

**TOWN OF KENT
PLANNING AND ZONING COMMISSION**

41 Kent Green Boulevard
P.O. Box 678
Kent, CT 06757
Phone (860) 927-4625 Fax (860) 927-4541

RECEIVED FOR RECORD
KENT TOWN CLERK

2016 DEC 27 P 1:29

BY *J. Bradley*
TOWN CLERK

DECEMBER 22, 2016 SPECIAL MEETING MINUTES

The Town of Kent Planning and Zoning Commission held a special meeting on Thursday, December 22, 2016 at 6:00 p.m. in the Kent Town Hall.

1. CALL TO ORDER

Mr. Johnson called the meeting to order at 6:04 p.m.

2. ROLL CALL AND APPOINTMENT OF ALTERNATES IF REQUIRED

Commissioners Present: John Johnson, Chairman; Karen Casey, Darrell Cherniske, Marc Weingarten, Matt Winter, Wes Wyrick

Staff Present: Donna Hayes, Land Use Administrator

Mr. Johnson elevated Mr. Weingarten to voting status.

3. OLD BUSINESS:

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

3.B. DISCUSSION AND POSSIBLE DECISION

Mr. Weingarten moved to hear agenda item 3.B.1. after 3.B.2. Mr. Cherniske seconded and the motion carried unanimously.

3.B.1 Modification to Application #97-15C, 3 Maple Street, LLC, Map 19 Block 42 Lot 33; modification to include the enlargement of the westerly porch.

Messrs. Cherniske and Wyrick recused themselves from this discussion.

Ms. Hayes explained that she had a revised site plan for the modification and showed the Commission that the new addition would comply with the set-back requirement of the Village Center – Commercial District.

TOWN OF KENT PLANNING AND ZONING COMMISSION
SPECIAL MEETING MINUTES FOR DECEMBER 22, 2016

These are draft minutes. Corrections may be made by the Commission at the subsequent meeting. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.

Mr. Winter asked if it would be possible to have the average front yard setback distance added to the site plan so that it would be clear how the front porch and the bilco doors sit on the property in relation to the setbacks as of this date. Ms. Hayes said that she would ask Mr. Wyrick to add it to the site plan.

Mr. Winter moved to approve Modification to Application #97-15C, 3 Maple Street, LLC, Map 19 Block 42 Lot 33; modification to include the enlargement of the westerly porch with the understanding that the site plan be revised to show the average setback line of 20.06' as of this date. Ms. Casey seconded and the motion carried unanimously.

3.B.2. Review of changes requested/changes made of the draft zoning regulations.

Ms. Hayes explained the comparison she had compiled on the changes recommended by Attorney Zizka and the ones made by Mr. Chalder. It was her suggestion that the Commission review the document and decide which items they felt were important for Mr. Chalder to change if he had not done so. Mr. Weingarten said that he started to go over the comparison but thought it would be hard to make a decision without knowing why Attorney Zizka or Mr. Chalder acted the way they did. He continued that any decisions by the Commission would be made "de novo" and suggested that the Commission accept Attorney Zizka's suggested modifications since he is the Commission's attorney.

Ms. Casey agreed with Mr. Weingarten. Mr. Johnson said that he thought that the Commission should go through it page by page. Mr. Weingarten said that there are things that Atty. Zizka wanted to be removed that are still in and there are some sections that need to be moved that were not. Ms. Hayes said that maybe she should have sent the comparison to Mr. Chalder to ask him why things were not done.

Mr. Weingarten asked how the changes would be incorporated. Ms. Hayes said that she had created another document that will contain the Commission's comments; that document would be sent to Mr. Chalder for action.

Mr. Cherniske said that he would err toward Mr. Chalder's interpretation because he knew our intent and worked with the Commission for 2 years.

Mr. Wyrick asked Ms. Hayes if she saw anything of substance while doing her comparison and she replied that she did not. Ms. Casey agreed as did Mr. Wyrick. Mr. Wyrick said that if the comment is technical in nature and has changed the substance, the Commission should go with Atty. Zizka's suggestion.

Mr. Winter agreed that there was really nothing substantive in the changes. He continued that he would trust Mr. Chalder since the Commission has been working with him for the past two years but understands the importance of Atty. Zizka's comments.

Mr. Johnson suggested that the Commission review Ms. Hayes' document for 30 minutes and then decide where to go after that.

With regard to 1220, the Commission would like Mr. Chalder to put the bullet in.

With regard to 2120.7, the Commission decided that it can remain as written by Mr. Chalder.

With regard to 2130.1, it was suggested that the wording be changed to "the word parcel, plot and lot shall have the same meaning."

TOWN OF KENT PLANNING AND ZONING COMMISSION SPECIAL MEETING MINUTES FOR DECEMBER 22, 2016

These are draft minutes. Corrections may be made by the Commission at the subsequent meeting. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.

The Commission were okay with the changes Mr. Chalder made to section 2130.7. They were also okay with the changes he made to the definition of "accessway" and "building coverage" and felt that the diagram helped with the definition.

With regard to the definition of "building height", Mr. Chalder made the changes but did not respond to the question regarding using the highest point. It was decided by the Commission that the regulations had always referred to the mean height and they would like it to remain. The diagrams also helped with this definition.

The Commission decided to take out "or athletic" and "non-profit" from the definition of club.

Under the definition of "day care", Attorney Zizka struck "for a part of the 24 hours in one or more days in the week"; Mr. Chalder did not make the change. It was decided that since it does not add anything, Mr. Chalder should delete it.

With regard to "deck", Atty. Zizka struck "generally without a roof"; Mr. Chalder made no change. Mr. Weingarten said he thought Atty. Zizka was striking it because the wording was superfluous. It was decided that it should be deleted.

Mr. Johnson said that the Commission had been working on this for the past 30 minutes and asked the Commission how they would like to proceed. Mr. Wyrick said that it was obvious that this review will take longer than 8 hours.

Attorney Zizka has recommended that the definition of "drainage" be removed. Mr. Chalder left the definition in and the Commission agreed.

At the end of this portion of the review, it was decided that Ms. Hayes go through this chart and highlight those changes she believes are of importance for discussion. The chart will be sent out to each member for their individual review.

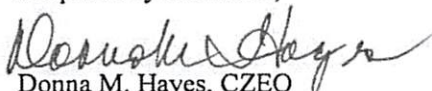
Mr. Weingarten moved to hear agenda item 3.B.1. at this point in the meeting. Mr. Winter seconded and the motion carried unanimously.

4. ADJOURNMENT

Messrs. Cherniske and Wyrick returned to the meeting.

Mr. Winter moved to adjourn at 7:06 p.m. Mr. Weingarten seconded and the motion carried unanimously.

Respectfully submitted,


Donna M. Hayes, CZEO
Land Use Administrator

RECEIVED FOR RECORD
KENT TOWN CLERK
2016 DEC 27 PM 4:29
BY 
TOWN CLERK

TOWN OF KENT PLANNING AND ZONING COMMISSION
SPECIAL MEETING MINUTES FOR DECEMBER 22, 2016

These are draft minutes. Corrections may be made by the Commission at the subsequent meeting. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.