

**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

**SEPTEMBER 10, 2015 REGULAR MEETING MINUTES**

The Town of Kent Planning and Zoning Commission held a regular meeting on Thursday, September 10, 2015 at 7:00 p.m. in the Kent Town Hall.

**1. CALL TO ORDER**

Mr. Johnson called the meeting to order at 7:03 p.m.

**2. ROLL CALL AND APPOINTMENT OF ALTERNATES IF REQUIRED**

Commissioners Present: John Johnson, Chairman; Matt Winter, Vice Chairman, Alice Hicks, Mark Weingarten, Rich Chavka, Darrell Cherniske, Karen Casey and Wes Wyrick

Staff Present: Donna Hayes, Land Use Administrator  
Jennifer Calhoun, Land Use Clerk

Mr. Weingarten and Mr. Chavka were appointed to voting status.

*Mr. Winter moved to add the following items to the agenda:*

6.B.2. Application #62-15C, Arthur H. Howland & Associates, P.C., for Kent Center, LLC, 9 Maple Street, traffic and pedestrian circulation improvements, signage, relocation of structures, Map 19 Block, 42 Lot 35.

6.B.3. Application #63-15C, Arthur H. Howland & Associates, P.C., for 3 Maple Street LLC, 3 Maple Street, traffic and pedestrian circulation improvements, signage, relocation of structures, Map 19 Block 42 Lot 33.

6.B.4. Application 64-15C, Arthur H. Howland & Associates, P.C. for Kent Center, LLC, 10 North Main Street, traffic and pedestrian circulation improvements, signage, relocation of structures, Map 19 Block 42 Lot 29.

*Mr. Chavka seconded and the motion carried unanimously.*

Mr. Wyrick entered the meeting and Mr. Chavka was de-elevated.

**3. READING AND APPROVAL OF MINUTES:**

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**3.A. Regular Meeting Minutes of August 13, 2015.**

Mr. Johnson noted that the section about Rick Levy in the minutes should be placed under section 4. Karen Casey stated that she was not listed as a present Commissioner.

*Mr. Winter moved to approve the regular meeting minutes of August 13, 2015 with the changes stated above. Mr. Cherniske seconded and the motion carried unanimously.*

**4. PUBLIC COMMUNICATIONS (ORAL):**

**5. OLD BUSINESS:**

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

**5.B. DISCUSSION AND POSSIBLE DECISION**

**5.B.1. Rewrite of Zoning Regulations**

Mrs. Hayes noted that there will be a meeting on September 21<sup>st</sup> at 7 pm. During the first half hour, Sean Hayden of Northwest Conservation District will be speaking about the inner and outer corridor.

**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. Modification to Applications 41-15SP and 42-15C, SiSG, LLC, 39 North Main Street, modification to include adding one office, Map 19 Block 15 Lot 17.**

Karren and Chris Garrity were present for the modification to their approved application. Mr. Garrity noted that only 2 offices would work on his property economically. A laptop showing photos of parking along Main Street was passed around to the Commissioners. He noted that it shows very little parking problems during the Monday-Friday, work-day hours.

Mr. Garrity explained that leased parking spaces could be an option for the offices. They have reached out to the Kent Town Center, Bank of America and Bain Real Estate.

Mr. Garrity passed around the floor plan design for the office. One office is 12' x 15' and the other is slightly larger. The offices would be used part-time.

Mr. Johnson asked about the tenants parking and Mrs. Garrity noted that they already park in the driveway and Mr. Garrity added that they have always parked there.

The Commissioners tried to understand what was being presented to them. Mr. Weingarten noted that it had previously been approved for 1 professional, no employees and no staff. Mr. Winter stated that it is now for a second office with 1 professional.

Mr. Johnson noted that he took his own informal survey of parking on North Main Street during business hours. He stated that he wrestled with the idea of Main Street parking having a quick turnover and used by tourists, not

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designated for someone all day long. He added that he felt comfortable with the concept after seeing that there was space on North Main Street outside the building during the day and that the evenings and weekends will not conflict.

Mr. Winter noted that he felt more comfortable and that there seems to be enough parking within distances allowed to consider.

Mr. Wyrick raised the question about leased parking and whether they were assigned. Mr. Garrity noted that Dr. Monserrat's parking at the Kent Town Center is. Mr. Wyrick added that leased parking for this application would go a long way.

Mr. Garrity noted that if the public restrooms and parking are approved and built by the town, there would be even more public parking within 500' of his building.

Mrs. Garrity stated that as of Tuesday, there was an approved modification by the State Building Inspector that they do not need a handicap spot.

Ms. Winter asked how big the paved area was and Mrs. Garrity stated that it was 25' x 45'.

Mr. Cherniske stated that 2 professional offices change the dynamics and provide more order on Main Street.

Mr. Hicks questioned the part-time status of these professionals and Mrs. Garrity stated that they also work at other locations.

Mr. Johnson noted that he would be comfortable with a lease agreement for 1 space per professional.

The Commission and the Garritys agreed to this proposal.

*Mr. Winter moved to approve the modification to applications 41-15SP and 42-15C, SiSG, LLC, 39 North Main Street, modification to include adding one office, Map 19 Block 15 Lot 17, with the condition that there always be 2 designated spaces for each professional within 500' of the building. Mr. Weingarten seconded and the motion carried unanimously.*

6.B.2. Application #62-15C, Arthur H. Howland & Associates, P.C., for Kent Center, LLC, 9 Maple Street, traffic and pedestrian circulation improvements, signage, relocation of structures, Map 19 Block, 42 Lot 35.

6.B.3. Application #63-15C, Arthur H. Howland & Associates, P.C., for 3 Maple Street LLC, 3 Maple Street, traffic and pedestrian circulation improvements, signage, relocation of structures, Map 19 Block 42 Lot 33.

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6.B.2, 6.B.3 and 6.B.4. will be heard together.

Mr. Cherniske and Mr. Wyrick recused themselves from these applications.

Paul Szymanski, Professional Engineer from Arthur H. Howland & Associates, P.C., Nick Fobes, PLA, LEED AP Principal of Hoerr Schaudt Landscape Architects and Hiram Williams were present for the application.

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Mr. Szymanski noted that the modified plans show a 43.4% signage decrease. His clients are now owners of 3 Maple Street. He went on to show the modifications to the Commission.

- The sign at the corner of Rt. 341 and Rt 7 has been removed
- The freestanding sign at the farm shop has been removed
- The wall sign on the south side of B. Johnstone has been removed
- The historical building to be relocated, will remain where it is on the property.
- The windmills were eliminated.
- The freestanding sign to the rear of Giffords was 20 sf and is now approximately 4 sf.
- Decreased width of signage along coffee shop.
- A small farm shop sign on the north side of house of books was added.
- A freestanding farm shop sign along the walkway by the house of books has been added.
- They have reduced the painted signage on the gable end of the Morrison Gallery by 30%.
- Reduced the hanging signs at the farm shop by 25%.
- Removed the freestanding sign at the farm shop.
- Gifford's awning is now a pergola-type structure but covered.

The location of the pergola was discussed. Mrs. Hayes wondered why it would not be located closer to the parking lot and Mr. Szymanski noted that people would not go between cars to get under it.

- They changed the fencing at the corner of Rt 341 and Rt 7 so that there are open fences
- There is a 6' fence along the back property line.

Ms. Hicks was concerned about all the "Kent Barns" signs. She counted 5 of them. She noted that they seemed redundant. Mr. Szymanski noted that they have 15 buildings.

Mr. Weingarten asked about the size of signs and how they compared to what's allowed by the regulations.

The Commissioners then discussed the fact that 3 Maple Street and 10 North Main Street were not part of the original alternative signage program. They are separate lots. Mrs. Hayes noted that the signs on these lots would need to meet the sign requirements in the regulations.

Mr. Winter stated that he would not be in favor of reviewing these separate lots not under the alternative signage program. He felt the signage should be cohesive.

Mrs. Hayes read the alternative signage program regulation. Mr. Szymanski noted that he would carefully look at the regulations and sit down with Mrs. Hayes.

Mr. Williams noted that the three parcels area under different LLC's and would be very complicated to put them together. He added that there are no proposed signs on 3 Maple Street and felt that the signs proposed for 10 Main Street meet the zoning regulation requirements.

Ms. Hicks noted the redundancy of the signs again and Mr. Williams noted that they have 3 entrances.

Mr. Johnson asked about the timeline for the application and Mrs. Hayes noted that they have 35 days, but can ask for an extension.

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Mrs. Hayes asked if she could get a PDF of the prints so that she could send them to Anchor Engineering and Landscape Architect, Dusty McMahan and Kent Fire Dept.

Mrs. Hayes wondered if Fulling Lane had been tweaked. Mr. Szymanski noted that it was made wider.

Mr. Johnson noted that the plans should be sent to ARB again. Mr. Szymanski agreed and noted that they had asked for certain things.

Mr. Johnson noted that they he would like to see traffic flow and parking.

Mr. Winter stated that he was trying to figure out the parcel separations versus the roadways. He noted that he was nervous with the 3 separate applications. Mr. Szymanski noted that there would be a blanket access and parking agreement. Mrs. Hayes noted that it should be on the land records.

Mr. Chavka asked if there was enough parking.

Mr. Szymanski noted that the existing parking is 100 and they are proposing 108 spaces.

Mr. Winter wondered how the 108 compared to the regulations and uses.

Mrs. Calhoun noted that there was a change of use at the Farm Shop.

Mr. Johnson noted his concern about the traffic circulations and the 2 one-way areas.

Mr. Szymanski stated that there is currently no way to access 9 Maple Street off of Main Street. Fulling Lane has proposed to be opened up for 2 way access. They are also opening the accessway between the coffee shop and B. Johnstone to allow walkways on both sides and one-way vehicular access.

It was a concern that the north side of the site would allow firetruck and ambulance access.

Mr. Johnson asked if the walkways were raised and it was noted that all interior crosswalks area raised.

Mr. Chavka was concerned about parking for tourists versus employees. Mr. Szymanski noted that they are encouraging employee to park in more remote/less used spots.

Mrs. Hayes mentioned the apartments and were the residents would park and Mr. Szymanski showed her on the plan that it was in the north corner of the property.

Mr. Johnson noted that he liked opening Fulling and Old Barn Roads, but was still uneasy about removing the parking alongside the coffee shop. He felt like that was important parking for Main Street businesses. Mr. Szymanski noted that the downtown study encouraged sidewalks for pedestrian access. Mr. Johnson suggested having curb cuts, but then allowing parking on one side. Mr. Szymanski stated that he would look into that. Ms. Casey stated that it was super important to have walkways and that it was too narrow for parking. Mr. Williams noted that they are encouraging pedestrian traffic into the development. Mr. Szymanski stated that he would see what he could do to balance comments. Mr. Johnson just wondered what the long term effects would be to the businesses on Main Street.

It was noted that the plans would be sent to the ARB, Gomen and York, Anchor Engineering and the Kent Fire Department.

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Mr. Szymanski stated that he would provide a summary based on the tweaks and information on each property of its intents.

Mr. Winter asked about the public restrooms and wondered if they would reconsider opening them to the public again. Mr. Szymanski stated that there are no discussions to open the bathrooms to the public.

Mr. Wyrick and Mr. Cherniske returned to the meeting at this time.

## **7. STAFF REPORT:**

### **7.A. Conversation with Glenn Chalder, Planimetrics, regarding new drone regulation.**

Mrs. Hayes noted that she spoke with Glenn Chalder regarding drones after it was brought up by Rick Levy at the last meeting. Mr. Chalder noted that the only thing he could find is that other towns are looking into it also and looking for the same information. Mr. Chalder noted that it was something to start looking into, but he doesn't know where to start. It is something that is not tied to the land. He suggested that instead of making it a zoning regulations, perhaps making a town ordinance.

## **8. REPORT OF OFFICERS AND COMMITTEES:**

### **8.A. Incentive Housing Zone Study Subcommittee update.**

Mrs. Hayes noted that she has a meeting with Sean Hayden on the 15<sup>th</sup> to walk the property to look for wetlands. Mr. Hayden has recommended that a consultant to an official wetlands report. He noted that whoever is designing the area, they should embrace the drainage ditch and make it part of the land layout.

## **9. OTHER COMMUNICATIONS AND CORRESPONDENCE:**

### **9.A. Administrative Permits and Certificates of Compliance**

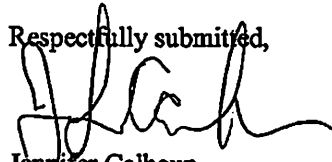
### **9.B. CGS 8-3B Referral, New Milford Zoning Regulations, Chapter 15 Definitions.**

The Commission received these documents.

## **10. ADJOURNMENT**

*Mr. Winter moved to adjourn at 8:37 p.m. Mr. Cherniske seconded and the motion carried unanimously.*

Respectfully submitted,



Jennifer Calhoun  
Land Use Clerk

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KENT TOWN CLERK

2015 SEP 14 P 12:29

*BR Judd B. Calhoun*  
TOWN CLERK 172

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