

**TOWN OF KENT**  
**PLANNING AND ZONING COMMISSION**  
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BY *D. Bradley*  
TOWN CLERK

**NOVEMBER 8, 2018 REGULAR MEETING MINUTES**

The Town of Kent Planning and Zoning Commission held a regular meeting on Thursday, **November 8, 2018 at 7:00 p.m.** in the Kent Town Hall.

**1. CALL TO ORDER**

Acting Chairman Weingarten called the meeting to order at 7:02 p.m.

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

Commissioners Present: Karen Casey, Anne McAndrew, Alice Hicks,  
Darrell Cherniske, Adam Manes, Marc Weingarten

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

Alternates Anne McAndrew and Adam Manes were elevated to voting status.

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

**3.A. Regular Meeting Minutes of October 11, 2018.**

Mr. Casey was corrected to Ms. Casey on the last page.

*Mr. Manes moved to approve the Regular Meeting Minutes of October 11, 2018 as corrected. Mr. Cherniske seconded and the motion carried unanimously.*

**3.B. Special Meeting Minutes of October 29, 2018.**

*Mr. Manes moved to approve the Special Meeting Minutes of October 29, 2018. Mr. Cherniske seconded and the motion carried unanimously.*

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

**5. OLD BUSINESS:**

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

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TOWN OF KENT PLANNING AND ZONING COMMISSION  
REGULAR MEETING MINUTES FOR NOVEMBER 8, 2018

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### **5.B.1. DISCUSSION AND POSSIBLE DECISION**

**5.B.1.** Application #81-18C, Mark G. Smith, P.E. for MKN Property Holdings, LLC, 5 South Main Street, addition, new pumps and tanks, Map 19 Block 12 Lot 5.

Mark Smith came forward and reported that the plan has been approved by the ARB with the exception of one soffit detail. Mr. Smith reviewed the proposed site plan with the Commission. He noted the relocation of the diesel pump. The green space has been increased to offset the pavement addition. Fifty percent of the fueling spaces are counted as parking spaces. A total of 14 spaces are proposed. The applicants agreed that it would be feasible to adjust two of the spaces to parallel near the entrance for safety purposes. The traffic will flow one way and signs will be added to establish the traffic pattern.

The total square footage of the building with the addition will be 1890 square feet. It was determined that a total of 19 spaces would be required. Mr. Smith agreed to reconfigure the plan to accommodate this requirement.

Mr. Smith advised that the need for the building expansion is to create a better store for retail with handicap accessible isles and bathrooms. A lighting plan will be provided to the Land Use Office once available for review by the Town's Engineer. Lighting and signage will be submitted as a separate application.

The group discussed whether the applicant would grant an easement to Eversource to move the poles for safety purposes. The applicant agreed to consider this if it was in an area that would not interfere with business.

*Mr. Manes moved to approve application #81-18C, Mark G. Smith, P.E. for MKN Property Holdings, LLC, 5 South Main Street, addition, new pumps and tanks, Map 19 Block 12 Lot 5 with the understanding there will be 19 parking spaces. Lighting and signage is not approved as part of this application. The motion was seconded by Ms. Hicks and carried unanimously.*

**5.B.2.** Scheduling of an informational meeting with Kent Volunteer Fire Department. - No action taken.

## **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.** Lot Line Revision, John E. Casey, Trustee, Landmark Lane, Building 15, Map 19 Block 42 Lot 43.

John Casey came forward and reviewed his proposal to convert a commercial building that has remained vacant for many years into two residential units. This 5000 square foot building would be divided to create two units.

Donna Hayes reported that this would be considered a first cut due to the fact that the previous cut was for municipal purposes. She reported that the .8 acre lot meets the minimum standard. The Commission

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determined that the width requirement within the Regulations would not be applicable. Mr. Casey agreed to provide all the access easements within the deeds. At least four parking spaces would be provided for the proposed use. It was confirmed that this lot line revision will not create a nonconformity with regard to the current use with regard to parking.

*Mr. Manes moved to approve the application for a Lot Line Revision, John E. Casey, Trustee, Landmark Lane, Building 15, Map 19 Block 42 Lot 43 contingent on pass and repass easements filed with the deed. The motion was seconded by Mr. Cherniske and carried unanimously.*

**6.B.2. Approval of 2019 Regular Meeting Schedule.**

*Ms. Casey moved to approve the 2019 Regular Meeting Schedule. The motion was seconded by Ms. Hicks and carried unanimously.*

**6.B.3. Proposal to allow food trucks within the Town of Kent.**

There was no one present to represent this proposal. Donna Hayes reported that there seems to be a grass roots effort within the town to allow Panini Cafe to operate a food truck. A proposed new regulation has not yet been presented. Ms. Hayes explained that John Johnson requested that the Commission have a dialogue regarding their thoughts on this matter.

Anne McAndrew noted that food trucks would take away from the quintessential New England feel of the Town of Kent. Adam Manes agreed with Ms. McAndrew, but described how food trucks have been embraced in other areas of the country. Alice Hicks and Donna Hayes voiced their concerns about parking. Marc Weingarten reminded the group that the current Regulations prohibit food trucks.

The Commission directed Mrs. Hayes to return the applicant's check along with a letter explaining that the proper way to submit this request would be along with a proposed regulation. She should also advise the applicant that the Commission discussed the matter and are not in favor of the concept.

**6.B.4. Application #103-18C, Dobson Pools for Spooner Hill Group, LLC, 56 Spooner Hill Road, construction of 20' x 50' inground gunite pool with fence and pool equipment in HorizonLine Conservation District, Map 5 Block 12 Lot 143.**

Brian Dobson came forward and confirmed that this application will not include any tree cutting or cabana. The Commission found there would be no impact to the Horizon Line due to this proposal.

*Mr. Manes moved to accept the waivers for application #103-18C, Dobson Pools for Spooner Hill Group, LLC, 56 Spooner Hill Road, construction of 20' x 50' inground gunite pool with fence and pool equipment in HorizonLine Conservation District, Map 5 Block 12 Lot 143. The motion was seconded by Ms. Hicks and carried unanimously.*

*Mr. Manes moved to approve application #103-18C, Dobson Pools for Spooner Hill Group, LLC, 56 Spooner Hill Road, construction of 20' x 50' inground gunite pool with fence and pool equipment in HorizonLine Conservation District, Map 5 Block 12 Lot 143. The motion was seconded by Ms. Hicks and carried unanimously.*

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**7. STAFF REPORT:**

Donna Hayes reported that a recommendation for denial was made by the hearing officer with regard to the Certificate of Need for Birch Hill. There are 21 days for a final determination to be made. Birch Hill may reapply under new application for a Certificate of Need should they be denied.

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

**9. OTHER COMMUNICATIONS AND CORRESPONDENCE:**

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

9.B. *Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter*, Fall 2018  
- confirmed received

**11. ADJOURNMENT**

*Mr. Weingarten moved to adjourn at 8:39 p.m. Mr. Manes seconded and the motion carried unanimously.*

Respectfully submitted,

Tai Kern

Tai Kern,  
Land Use Clerk

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