a construction bond guaranteeing the completion of this project?

I work for a (multi-million dollar) building corporation. Building materials; pvc pipe, insulation, sheet rock, roofing etc. are constantly rising in price, with little or no direct availability. To quote the purchasing manager where I am employed:

"There is NO STABILITY."

A time line has not been provided? Proof of financing?

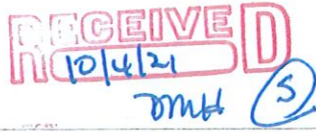
There are too many questions and concerns. No environmental impact study?! Construction vehicles on roads (I believe route 7 was repaved only 4-5 years ago?) Why is the town/ taxes maintaining the subdivision's roads? Traffic, Noise...(I will not continue as these issues have all been previously addressed.)

Please vote NO

Regards,
Christy Quatannens Grgecic

*Please note, as a direct neighbor to this property I was only made aware of this subdivision by a concerned neighbor slipping a piece of paper inside my door.

Sent from my iPhone



Donna Hayes <landuseadmin@townofkentct.org>

Kent sub division

1 message

28

Paula Josa Jones <pjj@paulajosajones.org>
To: landuseadmin@townofkentct.org

Sun, Oct 3, 2021 at 6:41 PM

I am writing to express my strong opposition to the proposed sub-division on Route 7 north of the village of Kent.

Why:

- 14 structures plus 13 garages are too many buildings on this environmentally sensitive piece of land. The proposed buildings will be condensed into 7-8 acres directly on Route 7 – this will obstruct the view of the meadow in perpetuity and suburban sprawl will be a reality.
- The meadow is a beautiful and important part of the northern approach to the village of Kent. The proposed development will spoil the views and redefine the town as simply another suburb with unattractive and ill-defined sprawl.
- The developers have been asked repeatedly what the expected time line will be – no answer has been given.
- We have no idea how unexpected costs, inflation, increasing interest rates, market changes, unknown subsurface matter, affect the project?
- The Kent Conservation Committee has expressed their concerns publicly.
- No environmental impact study has been done. The land includes ledge and damp areas – the soils have not been tested.
- The sewer pipes from the community center to the development need to be changed from 4 inches to 8 – this is an enormous expense. Who is responsible?
- The town/tax payers will be responsible for the cost of maintaining the road – why?
- Route 7 is dangerous and compounding traffic is ill advised – not to mention the safety of would-be residents, who will reside north of town where speeds

are already excessive.

Sincerely, Paula Josa-Jones--

RECEIVED
10/4/21

29

Paula

Paula Josa-Jones, CMA, RSMET, SEP, TTEAM

CLMA: Certified Laban Movement Analyst

RSMET: Registered Somatic Movement Educator/Therapist

SEP: Somatic Experiencing© Practitioner

TTEAM: Tellington Equine Awareness Practitioner

artistic director, choreographer

Paula Josa-Jones/Performance Works

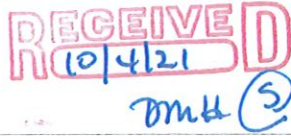
P.O. Box 707, Kent, CT 06757

860-592-0005 (land)

508-627-1752 (mobile)

pjj@paulajosajones.org

www.paulajosajones.org



Donna Hayes <landuseadmin@townofkentct.org>

No to the subdivision

30

1 message

Leigh Peet <tandmelsmom@gmail.com>

Mon, Oct 4, 2021 at 7:36 AM

To: landuseadmin@townofkentct.org

I vote no to the upcoming subdivision. Too many houses on too few acres so close to route 7.

Thanks,
Leigh Peet

RECEIVED
10/4/21

DMLH (5)

AGENDA ITEM 5.A.1

Donna Hayes <landuseadmin@townofkentct.org>

SUBDIVISION

1 message

31

Peggy Lark <mariaandsocks@gmail.com>

Sun, Oct 3, 2021 at 8:18 PM

To: landuseadmin@townofkentct.org

I AM VEHEMENTLY OPPOSED TO A NEW SUBDIVISION OPPOSITE
COBBLE LANE. PLEASE DON'T KILL OUR BEAUTIFUL TOWN. WE WILL LOSE
OUR UNIQUE QUALITY OF LIFE.

PEGGY LARK

168 COBBLE RD
KENT

**RECEIVED**
10/4/21
DMH (5)

AGENDA ITEM 5.A.1

32

Donna Hayes <landuseadmin@townofkentct.org>

Vote No On Proposal for the North Main Street, LLC application

1 message

Brandon Cooke <cbrandonc@gmail.com>
To: landuseadmin@townofkentct.org

Mon, Oct 4, 2021 at 1:25 PM

Dear Donna,

It's a pleasure to meet you via email. Last December, I purchased a wonderful home at 5 Woodin Road, which makes me a fairly new resident to Kent. In my short time as a full-time homeowner here, I have fallen further in love with the community and the natural beauty that originally attracted me here.

I've recently become aware of the proposal for a housing development just at the north gateway to Kent. Let me first say, I am a huge proponent of thoughtful and well-planned development. I am an equally strong opponent of development that is rushed and inconsiderate of the many constituents a project will impact from nature to community aesthetic and most importantly the very people who must live with it after the development company has made its profit.

Given the current design that will make this development an unmissable welcome sight either leaving or entering Kent at the North gateway and the lack of a real environmental impact study, I respectfully ask that the planning and zoning commission vote no for now until the above can be properly worked through.

Centuries of care from thoughtful citizens is what has kept Kent such a special place. Doesn't this highly visible project deserve the same thoughtful attention? The placement and scale of this project alone demands greater consideration in its planning and impact. I am confident that the more energy and care we put in at this stage, will ensure a more equitable and favorable community in the long run. And even the new citizens who buy these homes in the years ahead will thank us and the development company for doing so.

Thank you for your consideration.

Best regards,

Brandon Cooke

5 Woodin Road
Kent, CT 06757

--

Brandon Cooke
+1-917-420-0893



Donna Hayes <landuseadmin@townofkentct.org>

RE: A quick note regarding last night

2 messages

Matthew Winter <mwinter@androncc.com>

Mon, Sep 13, 2021 at 5:05 PM

To: dorothy yewer <doryewer@yahoo.com>, "Dcherniske@kentgreenhouse.com" <dcherniske@kentgreenhouse.com>, "Marc.weingarten@srz.com" <marc.weingarten@srz.com>, "Anniemac322@gmail.com" <anniemac322@gmail.com>, "Alicebhicks@gmail.com" <alicebhicks@gmail.com>, "Wyrickassociates@yahoo.com" <wyrickassociates@yahoo.com>, "Adam@countrycaretaker.com" <adam@countrycaretaker.com>, "Davidb@Chelsea.net" <davidb@chelsea.net>, "Kcasey@wpsir.com" <kcasey@wpsir.com>

Cc: Donna Hayes <landuseadmin@townofkentct.org>

Hi Dorothy and David. Having received your e-mail, I am compelled to read it, but am also compelled to include it in the public record. I understand that you had received a similar response from the Land Use Administrator to a separate email from you.

We are a public body: The deliberations of the commission are public, communications to and from the commission are public. It is very unusual for members of the public to attempt to communicate directly with the members of the commission in the manner you have. I understand your opposition to the proposed use of the parcel, but that opposition must be communicated within the public forum.

Please direct all future correspondence through the Land Use Administrator who is copied here.

Matthew

From: dorothy yewer <doryewer@yahoo.com>**Sent:** Friday, September 10, 2021 6:53 PM

To: Matthew Winter <mwinter@androncc.com>; Dcherniske@kentgreenhouse.com; Marc.weingarten@srz.com; Anniemac322@gmail.com; Alicebhicks@gmail.com; Wyrickassociates@yahoo.com; Adam@countrycaretaker.com; Davidb@Chelsea.net; Kcasey@wpsir.com

Subject: A quick note regarding last night

To the Planning and Zoning Commission,

This letter is in response to topics related to us personally that were mentioned in last night's meeting. It is not meant for the public record, but rather is our desire to answer questions both stated and unstated.

A bit of background information.

Thank you for your time last night and for allowing us to air our concerns. It was mentioned at the meeting that the land to our north should have been purchased by

those who were interested in preserving it as open space – rather than coming forward to grieve over its proposed fate.

We bought our home in part because of the beautiful meadow to our north. The research we did, at the time, indicated that keeping it protected was important to the town – it was referred to as the northern gateway “TO THE VILLAGE. THE OPEN FIELDS SURROUNDING AND WITHIN THE VILLAGE CENTER ARE OF PRIME CONCERN FOR THE TOWN'S RURAL AND SCENIC CHARACTER.” Armed with this information we felt confident in the security of our fantastic new home and our spectacular view – unchanged for hundreds of years.

When we heard the land was for sale we called immediately to learn its status. Could we purchase it? If it was too expensive could we purchase a parcel and deed it back to the town as open space in perpetuity? We were told that the land had sold. When we asked if the Land Trust was able to purchase it we were told (sadly) that they were not. The land, it was explained, sold to an architect in a nearby town, who was planning to put one house on the hill over looking the river. While one house is not a lot, we were still eager to purchase a piece as a buffer to protect this open space. We were interested in deeding some of the land back to the town if we could not afford to keep it ourselves – but again we received a “no” - through the agent, not the buyer.

We then wrote directly to the Long Island City address (the principles) and did not hear back for months. In February of this year we received the following note from their lawyer - “Thank you for your letter regarding the neighboring vacant land in Kent. I forwarded it to the new owners, and just heard back from them now. They apologize for the delayed response. They have been out of the region during Covid, and are looking to return later in the spring, at the earliest. They are interested in talking to you further at that time about your inquiry, as they consider various alternatives for the property, and will reach out to you directly then.” We were thrilled. Maybe there was a way to save a portion of this land.

We heard nothing further from them. We were unlucky – no question – but we were not complacent. Yes, of course, they have a right to buy the land and to propose whatever works for them. And, the board has the right to craft a compromise that works best for the town.

It should also be noted that those interested in Kent conservation, and clearly that is a significant number here, do not necessarily have the wherewithal to purchase any land that is in jeopardy of being purchased. And, any land that is earmarked as important by the town, because of its sensitive location, would not be assumed to be ripe for a subdivision of this magnitude.

This is not a case of inactivity followed by wincing at the broken china. We have tried every step of the way to keep this land open. We remain hopeful that the 40% minimum open space language in the newly created conservation subdivision document will encourage the committee to find a compromise. It is a false choice that either all 14 structures are packed close to the road – or that no development occurs. The language affords the commission the leeway to find a compromise - 10 houses can be built leaving a large portion of the south meadow intact.

Again, thank you for allowing us a voice in this process. Our goal is to find common ground – a place where new development and growth are possible while preserving the rural character of Kent.

With thanks,

Dorothy & David Yewer

914.656.2027

dorothy yewer <doryewer@yahoo.com>

Mon, Sep 13, 2021 at 5:46 PM

Reply-To: dorothy yewer <doryewer@yahoo.com>

To: "Dcherniske@kentgreenhouse.com" <dcherniske@kentgreenhouse.com>, "Marc.weingarten@srz.com" <marc.weingarten@srz.com>, "Anniemac322@gmail.com" <anniemac322@gmail.com>, "Alicebhicks@gmail.com" <alicebhicks@gmail.com>, "Wyrickassociates@yahoo.com" <wyrickassociates@yahoo.com>, "Adam@countrycaretaker.com" <adam@countrycaretaker.com>, "Davidb@Chelsea.net" <davidb@chelsea.net>, "Kcasey@wpsir.com" <kcasey@wpsir.com>, Matthew Winter <mwinter@androncc.com>
Cc: Donna Hayes <landuseadmin@townofkentct.org>

Yes, I just received the note from Donna, having previously sent the email. I welcome it being entered into the public record. The challenge with zoom calls is that it is very difficult to have a give and take in terms of discussions and as I wasn't able to make this clarification at the meeting I thought it would be best to respond here - I did not want to waste anyone's time. But again, I'm happy to have this as part of the entire conversation.

With thanks,

Dorothy E. Yewer
Education Consultant/Sales
914.656.2027

[Quoted text hidden]

5A1

NOT READ INTO RECORD
MISSED DEADLINE
RECEIVED
9/8/21
36

Georgianne Ensign Kent
80 North Main Street #20
Post Office Box 387
Kent, CT 06757

Donna Hayes, Land Use Administrator
Kent Planning & Zoning Commission
41 Kent Green Boulevard
Post Office Box 678
Kent, Connecticut 06757

To the Planning and Zoning Commissioners:

As a resident of Kent I am deeply concerned about the proposal for a subdivision of 13 homes plus two communal structures on a 12 acre lot on North Main Street. This development will ruin the character of Kent's Northern gateway and completely obstruct the view of the existing meadow. I urge you to vote NO on this proposal and maintain the rural character of Kent.

Would you please make this letter part of the record for the Planning and Zoning Commission meeting on September 9, 2021.

Thank you,

Georgianne Kent

5A1

RECEIVED
9/8/21

DMH

31

September 6, 2021

Not Part of the Record
due to date of receipt

Ms. Donna Hayes
Land Use Administrator
Kent Planning and Zoning Commission
41 Kent Green Blvd
PO Box 678
Kent, CT 06757

To the Planning and Zoning Commissioners:

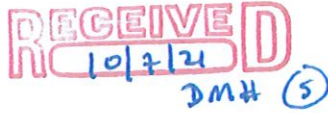
It has recently come to our attention that there is a proposal for a subdivision of 13 homes plus two communal structures on a 12 acre lot on North Main Street. As property owners in Kent, who live very close to this parcel, we are concerned about such a large development of homes. The proposed tract of homes will not only obstruct a wonderful view along the Northern Gateway into Kent, but brings significantly greater density to a small town. One of the hallmarks of this town is it's rural character. This project defies that significant and distinguishing characteristic of our town.

I urge you to vote NO on this proposal.

Would you please make this letter a part of the record of the Planning and Zoning Commission meeting on September 9, 2021.

Thank You,

Cy and Margaret Theobald
80 North Main Street



AGENDA ITEM 5A1

Donna Hayes <landuseadmin@townofkentct.org>

Northern Gateway Parcel

1 message

Katherine Freygang <kfreygang@gmail.com>
To: Kent <landuseadmin@townofkentct.org>

Wed, Oct 6, 2021 at 4:41 PM

To Whom it may concern,

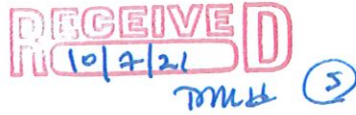
I have been reading about the development proposed for the Northern Gateway Parcel.

At this time I object to the plan for two reasons. One is that it is not in keeping with the existing POCD and secondly that there has been no interactive public hearing on the topic. It sounds like a large installation and therefore requires more time and attention.

Respectfully submitted,
Katherine Freygang



Katherine Freygang
45 Richards Rd. S. Kent CT 06785
860 488 0204 (cell)
kfreygang@gmail.com



AGENDA ITEM 5.A.1 39

Donna Hayes <landuseadmin@townofkentct.org>

North Kent development

1 message

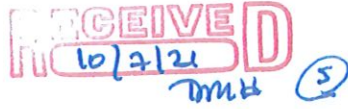
lili mason <lilimay1@hotmail.com>

Wed, Oct 6, 2021 at 4:49 PM

To: "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>

I strongly oppose a development on this particular piece of property. This land is beautiful
Lili mason
Kent ct

Sent from my iPhone



AGENDA ITEM 5.A.1 40

Donna Hayes <landuseadmin@townofkentct.org>

Sprawl conerns

1 message

Landsman, Stephan <SLANDSMA@depaul.edu>

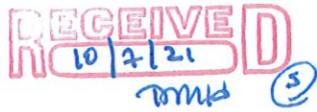
Wed, Oct 6, 2021 at 5:06 PM

To: "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>

As a taxpayer and sometime resident of Kent, I am deeply concerned about the proposed project north of Kent off Route 7. The addition of so many structures, all of them in the luxury class is a troubling proposal. I urge the Committee to vote "no" regarding the proposal.

Stephan Landsman

221 Segar Mountain Rd., Kent.



AGENDA ITEM S.A.1 41

Donna Hayes <landuseadmin@townofkentct.org>

proposed development on Rte 7

1 message

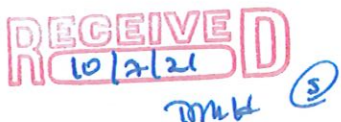
Dallett, Athenaide <dalletta@kent-school.edu>

Wed, Oct 6, 2021 at 5:08 PM

To: landuseadmin@townofkentct.org

I'm writing to express my opposition to the proposed development on Rte 7 because the developers haven't made plans to include any affordable housing units, which is what Kent needs most.

Sincerely,
Athenaide Dallett
Kent, CT



AGENDA ITEM 5.A.1
Donna Hayes <landuseadmin@townofkentct.org>

No to subdivisions

1 message

Kathrine Mason <kathrinemason@gmail.com>

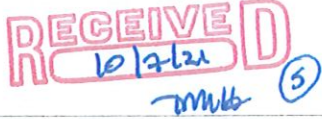
Wed, Oct 6, 2021 at 5:24 PM

To: "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>

Dear Commission,

I vote "no" on the sub divisions being built north of town on route 7. Route 7 is a drive many take for rural beauty and pastoreale views. Also, us locals, appreciate the views and small town feel. If these 13 buildings are put right on 7 heading into town, it will ruin the landscape for all. Please consider not continuing with this project.

Thanks,
Kathrine



AGENDA ITEM 5.A.1 43
Donna Hayes <landuseadmin@townofkentct.org>

Proposed development on Route 7

1 message

Eric Cieplik <ecieplik@gmail.com>

Wed, Oct 6, 2021 at 5:30 PM

To: Donna Hayes <landuseadmin@townofkentct.org>

Cc: Elise Cieplik <elisebc@charter.net>, tim@thegoodportfolio.com

Donna,

Elise and I are opposed to the development and would like to register a "no" vote to the proposal as written.

Some of our concerns:

Too many homes on too little property

There should be an environmental impact study done for this sensitive area.

Route 7 is too busy for this development

There is no published timeline for this development

How will unexpected costs, inflation, increasing interest rates, market changes, and unknown subsurface matter affect the project?

Thank you.

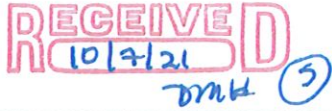
Eric & Elise Cieplik

6 Botsford Road

Kent, CT 06757

860-927-7983 (H)

917-865-2738 (C)



AGENDA ITEM 5.A.1 44
Donna Hayes <landuseadmin@townofkentct.org>

OBJECTIONS TO BE FILED AT THE OCTOBER 14 PUBLIC HEARING

1 message

Wendy Murphy <wmurphy@pobox.com>

Wed, Oct 6, 2021 at 5:52 PM

To: Donna Hayes <landuseadmin@townofkentct.org>

MY FIRST OBJECTION IS TO THE SEEMINGLY ARBITRARY CHANGE IN THE TIME ALLOWED TO FILE LETTERS TO THE P&Z. ONLY YESTERDAY YOUR LAND USE OFFICE SENT ME IN WRITING A DEADLINE FOR SUBMISSIONS THAT WAS 4 PM, THURSDAY, OCTOBER 14. AS YOU KNEW THAT I HAD EXPRESSED INTEREST IN THE SPECIFICS OF THIS TIMELINE YOU SHOULD, AT THE VERY LEAST, HAVE SENT ME A NOTICE OF THE CHANGE. BUT AS THIS NEW DEADLINE HAS NOT BEEN MADE PUBLIC IT WILL SURELY RESULT IN DENYING MANY INTERESTED CITIZENS THE CHANCE TO PARTICIPATE. THIS STRIKES ME AS OPENLY CONTRARY TO THE LAWS OF HOW TOWN DEPARTMENTS AND COMMISSIONS SHOULD OPERATE.

AS YOU WILL SEE BY THE ATTACHED WHITE PAPER, I ALSO RAISE A SERIES OF OTHER ISSUES THAT SEEM TO ME SHOW THIS DEVELOPMENT PROPOSAL RUSHED AND WITHOUT ADEQUATE DOCUMENTATION. IT ALSO SHOWS SOME QUESTIONABLE DECISIONS ON THE PART OF THE COMMISSION. MOST ESPECIALLY I AM SHOCKED THAT EVEN AS YOU PLAN FOR ANOTHER COMPREHENSIVE POCD, A TASK THAT OFTEN TAKE 12-18 MONTHS OF EXTRA WORK ON YOUR PART, THAT YOU THEN APPARENTLY PUT IT ON A SHELF AND IGNORE IT. ONE OF YOUR COMMISSIONERS AT A SPECIAL MEETING BACK IN JANUARY OF WHICH THERE IS AN AUDIO RECORD WENT SO FAR AS TO SAY "WE HAVEN'T LOOKED AT IT IN 10 YEARS" IN RESPONSE TO SOMEONE'S SUGGESTION THAT THE POCD SHOULD BE MADE MORE INTERESTING TO THE PUBLIC. I ASSURE YOU I LOOK AT IT AND SO DO MANY OTHERS. BUT THE GOOD INTENTIONS CONTAINED IN THOSE DOCUMENTS MEAN NOTHING IF YOU DON'T REFER TO THEM. AND THAT SEEMS TO BE WHAT HAPPENED HERE.

INCIDENTALLY, I WRITE THIS DESCRIPTION OF EVENTS AS A PRIVATE CITIZEN. NEITHER THE KENT CONSERVATION COMMISSION NOR THE KENT LAND TRUST ON WHOSE BOARDS I SERVE KNOW OF THIS IN ADVANCE AND MAY BE DISPLEASED WITH MY ANALYSIS. MY APOLOGIES BUT MATTERS HAVE BEEN MOVING SO FAST THAT THERE WAS NO TIME TO DAWDLE.

Wendy Murphy
South Kent

 Northern Gateway Fact Sheet.doc
41K

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10/19/21
mmH

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If you take particular pride in the preservation of Kent's historic village and its visual appeal you will want to be aware of a significant and possibly devastating change about to happen to this bucolic scene. Approximately two years ago developers led by Paul Syzmanski of New Milford and purchased 13 acres of Casey Family pastureland (227 North Main Street) on the west side of Rt. 7. The developers' intention is to build a cluster of up to 13 separate two-story 30-foot high roughly 2,000 square foot private residences plus 13 separate 2-car garages on this small space. Much of the housing planned will be built close to the road where it will not only block the much-loved four-season viewshed of the Appalachian foothills across the river but it will end forever the gentle transition of automobile traffic into and out of town, replacing the meadow grasses, trees, shrubs and wildlife along this stretch of the road with the bustle of multiple dwellings, parking areas, night lighting, intra-compound service roads, and an owners-only common club house. For many of us this means that the long-promised "Northern Gateway" to town, matching the beautifully preserved Southern Gateway, and spelled out as a top priority in three iterations of the Town's Plan of Conservation and Development since 1990, has not been honored as so many of us believed it would be.

You may only just be hearing about this event because we lack a local newspaper that might have brought this to our attention when the land came up for sale. Most of us were about to get lost in a Covid quarantine bubble, too distracted to object even if we knew about it. The P&Z knew, of course, but it was not their job to yell "emergency", much as you might wish they would. True to their calling they held multiple zoom hearings beginning in December 2020 and citizens could have attended and/or called one of the Town or conservation groups to ask why the clear guidelines of the Plan of Conservation and Development (POCD) were not being referenced from the beginning. I certainly don't mean to disrespect any members of our P&Z, who are some of the hardest working, most selfless, volunteers in town. I'm guessing that many of them would have responded differently to the Syzmanski application if town regulations and town sentiment clearly rejected this proposal as inconsistent with Kent's stated guidelines for growth.

But the fact is that Kent's Planning and Zoning regulations remain somewhat ambiguous on rural vs. village planning parameters, and most of us citizens remained silent, imagining that some benevolent knight on a white horse would eventually secure the Northern Gateway for everyone. But no such hero came forward. The property changed hands for \$360,000 and did so without public notice, which in most other towns would have been publicized at a matter of interest for other buyers beforehand. (A family living nearby the open acreage

made a genuine effort to buy the property and retain it as open space but were told they were too late. Klemm Realty handled the private sale.) Paul Syzmanski further prepared the way for development by coming to the P&Z with a recommendation that Kent should add to its regulations a new reg. allowing for conservation easements for development in zones R1 and R2. When the P&Z expressed interest he volunteered to draft one for the P&Z and was invited to do so. Surprise, surprise: the "new" development he brought to the commission a month later, and from which he and his partners stood to profit, was tailor-made for the new regulation. Does this not sound like a conflict of interest, one that if not overtly illegal certainly undercuts the presumed protections that citizens expect from their commissions. Washington lobbyists do the same for busy Congressmen who don't have the time to draft their own legislation; we think of this as "influence peddling" in the latter instance and we don't like it.

Perhaps it is already too late to deny the development team permission to build, but if you are as reluctant to give up on this matter as I am and willing to speak on behalf of one or more of the negatives that this cluster development poses, here are some points you may find worth raising a protest about. I cannot promise that every "fact" I cite below is precisely correct as there is little public information available about this fast-moving transaction to make me confident of everything I report, but can promise you that my intentions are to be as fair and accurate as I can be. And I must also insist that I raise these objections as an independent citizen and not as a spokesperson for any conservation organization or commission to which I belong. I expect the displeasure of some of my colleagues as a result of these remarks.

Read through the list and then make your own case, the briefer and politer the better, for or against this development. If necessary just say you object on the grounds that the P&Z is not following its own POCD guidelines. Send your opinion off to landuseadmin@townofkent.org. I have just learned that your window of opportunity to protest has been arbitrarily and without warning shortened by several days, effectively reducing the volume of citizen participants to be heard from. So send your email or hand carry your letter to Town Hall by 3 p.m. tomorrow TOMORROW. Include your name and address. If you own any property in Kent, even just an automobile, you are entitled to be heard. Here goes:

1. **The Town Character Study** first drafted in the 1990s offers very different guidance as to how the town might buy and protect the acreage in question. The Character Study, which is included in the *Plans of Conservation and*

Development for 1990, 2000, and 2011, and repeated in the *Natural and Cultural Riches* document produced by the Kent Conservation Commission in 2009, specifically identified 20 "Town Character Areas" that best exemplify the cultural, historical and scenic landscapes of Kent and are thus targeted for protection. The very first Character Area on the list is two large parcels together known as Housatonic Valley Meadows. These meadows--ancient flood plains along the Housatonic River--consist of two separate parcels of open fields along the eastern banks of the Housatonic and Rte. 7. They define visually and spacially the northern and southern gateways of Kent's Village Center, which nestles comfortably between them. The second prime Character area listed is the Village itself.

2. By 2009 the **Southern Gateway** did indeed become protected land secured and managed by the Kent Land Trust. It was widely believed by local citizens that the so-called Northern Gateway, roughly 13 acres of rolling pasture would eventually be bought and/or protected by the Kent Land Trust. And if not by them then through a proposed **Town Open Space Acquisition Fund** such as had been created by the nearby towns of Roxbury, Sherman and Washington to permit nimble purchases when desirable properties became available. Needless to say, such eventualities did not occur in 2018. At that time the Casey Family put its pastureland (the aforementioned Northern Gateway or Housatonic Valley Meadows North) up for sale, initially at \$425,000. Paul Syzmanski's development team made an offer, and the deal went through for \$360,000. All legal but totally opportunity outside the recommendations of the POCD and its Character Areas.

3. **The CT Department of Transportation** was not consulted according to usual run-ups to applications before the developers submitted their own plan for exiting and entering the development. When the DOT learned of it they studied the plan and the place selected on the semi-blind curve of Rt. 7 and declared the site lines to be too short for the traffic running through there. This is a common crossing for wildlife and would be prone to vehicular accidents. surely another reason to take exception to this project. (By the way, roadside vegetation such as exists in this pasture, has been studied at length by transportation engineers as a factor in driver safety; it has been shown conclusively that drivers experience a positive psychological effect when driving past scenic fields, and this correlates with reduced driving speed.) Thus preserving the Northern Gateway would also serve traffic safety.

4. **The Sewer Commission** has not signed off on this application as yet. Paul Syzmanski first asked for a meeting with the commission re: the provision of

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10/7/21
DML

S.A.1

48

municipal sewage and water treatment services at 5 pm, September 14, just two hours before the public hearing was scheduled. It would appear to have been a critical detail that was simply forgotten in the rush to move the application along. But Syzmanski had been asked as early as February by the P&Z chair whether waste water would be handled on the basis of soil-based septic fields or municipal sewer and the applicant said he did not know. As the chairman of the Sewer Commission, Elisa Potts, has explained her Commission has yet to complete the upgrade of its current treatment plant, and has been told by the DEEP that it will soon need to truck away and burn 10% or more of the sewage sludge currently handled. The Treatment plant is also already committed to addressing existing service obligations including The Kent Addiction Center on Rt. 341 and Club Getaway on South Kent Road.

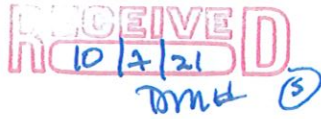
The Sewer Commission has no plans at this time to extend its current underground collection system beyond the Community House where it ends. Adding service north of there would be a big and expensive job all its own, requiring the up-sizing of some of its collection pipes from 4 inches to 10 inches, digging a lengthy trench alongside Rt.7, and adding further sewage to the system it already manages. Syzmanski, responding to some pushback, reportedly said his group would pay all the costs of extending the system themselves, but there is evidence that town taxpayers would bear some of the costs as well. And since it is clear that the developer had not initially factored this glitch in costing out their development, one wonders what sort of price range these houses are going to be offered at when all is said and done. Conventional wisdom suggests that this project may out-price itself before it is completed with bad economic consequences all around.

5. Developers' Credentials. Neither the architects identified as two partners in this development nor Paul Syzmanski, a civil engineer based in New Milford appear to have any experience in residential development. Admittedly, everyone has to start somewhere but it would be nice to know more about the team's prior projects than one can find on line. All that are listed to my discovery anyway are small scale and demonstrate little if any expertise in completing a substantial residential development. The New Milford P&Z just this past week rejected one application filed by developer Syzmanski on the grounds that he would not reveal who his client was and that his application sought approval on the basis of a 20-year right-of-way that would eventually terminate leaving all parties adrift, a concept that was explicitly contrary to New Milford's P&Z ethical standards.

6. **Conservation Easement.** The developers are proposing a 40% conservation easement which will provide them certain tax benefits. But this easement centers on the portion of the property that is unbuildable because of its steep slopes. It will not provide the habitat for wildlife that one imagines for such easements and if I understand the intent of conservation easements the unbuildable portions do not count toward the conservation portion anyway. The easement portion is also out of sight beyond the multiple roadside houses and garages planned and down the existing slope so that aesthetic conservation, another key aspect of many conservation easements, is not provided.

7. **Aquifer Protection.** Kent is blessed with one of the largest underground deposits of pure ("aquifer") water in the state, most of it concentrated along the Housatonic River corridor. Here are concentrated large, wooded watersheds that terminate in great Ice Age deposits of stratified drift gravel. The gravel deposits, sometimes more than 100 feet underground, hold pure water in suspension, the better to be recharged and protected from toxins and impurities over hundreds of years. One of these aquifers is directly under the parcel slated for development. While Kent does not currently need that ground water, nor does the larger region stretching to Hartford need it now, it is certainly possible that generations to come will, given the increasingly uncertain influences of global climate change. (Kent's working Aquarion municipal water supply-- Wells #2 & #3--are located along Cobble Brook near the junction of Cobble Road and Rt. 341; Well #1 at the junction of Rt. 341 and South Kent Road is no longer used; it was apparently spoiled years ago by the state's ill-considered decision to build a road salt pile there.) As water use rises in Connecticut to meet droughts and population growth, Aquarion and presumably other water supply agencies in the state are permitted to divert water from high-water-resource towns like Kent to supply neighboring low-water-resource towns, Aquarion is already licensed to tap New Milford's water supply to serve water-deprived Brookfield. With the fragility of this resource in mind one could probably make a very good case for leaving the pasturage under our untapped aquifer north of town on Rt. 7 in its current pristine condition as an investment in the future.

Again, I ask you as a concerned citizen to speak up and ask that this development be amended or stopped altogether. I believe that if there are enough of us in opposition we may be able to convince the developers to take their project elsewhere. And I can even imagine that there is enough money available among conservation-minded people to buy the property back from the developers to preserve the Gateway forever. Send your opinion off to landuseadmin@townofkent.org tonight or tomorrow before 3 pm at the latest.



AGENDA ITEM S.A.1 50
Donna Hayes <landuseadmin@townofkentct.org>

Vote no

1 message

alice@alicemcadams.com <alice@alicemcadams.com>
To: landuseadmin@townofkentct.org

Wed, Oct 6, 2021 at 7:07 PM

I'm a recent resident of Kent and one of the big draws to the town is the open space in the South end and the North End, giving it a beautiful rural ambiance.

Has anyone asked about the financing of this project ?

Is it a private placement and are there any offering documents that can be made available ?

Were there any land use studies ?

What about the sewage and water impact, so close to the Housatonic?

Seems to me they are trying to push their way through without going through the proper channels.

I vote no on this project.

One or two houses is fine.

15 is out of the question.

Alice Roper
43 Muller Road

Sent from my iPhone



AGENDA ITEM 5.A.1
Donna Hayes <landuseadmin@townofkentct.org>

51

Sub- division

1 message

Melissa Makris <mellmak12@gmail.com>

Wed, Oct 6, 2021 at 7:51 PM

To: "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>

Dear Commission,

I am deeply concerned to learn that the town is intending to allow a sub-division to be located on a pristine meadow north of Kent with all the buildings up against route 7. It is crucial that we keep this property as a prime rural setting and a gateway to Northern Kent. As well as the site of the property, there seems to have been no environmental impact study done on the property. I drive past this property daily and it seems as though this will be a dangerous stretch of road that is already under scrutiny with an electronic speed sign.

My family has been in Kent for many many years and this is not what we expect of this town.

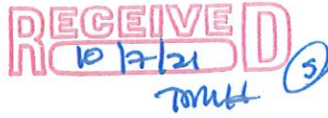
Please stop this project in its tracks!

Sincerely,

Melissa Tobin-Makris

--

Melissa



AGENDA ITEM 5.A.1 52
Donna Hayes <landuseadmin@townofkentct.org>

Opposition

1 message

suzannetanner <suzannetanner@aol.com>
To: landuseadmin@townofkentct.org

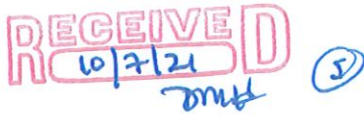
Wed, Oct 6, 2021 at 7:57 PM

I wish to express my continuing opposition to the housing development proposed on the Northern Gateway to Kent village. It is critical to preserve the aesthetic charm of Kent. As proposed, the residences to be built would be the symbol of imprudent overdevelopment and an indelible scar on the quaint town and its charms.

Thank you.

Suzanne Tanner
Kent, CT

Sent from the all new AOL app for iOS



AGENDA ITEM 5.A.1 53
Donna Hayes <landuseadmin@townofkentct.org>

North Main Street Subdivision

1 message

Chris Harrington <south7electric@gmail.com>
To: landuseadmin@townofkentct.org

Wed, Oct 6, 2021 at 8:26 PM

I am writing today in opposition to a housing development proposed in the northern gateway in our town of Kent. Just to be clear, I am not opposed to sub divisions in the town, just the location and layout of this one in particular.

The amount of homes proposed will be a large cluster right off route 7, which will be easily seen on the drive north out of town and it will be unsightly. This will be the largest development, in recent years, that will have all the new homes within 300' of Route 7. I know that this is designated as village residential but the sub division that is proposed has many issues. The issues I see are the ability to get fire trucks and emergency vehicles in and out of the two dead end roads easily. Was the KVFD asked for input on these plans? Why is there no cul-de-sac? The town will be responsible for snow plowing. Is there easy access for the town trucks? Has snow piling been thought of? Was the towns road foreman asked to view this plan? Will our town sewer system be able to add these homes without issues to the existing sewer system? What about the water system? How about the amount of water that will be diverted from the new roads, stone or concrete patios and roofs of all the new buildings. Right now its a large pasture and some small wooded areas. The water just soaks into the ground now. Has the CT DOT approved of this plan? Torrington Area Health Department?

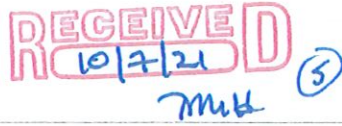
The sub division was filed as a Conservation sub division but I do not see where they are conserving more property than a normal sub division, it just gives them the ability to cram houses closer together and in this case keep the same amount of normal sub division open space. Its my understanding that if they filed for a normal sub division 19 homes could be put on a property this size but because of the way the property is laid out they would have been denied because of unbuildable property on the west side. This is the reason why all the new homes and community center will need to be so close to Route 7.

As I know most of the board members and know that they are diligent with their decisions on such matters, this will forever change the northern gateway to Kent. You as commission members have the ability to shape this sub division to one that will fit the towns character.. Please keep these issues in mind when making a decision on this proposed sub division.

Thanks for your time,
Chris Harrington

--

Chris Harrington
South 7 Electric, LLC
284 Kent Rd, Kent, CT 06757
860-927-3905 home
860-248-9051 cell
south7electric@gmail.com
<https://www.facebook.com/South7Electric/>



AGENDA ITEM 5.A.1 54
Donna Hayes <landuseadmin@townofkentct.org>

Proposed development on route 7

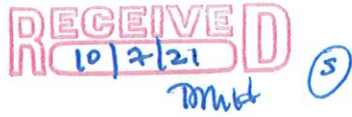
1 message

Ann Fitzgerald-Dunn <afd.kent@gmail.com>
To: landuseadmin@townofkentct.org

Wed, Oct 6, 2021 at 9:35 PM

My name is Ann Fitzgerald-Dunn, a resident of Kent since 1984. I implore you NOT to approve the proposed subdivision on the north side of route 7. The beauty and peacefulness of that stunning entrance into Kent would be ruined.

Sent from my iPhone



AGENDA ITEM 5.4.1 55
Donna Hayes <landuseadmin@townofkentct.org>

New development north of town

1 message

Betty Krasne <bjkasne@icloud.com>
To: Landuseadmin@townofkentct.org

Wed, Oct 6, 2021 at 9:50 PM

As a member of Kent Affordable Housing I regret that I was unable to attend previous meetings about the new development of private homes being considered for just north of Kent's center. It is not in the best interest of Kent to permit ANY new housing developments that do not include a proportion of affordable housing. This needs to be written into town guidelines and enforced if Kent is to continue to be a healthy, balanced community with residents who can participate in the functioning of the town, who can send their children to school and serve on town boards and committees.

Betty Krasne, PhD
80 N. Main St, 8C
860-927-4245



AGENDA ITEM 5.A.1 56
Donna Hayes <landuseadmin@townofkentct.org>

Proposed development at North Kent Gateway

1 message

judith warrick <jbwarrick@gmail.com>
To: landuseadmin@townofkentct.org

Wed, Oct 6, 2021 at 9:54 PM

I am writing as a Kent resident to raise issues and concerns about the proposed new development north of Kent on Route 7. There are serious concerns about traffic flow and traffic safety, water and sewer issues and conservation easement issues that need to be studied and resolved before any approvals should be granted.

In addition, the voters in Kent have already signaled their intent to maintain the character of Kent as a rural/village center and this proposed development does not appear to meet the development guidelines as written.

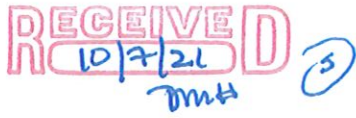
Please do not issue any approvals until these issues can be studied and the citizens of Kent can be assured that the proposed development will not alter the character of Kent.

Thank you for your consideration of my views.

Judith B. Warrick
81 Geer Mountain Road
South Kent

jbwarrick@gmail.com

Judith B. Warrick
jbwarrick@gmail.com



AGENDA ITEM 5.A.1 57
Donna Hayes <landuseadmin@townofkentct.org>

Northern Gateway Subdivision

1 message

Leslie Levy <leslielillianlevy@me.com>
To: Landuseadmin@townofkentct.org

Wed, Oct 6, 2021 at 10:14 PM

When my husband and I bought our home in Kent 38 years ago, one of the main reasons was due to the town's rural nature. Adding a 13 home subdivision so close to town is antithetical to ours and many others perception of the town. Aside from the aesthetics, the environmental impact will be irreversible.

The lack of publicity about this development, the abrupt change of the deadline for comments only contribute to my concern that this is being pushed through without thoughtful input from the public. Everything about this seems wrong - not in the interest of the residents of this town. If put to a referendum, I believe one would be hard put to find many in favor of this potential suburban sprawl.

I am certain others are writing with more specific facts about this project. I will not reiterate what others have stated.

However I urge the Planning & Zoning Commission to slow down this development until all pertinent information is collected and shared with the citizens of Kent.

Respectfully,

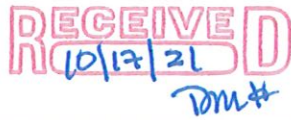
Leslie Lillian Levy

Leslie Lillian Levy

34 Kent Hollow Road

South Kent, CT 06785

(203) 947-1373



Donna Hayes <landuseadmin@townofkentct.org>

AGENDA Item 5.A.1 58

Comment on Proposed Northern Gateway Subdivision

1 message

David Carey <dtcarey@hotmail.com>

Wed, Oct 6, 2021 at 10:38 PM

To: "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>

David T. Carey
22 Eber Rd.
South Kent, CT

October 6, 2021

Dear Kent Planning and Zoning Commission:

I am a property owner in Kent, and I am writing to express my strong objection to the proposed development of 13 homes, community house, swimming pool and roads on the field on Route 7 considered to be a key feature of Kent's northern gateway.

This land was identified in a 1990 open space plan and town character study as one of twenty town character areas that "best exemplify the cultural-historic and scenic landscapes of Kent." The plan assigned top priority for the northern gateway and recommended the protection of open spaces in this area.

Given the lack of support among so many residents in Kent for this project for so many reasons, I ask that the planning and zoning commission deny development of this parcel of land.

I recommend the developers make this parcel available for sale at a modest premium and allow Kent town residents to purchase this property so that it can remain undeveloped for future generations.

Sincerely,

David T. Carey



AGENDA ITEM S.A.1 59
Donna Hayes <landuseadmin@townofkentct.org>

Proposed Szymanski Development at 227 N. Main Street Kent, CT

1 message

Jim Blackketter <jim@blackketter.com>
To: Donna Hayes <landuseadmin@townofkentct.org>

Wed, Oct 6, 2021 at 11:32 PM

I am writing to express my opposition to this proposed development and to request that this application be denied.
I am the former owner of the property (120 N. Main Street) immediately to the Southeast of the property in question and past Chairman of
Kent's Zoning Board of Appeals.

This application should be denied for the following reasons:

1. It violates the findings of the Town of Kents own Town Character Study and Plans of Conservation and Development.
2. The CT Department of Transportation was not properly consulted and the proposed development poses a real traffic hazard. The proposed development is located on a state highway and the speed limit reduces to 25 Miles per hour at this property. I've witnessed several traffic accidents at this property and once sat on my porch nursing a bleeding young man as he awaited emergency services after striking a utility pole.
3. I understand that the Kent Sewer Commission has no plans or ability to extend service to this proposed development at this time.
4. The developer's credentials do not appear to be consistent with the scope of the development.
5. The conservation easement as proposed and the dense placement of structures will not provide adequate habitat for wildlife and the proposed development will block the free flow of wildlife moving to and from the river including deer, bear, fisher cats, bobcats, snapping turtles as well as heron and turkey, all of which I've had on my old property across the street from the proposed development.
6. The proposed development is a potential threat to the fragile aquifer of the area.

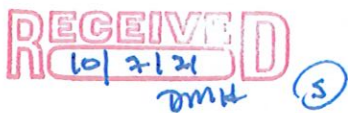
While I believe the above is more than sufficient to deny the application, It's important to understand that we have an opportunity here to protect the Northern entry to our town as we have from the South.
Once it's gone, it's gone forever.

Thank you for your consideration.

Jim Blackketter
16 Stone Fences Lane
South Kent, CT 06785
860 927-1888

10/7/21, 8:48 AM

Town of Kent CT Mail - (no subject)



AGENDA ITEM 5.A.1 60

Donna Hayes <landuseadmin@townofkentct.org>

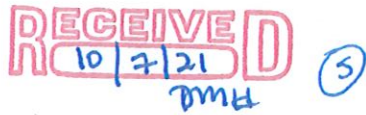
(no subject)

1 message

Dixie Todd <dixieperrytodd@gmail.com>
To: landuseadmin@townofkentct.org

Thu, Oct 7, 2021 at 8:46 AM

I am not in favor of the Northern Gateway development.
Anne Todd



AGENDA ITEM 5.A.1 61

Donna Hayes <landuseadmin@townofkentct.org>

North Main Property

1 message

Peter Britton <petermbritton@gmail.com>
To: landuseadmin@townofkentct.org

Thu, Oct 7, 2021 at 9:05 AM

To Town of Kent Land Use Committee,

I am writing to express concern on behalf of the Britton family, regarding the development project on North Main property/Rt 7.

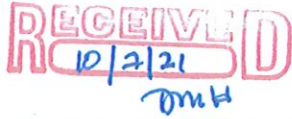
The Britton family (very long standing members of the Kent community - well over 100 years) cannot support this project as it currently stands. We have seen a tremendous amount of change in this town over the last number of decades and we feel quite strongly that our "precious" town of Kent needs to be preserved and kept as "open" as possible.

This is not to say we are "anti-development", we are just very concerned that any and all development gets done in a truly thoughtful way. While I have not canvassed the entire family, I do know that if we are going to develop this area, many of us think it would be more agreeable to have 5-7 homes - not the proposed 14 houses. This is simply too many, this will directly effect the beauty of the area, the sense of privacy surrounding our property and the overall town of Kent.

I may not be able to attend the upcoming Oct 14th meeting - so important that the committee know the Britton family does not support this project as it currently stands. My comments from the previous meeting have not changed...we are concerned - and hope the committee will take this into consideration in their final decision.

Best,
Peter Britton/President /Britton Kent Property

Peter M. Britton
Dist 10/RTM
petermbritton@gmail.com
M: 646.678.2785



AGENDA ITEM S.A.I. 62

Donna Hayes <landuseadmin@townofkentct.org>

north kent development

1 message

Rob Mason <foxcreek.builders@gmail.com>

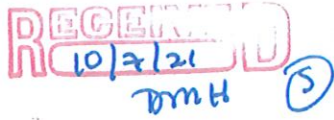
Thu, Oct 7, 2021 at 9:29 AM

To: "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>

Commissioners of the planning and zoning:

I oppose this development. Do we have other options?

Rob Mason
Kent, CT



AGENDA ITEM 5.A.1

63

Donna Hayes <landuseadmin@townofkentct.org>

Sub-Division Proposal

1 message

tim thegoodportfolio.com <tim@thegoodportfolio.com>
To: Donna Hayes <landuseadmin@townofkentct.org>

Thu, Oct 7, 2021 at 10:01 AM

Dear Commission,

Thank you for considering my comments.

I simply want the issues that are a huge concern to be heard.

-Firstly, please exercise your right to increase the conservation area from 40 %.

-A bad use of this pristine and rural meadow and gateway to Kent.

-Too many properties on 7 acres of land (not 13 acres).

-Possible blight.

-A dangerous road junction on the crest of a hill with existing speed limit issues.

-No environmental impact study has been undertaken.

-Possible aquifer issues.

-Use of town of Kent tax dollars.

-Over taxing of Kent maintenance department infrastructure.

-The Town will be responsible for the road.

There will be no reversal on this project and we can never go back to a rural northern gateway.

I urge you to say no or at least look to move the properties to the rear of the property or reduce the number of structures.

Thank you for the work that you undertake as a voluntary commission.

Respectfully,

Tim Good

The Good Gallery

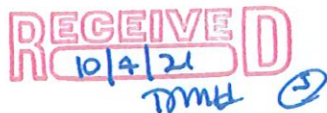
23 South Main Street

Kent, Ct 06757

860 248 9848

www.thegoodgallerykent.com

RECEIVED
10/7/21
DMH



AGENDA ITEM 5.A.1 65
Donna Hayes <landuseadmin@townofkentct.org>

Proposed Development

1 message

Trevino, Marc <Trevinom@sullcrom.com>

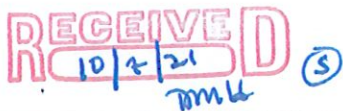
Thu, Oct 7, 2021 at 10:02 AM

To: "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>

I am writing regarding the proposed development at 227 North Main Street (sometimes referred to as the Northern Gateway to Kent). The character and charm of Kent is central to its long-term viability and to the viability of the surrounding community. Right now, given the effects of the pandemic, there is obviously a significant push for development by the developer community in order to participate in the market gains. However, Kent should be focused on the longer-term. Accordingly, there should be ample time for consideration and comment and emphasis placed on long-term conservation. Please ensure that any major development, particularly at this time, is consistent with Kent's plan for growth, includes all relevant consultation (such as with the department of transportation and the sewer commission), protects Kent's natural resources (such as the aquifer) and is subject to process that allows all members of the community to participate and allows alternative uses in the best interest of Kent to be brought forward and considered. At this point, I unfortunately need to object to the development. For reference, I own 63 South Rd and 73 South Rd, Kent. My family and I have been part of the community for almost 15 years. This is first time I have commented.

Marc Trevino

This e-mail is sent by a law firm and contains information that may be privileged and confidential. If you are not the intended recipient, please delete the e-mail and notify us immediately.



AGENDA ITEM 5.A.1 66
Donna Hayes <landuseadmin@townofkentct.org>

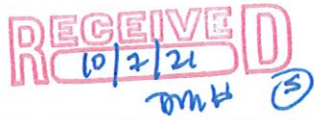
NO TO THE NORTHERN GATEWAY DEVELOPMENT PROJECT

1 message

Sharon Norton <sharon.lynch.norton@gmail.com>
To: landuseadmin@townofkentct.org

Thu, Oct 7, 2021 at 10:06 AM

>
> Donna Hayes, I am a resident of Kent and strongly object to the above mentioned project for a myriad number of reasons. Most significantly, it is in direct contravention of The Town Character Study, which clearly mitigates against the location and nature of the development. By incorporating the Study into its Plan, the P&Z Commission is now constrained to follow its dictates, which are very specific as to the property in question.
> Sharon Norton
>
> Sent from my iPad



AGENDA ITEM 5.A.1 6x
Donna Hayes <landuseadmin@townofkentct.org>

Subdivision Proposal

1 message

Pj Shurick <pshurick@yahoo.com>

Thu, Oct 7, 2021 at 10:12 AM

To: "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>

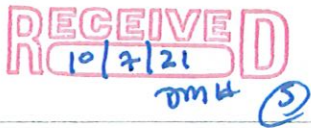
To the members of the Planning and Zoning Commission,

I'm writing again to reiterate my objection to the subdivision application under your consideration. Unfortunately I will not be able to attend the public hearing set for October 14. I do not support "conservation development" that seemingly ignores Kent's own Plan of Conservation and Development, currently up for it's required 10 year review. Ie., Northern Gateway preservation. Why would our town incur the expense and continued support of a POCD only to allow development incongruous with the plan?

Additionally, in terms of process, I think we must do better. Publication of the land for sale, the zoning application, the change of the regs, public hearings, process and timing for public comment were all buried deep in the town's website and some missing completely. Many residents and neighbors are still not aware of this significant zoning application and pending decision. Clarity to all town residents on where and how notification is made would be helpful.

Regards,
PJ Shurick

Sent from Yahoo Mail for iPhone



AGENDA ITEM 5.A.1 68

Donna Hayes <landuseadmin@townofkentct.org>

227 North Main Street Development

1 message

James Norton <jsnorton06@outlook.com>

Thu, Oct 7, 2021 at 10:18 AM

To: "Donna Hayes (landuseadmin@townofkentct.org)" <landuseadmin@townofkentct.org>

I am writing to express my opposition to the proposed 227 North Main Street development and to request that this application be denied.

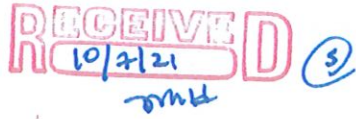
Jim Norton

PO Box 219

99 Flat rock Road

South Kent, CT 06785-1315

Jsnorton06@outlook.com



AGENDA ITEM 5.A.1

69

Donna Hayes <landuseadmin@townofkentct.org>

Please vote NO on the Northern Gateway development

1 message

Maggie Stearns <stearns.maggie@gmail.com>
To: landuseadmin@townofkentct.org

Thu, Oct 7, 2021 at 10:37 AM

October 7, 2021

Dear Planning & Zoning (c/o Donna Hayes):

I wrote on September 4 hoping that you will **adapt or STOP** the misguided plan for **thirteen houses** with **thirteen two-car garages**, a **barn** and a **poolhouse** that are proposed to be built along Rt 7 in Kent's "**Northern Gateway**." This is **TOO MANY structures** for what is left on the 12+ acre site after deducting the 40% of buildable land required by the Conservation Development rules.

Locating most of the houses and garages in the tract on Route 7 and blocking the Western view makes a mockery of the Plan of Conservation and Development (POCD). The benefits of the required open space would be enjoyed only by the houses down below; the character of the Northern Gateway would be lost with the wall of houses that will border the main road.

Today I'm hoping you will read the "white paper" which Wendy Murphy has assembled— it is a knowledgeable summary of the issues presented by the project.

Among the issues: the enormous expense of extending the "public sewers" beyond the Community House, at least some of which must land on Kent taxpayers.

The cost of maintaining the road inside the development which will be the responsibility of the Town.

The fragility of the untapped aquifer under the property which makes the case for leaving the meadow in its pristine condition—or at least with a far smaller development.

The increase in traffic volume that will result from adding 26 cars to the fast-moving traffic coming down Rte 7, which is already hazardous to the Congregational Church and to residents of 80 North Main Street.

The apparent inexperience of the developers in substantial residential development.

The troubling possibility that Paul Szymanski holds the future of the Northern Gateway—and the town—in his hands. His very recent dealings with the New Milford P&Z do not inspire confidence.

(SAI)

20

Please, please preserve the integrity of the Northern Gateway according to the POCD and vote NO to this project. You are the guardians of the character and safety of the town – we depend on you to ensure the future of Kent.

Yours in hope,

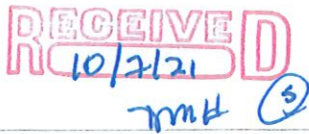
Maggie Stearns

80 North Main Street

**Avast**

This email has been checked for viruses by Avast antivirus software.
www.avast.com

RECEIVED
10/7/21
mkt



AGENDA ITEM 5.A.1 21
Donna Hayes <landuseadmin@townofkentct.org>

P&Z Meeting October 14

1 message

Joanne Wasti <jowasti@gmail.com>

Thu, Oct 7, 2021 at 10:43 AM

To: Donna Hayes <landuseadmin@townofkentct.org>

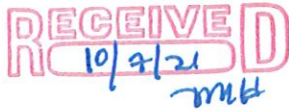
Hi Donna,

Please make my letter part of the record for the P&Z meeting on 10/14/21. Thanks.

Joanne



P&Z Letter 10_14 (1).pdf
32K



AGENDA ITEM 5.A.1 12

Donna Hayes, Land Use Administrator
Kent Planning & Zoning Commission
41 Kent Green Boulevard
Post Office Box 678
Kent, Connecticut 06757

October 7, 2021

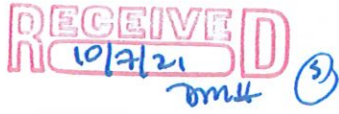
To the Commissioners and Land Owners,

As a very close neighbor to the proposed subdivision on North Main Street (we live across the street at 120 North Main Street) I have had conflicting emotions. Both my husband and I are enthusiastic about having more neighbors nearby and, in fact, we bought a home in town because we didn't want to be isolated. In addition, we are in favor of a conservation subdivision as opposed to a traditional subdivision. The design is thoughtful and the concept of building houses with a small footprint and a communal space is progressive and respectful to the environment.

That said, we, and I believe most residents of Kent, are heartbroken about losing the meadow that serves as the Northern gateway. The view as you drive into and, especially, out of Kent is not replicated anywhere else. I am hopeful there is a compromise that would allow this development to be built as a conservation subdivision while also preserving the view of the open meadow on the southern portion of the plan. I would urge the architects to reconsider the grouping of the four houses at this southern edge so that people driving up the hill on route 7 will be able to share the view of the open space that the residents of the subdivision will enjoy.

I think everyone is aware how important this piece of property is to the residents of the town. We are newcomers, but fell in love with Kent because of the open spaces and access to nature. I can imagine that as a long time resident the loss of this meadow might feel like losing an old friend. I hope you will be sensitive to the residents and take to heart all that's been said during the public hearing.

Respectfully,
Joanne Wasti
Kent Resident



AGENDA ITEM 5.A.1 73
Donna Hayes <landuseadmin@townofkentct.org>

Letter in Support of North Main Development

1 message

Justin Potter <jbpotter@gmail.com>
To: landuseadmin@townofkentct.org

Thu, Oct 7, 2021 at 11:02 AM

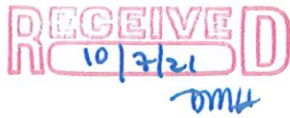
Hello,

Attached is what may be the only letter in support of the North Main development. Hopefully this is the last month I'll need to send one in!

Justin



2021-10-14 P&Z Meeting Letter.pdf
98K



5.A.1

24

Justin Potter
10 Cobble Road
Kent, CT 06757

October 7, 2021

Kent Planning and Zoning Commission
41 Kent Green Blvd.
Kent, CT 06757
landuseadmin@townofkentct.org

Dear Planning and Zoning Commission:

I'm writing to yet again express my strong support for the North Main development, which will be on town water and sewer, adjacent to downtown and the heavily developed Kent Furnace neighborhood. 13 new homes means 13 fewer buyers further driving up the costs of existing housing. If the homes aren't built, it isn't going to be the buyers of high end homes who will have trouble finding housing in Kent, but rather the teachers, tradespeople and everyone else who will have to compete with them for the existing housing.

While there have been rumors of the Kent housing market slowing down, the Zillow Home Value Index rose yet again in August to \$461,000, from \$350,000 in February 2020, just before the start of the pandemic, when housing values began their unabated skyrocketing. While great for realtors and the net worth of those of us lucky enough to own homes in Kent, it is not good for anyone seeking housing, especially those doing important work in our community who have to compete with people making six figures or more. 13 new homes is very significant for the Kent housing market.

As someone who treasures Kent's open space, I'd much rather see 13 new homes clustered on small lots, on town water and sewer, immediately adjacent to the village center, rather sprawled out on large lots across town.

Although there is a tremendous amount of opposition to the development, the Planning and Zoning Commission surely is aware, and opponents should be aware, that the Commission has a responsibility to follow existing laws and regulations. These 13 homes are plainly allowed under Kent zoning regulations. Failure to follow the regulations would undoubtedly open the town to significant legal liability. And while, as I've pointed out in the past, the regulations were revised to accommodate this development, it did so to allow fewer homes, on tighter lots, and the set aside of 40% of the parcel as open space. These changes are ones opponents would surely support, given that the previous regulations allowed for 19 homes on the parcel.

It also should be noted that Kent is still well short of the state's affordable housing targets, and if 30% of the units were affordable according to state criteria, the developers could largely circumvent Kent's zoning regulations under 8-30g.

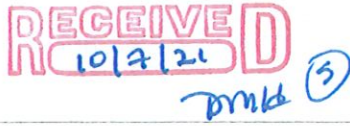
Finally I'd like to thank the Commission for their commitment, hard work, and great stamina. Having done my best to stay tuned to the entirety of a few recent meetings, it's impressive! Hopefully this upcoming meeting goes as smoothly as the last one, when this contentious topic was dealt with and discussed in a very reasonable and civil manner.

Sincerely,

JB Potter

Justin Potter

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10/7/21
9/14/21



AGENDA ITEM 5.A.1 76
Donna Hayes <landuseadmin@townofkentct.org>

Northern Gateway Subdivision

1 message

Liddy Baker <elizmbaker@gmail.com>
To: landuseadmin@townofkentct.org

Thu, Oct 7, 2021 at 10:58 AM

Re: the proposed subdivision at the northern entry into the Town of Kent, CT

Our town has once again been identified as one of the best towns to come to for seeing Fall colors. So with this subdivision at our northern gateway, all drivers from the north will be confronted with a typical bedroom community lined up on Route 7. We entrust you, our P & Z, with protecting the rural character of our special New England town.

But what are you trying to do? You have changed the date for submitting comments on this proposal. Why? Is this legal? Doesn't there have to be some formal notification? It looks like you are trying to slip this by the people of Kent.

Does this subdivision meet the recommendations of the town's POCD? Shouldn't that be an important guide line for development? There is discussion of the Character Area protection plans in our POCD. Have you considered this?

Please slow down this process so that everyone can see what is proposed.

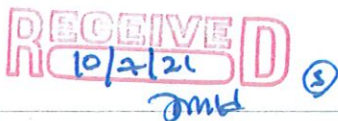
Elizabeth M. Baker

76 Spooner Hill Road

South Kent, CT 06785

elizmbaker@gmail.com

860-921-7404



AGENDA ITEM 5.A.1

77

Donna Hayes <landuseadmin@townofkentct.org>

Northern gateway

1 message

Jonathan Moore <jonathanmoore16@gmail.com>

Thu, Oct 7, 2021 at 11:13 AM

To: landuseadmin@townofkentct.org

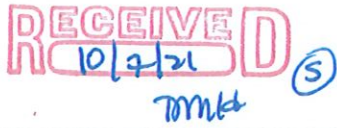
I am in favor of this development because it will have a relatively small impact visually. But I think it will help expand our tax base, increase customers on the town sewer which hopefully will help keep costs down, bring new money to businesses, and possibly add children to KCS. This town cannot stay static.

Jonathan Moore

jonathanmoore16@gmail.com

860-488-1870

"...if you can't explain something simply, you don't really understand it." Maybe Einstein

AGENDA ITEM 5.A.1
Donna Hayes <landuseadmin@townofkentct.org>

28

Letter re proposed subdivision at 227 N. Main Street, Kent, CT

1 message

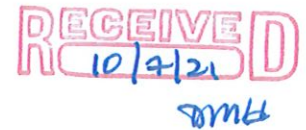
William Boals <nyctexan2@gmail.com>
To: Landuseadmin@townofkentct.org

Thu, Oct 7, 2021 at 11:18 AM

Attached is our letter with regard to the proposed subdivision at 227 North Main Street.
Thank you for your consideration.

William Boals
Margo Martindale
7 Halls Lane
Kent, CT 06757

**Zoning ltr.docx**
13K



October 7, 2021

Re: Proposed Subdivision at 227 N. Main Street, Kent, CT

Dear Members of the Planning and Zoning Commission:

We are writing with further concern about the proposed subdivision at 227 N. Main Street. It is our feeling that further study would be advised as to the environmental impact of construction of 14 houses and 13 garages on a 7 or 8 acre site. Also, aesthetically such development would forever obscure this open meadow, right on the edge of the village, and thereby alter the character of Kent from its northern approach.

Also, were this project to be approved, what is the timeline for its construction, and how will unexpected costs, such as inflation, interest rates, market fluctuations and unknown subsurface issues affect this project?

It is our understanding that the project would necessitate increasing the size of sewer pipes from 4" to 8" inches? Who is responsible for this not insignificant cost?

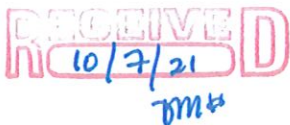
Finally, Rte 7 north of town is already heavily trafficked, and often times at excessive speeds. Adding this much more residential traffic could only lead to less safety overall.

5.A.1 80

Thank you for your consideration of our concerns.

Sincerely,

William Boals
Margo Martindale
7 Halls Ln
Kent, CT 06757



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10/7/21

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mft

AGENDA ITEM 5.A.1

sl

October 7, 2021

Planning and Zoning Commission of Kent, CT

To Whom It May Concern,

This statement is in relation to the sub division plan on 227 Main St., Route 7,
Assessors

Lot 3-15-5 submitted by A.H. Howland Associates.

This plan has a roadway proposal for many housing lots on Route 7. This plan does
not

meet in any respect state highway regulations for site distances of cars, trucks or
tractor

trailers. It could cause dangerous situations involving vehicles on route 7.

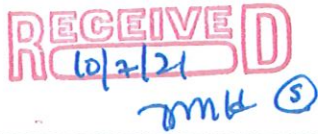
In conclusion, this project should be unacceptable.

William Whynott

P.O. Box 294 Kent, CT 06757

William Whynott
Retired Senior Highway Engineer

State of Connecticut



AGENDA ITEM S.A.1

82

Donna Hayes <landuseadmin@townofkentct.org>

Subdivision

1 message

jennifer hornecker <jennyhorn14@yahoo.com>
To: landuseadmin@townofkentct.org

Thu, Oct 7, 2021 at 11:42 AM

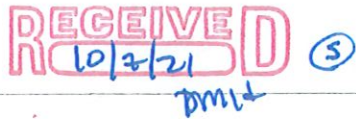
To the planning and zoning commission,

I am writing to request the number of houses in the proposed subdivision be reduced to help protect Kent's northern gateway. I live and work in town and believe open space is more desirable to tourists and residents than over development.

With thanks,

Jennifer Hornecker

Sent from my iPhone



AGENDA ITEM 5.A.1 83
Donna Hayes <landuseadmin@townofkentct.org>

Vote No

1 message

sean bemand <seanbemand1@gmail.com>
To: landuseadmin@townofkentct.org

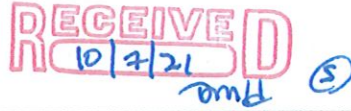
Thu, Oct 7, 2021 at 11:45 AM

Dear Commission,

It has recently come to our attention that a sub-division is proposed for the beautiful rural meadow just north of Kent center. As well as only just hearing of this project we are also very concerned that the intention is to place 13 new dwellings, and barn so close to rte 7. This will have a devastating impact on the environment as well as change the whole feel of rural Kent when entering from the North on rte 7. Once approved please considering there is no turning back.

What about how it will utilize the already over taxed Kent's utilities, let alone the disruption it will cause during the construction and beyond.

We urge you to stop this and vote NO !



AGENDA ITEM 5.A.1
Donna Hayes <landuseadmin@townofkentct.org> *gd*

Proposed Subdivision 227 North Main Street

1 message

John Milnes Baker <bakerjmb8569@gmail.com>

Thu, Oct 7, 2021 at 12:53 PM

To: landuseadmin@townofkentct.org

Cc: firstselectman@townofkentct.org

To the Town of Kent Land Use administration:

I was under the impression that the deadline for submitting comments was October 14th at 4:00 o'clock.

I just heard late in the day yesterday that the deadline had been arbitrarily moved to 3:00 pm today.

If I hadn't been informed by a friend, I would have had no idea that the deadline had been changed.

Who changed the date?

How was the public officially informed?

Word of mouth is not a valid substitute for official notices.

I have reviewed Paul Szymanski's Site Development Plan and have serious questions.

Our elected officials have a responsibility to due diligence and keep the community informed.

There may well have been Town Meetings with official notices that I missed. But with something with such a potential detrimental impact on our town, someone should have gone the extra mile.

I don't believe there has been sufficient time to air all our concerns and I trust that the Land Use Administration and P&Z will, at the very least, reschedule the deadline for submitting letters of concern.

There is too much at stake for this to move ahead at what appears to be a precipitous pace.

I know there will be many valid reasons to consider and evaluate the proposed application.

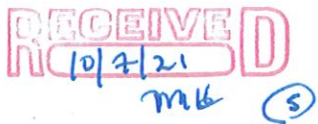
WE MUST BE HEARD!

Respectfully submitted,

John Milnes Baker

John Milnes Baker, AIA 76 Spooner Hill Road, South Kent CT 06785 Tel. (860) 927-4262

■ **Website:** www.johnmilnesbaker.com



AGENDA ITEM 5A1
Donna Hayes <landuseadmin@townofkentct.org>

85

letter to P&Z

1 message

Carol Franken <carolfranken@gmail.com>

Thu, Oct 7, 2021 at 12:54 PM

To: landuseadmin@townofkentct.org

I am submitting this letter in reference to the building proposal submitted by Paul Syzmanski for the land purchased on the west side of route 7 north of town.

As an environmentally concerned resident of Kent, I would like the Planning and Zoning Commission to give more attention to our town POCD where there is a real priority to preserving the viewshed of the Northern Gateway and not approve this proposal that I think would be detrimental to our town character.

There are many houses proposed close to Route 7.

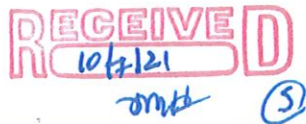
Also, since the builder is applying under the special conservation easement permit, I request that P&Z insist that much more of the 40% of land set aside be used to buffer the houses to be further from the road, even if this means less houses can be easily built.

Thank you for your consideration.

Carol Franken

26 Sumner Road

South Kent Ct. 06785



AGENDA ITEM 5.A.1 86
Donna Hayes <landuseadmin@townofkentct.org>

Lot subdivision at 227 North Main St.

1 message

Thomas Franken <tjfranken@gmail.com>
To: landuseadmin@townofkentct.org

Thu, Oct 7, 2021 at 1:17 PM

Thomas Franken
PO Box 255
South Kent, CT 06785

Kent Planning & Zoning Comm.
Kent, CT 06757

October 7, 2021

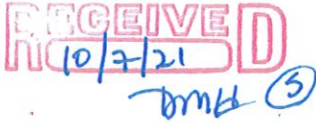
RE: Opposition to Proposed Approval of Housing Development of 13 Lot subdivision at 227 North Main St. (Rte 7).

We have in Kent a very unique, beautiful and special place. Though I am not against well thought out, well planned and well sized development this proposed development does not fit this criteria.

The proposed lot development will stuff 13 houses into a tight 13 acres which will greatly change the character and appearance of our town. Kent, up till now, has often been noted in magazines, news stories and press coverage as one of New England's wonderful places to live. Last month "Trivia Travel" cited Kent in an article titled, "Charming New England Towns You've Never Heard Of" as a wonderful and unique place to live.

I think we, as a town, should strive to keep the unique nature of our town, not oppose reasonable development, but not approve plans which are highly questionable and possibly detrimental to Kent as this one is.

Thank you,
Thomas Franken



John E. Casey
8 Cobble Lane
Kent, CT 06757

October 7, 2021

Mr. Matt Winter
Chairman, Kent Planning & Zoning Commission
41 Kent Green Blvd.
Kent, CT 06757

HAND DELIVERED

Dear Matt:

I request this letter be read in its entirety into the meeting minutes. I just heard the deadline for submittal had been changed. Sorry if this is submitted at the last minute.

I am writing to express my conditional support of the residential development project on North Main Street. I am a neighbor of the project and think it would benefit the town if it were developed with sensitivity to what the existing gateway views mean to the entire community. I would be opposed to development of the property as currently planned, as this massing would virtually eliminate all visual access to the open meadow.

There has been so much discussion over the years about protecting our valued gateway vistas that I am surprised the project has gotten this far. Does the Conservation Commission have the opportunity to weigh in on this?

It seems cruelly ironic that if this property is developed under, what I understand is a newly formulated conservation easement, any preservation of land and views will end up being for the exclusive benefit of the new homeowners and the rest of the town will essentially be disenfranchised. This seems to be contrary to the spirit of what a conservation easement is supposed to preserve, and a circumstance that I have hoped the Planning and Zoning Commission is charged with protecting us against.

We need more housing but not at the cost of losing a vital component of the town's beauty. It would be a great tragedy to lose this important view corridor at Kent's northern gateway. In its proposed configuration, this project will cast a long and conspicuous shadow on the character of the town.

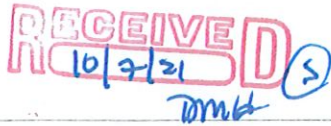
Thank you.

Sincerely,

John Casey



Gmail



AGENDA ITEM 5A1 88
Donna Hayes <landuseadmin@townofkentct.org>

Proposed Land Development North of Town

1 message

Claire Irving <chirving@gmail.com>
To: landuseadmin@townofkentct.org

Thu, Oct 7, 2021 at 1:59 PM

The proposed development by Paul Symanski and his developers appears as quite a surprise to many of us Kent residents and for many of the reasons outlined in the attached document, should be of concern to the town. It appears that the guidance provided in The Town Character Study has been ignored in this instance as have other critical factors relating to the CT Department of Transportation and the town Sewer Commission.

I also am concerned about the developers' credentials and expertise to execute such a project given the apparent omissions as cited in the attached document.

I would request that the town land use commission and P&Z give this proposal a thorough due diligence before allowing the Northern Gateway to disappear.

With respect for all your service on behalf of the town and its residents,

Claire

Claire H. Irving
39 Treasure Hill Road
P.O. Box 75
South Kent, CT 06785
c. 646 220 9471

Northern Gateway Fact Sheet.doc.pdf
95K

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10/2/21

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If you take particular pride in the preservation of Kent's historic village and its visual appeal you will want to be aware of a significant and possibly devastating change about to happen to this bucolic scene. Approximately two years ago developers led by Paul Syzmanski of New Milford and purchased 13 acres of Casey Family pastureland (227 North Main Street) on the west side of Rt. 7. The developers' intention is to build a cluster of up to 13 separate two-story 30-foot high roughly 2,000 square foot private residences plus 13 separate 2-car garages on this small space. Much of the housing planned will be built close to the road where it will not only block the much-loved four-season viewshed of the Appalachian foothills across the river but it will end forever the gentle transition of automobile traffic into and out of town, replacing the meadow grasses, trees, shrubs and wildlife along this stretch of the road with the bustle of multiple dwellings, parking areas, night lighting, intra-compound service roads, and an owners-only common club house. For many of us this means that the long-promised "Northern Gateway" to town, matching the beautifully preserved Southern Gateway, and spelled out as a top priority in three iterations of the Town's Plan of Conservation and Development since 1990, has not been honored as so many of us believed it would be.

You may only just be hearing about this event because we lack a local newspaper that might have brought this to our attention when the land came up for sale. Most of us were about to get lost in a Covid quarantine bubble, too distracted to object even if we knew about it. The P&Z knew, of course, but it was not their job to yell "emergency", much as you might wish they would. True to their calling they held multiple zoom hearings beginning in December 2020 and citizens could have attended and/or called one of the Town or conservation groups to ask why the clear guidelines of the Plan of Conservation and Development (POCD) were not being referenced from the beginning. I certainly don't mean to disrespect any members of our P&Z, who are some of the hardest working, most selfless, volunteers in town. I'm guessing that many of them would have responded differently to the Syzmanski application if town regulations and town sentiment clearly rejected this proposal as inconsistent with Kent's stated guidelines for growth.

But the fact is that Kent's Planning and Zoning regulations remain somewhat ambiguous on rural vs. village planning parameters, and most of us citizens remained silent, imagining that some benevolent knight on a white horse would eventually secure the Northern Gateway for everyone. But no such hero came forward. The property changed hands for \$360,000 and did so without public

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mtb

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notice, which in most other towns would have been publicized at a matter of interest for other buyers beforehand. (A family living nearby the open acreage made a genuine effort to buy the property and retain it as open space but were told they were too late. Klemm Realty handled the private sale.) Paul Syzmanski further prepared the way for development by coming to the P&Z with a recommendation that Kent should add to its regulations a new reg. allowing for conservation easements for development in zones R1 and R2. When the P&Z expressed interest he volunteered to draft one for the P&Z and was invited to do so. Surprise, surprise: the "new" development he brought to the commission a month later, and from which he and his partners stood to profit, was tailor-made for the new regulation. Does this not sound like a conflict of interest, one that if not overtly illegal certainly undercuts the presumed protections that citizens expect from their commissions. Washington lobbyists do the same for busy Congressmen who don't have the time to draft their own legislation; we think of this as "influence peddling" in the latter instance and we don't like it.

Perhaps it is already too late to deny the development team permission to build, but if you are as reluctant to give up on this matter as I am and willing to speak on behalf of one or more of the negatives that this cluster development poses, here are some points you may find worth raising a protest about. I cannot promise that every "fact" I cite below is precisely correct as there is little public information available about this fast-moving transaction to make me confident of everything I report, but can promise you that my intentions are to be as fair and accurate as I can be. And I must also insist that I raise these objections as an independent citizen and not as a spokesperson for any conservation organization or commission to which I belong. I expect the displeasure of some of my colleagues as a result of these remarks.

Read through the list and then make your own case, the briefer and politer the better, for or against this development. If necessary just say you object on the grounds that the P&Z is not following its own POCD guidelines. Send your opinion off to landuseadmin@townofkent.org. I have just learned that your window of opportunity to protest has been arbitrarily and without warning shortened by several days, effectively reducing the volume of citizen participants to be heard from. So send your email or hand carry your letter to Town Hall by 3 p.m. tomorrow TOMORROW. Include your name and address. If you own any property in Kent, even just an automobile, you are entitled to be heard. Here goes:

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1. **The Town Character Study** first drafted in the 1990s offers very different guidance as to how the town might buy and protect the acreage in question. The Character Study, which is included in the *Plans of Conservation and Development* for 1990, 2000, and 2011, and repeated in the *Natural and Cultural Riches* document produced by the Kent Conservation Commission in 2009, specifically identified 20 "Town Character Areas" that best exemplify the cultural, historical and scenic landscapes of Kent and are thus targeted for protection. The very first Character Area on the list is two large parcels together known as Housatonic Valley Meadows. These meadows--ancient flood plains along the Housatonic River--consist of two separate parcels of open fields along the eastern banks of the Housatonic and Rte. 7. They define visually and spacially the northern and southern gateways of Kent's Village Center, which nestles comfortably between them. The second prime Character area listed is the Village itself.

2. By 2009 **the Southern Gateway** did indeed become protected land secured and managed by the Kent Land Trust. It was widely believed by local citizens that the so-called Northern Gateway, roughly 13 acres of rolling pasture would eventually be bought and/or protected by the Kent Land Trust. And if not by them then through a proposed **Town Open Space Acquisition Fund** such as had been created by the nearby towns of Roxbury, Sherman and Washington to permit nimble purchases when desirable properties became available. Needless to say, such eventualities did not occur in 2018. At that time the Casey Family put its pastureland (the aforementioned Northern Gateway or Housatonic Valley Meadows North) up for sale, initially at \$425,000. Paul Syzmanski's development team made an offer, and the deal went through for \$360,000. All legal but totally opportunity outside the recommendations of the POCD and its Character Areas.

3. **The CT Department of Transportation** was not consulted according to usual run-ups to applications before the developers submitted their own plan for exiting and entering the development. When the DOT learned of it they studied the plan and the place selected on the semi-blind curve of Rt. 7 and declared the site lines to be too short for the traffic running through there. This is a common crossing for wildlife and would be prone to vehicular accidents. surely another reason to take exception to this project. (By the way, roadside vegetation such as exists in this pasture, has been studied at length by transportation engineers as a factor in driver safety; it has been shown

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conclusively that drivers experience a positive psychological effect when driving past scenic fields, and this correlates with reduced driving speed.) Thus preserving the Northern Gateway would also serve traffic safety.

4. **The Sewer Commission** has not signed off on this application as yet. Paul Syzmanski first asked for a meeting with the commission re: the provision of municipal sewage and water treatment services at 5 pm, September 14, just two hours before the public hearing was scheduled. It would appear to have been a critical detail that was simply forgotten in the rush to move the application along. But Syzmanski had been asked as early as February by the P&Z chair whether waste water would be handled on the basis of soil-based septic fields or municipal sewer and the applicant said he did not know. As the chairman of the Sewer Commission, Elisa Potts, has explained her Commission has yet to complete the upgrade of its current treatment plant, and has been told by the DEEP that it will soon need to truck away and burn 10% or more of the sewage sludge currently handled. The Treatment plant is also already committed to addressing existing service obligations including The Kent Addiction Center on Rt. 341 and Club Getaway on South Kent Road.

The Sewer Commission has no plans at this time to extend its current underground collection system beyond the Community House where it ends. Adding service north of there would be a big and expensive job all its own, requiring the up-sizing of some of its collection pipes from 4 inches to 10 inches, digging a lengthy trench alongside Rt.7, and adding further sewage to the system it already manages. Syzmanski, responding to some pushback, reportedly said his group would pay all the costs of extending the system themselves, but there is evidence that town taxpayers would bear some of the costs as well. And since it is clear that the developer had not initially factored this glitch in costing out their development, one wonders what sort of price range these houses are going to be offered at when all is said and done. Conventional wisdom suggests that this project may out-price itself before it is completed with bad economic consequences all around.

5. **Developers' Credentials.** Neither the architects identified as two partners in this development nor Paul Syzmanski, a civil engineer based in New Milford appear to have any experience in residential development. Admittedly, everyone has to start somewhere but it would be nice to know more about the team's prior projects than one can find on line. All that are listed to my discovery anyway are small scale and demonstrate little if any expertise in

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completing a substantial residential development. The New Milford P&Z just this past week rejected one application filed by developer Syzmanski on the grounds that he would not reveal who his client was and that his application sought approval on the basis of a 20-year right-of-way that would eventually terminate leaving all parties adrift, a concept that was explicitly contrary to New Milford's P&Z ethical standards.

6. Conservation Easement. The developers are proposing a 40% conservation easement which will provide them certain tax benefits. But this easement centers on the portion of the property that is unbuildable because of its steep slopes. It will not provide the habitat for wildlife that one imagines for such easements and if I understand the intent of conservation easements the unbuildable portions do not count toward the conservation portion anyway. The easement portion is also out of sight beyond the multiple roadside houses and garages planned and down the existing slope so that aesthetic conservation, another key aspect of many conservation easements, is not provided.

7. Aquifer Protection. Kent is blessed with one of the largest underground deposits of pure ("aquifer") water in the state, most of it concentrated along the Housatonic River corridor. Here are concentrated large, wooded watersheds that terminate in great Ice Age deposits of stratified drift gravel. The gravel deposits, sometimes more than 100 feet underground, hold pure water in suspension, the better to be recharged and protected from toxins and impurities over hundreds of years. One of these aquifers is directly under the parcel slated for development. While Kent does not currently need that ground water, nor does the larger region stretching to Hartford need it now, it is certainly possible that generations to come will, given the increasingly uncertain influences of global climate change. (Kent's working Aquarion municipal water supply--Wells #2 & #3--are located along Cobble Brook near the junction of Cobble Road and Rt. 341; Well #1 at the junction of Rt. 341 and South Kent Road is no longer used; it was apparently spoiled years ago by the state's ill-considered decision to build a road salt pile there.) As water use rises in Connecticut to meet droughts and population growth, Aquarion and presumably other water supply agencies in the state are permitted to divert water from high-water-resource towns like Kent to supply neighboring low-water-resource towns, Aquarion is already licensed to tap New Milford's water supply to serve water-deprived Brookfield. With the fragility of this resource in mind one could probably make a very good case for leaving the pasturage under our untapped

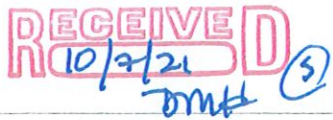
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aquifer north of town on Rt. 7 in its current pristine condition as an investment in the future.

Again, I ask you as a concerned citizen to speak up and ask that this development be amended or stopped altogether. I believe that if there are enough of us in opposition we may be able to convince the developers to take their project elsewhere. And I can even imagine that there is enough money available among conservation-minded people to buy the property back from the developers to preserve the Gateway forever. Send your opinion off to landuseadmin@townofkent.org tonight or tomorrow before 3 pm at the latest.



Donna Hayes <landuseadmin@townofkentct.org>

AGENDA ITEM 5.A.1.

100

Fw: Opposed to development of land at north end of town

1 message

PC Tobin <pctobin@hotmail.com>

Thu, Oct 7, 2021 at 2:17 PM

To: "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>

Good afternoon,

As the offspring of two very long-time Kent families and a property owner, I oppose the development of the property at the north end of town, known locally as "Jack's fields", for housing. This bucolic gateway into downtown sets the tone for what the commercial area of Kent is and always should be - an oasis of great shopping, restaurants etc. in rural New England. These fields have always been and should remain open space to protect the character of Kent from looking and functioning like just another town where sprawl took over.

Additionally, my understanding is that this development will be for high-end homes with a private pool and clubhouse. Kent has more than enough high-end private homes available to folks within what appears to be the targeted demographic. And, if the need actually exists for homes with these amenities, that's fine but let's support it elsewhere further off the main passage through town. Building homes of any sort in this or (any of the existing fields along Route 7) will permanently mar the rurally elegant entrance to our lovely downtown area. If we allow this kind of building to occur, it's only a matter of time until the entire Route 7 corridor from the Cornwall line to the Gaylordsville line is peppered with housing developments that the people of Kent, the long-time working people of Kent, can't afford.

Kent has thus far done a good job of maintaining the rural character of our town and should continue this tradition by not allowing this development in such a visible area. I would support the purchase of this property by the town of Kent or another organization to be used for public access and/or open space.

Thank you,
Polly Tobin Goddard



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AGENDA ITEM 5.A.1
Donna Hayes <landuseadmin@townofkentct.org>

101

20211007_142023.pdf

1 message

David Yewer <dyewer@yahoo.com>
To: landuseadmin@townofkentct.org
Cc: doryewer@yahoo.com

Thu, Oct 7, 2021 at 2:22 PM

David Yewer



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Mrs. Donna Hayes, Land Use Administrator
Kent Planning & Zoning Commission
41 Kent Green Boulevard
Post Office Box 678
Kent, Connecticut 06757

Please include our letter in the record for the 10/14/21 P and Z meeting. Thank you.

To the P & Z Commission and the Land Owners,

Kent residents have expressed strongly their desire to protect the bucolic meadow, known as the Northern Gateway, along Route 7 - and here is where a win/win may be.

The language in the Conservation Subdivision is clear: (included at the bottom of this letter) the new regulations smartly give the Commission the ability to increase the percentage of open space above 40%. As there seemed to be questions on this clause, we ran the section by several lawyers, including current and retired partners at Milbank and one of the bank's attorneys. They all agreed that the language clearly gives the Commission the power to increase the required open space (paperwork attached).

These regulations invite and empower the Commission to work in the best long-term interests of the Town and to minimize any ill effects of overdevelopment on the community. If the first four houses are removed, the meadow will, in part, be protected - there will be a clear pathway for wildlife, (one of the tenets of a conservation subdivision), and the revered view will be protected.

We continue to agree that the design and sizes of the houses (farm house themed) are in keeping with the feel of the town. If development is to occur, the concept of a communal barn and intentionally modestly sized houses will fit in with the adjacent houses of similar size.

Additional requests:

1. The tree guarantee should extend past the proposed three years, to a minimum of 20 years. There are plenty of things that can cause a tree to fail well after three years, inter alia: storms, vines, drought, or general neglect. If the trees are important to the town and neighbors for the first three years, they are important in perpetuity. Since the developer's representative mentioned that after three years the trees are established and should last, a longer guarantee will not materially impact the development. We also request an 8 foot fence (mutually agreed upon) along the property line as an additional sight and noise barrier. Our view, our property values, and our reason for moving to Kent hang in the balance, a fence (at least during construction) will help shield us.
2. Given the location/visibility of the project and potential for unforeseen costs of development, bonding to help ensure completion is advisable to protect the Town.

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3. We appreciate the planting of 43 mature trees to protect the neighboring houses to the south and east as well as the view from Route 7. Because lots # 4, 5, 11 & 12 (etc.) are on a hill, additional trees (mixed, deer resistant, evergreens and deciduous) should be planted part way up the hill to protect the rural site lines from Route 7 when headed north.
4. It would be ideal if the town could work to mitigate the excessive speeds on Route 7 where these houses will stand. The speed limit change (northbound) from 30mph to 40mph is before the entrance to the new homes; working with the DOT to extend the Northbound 30 MPH zone north of the entrance and improving compliance would enhance the safety of the new residents.

Thank you for taking the time to address our concerns. We certainly understand the benefit of thoughtful development, but it is worth noting that progress, when not carefully undertaken, can be a step backwards.

Respectfully submitted,
Dorothy & David Yewer
119 North Main Street
Kent, CT 06830

Section 3124.10 b

"Unless modified by the Commission, a minimum of 40 percent of the Conservation Development area shall be preserved as open space, preferably in one continuous parcel."

104

David Yewer

From: Oliver Jones
Sent: Wednesday, October 6, 2021 4:02 PM
To: David Yewer
Subject: Kent Conservation Development
Attachments: Kent Conservation Development.pdf

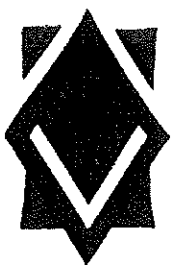
David,

In reference to Section 3124.10, clause b, the entire clause is qualified by the lead-in statement "Unless modified by the Commission". As the word "modified" is not defined specifically, and thus giving it its ordinary meaning, I read this provision to state the Commission can modify the percentage of the Conservation Development area to either increase or decrease the percentage required to be preserved as open space. There is no further language in this section that dictates either a floor or cap to that percentage. Put another way, everything that comes after the first comma in clause b would be subject to change and/or modification by the commission.

Hope this helps.
Best,
Oliver

Oliver H. Jones, Esq.
Centennial Commercial Finance Group
12 East 49th Street, 28th Floor | New York, NY 10017
Office: 212.824.0206 | Cell: 917.715.8263
ojones@ccfg.com

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CENTENNIAL
COMMERCIAL FINANCE GROUP
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A HOME BANKSHARES COMPANY (NASDAQ: HOME) MEMBER FDIC



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ORIGINAL

Kent Sewer Commission
P O Box 144
Kent, CT 06757

October 7, 2021

I am writing this letter to express my concerns about the proposed development at 227 North Main Street. I would appreciate your reading this letter into the minutes at the October 14, 2021 Planning and Zoning meeting.

1. The Kent Sewer plant would be able to accept and process the additional 7,800 estimated gallons per day from the proposed development; however it exceeds the allowed 7,000 gallons per day per lateral as permitted by the CT DEEP.
2. 227 North Main Street is not within the Town of Kent Sewer service area.
As such, sewer service is not considered "available" to this property. See Regulations, Section 2.01(B)

Section 2 Orders to Connect

Section 2.1 Connection of Existing Property and Developments

B. Sewers are considered available when: there is sufficient capacity in the Sewer Treatment Plant and the Sewer Collection system, and the property is within the Sewer Service Area as shown on the latest version of the map as maintained by the Sewer Commission.
See attached map.

3. At present, the Kent Sewer Commission has no plans to extend the sewer system north to serve this property

4. The Kent Sewer Regulations do not provide for the developer financed sewer extensions as proposed. Only one developer financed sewer extension for property outside of the service area has been permitted (The Kent Health Care Facility) upon a determination that the sewer extension served the public interest by providing sewer availability to multiple properties with marginal or failing septic systems

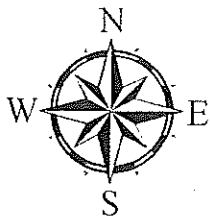
5. The Kent Sewer Commission has begun the process to upgrade the plant by designing and planning to install a second aeration tank to meet the capacity for future growth. This expansion is a \$1,000,000.00 plus project that will take several years to design, get all the necessary permits and approvals, acquire adequate financing and complete due to the Pandemic.

6. If the property owner opts to install septic systems for each building, he would be limited to 10 structures.

7. Lastly, on a personal note, I find it stunning that the Planning and Zoning Board is disregarding all the hard work from people like Barbara Lasch, who worked tirelessly with Planning and Zoning to carefully protect the ridge line at the Saddle Ridge development. I do not understand the strong hold Paul Szymanski seems to have on this project. Please do the right thing. This development as presently designed, will change Kent forever.

Sincerely,

Elissa Potts, Chair
Kent Sewer Commission



Marvelwood School



Louvers Engineering Associates, Inc.

Brockwoods II

High Watch Farm

Campard Inc

Proposed Future

Existing Municipal

Proposed Future

Buck's Ridge Farms

Club Gateway

Birch Hill Lane and Birch Hill Court

South Kent School

Legend

- Municipal Sewer Service Area
- Community Sewerage Service Area
- Proposed Future Sewer Service Area

0 2,500 5,000 10,000 15,000 Feet

Town of Kent
Sewer Service Areas
As of Sept 2009



Gmail



Donna Hayes <landuseadmin@townofkentct.org>

AGENDA ITEM 5.A.1 107

Proposed Development

1 message

Willy <makisupabacon@yahoo.com>

Thu, Oct 7, 2021 at 2:16 PM

To: landuseadmin@townofkentct.org

Dear Commission,

It has recently come to our attention that a sub-division is proposed for the beautiful rural meadow just north of Kent center. As well as only just hearing of this project we are also very concerned that the intention is to place 13 new dwellings, and barn so close to rte 7. This will have a devastating impact on the environment as well as change the whole feel of rural Kent when entering from the North on rte 7. Once approved please considering there is no turning back. What about how it will utilize the already over taxed Kent's utilities, let alone the disruption it will cause during the construction and beyond. Kent needs infrastructure to support locals, not more unaffordable housing.

We urge you to please stop this and vote NO!

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Donna Hayes <landuseadmin@townofkentct.org>

108

Kent CT

1 message

Lib Tobin <libmctobin@yahoo.com>

Thu, Oct 7, 2021 at 2:57 PM

To: Lib Tobin <libmctobin@yahoo.com>, "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>

Dear Kent Planning and Zoning Commission/ Land Use Office,
Letter re: proposed transformation of former Casey property on
'Prime Farmland Soil'/'Farmland of Statewide Importance'.(source
Kent Town Plan Maps, Kent CT)

A couple of decades ago, Brookfield looked a lot to Kent. Sprawl transformed Brookfield and New Milford that once had "kept faith with nature" (to quote Donald Connery of Kent) to generic cookie cutter suburbs. The valuable fertile soils along the Housatonic River valley are dotted with subdivisions and box buildings.

There are many vacant spec building , "for rent", "will build to suit" signs in these downriver towns that resembled Kent CT.

Litchfield County is developing at an enormous rate. People seeking perceived refuge

in small towns are shrinking the rural landscape locally and nationally. Rural New England inns used to dot the Northwest Corner providing a mutually beneficial solution for small town economies and those seeking respite from the urban experience without permanent destruction of rich farmlands that feed us,maintain wildlife habitat and filter the waters running into our rivers.

My concerns : sewer demands,tight traffic,reservoir depletion, loss of tillable land, displacement of wild life,increased demands on infrastructure causing tax increases, loss of open space (our shared greatest wealth). and a trend in this direction of marketing a small town to the point where it isn't anymore.

Thank You for your hard work.

Lib Tobin- property owner, Kent and Cornwall CT



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AGENDA ITEM 5A1
Donna Hayes <landuseadmin@townofkentct.org>

115

109

(no subject)

1 message

Bob Lenz <bob@rlenzart.com>
To: landuseadmin@townofkentct.org

Thu, Oct 7, 2021 at 3:12 PM

To Kent P&Z Public Hearing October 14

Carol and I are strongly opposed to the residential cluster development proposed for the northern entrance to the Kent Village. It would be a shame if Kent starts to lose its hard-earned rural character. The Kent POCDs for the last 30 years have celebrated the concept of the Northern Gateway in the expectation that it would be honored eventually. Let's find the will to do it now.

Sincerely,

Bob and Carol Lenz

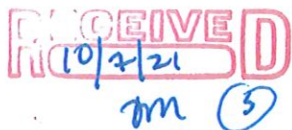
Ore Hill Road

South Kent

Bob Lenz
bob@rlenzart.com



Gmail



AGENDA ITEM 5A1
Donna Hayes <landuseadmin@townofkentct.org>

110

Fwd: Land Development

1 message

Elaine <laneys219@sbcglobal.net>
To: landuseadmin@townofkentct.org

Thu, Oct 7, 2021 at 3:50 PM

Sent from my iPhone

Begin forwarded message:

From: Elaine <laneys219@sbcglobal.net>
Date: October 7, 2021 at 3:40:27 PM EDT
To: landuseadmin@townofkentct.org
Subject: Fwd: Land Development

Hello,

I am a Gaylordsville resident and former business owner in Kent.

The issue of this proposed land development was recently brought to my attention.

It is upsetting, to say the least, to find out that Paul Szysmanski is leading the development of this project.

It should be noted that he as well as my former neighbors and a major Norwalk construction company are under state investigation right now for illegal activities conducted through 2020. Unfortunately, the investigation may take another several months.

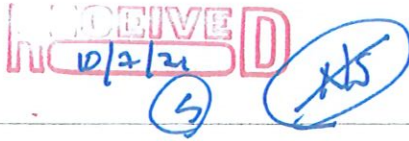
I have many more details about illegal landfills created, 1 of them being in my neighborhood on a private road adjacent to wetlands. What went on here is unbelievable. I can share more details but I realize the time constraint for this issue this afternoon. I am happy to share more if needed.

For now, if you look at the property #9 Quail Ridge Gaylordsville from Google Earth, you'll see the landfill created. This property was formerly a beautiful wooded area.

I can be reached via email or at 203-982-0092.

I would be heartbroken to see this development go in on that beautiful land in Kent.

Elaine LaFontan



AGENDA ITEM 5A1

Donna Hayes <landuseadmin@townofkentct.org>

Low Income Housing - Kent

1 message

Timothy Michael <timothy_michael@icloud.com>

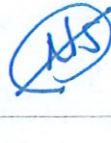
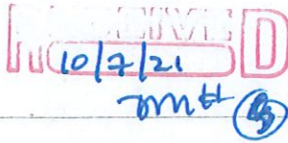
Thu, Oct 7, 2021 at 4:49 PM

To: landuseadmin@townofkentct.org

To whom it may concern,

I am strongly opposed to low income housing in Kent. I have lived in Kent for the last five years, and moved to Kent from a previous area that was decimated by the introduction of low income housing. Streets became filled with litter, property values decreased by 40%, homes were in dire need of repair because of low income owners inability to afford upkeep. Also, Kent does not have the infrastructure to support low income residents, we lack a medical facility, we lack public transportation, we lack infrastructure and variety in common charges (such as garbage pickup, cell service, cable service, heating options, etc), our schools are not trained to support potential behavioral problems with incoming students, our local grocery store charges \$6 for a half gallon of milk, domestic violence calls wouldn't be promptly answered in potential troubled incoming families, the list goes on and on for why Kent is not a good spot for low income housing. We are a rural small town, with landscape, wildlife, and nature as our neighbors. The introduction of low income housing is a terrible idea, which in the long run would only pose even more of a challenge for any potential low income family to try and keep up with the town of Kent. Kent needs state of the art community parks, with safe areas for existing children to play on rides that are current, Kent needs a local community pool for existing families to use, Kent needs dog park for existing dog owners to bring their furry pets, Kent needs community sport programs such as baseball, football and soccer for existing children to socialize, Kent needs their current selectman and board to pay attention to the existing residents who deeply support and keep this town churning.

Kind Regards,
Timothy



AGENDA ITEM 5A1

Donna Hayes <landuseadmin@townofkentct.org>

112

Kent Sub-division

1 message

Joy Brown <joy@joybrownstudio.com>

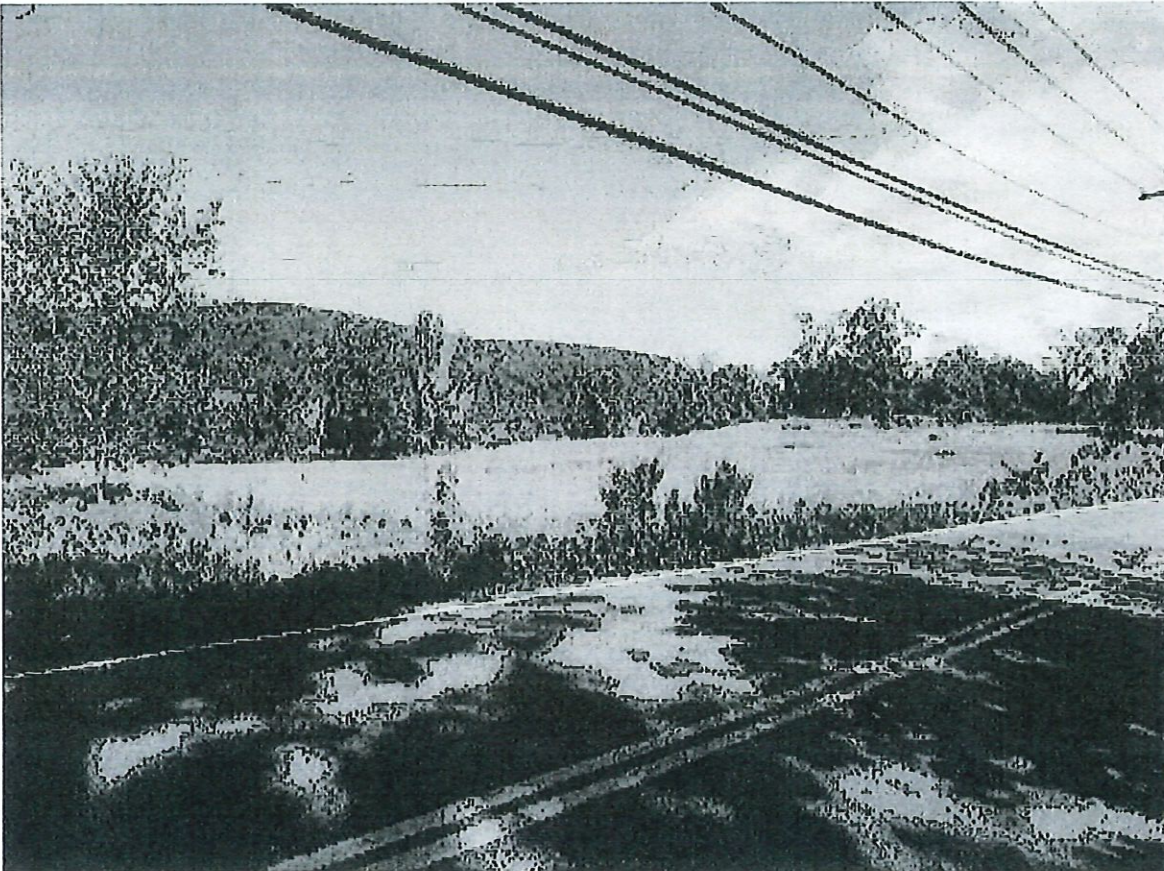
Thu, Oct 7, 2021 at 4:53 PM

To: Donna Hayes <landuseadmin@townofkentct.org>

Dear zoning commission,

There are many reasons not to build on this land north of town as voiced in the meeting weeks ago. It is such a beautiful piece of land marking the northern gateway of our town. Fourteen structures plus thirteen garages on 7 acres of land is too much. This decision is so much more than about a developer wanting to build his houses there. If given permission to build it would change the landscape forever and effect our whole community. Please vote no to this proposal as it stands now.

Thank you,
Joy Brown



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AGENDA ITEM 5A1

114

Donna Hayes <landuseadmin@townofkentct.org>

Potential Subdivision.route 7.kent, CT

1 message

Kate Symonds <katessymonds@gmail.com>

Thu, Oct 7, 2021 at 5:04 PM

To: landuseadmin@townofkentct.org

To whom it may concern,

I would like to add my name to the list of Kent residents who oppose the proposed plan to build a subdivision north of town on route 7; 14 houses and 13 garages. There are serious questions to be addressed regarding safety, sewage costs, maintenance costs, environmental impacts, market impacts, not to mention general urban sprawl and visual pollution of the beauty of our town.

Thank you very much for your consideration of my concerns and those of so many Kent residents.

Sincerely,
Kate Symonds

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Donna Hayes <landuseadmin@townofkentct.org>

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115

North Gateway Land Use

1 message

Kathryn McAuliffe <kwmcauliffe@mac.com>
To: landuseadmin@townofkentct.org

Thu, Oct 7, 2021 at 5:42 PM

I agree with my fellow objecting Kent residents that the development project for Northern Kent should be stopped. The process under which the permits were granted seems superficial, the impact on the community unexamined and, as we consider the impacts of climate change, the possible effects on the water supply alarming. My late husband, Jay Kriegel, an active member of the Kent Land Trust, worked with passion to protect the unique quality that defines Kent. His hair would be on fire. I object for myself, my children and grandchildren and in his memory.

Sincerely,

Kathryn McAuliffe

20 Howland Road
Kent, CT 06785

RECEIVED
10/8/21

HJS

S.A. 1

116

Donna Hayes <landuseadmin@townofkentct.org>

Northern Gateway

1 message

roz987 <roz987@earthlink.net>
To: landuseadmin@townofkentct.org

Thu, Oct 7, 2021 at 6:15 PM

TO PLANNING AND ZONING COMMISSION:

I BELIEVE THAT BUILDING 13 HOMES IN A CLUSTER DEVELOPMENT CLOSE TO ROUTE 7 IS NOT IN KEEPING WITH THE NORTHERN GATEWAY PROCESS. INSTEAD, IT SHOULD FOLLOW THE SOUTHERN GATEWAY DEVELOPMENT WHERE THE KENT LAND TRUST MANAGES AND PROTECTS AND SECURES THE LAND. I BELIEVE THE NORTHERN GATEWAY FALLS IN THE SAME CATEGORY AND WOULD BENEFIT FROM THE PROTECTION OF THE KENT LAND TRUST AND NOT FROM MAJOR BUILDING.

ROSLYN MOLHO
80 MAIN STREET
KENT, CT 06757

S.A.I
117RECEIVED
10/8/21

Donna Hayes <landuseadmin@townofkentct.org>

Yes! Houses on Route 7!

1 message

Andrea Schoeny <andreaschoeny@gmail.com>

Thu, Oct 7, 2021 at 7:41 PM

To: "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>

Hello P&Z Commission,

I attended the public comment meeting a few weeks ago regarding the development on the north end of town.

As a new resident to Kent, I am excited and the possibility of more housing in the residentially zoned area. Hopefully it will spur the town/state/developer to collaborate on having a sidewalk all the way to CAMA and Stanley Sloane. A win for everyone! There are days I would LOVE to walk with my baby up to the museums (a little over a mile from where we live at the monument), but don't because there's no sidewalk past the Congregational Church! (And even then it's not on the correct side of the road... an issue for another day.)

I was surprised by all the people saying it would "diminish" the northern gateway to town. What gateway? The sign welcoming visitors to Kent is much further north along the road. There are houses visible on the street from basically Kent Falls and on south. If you're worried about trying to look for that pasture driving into town, on the curve, sorry, but you're doing it wrong, and should keep your eyes on the road.

My parents came to visit a few weeks ago for my baby's first birthday and commented about how nice Kent is. Coming from Kent Falls, they were surprised that the "gateway" to the town wasn't at the sign. My dad commented that even as a passenger, looking for this beautiful pasture, it wasn't clear that the field was really enough of a break to have people notice that they are "in" Kent all of a sudden. It just seems like such a silly thing to worry about, when the alternative is to have more people actually living here and contributing to the tax base.

I feel that the developer's architects have been VERY kind and thoughtful in taking in everyone's suggestions and answered questions thoroughly. At the end of the day, the area is zoned residential, and as the people who own the land want to put it residences, it should happen. Perhaps fewer homes (10?) but to deny it outright, despite the developer following regulations would be in poor judgement.

Thank you for your time. We are happy to be residents in Kent and look forward to being here for many years (perhaps in one of the new houses).

Respectfully,

Andrea Schoeny

RECEIVED
10/8/21

HS

Donna Hayes <landuseadmin@townofkentct.org>

S.A.1

118

North Main Street LLC Application

1 message

WC <cavanaughw@yahoo.com>

Thu, Oct 7, 2021 at 10:14 PM

To: "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>

William Cavanaugh
Kent, CT 06757

October 7, 2021

Re: North Main Street LLC Application

Dear Kent Planning and Zoning Commission:

Thank you all for your past and continuing board efforts with respect to planning and zoning issues for the town of Kent.

Additionally, as a property owner in Kent, I am assured that your recommendations-decisions will continue to be in the town's best interest and uphold all requisite and applicable rules/regulations. Given the amount of apparent opinions with respect to the development of this parcel and impact on various town resources, I further trust that adequate notice and a proper forum to discuss these issues has been provided. Although admittedly there might have been a fair amount of information available via various electronic and paper notifications, it seems there remains a lack of clarity as to the history of this Planning and Zoning Commission request and the recommendation-decisions being asked of said Commission especially related to the conservation easement component of the discussion.

In conclusion, I would think that a summary review and an additional public comment period would afford a well-reasoned and equitable result for all.

Respectfully,

William Cavanaugh



Gmail

RECEIVED
10/8/21
m h

(5)

Donna Hayes <landuseadmin@townofkentct.org>

5A1

119

letter for the next Planning and Zoning Commission Meeting

1 message

Ellen <ellen.altfest@gmail.com>

Fri, Oct 8, 2021 at 9:04 AM

To: Donna Hayes <landuseadmin@townofkentct.org>

To the Planning and Zoning Commission,

We would like to voice our opposition to the development of 227 North Main Street, known as the Northern Gateway to the town of Kent.

No one can doubt that building 13 two-story residences and 13 separate 2-car garages just outside the town center will negatively impact the beauty and character of our rural town. It is beauty like this that draws people to Kent.

We believe the Town should adhere to its own Plan of Conservation and Development and reject such a large residential development.

Thank you for your ongoing service to our community.

Best regards,

Ellen Altfest and Rob Colvin
110 Carter Road

**RECEIVED**
10/12/21
mt

(5)

AGENDA ITEM 5.A.1

Donna Hayes <landuseadmin@townofkentct.org>

120

Proposed Subdivision on Route 7

1 message

Lesley Lana <lesley.lana@gmail.com>

Fri, Oct 8, 2021 at 11:56 PM

To: landuseadmin@townofkentct.org

To Whom It May Concern,

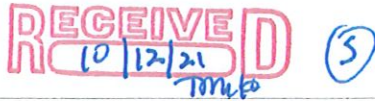
I am writing to express my opposition to the proposed subdivision on Route 7 near Cobble Lane.

It is my understanding that Kent has a minimum of 5 acre zoning for residential properties. If that is the case, I would like to understand how the development of 13 homes on 12 acres of property is even allowed?

It is my hope that this project is not approved, or, at the very least, scaled back significantly to preserve the rural nature of our town.

Sincerely

Lesley Lana-Heimlich



Agenda Item 5.A.1.
Donna Hayes <landuseadmin@townofkentct.org> 121

Project North of town

1 message

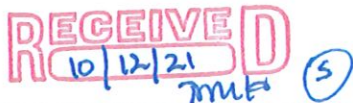
Edward Sadtler <ehsadtler@gmail.com>
To: landuseadmin@townofkentct.org

Sat, Oct 9, 2021 at 2:27 PM

I am writing to express my concern over the proposed development immediately north of town. My concern is the preservation of the pastures and views of the "North gateway". The proposed development shows sensitivity in its use of building materials and smaller scale structures. However, the building of houses as proposed will irretrievably diminish the rural feel of our town in a key location. There are many other more suitable locations for a development such as this.

Presumably the owner of the land is entitled to benefit from it fairly. If the land can't be developed in a way that addresses the aesthetic and environmental concerns that have been raised, perhaps it can be sold and put into trust. If the owner were willing to sell the land - at a profit - such that it can be preserved, I would be happy to make a financial contribution (and know that I am not alone in that). If the town residents could be given that opportunity, that could be a mutually advantageous solution.

Respectfully submitted,
Edward Sadtler
107 Kent Cornwall Rd
Kent, CT



AGENDA ITEM S.A.1.
Donna Hayes <landuseadmin@townofkentct.org> 122

Fwd: Northern Gateway

2 messages

Judy Pinkerton <judypinkerton815@gmail.com>
To: landuseadmin@townofkentct.org

Sat, Oct 9, 2021 at 3:24 PM

Sent from my iPhone

Begin forwarded message:

From: Judy Pinkerton <judypinkerton815@gmail.com>
Date: October 7, 2021 at 11:47:48 AM EDT
To: landuseadmin@townofkent.com
Subject: Northern Gateway

As residents of Kent for 26 years, we object to the development of the proposed plan for the Northern Gateway. We would like this to be stopped or at least be amended.

We moved to Kent because, among other things, we found it to be a quiet place with a rural atmosphere and scenic roadways. We are pleased that this remains. We don't want to see it change.

We are also surprised that the Planning and Zoning Committee of Kent is not following its own Plans of Conservation and Development for Kent.

Thank you for your consideration.

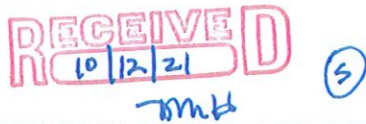
Sincerely,
Judy Pinkerton
Alan Tikotsky
103 Geer Mountain Road
South Kent, Connecticut 06785

Sent from my iPhone

Judy Pinkerton <judypinkerton815@gmail.com>
To: landuseadmin@townofkentct.org

Sat, Oct 9, 2021 at 3:26 PM

[Quoted text hidden]



AGENDA ITEM 5.A.1
Donna Hayes <landuseadmin@townofkentct.org>

123

Fwd: Delivery Status Notification (Failure)

1 message

Nina Eckhoff <te1904@gmail.com>
To: landuseadmin@townofkentct.org

Sat, Oct 9, 2021 at 10:39 PM

Please see my comments below

----- Forwarded message -----

From: **Mail Delivery Subsystem** <mailer-daemon@googlemail.com>
Date: Sat, Oct 9, 2021 at 10:35 PM
Subject: Delivery Status Notification (Failure)
To: <te1904@gmail.com>

**Address not found**

Your message wasn't delivered to
landuseadmin@townofkent.org because the address couldn't
be found, or is unable to receive mail.

The response from the remote server was:

550 No Such User Here

----- Forwarded message -----

From: Nina Eckhoff <te1904@gmail.com>
To: landuseadmin@townofkent.org
Cc:
Bcc:
Date: Sat, 9 Oct 2021 22:34:10 -0400
Subject: re: development of 13 acres of land for sub-division and community center

To Whom It May Concern:

NO to the proposal of the development of land just north of the town commercial district on Route 7.

Sincerely,

Nina Eckhoff
181 Kent Cornwall Road
Kent, CT 06757



(5)

AGENDA ITEM 5.A.1

124

Donna Hayes <landuseadmin@townofkentct.org>

Opposition of proposed subdivision at 227 North Main St. (Route 7), Kent, CT

1 message

Doug Wynn <dougwynn@me.com>

Sun, Oct 10, 2021 at 11:57 AM

To: landuseadmin@townofkentct.org

Dear Ms. Hayes and To Whom It May Concern at The Zoning and Planning Commission,

This letter is in regard to the subdivision application being proposed at 227 North Main St. along Route 7. I believe the proposal includes 13 matching homes and 1 community building, and the builders are Angelica and Andrew Bacon of Long Island City, NY, and Erik Tietz of Cornwall, CT.

Well, this situation immediately feels like an all-too-familiar TV movie plot where the integrity of a small and beautiful, historic town is being interrupted by greedy land developers who have no real connection or roots to that beautiful town. Sadly, most of these movies have the developers conveying false senses of empathy for that town, a lack of community awareness, and end with the developers winning.

After nearly 30 years on the Upper West Side of Manhattan, I began looking for a quiet, historical town in Connecticut to grow old and retire in 2017. Quiet towns I had once cherished in my youth were kicked out of consideration because developers over the last 20 years have added track home communities and mini-malls that completely change the look, feel, and population density of these once special towns. These towns are now commercial-centric messes having traffic and pedestrian safety issues that didn't exist 20 years ago. Towns like New Milford (CT), New Hope (PA), Hudson (NY) immediately come to mind. Having loved Kent for decades and being inspired by how Kent residents work hard to protect their town's character and heritage, I knew Kent was for me and my family. I said goodbye to Manhattan in 2019 by buying my Kent home at 316 Kent Cornwall Rd. It's been one of the best decisions of my life.

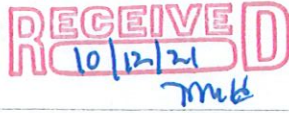
I ask the planning and zoning commission to please vote NO to the proposal for the North Main Street application. This unnecessary community will not only be an eyesore at Kent's northern gateway but how will this large community help Kent? Will Kent residents be responsible for road repair, sewage, and ongoing monitoring of this planned community's impact to wetlands and water supply? This portion of route 7 also appears unsafe for pedestrians even if sidewalks will be added. Will another traffic light be needed to further slow traffic along the busy northern gateway? Will this mean an increase in taxes? Regarding this particular application, I think it's fair to say the situation is quite textbook: the experienced developers are exploiting planning authorities and have no intention of protecting town character as profit is their Northstar. I'm fully aware that money usually wins; therefore, if that's the case here, perhaps you can guide them to lessen the new building footprint as well as hide all of the new additions from the road -- it would be a shame to lose the peace and tranquility that Kent is known for.

Perhaps one of the developers, like Mr. Tietz, would consider building his 14-structure community in his own town of Cornwall next to the historic covered bridge? That seems like another logical location, right? Of course I'm being facetious but this entire situation feels completely devoid of foresight and serves as a dangerous shepherd into Kent's future.

Sincerely and with concern,
Lloyd Douglas (Doug) Wynn
917-544-6664
316 Kent Cornwall Rd (PO Box 648)
Kent, CT 06757



Gmail



(3)

AGENDA ITEM 5A.1
Donna Hayes <landuseadmin@townofkentct.org>

125

Fwd: Northern Gateway to Kent

3 messages

barberrich@aol.com <barberrich@aol.com>

Fri, Oct 8, 2021 at 2:04 PM

Reply-To: barberrich@aol.com

To: barberrich@aol.com, "zanne.charity@gmail.com" <zanne.charity@gmail.com>, "adipentima@aol.com" <adipentima@aol.com>, "jmarkham@aol.com" <jmarkham@aol.com>, "allanp82@live.com" <allanp82@live.com>, "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>, "patriciaoris.braga@gmail.com" <patriciaoris.braga@gmail.com>, "db@bainrealestate.com" <db@bainrealestate.com>, "chris@bainrealestate.com" <chris@bainrealestate.com>

-----Original Message-----

From: barberrich@aol.com

To: wyrickassociates@yahoo.com <wyrickassociates@yahoo.com>

Sent: Fri, Oct 8, 2021 1:51 pm

Subject: Northern Gateway to Kent

Hi Wes,

Please excuse the lateness of a response to the proposed development on Casey land North of the town.

As an alternate to Zoning Board of Appeals I was never made aware of these plans, nor asked to respond the proposal. Wendy Murphy has responded very completely and responsibly. We must do what ever we can to stop this development. The costs of sewer and water connections alone would become prohibitive to the town along with contaminating the long term water table. It's as if we decided to allow Guy Mankin to be resurrected to screw up our future yet again.

Whatever happened to our long-range planning committee's review of all of this? Real Public Hearings!

Please share this and my dismay that it has gotten this far.

Sincerely,

Rich Barber

barberrich@aol.com

jmarkham@aol.com <jmarkham@aol.com>

Fri, Oct 8, 2021 at 2:13 PM

Reply-To: "jmarkham@aol.com" <jmarkham@aol.com>

To: barberrich@aol.com, "zanne.charity@gmail.com" <zanne.charity@gmail.com>, "adipentima@aol.com" <adipentima@aol.com>, "allanp82@live.com" <allanp82@live.com>, "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>, "patriciaoris.braga@gmail.com" <patriciaoris.braga@gmail.com>, "db@bainrealestate.com" <db@bainrealestate.com>, "chris@bainrealestate.com" <chris@bainrealestate.com>

Wow!

Thanks for the terrific letter. I assume you sent a copy to Wendy Murphy.

Sent from the all new AOL app for Android

[Quoted text hidden]

Allan Priaulx <allanp82@live.com>

Fri, Oct 8, 2021 at 2:15 PM

To: "barberrich@aol.com" <barberrich@aol.com>, "zanne.charity@gmail.com" <zanne.charity@gmail.com>, "adipentima@aol.com" <adipentima@aol.com>, "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>, "patriciaoris.braga@gmail.com" <patriciaoris.braga@gmail.com>, "db@bainrealestate.com" <db@bainrealestate.com>, "chris@bainrealestate.com" <chris@bainrealestate.com>, "jmarkham@aol.com" <jmarkham@aol.com>

Terrific assessment of this very unwelcome proposal, Rich. Thank you.

allan

541

126

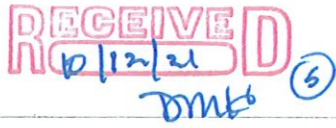
From: jmarkham@aol.com <jmarkham@aol.com>

Sent: Friday, October 8, 2021 2:13 PM

To: barberrich@aol.com <barberrich@aol.com>; zanne.charity@gmail.com <zanne.charity@gmail.com>; adipentima@aol.com <adipentima@aol.com>; allanp82@live.com <allanp82@live.com>; landuseadmin@townofkentct.org <landuseadmin@townofkentct.org>; patriciaoris.braga@gmail.com <patriciaoris.braga@gmail.com>; db@bainrealestate.com <db@bainrealestate.com>; chris@bainrealestate.com <chris@bainrealestate.com>

Subject: Re: Fwd: Northern Gateway to Kent

[Quoted text hidden]



AGENDA ITEM 5.A.1 127
Donna Hayes <landuseadmin@townofkentct.org>

Syzmanski Application

1 message

Suzanne Charity <zanne.charity@gmail.com>

Mon, Oct 11, 2021 at 12:04 AM

To: landuseadmin@townofkentct.org

Dear Donna -

Attached is a letter regarding the Syzmanski Application.

I would be very grateful if you would make sure it's read into the record at this coming Thursday's P&Z meeting. It apparently bounced back when I sent it earlier due to a typo in the email address.

Thank you,

Suzanne Charity
zanne.charity@gmail.com

 Northern Gateway-P&Z letter.docx
160K

Members of the Kent Planning & Zoning Commission
c/o landuseadmin@townofkent.org

To the Chair and Members of the Planning & Zoning Commission:

I am writing from a perspective of great pride in the character and aesthetic beauty of the town I call home. But I have grave concerns about the many ways in which approval of the Syzmanski application for a conservation easement on the "Northern Gateway" property would negatively affect the character of the town I love.

As others have no doubt stated in their objections as well, the proposed project under consideration is clearly the antithesis of one of the prime objectives of Kent's Town Character Study, a seminal element of our Plan of Conservation and Development, going back through multiple iterations over more than thirty years. That important objective was intended to be honored as a vital part of the Town's future development planning. All necessary efforts must therefore be made to preserve the land in question and the views beyond as a "Northern Gateway" approach to Kent's Village Center.

In addition to the lack of adherence to Kent's PODC, there are many other reasons that the approval of an easement for the proposed housing development would be inadvisable and contrary to the interests of the Town and its citizenry. I therefore implore you, as members of the Planning & Zoning Commission, to ask yourselves the following questions:

- Does the conservation easement application really adhere to acceptable conservation standards and objectives if the only proposed land to be preserved is steep, unbuildable, inhospitable for wildlife, out of the sight and inaccessible to the public, while the crowded housing units are front and center in full public view?
- Why weren't septic requirements investigated thoroughly by the apparently inexperienced applicant team prior to the request for P&Z approval of their plans? Is adding to an already stressed Town Sewer System viable without significant public cost and effect? And if not, would the developers be able to meet their design and financial objectives if required to incorporate an onsite septic system adequate to serve the proposed housing units?
- Whether covered by current P&Z regulations or not, in principle isn't the critical protection of a significant aquifer for future public use in a time of rapidly changing climate concerns worthy of greater consideration? And is that not especially true when measured against the self-serving commercial interests of a developer of questionable reputation, i.e. one who appears to have taken advantage of the P&Z Commission's good intentions by craftily offering to author the conservation easement in question in order to serve his personal economic interests rather than the public good?

To permit the building of a crowded, suburban-style cluster of houses and garages on the lovely Northern Gateway to Kent's village center over the passionate objections of

so many concerned Kent residents without a serious pause to reassess should be unthinkable! Surely, there are legitimate ways for P&Z to honor the directives of the POCD and serve the interests of the public by helping to seek other reasonable, fair-minded solutions, and denying the Syzmanski application.

Many will be looking on and supporting the Planning & Zoning Commission's efforts to resolve this unfortunate situation to the benefit of our Town.

Very truly yours,
Zanne Charity
30 Brown Road
South Kent



AGENDA ITEM 5.A.1
Donna Hayes <landuseadmin@townofkentct.org> 130

Land Use

1 message

Amy Poeppel via Kent CT <cmsmailer@civicplus.com>
Reply-To: Amy Poeppel <amy.poeppel@gmail.com>
To: dhayes <landuseadmin@townofkentct.org>

Mon, Oct 11, 2021 at 5:31 PM

Submitted on Monday, October 11, 2021 - 5:31pm
Submitted values are:

Departments: Land Use

Message:

Dear Zoning and Planning Commission,

I recently learned about the proposal to build a planned community at 227 North Main Street. As a homeowner at 320 Kent Cornwall Road, I respectfully ask that you all vote no to the subdivision application. This kind of development will perhaps earn money for real estate developers, but that will come at a great expense to the character of the town. If we have a chance to save some open space/habitats for wildlife, wouldn't that be better than over-developing our land? Please do not allow this!

Sincerely,

Amy and David Poeppel

==Please provide the following information==

Your Name: Amy Poeppel

Your E-mail Address: amy.poeppel@gmail.com

Organization:

Phone Number: 3474074583

==Address==

Street: 320 Kent Cornwall Road, PO Box 894

City: New York

State: New York

Zipcode: 06757

RECEIVED
10/12/21
DWB

5

AGENDA ITEM 5.A.1
Donna Hayes <landuseadmin@townofkentct.org>

131

Opposition of 227 North Main St. Application

1 message

Victor Lewis <VLewis@gro-dev.com>

Mon, Oct 11, 2021 at 10:05 PM

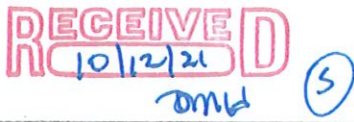
To: "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>

Dear Zoning and Planning Commission,

I'm a Kent, CT homeowner at 316 Kent Cornwall Rd. I kindly ask that you all vote no to the 227 North Main St. subdivision application. I am very disheartened to hear that this new community development is even a consideration on the beautiful pastoral border of such a quiet, special downtown like Kent. This subdivision will, undoubtedly, change the character and tone of our town to something that benefits the developers but not the Kent residents. Please vote no to this planned community.

Regards,
Victor Lewis

Victor Lewis
Gro-Dev
Director of Interior Design & Branded
Environments
917-575-8873



AGENDA ITEM 5.A.1
Donna Hayes <landuseadmin@townofkentct.org>

132

Please vote no!

1 message

AMY POEPPPEL <amy.poeppel@gmail.com>
To: landuseadmin@townofkentct.org

Mon, Oct 11, 2021 at 10:45 PM

Dear Zoning and Planning Commission,

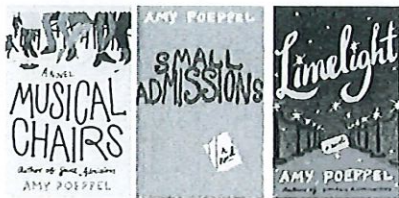
I recently learned about the proposal to build a planned community at 227 North Main Street. As a homeowner at 320 Kent Cornwall Road, I respectfully ask that you all vote no to the subdivision application. This kind of development will perhaps earn money for real estate developers, but that will come at a great expense to the character of the town. If we have a chance to save some open space/habitats for wildlife, wouldn't that be better than over-developing our land? Please do not allow this!

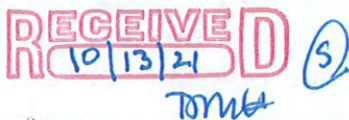
Sincerely,

Amy and David Poeppel

--

www.amypoeppel.com



AGENDA ITEM 5.A.1
Donna Hayes <landuseadmin@townofkentct.org>

133

Application #52-21SP,53-216 -----227 North Kent Rd/

1 message

Judy Perkins <judyperkins77@gmail.com>
To: landuseadmin@townofkentct.org

Wed, Oct 13, 2021 at 12:35 AM

October 12, 2021

Kent CT Planning and Zoning Commission

Mr. Erik Teitz

Mr. Andrew Baccon

Application #52-21SP, SP-216

Members of the Commission and the Applicants

I have been a resident of Kent for 20+ years-- prior to that we lived in New Milford for 16 years – first as weekenders , then full time. I sold Real Estate for Brown Harris Stevens in NYC and, for the last 15 years, I have been with Sotheby's in Litchfield County. I am semi -retired but do referrals primarily for high end second homes.

When we lived in New Milford I was an Alternate member of the Planning Commission where I reviewed a lot of subdivision plans. My late husband created the Wetlands Commission and was President of HVA

As a result of our land use experiences in New Milford we built a large custom stone and shingle house in Kent!

Eventually we downsized to a 2200 Sq foot house in Saddle Ridge Farms (SRF) where I live now.

You have heard many of the aesthetic and construction issues concerning this project. I have a somewhat different concern. Unless this a hobby, or the applicants are considering it a loss leader to establish the firm's reputation in this area. the risk/reward doesn't seem to add up.

Building Costs

Materials and labor have increased exponentially since 2019 . For a 2000 sq ft house one would expect a minimum of \$200-300 /sq ft.-- that's a sunk cost of \$400,000-600,000 per unit. Since "luxury" has been mentioned it will likely be much higher. For luxury, the applicants should be prepared to have full basements, central a/c, ideally a

FPL, some type of generator capability and probably a gaggle of high end appliances at the SubZero level. Clearly that ups the cost basis. There are also attendant costs such as permits and engineering, and advertising and possibly real estate commissions. Several developers in the area expected to do their own marketing and sales but ended up reaching out to local Brokers when things weren't moving fast enough. 134

Time Line

Cost of money is another issue. Even if the project is self financed, it's very difficult to estimate a completion date under current conditions. Delivery of materials is slow and unpredictable -as a result it's hard to sync with a completion schedule. Also we have some very talented contractors and tradespeople in the area but, as one told me, "even the not-so -great are extremely busy". Perhaps the applicants have their own team. It is conceivable , however, that construction might come to a halt midstream through no fault of the applicants which could impact the selling prices of what is finished.

Amenities

Saddle Ridge Farm (SRF) has a restored, frequently photographed Community Barn (once on the cover of the Cabela's Christmas catalogue.) We use it once a year for our annual HOA meeting. No one is interested in trudging to an unheated barn in the snow. The last 2 Covid years we met on the tennis court (a constant point of debate since it needs expensive resurfacing and only a few of the 15 owners use it) .The pool was never built- no clamor for it now-- an "attractive nuisance" ---both upkeep and liability.

SRF is also surrounded by 100 + acres of protected land complete with grazing cows (also frequently photographed). Except for the original farmhouse , none of the houses are on Rte 7 and many have views. We have all this land (and a giant septic field) because the project was designed for 57 houses, but a series of developer financial crises ended that fantasy. No more houses will be built -ever. The houses are older but generally somewhat larger than this project's model. The last 2 trades in a hot market were \$350k and \$575k

Who is the buyer?

SRF's legal structure is a PUD , not a Condo or Co-op. We have an HOA and a board - the monthly fee is a reasonable \$190/mo (unless you own 2 lots) because it only covers maintenance of the 3 auxiliary roads and the common areas. We have a decent reserve in case of calamity. Condo fees are considerably higher since the HOA is responsible for maintaining everything but the interior of the dwellings. In contrast to SFA, Brookwoods has a monthly fee of \$440 /mo plus an assessment of \$191/ mo until 2025--- heavy but that does lower the selling price which is generally in the \$200's.

What is the legal structure of this project -- a PUD? a Condo ?

It will affect the size of the buyer pool. For many young families and older couples on fixed incomes, the cumulative cost of a high HOA fee, plus taxes plus mortgage payment is not affordable but prohibitive. Since the asking prices and quality will be high, perhaps the applicants have identified the ideal market as second home buyers--- ideally cash paying New Yorkers. There is one problem. New Yorkers tell an agent to

keep driving if the location is on a highway with no privacy - hence the reason there are typically many more RE signs on heavily travelled roads.

I've seen far too many subdivisions of the plastic village type and I truly appreciate the applicants' design efforts, However, I share the majority opinion that this project in that location is not a plus for Kent and may, very well, have completion and market issues .

Perhaps all the challenges will cause the applicants to reconsider and donate the land, which was purchased so reasonably to the land trust and benefit from the attendant tax deductions.

There is a great demand here for a beautifully designed modernist house in a private setting.

Judy Perkins

5 Conboy Heights

Kent, CT 06757

judyperkins77@gmail.com

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