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By Darlene Brady at 4:06 pm, Dec 06, 2021

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

SPECIAL MEETING MINUTES

The POCD Sub-Committee of the Planning and Zoning Commission held a special meeting on Thursday, December 2, 2021, at 6:00 p.m. via zoom.

1. CALL TO ORDER

Mr. Weingarten called the meeting to order at 6:06 p.m.

2. ROLL CALL AND APPOINTMENT OF ALTERNATES IF REQUIRED

Members Present: Marc Weingarten, Chairman; Karen Casey, Adam Manes

Consultant Present: Glenn Chalder, Planimetrics

Staff Present: Donna Hayes, LUA

3. APPROVAL OF MINUTES:

3.A. Approval of Special Meeting Minutes of October 14, 2021

Mr. Manes made a motion to approve the Special Meeting Minutes of October 14, 2021 as presented. Mr. Weingarten seconded and the motion carried unanimously.

4. NEW BUSINESS:

4.A. Review of Booklet #4: Sustainability and Resiliency

Mr. Chalder explained that Booklet #3 has not been prepared yet because he was waiting for the census data to be released. Once he has that information, the booklet will be created and reviewed by the sub-committee. Eventually, all the booklets will be in sequential order for review by those interested.

With regard to the integration of the booklets into the actual POCD, based on conversations during their specific review, chapters of the booklets might end up being dispersed strategically throughout the POCD, edited or completely rethought. The review process will dictate the actual set up of the POCD.

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Mr. Chalder then turned the conversation to this particular booklet and suggested highlighting issues of sustainability and resiliency since it has grown in importance over the last 10 years. He explained the formatting of the tables that are located throughout the booklet with text in black indicates an ongoing philosophy, position or statement that is probably going to persist in Kent for quite some time. Text in red italic is more likely to be action steps or something we might want to convert to an action step. Once the action has been completed, that red italic text would be changed to black text. Mr. Chalder said that he would provide Ms. Hayes with an Excel spreadsheet with a list of all of the action items that would be updated as action items are completed. It was asked how the Commission would actually get other organizations to commit to the action items. Mr. Chalder replied that having conversations with them before the finalization of the POCD would be key. In some cases, a particular organization might not want to be involved or they might want to change the verbiage to make it fit better into their goals. In some cases, sub-committees are formed to meet quarterly to review progress on the action steps; it will all depend on what works best for Kent.

Mr. Chalder pointed out the information on the CT Sustainability program and commented that he did not think it would be necessary to include all of this information in the POCD, but rather just include a sidebar with the link to their website. The information in the booklet would only be for informational purposes.

With regard to hazard mitigation, Mr. Weingarten suggested that the POCD should have an eye on continuous support of the emergency management and CERT programs.

Mr. Weingarten then asked if the discussion could go back to page 2 of the booklet and asked that the Town be provided with some sort of road map with regard to carbon neutral and/or carbon negative.

With regard to the electric charging stations, Mr. Chalder said that is now a hot topic especially since Kent is somewhat of a tourist destination. Ms. Hayes said that a new regulation would have to be written with regard to the installation of the charging stations as they are considered structures and must meet setback requirements. Mr. Chalder agreed with Ms. Hayes and suggested that it might be beneficial to consider them “infrastructure” and either not require a zoning permit or require a 0’ setback.

It was noted that it was not realistic for the Town to take action to reduce water usage as stated on page 2, section 4.2.1.2.b. Mr. Chalder said that he will take a look at those statements.

With regard to solar energy, it was suggested that the POCD take the lead on its use. This could come in the form of a tax incentive which would involve action by the Board of Selectman and others. Ms. Hayes explained that no zoning permit is required to add rooftop solar unless it is substantially changing the roof height, but building and electrical permits are required. If a ground mounted system is being installed, zoning and/or wetlands is required as is approval by TAHD.

Mr. Chalder asked those present what their thoughts were with regard to wind generated energy whether attached to the house or as large as a solar farm. Mr. Weingarten said that he did not mind them as long as they were not in the center of Town. Mr. Chalder said that he would like to take a look back at the regulations to see how they are handled because, in some cases, the Siting Council could get involved in the construction of a solar farm and would take the zoning regulations into consideration when making their decision. Based on the discussion, Mr. Chalder said that he would like to craft the wording that captures the conversation and include in the POCD that the Town has reservations about large scale applications based on location, topography, assets, resources, etc.

With regard to sections 4.2.2.7 and 4.2.3, Mr. Weingarten recalled some of the past programs that were offered to the residents of the Town and suggested that maybe the private schools could be a little bit more involved in the

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creation of newer programs. He asked if this topic was discussed anywhere else. Mr. Chalder responded that it is addressed later on in the POCD.

A question was asked about how they can diversify the tax base. Mr. Chalder replied that it will be discussed again in one of the other booklets and the discussion should center on whether or not there were ways to enhance the tax base through the town center and through other non-residential types of growth. You could also increase the tax base by encouraging spending, employment. He will take the comment into consideration and see if he can come up with something to add to the POCD.

4.B. Review of Booklet #5: Preserve and Conserve Important Assets

Mr. Chalder began this discussion by explaining that this document relates to the conservation or protection or preservation of something that the Town cares about. It was stated that the chapter didn't seem to flow smoothly and Mr. Chalder said that the POCD might up with separate chapters or regrouping them into something that would be organized better.

The first element for conversation is protecting natural resources. These are listed on the maps that were created. The same applies for the water resources. It was asked what significance the Scenic and Wild designation of the Housatonic River holds. Mr. Chalder replied that there is some level of coordination between the state and federal governments to provide some protection which can affect some of the activities along the river. He believes that some comment should be included about the continuation of the pursuit of the designation.

With regard to the natural diversity map, Mr. Chalder suggested that the Planning & Zoning application be updated to include a question about whether or not the work being proposed is within any of the areas indicated on the map. This could trigger a review by the Commission. Obtaining permission from the DEEP would protect the town should work be done within a natural diversity area. After reviewing the map, it was noted that a legend would need to be inserted on the map. With regard to identifying who created all the maps for the POCD, Mr. Chalder said that at the end of this process, all the maps will be turned over to HVA for the future but he will add a note up front somewhere that thanks HVA for all of the data, that all of the maps are conceptual in nature and not intended to be used for detailed research.

Open space and unprotected land will be further explained but there was a question on the organization. Identifying those areas could help provide a foundation for acquisition or protection of open space. It was pointed out that the tables currently making up sections 5.3.1., 5.3.2. and 5.3.3. list the examples in numerical order and it was decided to remove all numerical identifications and replace them with bullets. It is believed that listing the identified areas in numerical order places an illusion of importance of one item over another. Mr. Chalder said that he would eliminate the word "priorities" and each category will be listed in alphabetical order.

Mr. Chalder stated that Kent has great tools in place with regard to conservation and preservation easements or donation of property to the local land trusts and believes that the Conservation Commission is probably the best agency for coordinating open space preservation efforts. Hopefully, they will provide some feedback to the Commission as to whether or not they would be happy to do this. If not, another solution will be figured out. The bigger question according to Mr. Chalder would be who should be the lead in establishing a land acquisition fund.

It was suggested that the subdivision regulations be adjusted to address open space and that the definition of open space be revisited including that open space should be land preserved for ecological reasons. It was suggested that Mr. Chalder be aware that removing land from the tax records is a sensitive issue for some residents.

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Mr. Weingarten commented that he was not aware that the regulations provided for a fee in lieu of open space. Mr. Chalder explained that used properly it is a great tool to protect a piece of land that might not be part of the development since that fee could be applied to the purchase of another piece of land. Doing this could enhance the systems already in place or interconnect areas together to create greenway trails or wildlife corridors.

Mr. Chalder pointed out that it will be important to identify the fact that the Town does have areas that are taking advantage of the resources to promote activities for farms and farming. He believes the Town is in good shape with that regard and that is why there are no action points listed in the section.

With regard to cultural resources and research, Mr. Chalder stated that there is evidence of a Native American settlement as well as recognized historic resources in Town. He pointed out the Flanders district and the fact that some houses are on the National Register of Historic Places. The section just recognizes these resources and they will be show on the map so that people have an understanding of the location of these resources in the community. Ms. Hayes asked for a correction to the side bar entitled “Barnabas Hatch House/Marble Valley Farm (170 South Kent Road)”; Mr. Chalder circled it and will make the correction. Mr. Chalder suggested adding a box to the application form so that awareness can be raised with regard to the possibility that a project being built in a sensitive area.

With regard to section 5.5.3 on page 16, Ms. Hayes noted that there are two factions of the Schaghticoke Indians; one is the Tribal Nation and the other is Indian Tribe. Mr. Chalder said that he will delete the words “Tribal Nation” and replace them with “reservation”.

With regard to the Town character areas, Mr. Chalder said that he is in the process of getting an updated data layer from HVA in terms of those character areas. He would like to add two additional areas. One is known as Cobble Hill which is the hill behind Town Hall and the other is all of the dirt roads in the Town. He believes that they are an important part of the character of the community. The name “Cobble Hill” was questioned and Mr. Chalder said that he picked that name up off of a GPS map but would do some research to confirm it. If it is included in the Kent Town Center, he will remove it. With regard to the dirt road, Mr. Chalder said that he would leave it but leave a question mark in the sidebar and see what kinds of responses are received. With regard to the table on page 20, Mr. Chalder will remove the numbers. Mr. Chalder would also like to add a section on scenic views and believes that is something that the Commission can discuss.

Also located on the Scenic Resources maps are references to 490 areas. Mr. Chalder asked Ms. Hayes to speak with the Assessor to obtain more information on how the 490 program works in Kent.

As a sidebar, Mr. Chalder said there was a discussion in the 2012 plan about the Town adopting regulations with regard to illumination and noise in the Village Center. A comment was made that a noise ordinance be created.

Mr. Chalder asked about stone walls and whether or not the Town would want to create a stonewall ordinance. It was left open to discussion.

Mr. Chalder said that the next booklet for discussion will be called “Development Strategies” which will center around business and economic development and residential development. Any discussion on housing needs will be discussed at a later date, after the Town completes their affordable housing plan.

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4.C. Scheduling of Next Meeting

The Sub-Committee's next meeting will be January 20, 2022, at 6:00 p.m. at which time they will review two new booklets.

5. ADJOURNMENT

Mr. Manes moved to adjourn at 7:51 p.m. Mr. Weingarten seconded and the motion carried unanimously.

Respectfully submitted,

Donna M. Hayes

Donna M. Hayes, CZEO
Land Use Administrator