

**TOWN OF KENT
PLANNING AND ZONING COMMISSION**

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APRIL 9, 2020 REGULAR MEETING MINUTES
VIA ZOOM CONFERENCE

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BY *J. Brady*
TOWN CLERK

The Town of Kent Planning and Zoning Commission held a regular meeting on Thursday, April 9, 2020 at 7:00 p.m. in the Kent Town Hall.

1. CALL TO ORDER

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

2. ROLL CALL AND APPOINTMENT OF ALTERNATES IF REQUIRED

Commissioners Present: Matt Winter, Karen Casey, Wes Wyrick, Marc Weingarten,
Darrell Cherniske, Alice Hicks, David Birnbaum, Anne McAndrew

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

Chairman Winter read aloud the web-based call procedures.

Mr. Manes moved to add to the agenda item 6.B.4 Scheduling of Public Hearing for Modification to Special Permits Granted to Kent Falls Brewery for Tastings. Ms. Casey seconded and the motion carried unanimously.

3. READING AND APPROVAL OF MINUTES:

3.A. Regular Meeting Minutes of March 12, 2020.

Mr. Manes moved to approve the Regular Meeting Minutes of March 12, 2020. Mr. Cherniske seconded and the motion carried unanimously.

4. PUBLIC COMMUNICATIONS (ORAL):

N/A

5. OLD BUSINESS:

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

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5.B. DISCUSSION AND POSSIBLE DECISION

5.B.1. Discussion on creating a revised definition of “convalescent home” or similar institutional term.

Matt Winter suggested that the Commission consider why this was taken out of the Rural Zone and think about having a similar institution in a smaller size permitted. It was discussed that a different term such as Assisted Living be assigned to such an institution. Alice Hicks agreed with this approach to handling this matter within the Regulations.

The group agreed that they would continue the discussion to explore similar institution terms.

5.B.2. Planning schedule for the rewrite of the Subdivision Regulations dated June 1, 1995.

Wes Wyrick explained that due to the current climate this has yet to be addressed and suggested tabling this discussion for now.

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. Approval of the Town of Kent 5-Year Capital Plan

It was explained that the Board of Finance has not yet approved the Capital Plan; however, a motion was crafted for this Commission to approve the plan based on what had been submitted.

Mr. Weingarten moved to approve the Town of Kent 5-Year Capital Plan dated March 27, 2020 with the understanding that any additions or dollar increases be resubmitted for approval. Mr. Wyrick seconded and the motion carried unanimously.

6.B.2. Acceptance and scheduling of public hearing for Application #'s 13-20SP and 14-20C, Arthur H. Howland & Associates, PC, for Geoffrey Smith and Jamie Levitt, 85 Fuller Mountain Road, Map 2 Block 7 Lot 6, construction of 3-bedroom accessory dwelling unit and associated site work.

Mr. Wyrick moved to accept and schedule public hearing for the May 2020 meeting for Application #'s 13-20SP and 14-20C, Arthur H. Howland & Associates, PC, for Geoffrey Smith and Jamie Levitt, 85 Fuller Mountain Road, Map 2 Block 7 Lot 6, construction of 3-bedroom accessory dwelling unit and associated site work. Mr. Cherniske seconded and the motion carried unanimously.

6.B.3. Discussion of proposed letter to Connecticut Department of Housing regarding the submission of the Town of Kent's 2020 Community Development Block Grant (Small Cities) Program Application.

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The group confirmed their receipt of the letter drafted as requested by Kent Affordable Housing. Matt Winter read the letter regarding this request submitted by Kent Affordable Housing to determine whether they are asking for the P&Z's endorsement or Matt Winter's personal endorsement. Mr. Manes discussed whether the maintenance for which this grant is about would fall under Planning and Zoning's purview.

Mr. Weingarten moved to approve the proposed letter to Connecticut Department of Housing regarding the submission of the Town of Kent's 2020 Community Development Block Grant (Small Cities) Program Application. Mr. Cherniske seconded and the motion carried 5-0-1. Manes abstained.

6.B.4. Scheduling of Public Hearing for Modification to Special Permits Granted to Kent Falls Brewery for Tastings.

Mr. Manes moved to set public hearing for May 2020 meeting for Modification to Special Permits Granted to Kent Falls Brewery for Tastings. Mr. Wyrick seconded and the motion carried unanimously.

7. STAFF REPORT:

7.A. Temporary Modification to Application 11-16C, 45 North Main Street, Map 19 Block 15 Lot 14, Kent Coffee & Chocolate for Kevin Hart & Quarter Mile, LLC: Modification to allow drive-thru window during COVID-19 pandemic.

Donna Hayes explained that she was contacted by the business owner with regard to the COVID-19 related changes to request to allow the permitted walk-up ice cream window to be used as a drive-through temporarily for coffee. Chairman Winter and Mrs. Hayes consulted with the permission of the Land Use Attorney and determined that this would be acceptable for a two-month time period. Normally, a change such as this would be approved via a meeting with the Commission.

Alice Hicks questioned why this could not be used as a walk-up window for coffee. It was explained that people are not wanting to get out of their cars due to the current conditions.

Wes Wyrick moved to ratify the decision for Temporary Modification to Application 11-16C, 45 North Main Street, Map 19 Block 15 Lot 14, Kent Coffee & Chocolate for Kevin Hart & Quarter Mile, LLC: Modification to allow drive-thru window during COVID-19 pandemic. Mr. Cherniske seconded and the motion carried unanimously.

7.B. Temporary Modification to Applications #106-18SP and 107-18C, High Watch Recovery Center, 62 Carter Road, Map 14 Block 22 Lot 7: Modification to allow the installation of one temporary FEMA trailer to be used during COVID-19 pandemic.

Donna Hayes reported that she was contacted by Vinny Roberti and advised that they would be installing a FEMA trailer to quarantine for their new admittances for COVID-19. Chairman Winter read a letter from Linda Palmer in opposition to this request. Marc Weingarten noted that such an activity should require a public hearing. Mrs. Hayes explained that she contacted the Land Use Attorney due to the urgent nature of this request and he advised that this could be approved due to the special circumstances. Normally, the addition of this new trailer would require a modification to the original site plan to be presented to the Commission. The Office of Health Strategy has approved this request. She explained that she would rather err on the side of caution with regard to this pandemic.

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Mrs. Hayes reported she has not received a site plan or a Health Department approval yet. When this is over they have a certain amount of time that they need to remove the trailers.

It was questioned whether this was merely the bed count or if patient count would increase noting that they have been less than truthful in the past with this Commission. It was noted that the permit should be carefully worded not to allow 22 additional patients.

The group agreed that they do not have an issue with creating a safer environment at High Watch; however, the Commission agreed that this can be approved administratively with the condition that the density could not be expanded. The temporary status would be tied in with the Office of Health Strategy end date, which is when the Governor lifts the Emergency Declaration.

Mr. Weingarten moved to approve a temporary Modification to Applications #106-18SP and 107-18C, High Watch Recovery Center, 62 Carter Road, Map 14 Block 22 Lot 7: Modification to allow the installation of one temporary FEMA trailer to be used during COVID-19 pandemic. Mr. Wyrick seconded and the motion carried unanimously.

7.C. Land Use Office Hours effective March 30th to April 17th. - Reviewed

7.D. Executive Orders currently in place that are affecting Planning and Zoning. - Reviewed

8. REPORT OF OFFICERS AND COMMITTEES:

8.A. Subdivision Regulation Sub-Committee - Tabled

9. OTHER COMMUNICATIONS AND CORRESPONDENCE:

9.A. Administrative Permits and Certificates of Compliance – March 9, 2020 – April 3, 2020. Confirmed received.

9.B. Monthly Financials – July '19 – February '20 - Confirmed received

10. ADJOURNMENT

Mr. Manes moved to adjourn at 8:19 p.m. Mr. Wyrick seconded and the motion carried unanimously.

Respectfully submitted,

Tai Kern

Tai Kern, Land Use Clerk

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