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# 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

### JULY 12, 2018 REGULAR MEETING MINUTES

The Town of Kent Planning and Zoning Commission held a regular meeting on Thursday, July 12, 2018 at 7:00 p.m. in the Kent Town Hall.

#### 1. CALL TO ORDER

Vice Chairman Winter called the meeting to order at 7:05 p.m.

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

Commissioners Present: Karen Casey, Anne McAndrew, Adam Manes,  
Alice Hicks, Matt Winter, Marc Weingarten

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

Anne McAndrew and Adam Manes were elevated to voting statuses.

*Mr. Manes moved to add to the agenda 6.B.3., 6.B.4., and 6.B.5. Mr. Weingarten seconded and the motion carried unanimously.*

*Mr. Manes moved to move 5.A.2. to 5.B.2. on the agenda. Mr. Weingarten seconded and the motion carried unanimously.*

*Mr. Manes moved to move 5.A.1. behind 6.B.5. on the agenda. Mr. Weingarten seconded and the motion carried unanimously.*

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

3.A. Regular Meeting Minutes of June 14, 2018.

*Mr. Manes moved to approve the Regular Meeting Minutes of June 14, 2018. Mr. Weingarten seconded and the motion carried unanimously.*

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

#### 5. OLD BUSINESS:

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### TOWN OF KENT PLANNING AND ZONING COMMISSION

#### REGULAR MEETING MINUTES FOR JULY 12, 2018

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

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

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

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

Donna Hayes reported that the application for this storage building was approved by the Inland Wetlands Commission at their last meeting.

*Mr. Manes moved to approve Application #'s 41-18SP, 42-18C, Joseph Wolinski for The Kent School, construction of storage building, 50 Shaghticoke Road, Map 4 Block 3 Lot 5. 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 54-18SP, 55-18C and 56-18F, Joseph Wolinski for The Kent School, construction of security devices and guardhouse with associated site improvements, 1 Macedonia Road, Map 4 Block 10 Lot 1.

Vice Chair Winter opened the public hearing at 7:10 pm and read the legal notice of this public hearing for the record.

Dave Bjorklund, Professional Engineer, came forward and reviewed the plan to add security to the three main entrances of the campus. The gatehouse will be manned and the two gates will be tied together with the gatehouse. The required flood plain application has been filed and for good practice an area for compensatory storage has been recreated in the yard area. He noted that the street lights on Route 341 no longer light the sidewalk due to the tree growth; therefore, they will be adding lights as well as a crosswalk. He explained that this is a simple proposal to add security to the school as commonly seen at many schools.

Geoff Gaunt, SLAM Architect, came forward noting that the only architecture in this project is the actual gatehouse. He reviewed these plans and distributed a handout. This is a 63 square foot building to be manned 24 hours per day. The intent is to use brick, granite and slate materials that are the same materials used throughout the campus.

It was confirmed that the plan has been coordinated with the KVFD. The gatehouse will be about 100 feet set in from the road. The outside lights are expected to go off by 11 pm; however, the interior lighting will remain on. There will be no spotlights, only downward facing lights. Adjacent buildings will be used for sanitary facilities by the guard. Deliveries to the properties will continue to occur in the same manner they are currently. The gates will be left open for large functions as to not back up traffic onto Route 341.

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An approval of this plan is still required from the Inland Wetlands Commission. This will be on their August agenda. It was asked that confirmation of the KFVD's approval of the plan is submitted for the record.

*Mr. Manes moved at 7:35 pm to continue public hearing for application #s 54-18SP, 55-18C and 56-18F, Joseph Wolinski for The Kent School, construction of security devices and guardhouse with associated site improvements, 1 Macedonia Road, Map 4 Block 10 Lot 1. Mr. Weingarten seconded and the motion carried unanimously.*

## **6.B. DISCUSSION AND POSSIBLE DECISION**

- 6.B.1.** Application #59-18C, Donald J. Cramer Revocable Trust, 23 South Main Street, change of use from commercial to mixed residential/commercial, Map 4 Block 12 Lot 1.

Donald Cramer came forward with a request to change the first floor of this building to residential. This will be approximately 750 square feet. Generally there will be only interior renovations with the exception of windows to be installed on the backside of the building. An ARB review of this plan is not required. It will become two units on the lower level. The second floor consists of two commercial units. Mr. Cramer reviewed the entryways with the Commission.

The group reviewed the parking requirements. There are 8 parking spaces available including the handicap spot. A variance has been previously granted for the parking. This has been brought before the Town Sewer Commission and the application is under review and expected to be approved.

*Mr. Manes moved to approve application #59-18C, Donald J. Cramer Revocable Trust, 23 South Main Street, change of use from commercial to mixed residential/commercial, Map 4 Block 12 Lot 1. Ms. Casey seconded and the motion carried unanimously.*

- 6.B.2.** Scheduling of an informational meeting with Kent Volunteer Fire Department.  
*Tabled*

- 6.B.3.** Appointment of Robert McDowell as Alternate on the Architectural Review Board; term to expire 7/11/2020.

*Mr. Manes moved to appoint Robert McDowell as Alternate on the Architectural Review Board; term to expire 7/11/2020. Ms. Hicks seconded and the motion carried unanimously.*

- 6.B.4.** Re-appointment of John Baker, Ellen Cordell and Frank Way as Members on the Architectural Review Board, terms to expire 8/9/2020.

*Mr. Manes moved to re-appoint John Baker, Ellen Cordell and Frank Way as Members on the Architectural Review Board, terms to expire 8/9/2020. Ms. Hicks seconded and the motion carried unanimously.*

- 6.B.5.** Application #62-18C, John Gleason for 24 South Main Street Kent, LLC, 24 South Main Street, changes of use: building 1 from restaurant/residential to residential/commercial; building 2 from commercial to commercial/residential Map 19 Block 13 Lot 44.

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Mr. Gleason came forward and reviewed a proposal to change the main floor of Building 1 from restaurant/office to residential/office. He noted the proposed entryways on the plan. He would like to change the restaurant area of Building 1 into residential. The Commission confirmed that there is a sufficient amount of parking spaces to accommodate this plan. The second floor of building 2 will be converted from storage to an apartment. The property will now consist of two apartments in building 1 (one in the basement and one on the main floor); a commercial office space and the owner's contractor office and the detached 3 bay garage will be commercial on the main level with one apartment on the second floor. It was noted for the record that there are 9 parking spaces that are unusable. The Sewer Commission has approved this plan and Mr. Gleason is working with the Fire Marshal with regard to the renovations. Sensor lights will be downward shining.

*Mr. Manes moved to approve application #62-18C, John Gleason for 24 South Main Street Kent, LLC, 24 South Main Street, changes of use: building 1 from restaurant/residential to residential/commercial; building 2 from commercial to commercial/residential Map 19 Block 13 Lot 44. Mr. Weingarten seconded and the motion carried unanimously.*

- 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 storm water detention basin at 54 Carter Road; construct new septic system on Carter Road parcel; and associated site work on all three parcels.

Vice Chairman Winter re-opened the public hearing at 7:58 p.m.

Attorney Williams came forward and asked John Mack to discuss adjustments made to the site plan. John Mack, Engineer, reviewed plans dated June 28, 2018 noting a softened entrance for fire truck entry as recommended by the KVFD. The traffic engineer from Milone & McBroom confirmed the calculations for this change. The Fire Department noted concerns with regard to the swing of the bucket for the ladder truck. Vinny Roberti came forward and agreed to make changes to light posts, trims trees and remove parking spaces to accommodate the Fire Department's concerns.

Mr. Mack reviewed revised grading as requested by Denise Lord. Ambulance and first responder parking spots will be added to the plan. It was noted that the total parking spaces is 130 including the existing 56 spaces not showing on the plan.

Alan Gawel, Fire Chief, advised that 47 feet is required for the ladder truck bucket; therefore, the 48 feet allowed should be in the ballpark. Mr. Mack confirmed that the proposed ratios are larger than the existing. Mr. Gawel encouraged that the curb cut be made wider than it is currently. He noted that the rear access is different than what was understood. An extension of the grass pavers to the retaining wall was agreed upon.

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The location of the sprinklers and water tank was discussed. The placement of the two water tanks at 47 Carter Road would require the hoses to block traffic. It was noted that it would be safer to move the tanks to 54 Carter Road to be on the same side of the road. Jerry Schwab explained that it was unlikely that High Watch would use those tanks. Attorney Williams noted that High Watch may want to have people living at 54 Carter Road at some time and questioned if this could be handled in a different manner. High Watch agreed to figure out a spot that works for everyone. Attorney Williams noted that they would agree to condition of approvals with regard to the pavers and water tanks.

Vinny Roberti and John Mack reviewed the PA system noting the existing conditions and the proposed system to include 2 more speakers to be in the detox courtyard and parking lot. He advised that they are phasing out their PA system and using it only in the case of emergency. Announcements are quite often zoned. The speakers will be faced away from neighboring properties.

Jerry Schwab came forward and reported that he met with AMR and has signed an agreement for them to transport nonemergency calls. They will work with the KVFD to use this service to relieve the undue burden on the Kent Volunteer Ambulance Service; however, they will follow the lead of the KVFD to make adjustments.

Leonard Guercia, Emergency Medical Services Expert, came forward and a copy of his resume was submitted for the record. He reviewed the emergency call screening process to determine whether emergency service is required. He did an analysis of High Watch's calls in 2017 and found that 30 of the calls were non-emergency. This would amount to about 50 percent of the calls for 2017.

Mike Petrone confirmed that he met with Jerry Schwab to discuss the use of AMR and agreed that they would review this system in six months. Mr. Guercia clarified that 30 of 70 calls in 2017 were classified as nonemergency.

Jean Speck added that often in rural settings staff comes in from urban areas where they are not accustomed to commercial ambulance companies 50 minutes away and the staff needs to be educated regarding the use of 911.

Marc Weingarten stepped down at 9:00.

Mr. Petrone confirmed that the KVFD along with mutual aid could realistically handle the call volume should the addition of the detox significantly increase the call volume.

Eric Epstein came forward noting the closest AMR ambulance is in Waterbury. He advised that they should take into account that cars may not be available and calls will be forward to Kent Ambulance. He urged the Commission to deny the application and see how this plan with AMR works and then have High Watch reapply in 6 months.

Linda Palmer of Carter Road noted a couple incidents where both ambulances with EMTs have been in front of her house. She has also seen two police there. She advised that this is a very dangerous situation.

Donna Hayes reported that of the calls that were dispatched to High Watch it is unknown by LCD how many were accompanied by the police.

Matt Winter reviewed the applications and the matters that should be considered by this Commission.

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Donna Hayes discussed the offsite impacts in the intensification of use in a rural residential area. It was agreed that this could be further deliberated. Ms. Casey questioned the future potential growth of the facility. Mr. Williams noted that there is no plan for this now; however, they are not saying there will be nothing additional in the future. He advised that they are restricted due to the wetlands. Jerry Schwab noted that the philosophy of the Board is not to become a big residential treatment facility. Adam Manes reiterated that there is a concern with creep in a residential area. He explained that he has observed this over the last 10 years and High Watch continues to purchase property on Carter Road.

The group discussed the uses for the properties owned by High Watch on Carter Road. High Watch confirmed that both 47 and 48 Carter Road are used to house staff.

Anne McAndrew noted that she feels that the current plan is scary with regard to its size without considering any future sprawl. Jerry Schwab explained that a lot of this office space is to accommodate the existing patient load. The lecture hall is one of the luxuries, but the offices are required for the staff that they already have.

It was noted that the new plans are expected as previously discussed with John Mack. Attorney Williams agreed that the ambulance reserve parking and expansion of pavers will be added to the existing plans and could be a condition of approval.

Linda Palmer noted the Land Trust property on Carter Road is a total of 135 acres. She advised that High Watch is not trustworthy. An example of this is the clear cutting of 47 Carter Road. She reported that at one time they were caught with more beds than they should have had. Jerry Schwab reported that High Watch has had 78 beds for as long as they have been regulated.

Attorney Williams asked the Commission to keep in mind that this is not just a “what” application, it is a “who” application and to keep in mind the people High Watch is trying to serve people that have a disability. The space is needed to serve those people who are there already. They would be asking for this space even if they were not asking for a detox facility. High Watch has been in this community for a long time.

Jerry Schwab explained that detox is another level of care they want to provide their patients. Donna Hayes questioned whether detox could still be done without the increase in the beds. Jerry Schwab advised that there are a lot economics that would have to be considered before making that decision.

Linda Palmer noted that the original application was for only 78 beds, but then they changed their minds. Additionally, she feels their traffic study was flawed because it was only done near Dugan Road. She added that the property values have been devalued on Carter Road. Adam Manes noted that the economics of the area have changed.

*Mr. Manes moved to close the public hearing on applications #12-18C and #13-18SP, High Watch Recovery Center, Inc. Ms. Casey seconded and the motion carried unanimously.*

*Mr. Manes moved to table the discussion until the next regular meeting on applications #12-18C and #13-18SP, High Watch Recovery Center, Inc. Ms. Casey seconded and the motion carried unanimously.*

## **7. STAFF REPORT: N/A**

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

9. **OTHER COMMUNICATIONS AND CORRESPONDENCE:**

9.A. Administrative Permits and Certificates of Compliance – confirmed received

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. Manes moved to enter into executive session at 10:27 p.m. Ms. Casey seconded and the motion carried unanimously.*

*Mr. Manes moved to exit into executive session at 10:45 p.m. Ms. Hicks 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 10:46 p.m. Ms. Hicks seconded and the motion carried unanimously.*

Respectfully submitted,

Tai Kern

Tai Kern,  
Land Use Clerk

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