

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
2018 JUN 18 P 12:09
BY *J. Brady*
TOWN CLERK

JUNE 14, 2018 REGULAR MEETING MINUTES

The Town of Kent Planning and Zoning Commission held a regular meeting on Thursday, **June 14, 2018** at **7:00 p.m.** in the Kent Town Hall.

1. CALL TO ORDER

Chairman Johnson called the meeting to order at 7:00 p.m.

2. ROLL CALL AND APPOINTMENT OF ALTERNATES IF REQUIRED

Commissioners Present: John Johnson, Karen Casey, Anne McAndrew, Darrell Cherniske, Adam Manes, Alice Hicks (7:10), Matt Winter, Marc Weingarten, Wes Wyrick

Staff Present: Donna Hayes, Land Use Administrator and Tai Kern, Land Use Clerk

Anne McAndrew was elevated to voting status.

Mr. Winter moved to add to the agenda 6.B.7., 9.B. and corrected financials to extend through May 2018. Ms. McAndrew seconded and the motion carried unanimously.

3. READING AND APPROVAL OF MINUTES:

3.A. Regular Meeting Minutes of May 10, 2018.

William Butler was corrected to William Bennett on page 3, the spelling of "forebay" was corrected on page 4, "RVFD" was corrected to "KVFD" on pages 5 and 6, it was clarified that Eric Epstein was present, and "Ms." was added to McAndrew.

Mr. Winter moved to approve the Regular Meeting Minutes of May 10, 2018 as corrected. Mr. Weingarten seconded and the motion carried unanimously.

4. PUBLIC COMMUNICATIONS (ORAL): No action taken.

Mr. Wyrick moved to move all items under 6.B of the agenda to the top. Mr. Winter seconded and the motion carried unanimously.

6.B. DISCUSSION AND POSSIBLE DECISION

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- 6.B.1.** Application #29-18C, John E. Casey for John E. Casey, Trustee, changes of use for 6 Kent Green Blvd (retail to restaurant) and 10 Kent Green Blvd (restaurant to retail), Map 19 Block 42 Lot 8.

Donna Hayes reported that 24 seats are proposed for the restaurant and 15 parking spaces are available. She believes there will be three employees. She noted that there will be adequate parking.

Mr. Winter moved to approve application #29-18C, John E. Casey for John E. Casey, Trustee, changes of use for 6 Kent Green Blvd (retail to restaurant) and 10 Kent Green Blvd (restaurant to retail), Map 19 Block 42 Lot 8. Mr. Wyrick seconded and the motion carried unanimously.

Alice Hicks was seated at 7:10 pm.

Daryl Cherniske recused himself.

- 6.B.2.** Application #38-18C, Kent Center, LLC, 9 Maple Street, change of use from restaurant to restaurant/retail sales (real estate office), Map 19 Block 42 Lot 35.

Attorney Manasse came forward and explained that a portion of the former restaurant is proposed to be changed to a real estate office. Donna Hayes reviewed the parking calculations noting that 1 space is required for every 400 square feet.

Mr. Weingarten moved to accept waivers 4.3.3 through 4.3.13 for application #38-18C, Kent Center, LLC, 9 Maple Street, change of use from restaurant to restaurant/office (real estate office), Map 19 Block 42 Lot 35. Ms. Casey seconded and the motion carried unanimously.

Mr. Wyrick moved to approve application #38-18C, Kent Center, LLC, 9 Maple Street, change of use from restaurant to restaurant/office (real estate office), Map 19 Block 42 Lot 35. Mr. Weingarten seconded and the motion carried unanimously.

Daryl Cherniske was reseated and Anne McAndrew stepped down from voting status.

- 6.B.3.** Pre-application discussion regarding site renovations to the existing structure located at 5 South Main Street, Map 19 Block 12 Lot 5 and owned by MKN Property Holding, LLC.

Mark Smith, Civil Engineer and Lou Salerno came forward and reviewed the site plan for the property. He explained that the tanks are required to be removed and replaced. New tanks will be placed in the same location. The kerosene will be eliminated and the diesel will be removed from the canopy area and placed in a different area along with a gasoline dispenser to prevent back up under the canopy by the larger vehicles. New paving would be added where the trucks would sit.

Interest has been expressed in obtaining a sewage connection and they are exploring seeking permission for this. The Commission requested that Mr. Smith consider the traffic pattern and the curb cuts. Mr. Smith advised that they have not consulted with the DOT regarding this project, however, if curb cuts are reconsidered the DOT will be consulted.

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Mr. Smith noted that there is no new sign plan; however, rebranding is expected and they will come forward with that proposal once it is available.

Mr. Smith agreed to return for a special permit site plan review. It was suggested that elevations be provided and runoff be considered.

6.B.4. Discussion and possible approval of amendments to the Town of Kent Zoning Regulations, originally adopted in 1965, and last updated on September 30, 2013.

Donna Hayes reported that there is one remaining question regarding Incentive Housing Zone. The density of four housing units as opposed to six units as suggested by the State was questioned by the Conservation Commission. The Planning and Zoning Commission agreed that they have previously considered this topic and it should remain as four housing units

Mr. Winter moved to approve the proposed Town of Kent Zoning Regulations, effective July 1, 2018. Mr. Cherniske seconded and the motion carried unanimously.

Daryl Cherniske recused himself and Anne McAndrew was elevated to voting status.

6.B.5. Clearing of approximately 6 acres at 47 Carter Road, High Watch Recovery Center, Inc., Map 14 Block 21 Lot 17.

Donna Hayes reported that she received inquiries regarding the clear cutting at 47 Carter Road. She viewed the site with Vinny Roberti and was surprised at the amount of clearing. Vinny Roberti came forward and reported that 30,000 board feet was harvested. Mrs. Hayes reported that she researched this matter and found that a forestry application was required at the very least.

Vinny Roberti explained that they did not cut any trees for the purpose of forestry. Jerry Schwab offered his apologies if they did not communicate that clearly, but the clearing for the paddocks was the intent.

Donna Hayes clarified that High Watch is not considered a farm; therefore, the exemptions do not apply. Attorney Joe Williams noted that the request for a forestry application is not unreasonable and agreed to work with Mr. Adam Osborne to submit such an application.

Daryl Cherniske was reseated and Karen Casey stepped down.

6.B.6. Scheduling of an informational meeting with Kent Volunteer Fire Department.

Mr. Wyrick moved to table the scheduling of an informational meeting with Kent Volunteer Fire Department. Mr. Weingarten seconded and the motion carried unanimously.

6.B.7. Preliminary discussion on a change of use of 9 Railroad Street, Kent Station Square, LLC. Map 19 Block 42 Lot 5

Karen Butler came forward and discussed the three buildings on this property. She requested the Commission's guidance regarding how they can divide the lot in two. She reviewed the property survey with the group. She asked whether the Commission wants historic buildings to remain in Kent and if so can the Commission accommodate the proposal to divide the property.

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Wes Wyrick noted that of course they would like to have historic buildings remain; however, what Mrs. Butler needs to do is have a planning study done. He asked whether she considered moving the buildings to a different location on the property.

Chairman Johnson advised that the Regulations are what they are and he would not be in favor of crafting a new regulation just for this property. However, if Ms. Butler would like to come forward with a proposal for a new regulation the Commission would certainly consider it. It was suggested that Ms. Butler first determine what she would like to do with the property and then go from there.

5. OLD BUSINESS:

Karen Casey reseated. Wes and Darvl stepped down.

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

- 5.A.1.** Applications #23-18C and #24-18SP, High Watch Recovery Center, Inc. 54 Carter Road, Map 14 Block 22 Lot 6 and 62 Carter Road, Map 14 Block 22 Lot 7, Construction of two-story addition (including offices, 218-seat lecture hall and 12-bed detoxification wing) to existing administrative and clinical office building at 62 Carter Road; single story addition and kitchen expansion to dining hall at 62 Carter Road; addition of detoxification service at 62 Carter Road; increase total residential in-patient bed count from 78 to 90 at 62 Carter Road; conduct therapeutic activities associated with the treatment of drug and alcohol addiction at 54 Carter Road; construct driveway entrance, parking area, retaining wall and stormwater detention basin at 54 Carter Road; construct new septic system on Carter Road parcel; and associated site work on all three parcels.

Mr. Wyrick and Mr. Cherniske recused themselves. Mr. Manes was elevated to voting status.

Chairman Johnson re-opened the public hearing at 8:20 p.m.

A letter from Tim Good was read for the record (**attached**).

Donna Hayes noted that there was a lot of information that came into the LUO over the past week which is being supplied to the Commission tonight as handouts. This information includes Anchor Engineering's reviews, Milone & McBroom's Traffic Evaluation, and High Watch's responses to questions from P&Z. Adam Manes noted that he would need a couple hours to read through all this information prior to discussing it. Mr. Winter agreed.

Attorney Joe Williams came forward and submitted for the record the wetlands approval for this application (**attached**).

Joe Williams introduced four former High Watch patients who are now employed by High Watch to speak in favor of this proposal:

- Christopher Lord came forward and spoke in favor of this proposal. He went to detox in SC and then to High Watch, which was the best experience of his life.

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- Ted Menight told his story of attending detox several times. He explained that if treatment had been available at the detox facility he may not have had to return to detox as many times.
- Samuel Boyd commented that prior to High Watch he went to detox twice prior to going into treatment and had treatment been available at the same facility he would have been able to stay.
- Patrick Molrine reported that he went through detox without treatment many times. He thinks it is beneficial to people if they can see while in detox that there is hope with a rehab facility.

David Sullivan of Milone & McBroom came forward to review the traffic study. The increase from 78 to 90 patients and increase from 90 to 106 employees were considered as part of his study. He reviewed the service vehicles to be expected on site. He reported that the speed limit is 35 and this is also the 85th percentile speed. Mr. Sullivan reported that they reviewed the traffic volumes. Their analysis came out to be level of service A. Sight lines were reviewed. 390 feet is required and they found there to be 500 feet of sight to the left, which is more than enough. However, going right there is only 200 feet. He noted that it is functioning safely now, but still does not meet criteria. He reviewed a proposal for a new driveway that would better accommodate the right turn sight lines.

Mr. Weingarten questioned the plans for the 218-seat conference center with regard to the low level of traffic noted in this study. Jerry Schwab reported that this facility would rarely be used to its full capacity. He clarified that the 218-seat lecture hall would be used during visitation and this would be an opportunity for everyone to sit in the same room. These visitors would be on the site regardless.

Mr. Johnson noted that he could see the facility growing in the future and questioned what it would take to decrease the level of service. Mr. Sullivan advised that they would have to increase the capacity 10-fold and traffic on Carter Road would need to increase in order to reduce to a level C.

Jerry Schwab reviewed the staff schedule noting that the majority of the staff would be on site during the first shift. This would be approximately 50 employees. 30% staff would be on 2nd shift and 20% of the staff would be on for 3rd shift.

It was confirmed that the Fire Department would be consulted regarding the new driveway configuration.

John Mack, Engineer, came forward and reviewed the changes to the plan as noted in the 6/14/18 plan revision. These changes include two concrete fire tanks, retaining walls, a hydro dynamic separator, and temporary sediment traps. He noted that all the changes were made to accommodate Denise Lord's third review letter.

Mr. Mack agreed to get approval of TAHD regarding detention basin in writing. The water tanks will go to TAHD for approval as well. John Mack reported that he worked with Cathy Weber on her other requirements and confirmed they have been accommodated in this plan.

Dean Petrocelli came forward and confirmed that lighting plan has not changed since presented at the last meeting. There will not be much of an expansion of the PA system.

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Jerry Schwab reported that there are 86 physical beds; however, there are not more than 78 residential guests. They have been running at 72 patients for about 6 months. Mondays and Fridays are their biggest admission days.

Chairman Johnson opened the floor for public comment:

Charlotte Lyndsey, retired alcohol drug and alcohol counselor, came forward to speak in favor of High Watch.

Andy Osif, former Kent State Trooper, noted that he sees a big impact with this plan. He recalled his experiences in the past. He questioned whether they would provide their own ambulance and if they have their own security. Mr. Osif feels this proposal would be a tax on the community.

Chairman Johnson questioned security measures. Jerry Schwab reported that they are not a prison. They have mental health staff and work on modifying and changing behaviors. They do not have the issues that warrant security. Vinny Roberti noted that they have 24/7 video monitoring of public areas. The gate is only open during the daytime. The staff drive up and down Carter Road to be sure no one is parked along the side of the road. It is not often that the State Trooper is called to the site.

Anne McAndrew questioned why they want to add to detox. Jerry Schwab explained that it is an addition to a continuum of care. It is much easier for the patient if treatment is at one place and a better chance for a patient being successful at their sobriety.

Jerry Schwab discussed call volume. He reiterated that they are willing to hire a private ambulance service if they feel the call volume is a problem. They are committed to making it work.

Eric Epstein reported that the ambulances have been to High Watch 40 times since the beginning of the year. This is the highest call volume from High Watch in the past 5 years. They were there 15 times in May. Jerry Schwab reported that he met with the Ambulance Department and they requested that High Watch "throttle it up". He can easily reduce the calls by only sending emergency calls via ambulance.

Mr. Winter reminded the group that there have been conflicting opinions regarding calls with regard to ASAM Level 4 and whether there is more or less of a need for ambulance services.

Matt Starr, past Chief of the Fire Dept, noted that they have discussed this application and he recommends that before the Commission makes a decision they should be sure you get a letter from the Fire Department and EMS. He noted that Mike Petrone has no right to influence whether calls should be increased or decreased. Mr. Starr noted his concerns that stipulations were placed upon Birch Hill for security and no such stipulations are being considered for High Watch. There is only one Trooper in Kent only 6.5 hours per day. There has to be good security.

John Johnson questioned how High Watch can ask to further overload the local services when High Watch argued adamantly that Birch Hill would overload the system. Jerry Schwab explained that a 4.0 should not be in Kent and that these are the sickest of the sick. Mr. Johnson noted that right or wrong this was approved and now High Watch is asking to further overload the system with additional detox beds.

Linda Palmer of 25 Carter Road noted that Mountainside has a 3-1 staff to patient ratio. She questioned when the traffic study was done. Mr. Sullivan reported that it was done June 2nd and 4th. She disputes the

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speed limit and the number of vehicles reported. Additionally, their PA system can be heard. She discussed the Land Trust property bordering High Watch property. She feels the clearing of the property has affected the noise level. She submitted notes of all the Regulations that should apply to this proposal.

Chairman Johnson summarized that the Commission is requesting a letter from Anchor Engineering approving this plan. He asked that the LUO speak with Trooper Andrew Fisher regarding the number of calls to High Watch. Additionally, High Watch should submit a baseline regarding the PA system. He would like to confirm that the KVFD reviewed and approves of the new driveway plan and their thoughts regarding an outside ambulance service being used by High Watch.

Donna Hayes questioned whether there is one person from KVFD that the P&Z can speak with regarding this matter. Mr. Schwab recommends speaking with Office of Emergency Medical Services. Mr. Starr advised that a conversation with one person may be an opinion. He recommends getting a letter from the membership.

Attorney Williams submitted a letter requesting an extension of this public hearing.

Mr. Winter moved to continue the public hearing on applications #12-18C and #13-18SP, High Watch Recovery Center, Inc to July 12, 2018, at 7:00 p.m. Ms. Casey seconded and the motion carried unanimously.

5.B. DISCUSSION AND POSSIBLE DECISION

5.B.1. Approval of Town of Kent Planning & Zoning Commission By-Laws

Mr. Winter moved to table the Town of Kent Planning & Zoning Commission By-Laws to the next meeting. Mr. Weingarten seconded and the motion carried unanimously.

6. NEW BUSINESS:

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

6.A.1. Application #'s 39-18SP and 40-18C, David Schreiber for Club Getaway Landco, LLC, 59 South Kent Road, installation of 10' x 12' shed/information desk on existing footprint, Map 5 Block 40 Lot 3.

John Johnson recused himself and Daryl Cherniske was reseated.

The public hearing was opened at 10:40 pm and Acting Chair Winter read the notice of this public hearing for the record.

David Schreiber came forward and reviewed the plans for the prefab shed, which includes an informational desk. It was noted that this proposal was previously approved years ago, but was never installed.

Acting Chair Winter looked for questions. There were none.

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Mr. Weingarten moved to close the public hearing at 10:43pm for application #'s 39-18SP and 40-18C, David Schreiber for Club Getaway Landco, LLC, 59 South Kent Road, installation of 10' x 12' shed/information desk on existing footprint, Map 5 Block 40 Lot 3. Ms. Casey seconded and the motion carried unanimously.

Mr. Weingarten moved to accept waivers 4.3.5, 4.3.7, 4.3.8, 4.3.9, 4.3.10, 4.3.12 and 4.3.13 for application #'s 39-18SP and 40-18C, David Schreiber for Club Getaway Landco, LLC, 59 South Kent Road, installation of 10' x 12' shed/information desk on existing footprint, Map 5 Block 40 Lot 3. Ms. Casey seconded and the motion carried unanimously.

Mr. Weingarten moved to approve application #'s 39-18SP and 40-18C, David Schreiber for Club Getaway Landco, LLC, 59 South Kent Road, installation of 10' x 12' shed/information desk on existing footprint, Map 5 Block 40 Lot 3. Ms. Casey seconded and the motion carried unanimously.

6.A.2. Application #'s 41-18SP and 42-18C, Joseph Wolinski for The Kent School, construction of storage building, 50 Schaghticoke Road, Map 4 Block 3 Lot 5.

John Johnson was reseated and Daryl Cherniske recused himself.

The public hearing was opened at 10:45pm and the legal notice was read for the record.

Donna Hayes reported that this application is currently in front of IWC. The reason for the shed is to keep dry items that are currently stored in the flood plain that had been flooded during the ice dams. David Bjorklund of Spath-Bjorklund was present representing The Kent School. He added that this will also clean up the area by storing items currently in steel containers. This proposal has been approved by the Housatonic River Commission. There will be no additional exterior lighting. The shed is to be used for storage only and will be placed on a slab

The Commission looked for questions and comments. There were none.

Mr. Johnson moved to close public hearing at 10:53 for application #'s 41-18SP and 42-18C, Joseph Wolinski for The Kent School, construction of storage building, 50 Schaghticoke Road, Map 4 Block 3 Lot 5. Ms. Casey seconded and the motion carried unanimously.

Mr. Johnson moved to table application #'s 41-18SP and 42-18C, Joseph Wolinski for The Kent School, construction of storage building, 50 Schaghticoke Road, Map 4 Block 3 Lot 5. Mr. Weingarten seconded and the motion carried unanimously.

7. STAFF REPORT:

7.A. Attendance at the NWCOG 5th Thursday Meeting, "Planning and Zoning to Provide Housing Options".

Donna Hayes reported on the meeting she attended and discussed the concept of co-housing with the group.

8. REPORT OF OFFICERS AND COMMITTEES: No action taken.

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9. OTHER COMMUNICATIONS AND CORRESPONDENCE:

- 9.A. Administrative Permits and Certificates of Compliance – confirmed received
- 9.B. Monthly Financials – July '17 – May '18 – confirmed received
- 9.C. Bull's Bridge Golf Club, 2017 Annual Monitoring Report, Dated April, 2018. – confirmed reviewed.
- 9.D. Legislative Update – distributed.

10. Executive Session. Pending Litigation: High Watch Recovery Center, Inc., v. Kent Planning and Zoning Commission; Birch Hill Recovery Center, LLC; Kent Realty, LLC in Litchfield Superior Court. Discussion of strategy and negotiations with legal counsel.

Mr. Johnson moved to enter into executive session at 10:56 p.m. Ms. Casey seconded and the motion carried unanimously.

Mr. Johnson moved to exit into executive session at 11:02 p.m. Ms. Casey seconded and the motion carried unanimously.

- 11. Open session involving discussion and possible action on Pending Litigation: High Watch Recovery Center, Inc., v Kent Planning and Zoning Commission; Birch Hill Recovery Center, LLC; Kent Realty, LLC.

No action taken

12. ADJOURNMENT

Mr. Manes moved to adjourn at 11:03 p.m. Ms. Casey seconded and the motion carried unanimously.

Respectfully submitted,

Tai Kern

Tai Kern,
Land Use Clerk

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Planning and Zoning Dept.
Town Hall,
Kent, Ct 06757

June 14th 2018

To Whom it may concern.

I will be absent from the Planning and Zoning Meeting tonight, however as a business owner in Kent, I would like to have recorded some comments regarding the proposed Drug Detox center at High Watch.

I am keen to see this application accepted for the High Watch facility to broaden its program in drug rehabilitation.

We know that the facility for Birch Hill was accepted by the Town after the Planning and Zoning did due diligence and that this facility would also include similar facilities.

I believe that due to High Watch not being within walking distant of the Town, should be considered a benefit. Therefore, I see that any increase in facilities would not only benefit patience of High Watch but also the Town as a provider of services to High Watch commerce and also Visitors to the Facility.

Sincerely,

Tim Good

Business Owner

The Good Gallery

4 Landmark Lane

Kent, Ct. 06757



TOWN OF KENT INLAND WETLANDS COMMISSION

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"This institution is an equal opportunity provider and employer."

CERTIFIED: RETURN RECEIPT

June 14, 2018

Mr. Jerry Schwab
President & Chief Executive Officer
High Watch Recovery Center, Inc.
P.O. Box 607
Kent, CT 06757

Re: Application #1168-18, High Watch Recovery Center, Inc., 54 & 62 Carter Road, addition to existing administration building, parking area, drainage basin and associated grading, Map 14 Block 22 Lots 6 & 7.

Dear Mr. Schwab,

At its regular meeting of the Kent Inland Wetlands Commission held May 21, 2018, the Commission reviewed the above referenced permit application. The Commission moved to APPROVE Application #1168-18, High Watch Recovery Center, Inc., 54 & 62 Carter Road, addition to existing administration building, parking area, drainage basin and associated grading, Map 14 Block 22 Lots 6 & 7 via the following motion:

Mr. Yagid moved to approve application #1168-18, High Watch Recovery Center, Inc., 54 & 62 Carter Road, addition to existing administration building, parking area, drainage basin and associated grading, Map 14 Block 22 Lots 6 & 7. Ms. Smith seconded and the motion carried unanimously.

State Statute provides for a 15-day appeal period on the Commission's decision. This is measured from the date of publication of the Commission's decision in a newspaper having general circulation within the Town of Kent. Please note that this permit shall be null and void if a petition for a public hearing is filed with the agency within these 15 days pursuant to Public Act 98-209. For your information, the date of publication was May 23, 2018.

Your attention is directed to the conditions below. You should read them carefully, as all construction or work must conform to that which is authorized.

Kent Inland Wetlands Commission Permit # 1168-18

May 21, 2018

Page 1

GENERAL PROVISIONS IN THE ISSUANCE OF ALL PERMITS:

1. In evaluating this application, the Agency has relied on information provided by the applicant and, if such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, this permit may be modified, suspended or revoked.
2. All permits issued by the Agency are subject to and do not derogate any present or future rights or powers of the Agency or the Town of Kent and convey no rights in real estate or material nor any exclusive privileges, and are further subject to any and all public and private rights and to any federal, state, and municipal laws or regulation pertinent to the subject land or activity.
3. If the activity authorized by the Agency's permit also involves an activity which requires zoning or subdivision approval, special permit, variance or special exception under Section 8.3(g), 8-3c, or 8-26 of the Connecticut General Statutes, no work pursuant to the wetland permit may begin until such approval is obtained.
4. In constructing the authorized activities, the permittee shall employ best management practices, consistent with the terms and conditions of this permit as needed to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands or watercourses.
5. Permits are not transferable without the prior written consent of the Agency.

GENERAL PERMIT INFORMATION:

1. For regulated activities associated with projects requiring approval under CGS Chapter 124 (Zoning); CGS Chapter 124b (Incentive Housing Zones); CGS Chapter 126 (Municipal Planning Commissions); and CGS Chapter 126a (Affordable Housing Land Use Appeals), permits issued July 1, 2011 or later will have the same expiration as planning and/or zoning approval or 10 years from the date of issuance of the wetlands permit, whichever is earlier. For all other regulated activities, permits issued July 1, 2011 or later will expire between 2 – 5 years from the date of issuance as determined by the Inland Wetlands Agency. Permits can be renewed as long as the total permit duration is not more than 10 years from the date of the original permit issuance.
2. All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structures, excavation, fill, obstructions, encroachments or regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in its modification, suspension, or revocation. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions of this permit.
3. If any changes in these plans are required for any reason that may affect wetlands, watercourses, drainage or regulated areas, the changes must be submitted to and approved by the Inland Wetlands Commission prior to the activity-taking place. Failure to submit changes to the Commission will void this permit.
4. The permittee shall immediately inform the Commission of any problems involving wetlands or watercourses which have developed in the course of, or which are caused by, the authorized work.

GENERAL PROJECT GUIDELINES:

1. All fill from the project shall be stored in the proposed stockpile areas, at a location approved by the enforcement officer or shall be removed immediately from the property.
2. Species listed as invasive or potentially invasive, or any species added on supplemental lists in the future in the State of Connecticut should not be planted on the property or contained in any soil or soil amendment transported to the property. The applicant shall use the Connecticut Invasive Plant List produced by the Connecticut Invasive Plants Council (attached). Only species native to the State of Connecticut may be utilized within regulated area.
3. Any species planted within regulated area must be native to the State of Connecticut as outlined in the "Connecticut Native Tree and Shrub Availability List" produced by the Connecticut Department of Environmental Protection. The applicant is requested to notify the future property owner that the use of invasive species on this property could cause the native woodland to be altered by the invasive species.
4. No equipment or material including, without limitation, fills, construction materials or debris shall be deposited, placed or stored in any wetland or watercourse on or off site unless specifically authorized by this permit.

The Kent Inland Wetlands Commission considered your application with due regard for the criteria enumerated in its regulations and has found that the proposed work, as specified and conditioned above, is in conformance with the purposes and provisions of said regulations and the applicable provisions of the Connecticut Inland Wetlands Act.

The applicant is responsible for acquiring any permits required by the State of Connecticut Department of Environmental Protection and/or the United States Army Corps of Engineers. The permittee shall notify the Wetlands Enforcement Officer immediately upon the commencement of work by sending the enclosed post card. The permittee shall also notify the office upon its completion.

Thank you for protecting the Town of Kent's wetland and watercourse resources. If you have any questions, please contact the Land Use office.

Sincerely,


Lynn Werner, Chairman
Kent Inland Wetlands Commission

Encl.

Cc: Joseph P. Williams, Esq.
Shipman & Goodwin LLP
265 Church Street – Suite 1207
New Haven, CT 06510-7013

1. The purpose of this document is to provide information regarding the activities of the [redacted] in the [redacted] area.

2. The [redacted] has been observed in the [redacted] area, and it is believed that it is engaged in [redacted] activities.

3. The [redacted] has been observed in the [redacted] area, and it is believed that it is engaged in [redacted] activities.

4. The [redacted] has been observed in the [redacted] area, and it is believed that it is engaged in [redacted] activities.

5. The [redacted] has been observed in the [redacted] area, and it is believed that it is engaged in [redacted] activities.

6. The [redacted] has been observed in the [redacted] area, and it is believed that it is engaged in [redacted] activities.

7. The [redacted] has been observed in the [redacted] area, and it is believed that it is engaged in [redacted] activities.

[Handwritten signature]
[Redacted]
[Redacted]

[Redacted]
[Redacted]
[Redacted]

MAINTENANCE SCHEDULES

Temporary Maintenance Schedule of Erosion Control Structures:

Temporary Sedimentation Basin

Monitor sedimentation basin weekly and immediately after any rainfall event of .5" or greater. Repair any problems as soon as practical. Stockpile enough modified riprap (10 cy) at site to stabilize area in case of washout from storm event. If damage to settling basin or level spreader occurs, notify Town of Kent Inland Wetlands within 24 hours to report on level of damage and proposed remedy. If sediment level reaches average depth of 8", remove sediment and stabilize with rye grass and mulch. Dispose of sediment in an approved manner. Provide 48 hours' notice to Town Inland Wetland Office prior to cleaning of settling basin.

Permanent Maintenance Schedule of Erosion Control and Drainage Structures:

Parking Areas & Access Driveways

Annual – sweep parking areas and access driveways and dispose of sweepings in an environmentally acceptable manner.

Catch Basins

Annual – inspect and clean catch basin. Sediment shall be removed from the sump and any trash or debris shall be removed from the grate. Dispose of sediment and debris in an environmentally acceptable manner. Please note: if the catch basin is equipped with a SNOUT, the inspection of this catch basin should be done more often than annually based on past rain events.

Detention Basins

As needed: repair undercut or eroded areas.

Monthly: Clean and remove debris from inlet and outlet structures. Mow side slopes. High grass along basin edge will discourage waterfowl from taking up residence and serve to filter pollutants.

Annual: Mow in mid-fall; inspect for sediment accumulation. If sediment level reaches average depth of 6", remove sediment and stabilize with rye grass and mulch.

Every 5 Years: Remove sediment from forebay and dispose of in an environmentally acceptable manner. Restore forebay to reflect originally approved plans. If it is determined through annual monitoring that forebay is required to be maintained more frequently, provide maintenance such that forebay is cleaned when sediment accumulation is at an average depth of 6".

Every 10 Years: Remove sediment from forebay and rest of basin area if accumulation is significant (significant being average depth of sediment is greater than 6"). Dispose of sediment in an environmentally acceptable manner. Restore area to reflect originally approved plans.

Outlet Discharge/Level Spreader

Inspections: Annual – inspect for damage and repair as required. Monitor for sediment accumulation. Examine inlet and outlet devices and ensure that they are free of debris and operational. Check area during storm event of 1" or greater within 72 hours of end of event. Ensure debris is not preventing level spreader from being operational.

Maintenance: As needed – remove sediment by hand when discharge from detention basin cannot flow freely to entire level spreader and remove sediment to original design elevations.

Annual – mow in mid-fall.