



TOWN OF KENT
PLANNING AND ZONING COMMISSION
41 Kent Green Boulevard, P.O. Box 678, Kent, CT 06757

REGULAR MEETING AGENDA

Thursday, July 9, 2020

7:00 p.m.

Meeting to be held via Zoom: <https://us02web.zoom.us/j/83012476408>

Meeting I.D.: 830 1247 6408

Dial in to: 1 646 558 8656 US (New York)

RECEIVED FOR RECORD
KENT TOWN CLERK
2020 JUL -7 P 1:42
BY *D. Bracy*
TOWN CLERK

1. **CALL TO ORDER**

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

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

3.A. Regular Meeting Minutes of June 11, 2020.

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

5. **OLD BUSINESS:**

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

5.A.1. Modification to Applications #106-18SP and 107-18C, by High Watch Recovery Center, Inc., for 54 Carter Road (Map 14 Block 22 Lot 6); 62 Carter Road (Map 14 Block 22 Lot 7); and the 15.48-acre unimproved parcel of land (Map 14 Block 21 Lot 23, Parcel I.D. #1486) abutting the northerly line of Carter Road and the southeasterly line of 47 Carter Road, for a special permit and site plan approval for the following: 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 in total residential in-patient bed count from 78 to 90 at 62 Carter Road; conducting therapeutic activities (including temporary housing of staff) associated with the treatment of drug and alcohol addiction at 54 Carter

Road; constructing expanded landscaping/vegetative screening, driveway entrance, parking area, retaining wall and stormwater detention basin at 54 Carter Road and 62 Carter Road; constructing new septic system on Parcel I.D. #1486; and associated site work on all three parcels. **Modifications to include: construction of exterior staircase; proposed future metal gazebo; creation of 3 additional detox therapy/group session rooms; creation of 5 additional office spaces; creation of elevated walkway from second floor of detox building; associated roofline adjustment due to creation of additional office spaces; removal of two-tiered wall system; removal of connecting sidewalk at the northeast corner of the pharmacy; slight site alterations due to an additional egress stair; new exterior walk-in cooler and freezer; and, reduction of parking spaces.**

5.B. DISCUSSION AND POSSIBLE DECISION

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

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. General Statutes Section 8-24 Referral: Kent Village Center Streetscape Master Plan Improvements prepared by Milone & MacBroom, dated April 2018, as may be amended, and received by the Town of Kent Land Use Office on July 6, 2020.

6.B.2. Robert Fisher, Esq. and Ari Raskas for Birch Hill Recovery Center, 46 Maple Street, Kent Realty, LLC Map 4 Block 12 Lot 6, preliminary discussion regarding relatively minor site plan revisions and concerns over condition #16 in the special permit approval.

7. STAFF REPORT:

8. REPORT OF OFFICERS AND COMMITTEES:

8.A. Subdivision Regulation Sub-Committee

9. OTHER COMMUNICATIONS AND CORRESPONDENCE:

9.A. Administrative Permits and Certificates of Compliance – June 8 to July 2, 2020.

9.B. Connecticut Siting Council's Notice of Public Hearing for Docket #488 – Homeland Towers, LLC and New Cingular Wireless PCS, LLC d/b/a AT&T application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility locate at one of two sites: Kent Tax Assessor ID #M10, Block 22 Lot 38 Bald Hill Road or 93 Richards Road, Kent, Connecticut.

9.C. Monthly Financials – July, 2019 – May, 2020

9.D. *Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter, Summer 2020*

10. **Open session involving discussion and possible action on Pending Litigation: The Roberti Family, LLC v. Town of Kent, Connecticut and Kent Planning and Zoning Commission of the Town of Kent, Connecticut.**

Due to the COVID-19 pandemic, the Executive Session to discuss the pending litigation was held at a special meeting beginning at 6:00 p.m. on July 9, 2020.

11. **Open session involving discussion and possible action on Potential Litigation: High Watch Recovery Center Main Project Proposed Design Changes.**

Due to the COVID-19 pandemic, the Executive Session to discuss the pending litigation was held at a special meeting beginning at 6:00 p.m. on July 9, 2020.

ADJOURNMENT

RECEIVED

By Darlene Brady at 11:03 am, Jun 15, 2020

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

June 11, 2020 REGULAR MEETING MINUTES
VIA ZOOM CONFERENCE

The Town of Kent Planning and Zoning Commission held a regular meeting on Thursday, **June 11, 2020 at 7:00 p.m.**

1. CALL TO ORDER

Chairman Winter called the meeting to order at 7:03 p.m.

2. ROLL CALL AND APPOINTMENT OF ALTERNATES IF REQUIRED

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

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

Anne McAndrew was elevated to voting status.

3. READING AND APPROVAL OF MINUTES:

3.A. Special Meeting Minutes of May 14, 2020.

Mr. Manes moved to approve the Special Meeting Minutes of May 14, 2020. Mr. Wintergarten seconded and the motion carried unanimously.

3.B. Regular Meeting Minutes of May 14, 2020.

Mr. Weingarten moved to approve the Regular Meeting Minutes of May 14, 2020. Mr. Manes seconded and the motion carried unanimously.

Karen Casey joined the meeting at 7:07 pm.

Mr. Manes moved to relocate items 6.B.1 and 6.B.2 to the top of the agenda. Ms. McAndrew seconded and the motion carried unanimously.

4. PUBLIC COMMUNICATIONS (ORAL):

N/A

TOWN OF KENT PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES FOR June 11, 2020

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

The group agreed to prepare potential definitions for submission to the Land Use Office for discussion at future meetings. The Commission directed that the land use attorney be consulted with regard to this definition due to the possible litigation.

Mr. Manes moved to table discussion on creating a revised definition of “convalescent home” or similar institutional term. Ms. Hicks seconded and the motion carried unanimously.

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

Mr. Manes moved to table planning schedule for the rewrite of the Subdivision Regulations dated June 1, 1995. Mr. Weingarten seconded and the motion carried unanimously.

6.B. DISCUSSION AND POSSIBLE DECISION

6.B.1. Lot Line Revision between 10 North Main Street Map 19 Block 42 Lot 29 and 9 Maple Street Map 19 Block 42 Lot 35.

It was explained that the intent of this lot line adjustment is to ensure that the proposed parking spaces on located on the appropriate lot with regard to the requested modification (see agenda item 6.B.2.). It was noted that the new map does not accurately reflect the modification and Hiram Williams explained that the mapping will be corrected and submitted for signature.

Donna Hayes reported that the Architectural Review Board has approved the modification presented under item 6.B.2.

Mr. Weingarten moved to approve the Lot Line Revision between 10 North Main Street Map 19 Block 42 Lot 29 and 9 Maple Street Map 19 Block 42 Lot 35. Mr. Manes seconded and the motion carried unanimously.

6.B.2. Modification to Application #74-17C, Hiram Williams for Kent Center, LLC, 10 North Main Street, alterations to existing building and change of use from residential/commercial to commercial, Map 19 Block 42 Lot 29. **Modifications to include: new configuration of the required second means of egress from the existing gallery; installation of two (2) accessibility ramps; outdoor terrace associated with the retail space at the south east corner of the new addition; creation of one service yard to house required mechanical systems; relocation of three parking spaces; and, respective changes to the approved planting plan.**

Donna Hayes noted that the ARB had no opinion regarding the material used for the egress stairway.

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Mr. Weingarten moved to approve the modification to Application #74-17C, Hiram Williams for Kent Center, LLC, 10 North Main Street, alterations to existing building and change of use from residential/commercial to commercial, Map 19 Block 42 Lot 29. **Modifications to include: new configuration of the required second means of egress from the existing gallery; installation of two (2) accessibility ramps; outdoor terrace associated with the retail space at the south east corner of the new addition; creation of one service yard to house required mechanical systems; relocation of three parking spaces; and, respective changes to the approved planting plan.** The motion was seconded by Ms. Casey and carried unanimously.

6. NEW BUSINESS:

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

Darrell Cherniske recused himself and left the meeting at 7:29 pm. David Birnbaum was seated as a voting member.

- 6.A.1. Modification to Applications #106-18SP and 107-18C, by High Watch Recovery Center, Inc., for 54 Carter Road (Map 14 Block 22 Lot 6); 62 Carter Road (Map 14 Block 22 Lot 7); and the 15.48-acre unimproved parcel of land (Map 14 Block 21 Lot 23, Parcel I.D. #1486) abutting the northerly line of Carter Road and the southeasterly line of 47 Carter Road, for a special permit and site plan approval for the following: 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 in total residential in-patient bed count from 78 to 90 at 62 Carter Road; conducting therapeutic activities (including temporary housing of staff) associated with the treatment of drug and alcohol addiction at 54 Carter Road; constructing expanded landscaping/vegetative screening, driveway entrance, parking area, retaining wall and stormwater detention basin at 54 Carter Road and 62 Carter Road; constructing new septic system on Parcel I.D. #1486; and associated site work on all three parcels. **Modifications to include: construction of exterior staircase; proposed future metal gazebo; creation of 3 additional detox therapy/group session rooms; creation of 5 additional office spaces; creation of elevated walkway from second floor of detox building; associated roofline adjustment due to creation of additional office spaces; removal of two-tiered wall system; removal of connecting sidewalk at the northeast corner of the pharmacy; slight site alterations due to an additional egress stair; new exterior walk-in cooler and freezer; and, reduction of parking spaces.**

Chairman Winter opened the public hearing at 7:29 pm and read the legal notice of this public hearing for the record. He read a letter from Linda and Daniel Palmer.

Donna Hayes reviewed the plans for the modifications noting the work that has already been done with regard to this proposal. She explained that the only change to the basic footprint of the building is with the exterior staircase; however, the roofline has been changed as well. There is an additional usable square footage as a result of these changes.

Jason Perillo of High Watch came forward and shared his screen to review the proposal with the group. He discussed the changes to parking for safety purposes. They have removed spaces due to the heavily traveled pedestrian area. He confirmed that the spaces still existing are enough to meet regulation requirements. Mr. Perillo explained that two additional rooms have been added for Covid-19 isolation. He clarified that the addition of beds does not give High Watch license for additional patients. Admissions was moved to the front of the building near

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nursing, so that patients would not have to be moved through the building. Also, this would eliminate the need to share offices in Admissions for Covid-19 safety purposes. Additional group spaces were added in order to run more groups in smaller sizes. He explained that the external staircase is from the basement to grade. It will not be visible with the exception of cover. He explained that the change in the roofline cannot be seen from the road and it follows the existing roofline. This creates an additional 1800 square feet for four offices. Mr. Perillo discussed the retaining wall and noted that it has been approved by the Inland Wetlands Commission. He reviewed the new entry noting the copula is a bit higher than the original building plan.

Donna Hayes asked for an explanation of the most recent changes to the Dining Hall submitted to Health and Zoning this week. Paul Jorgenson from Silver Petrocelli explained that a cooler/freezer was added and then more recently a vestibule was added for access.

Matt Winter questioned why the two-tiered retaining wall can be reduced to one and whether the grade was not originally analyzed properly. He also questioned if this reduces the storm drainage calculations. Mike Doherty, Landscape Architect with Milone & McBroom explained that when they analyzed the field conditions, they could raise the grade to eliminate a portion of the proposed hardscape. He explained that with the removal of one wall the need for structures reduced; however, the stormwater calculations remain the same. He confirmed for Mr. Winter that this does not require a DEEP review.

Donna Hayes asked for a description of the elevated walkway. Mike Doherty described the bridge structure that will be deck-like and similar to the boardwalk section set on piles proposed for the rear portion of the building. The walkway is elevated about two feet to bridge over slopes below it. Marco Constantini of Silver Petrocelli explained that by Code they need to provide an exit to the exterior due to the added offices to the second floor. This becomes a handicap accessible egress. He reminded the group that in the previous plan there was an exit stair internally.

The creation of space created by the movement of the coolers and the usable square footage by enclosing the porch was discussed.

Adam Manes discussed the removal of parking spaces and the impact on the fire department's ability to make rescue. Additionally, he noted that quite often during events there is parking on the street. Mr. Perillo explained that the event parking is few and far between and there has been no changes with regard to the Fire Department's access.

Eric Epstein of the KVFD asked that the plans go to the Fire Department for review prior to approval. He explained that the changes in the staircases could affect rescue. He is certain it meets code, but there are operational considerations. Mr. Winter agreed to let the Fire Department have an opportunity to review.

Donna Hayes questioned whether the removal of the 12 spaces affects the handicap spaces. Mike Doherty noted that in total one handicap space was lost, but they still have one space above what was required by Code.

Chairman Winter surveyed the pleasure of the Commission. He reminded the group they have been asked that the Fire Department be consulted. Donna Hayes asked whether the Commission would like Anchor Engineering to review these changes. She noted that the first modification to the Dining Hall was approved by the TAHD, but the second modification is still under review. Additionally, the DEEP has not responded regarding their review as of yet. The group agreed that Anchor Engineering should have the opportunity to review this modification.

The group discussed the work that has already been done with regard to this modification that has not been approved. Chairman Winter explained that this work was done at their own risk and the Commission still has the authority to deny although the work has been done without permits.

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Mr. Manes moved to continue public hearing for modification to Applications #106-18SP and 107-18C, by High Watch Recovery Center, Inc., for 54 Carter Road (Map 14 Block 22 Lot 6); 62 Carter Road (Map 14 Block 22 Lot 7); and the 15.48-acre unimproved parcel of land (Map 14 Block 21 Lot 23, Parcel I.D. #1486) abutting the northerly line of Carter Road and the southeasterly line of 47 Carter Road, for a special permit and site plan approval for the following: 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 in total residential in-patient bed count from 78 to 90 at 62 Carter Road; conducting therapeutic activities (including temporary housing of staff) associated with the treatment of drug and alcohol addiction at 54 Carter Road; constructing expanded landscaping/vegetative screening, driveway entrance, parking area, retaining wall and stormwater detention basin at 54 Carter Road and 62 Carter Road; constructing new septic system on Parcel I.D. #1486; and associated site work on all three parcels. **Modifications to include: construction of exterior staircase; proposed future metal gazebo; creation of 3 additional detox therapy/group session rooms; creation of 5 additional office spaces; creation of elevated walkway from second floor of detox building; associated roofline adjustment due to creation of additional office spaces; removal of two-tiered wall system; removal of connecting sidewalk at the northeast corner of the pharmacy; slight site alterations due to an additional egress stair; new exterior walk-in cooler and freezer; and, reduction of parking spaces.** Ms. Casey seconded and the motion carried unanimously.

- 6.B.2.** Modification to Applications #106-18SP and 107-18C, by High Watch Recovery Center, Inc., for 54 Carter Road (Map 14 Block 22 Lot 6); 62 Carter Road (Map 14 Block 22 Lot 7); and the 15.48-acre unimproved parcel of land (Map 14 Block 21 Lot 23, Parcel I.D. #1486) abutting the northerly line of Carter Road and the southeasterly line of 47 Carter Road, for a special permit and site plan approval for the following: 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 in total residential in-patient bed count from 78 to 90 at 62 Carter Road; conducting therapeutic activities (including temporary housing of staff) associated with the treatment of drug and alcohol addiction at 54 Carter Road; constructing expanded landscaping/vegetative screening, driveway entrance, parking area, retaining wall and stormwater detention basin at 54 Carter Road and 62 Carter Road; constructing new septic system on Parcel I.D. #1486; and associated site work on all three parcels. **Modifications to include: construction of exterior staircase; proposed future metal gazebo; creation of 3 additional detox therapy/group session rooms; creation of 5 additional office spaces; creation of elevated walkway from second floor of detox building; associated roofline adjustment due to creation of additional office spaces; removal of two-tiered wall system; removal of connecting sidewalk at the northeast corner of the pharmacy; slight site alterations due to an additional egress stair; new exterior walk-in cooler and freezer; and, reduction of parking spaces.**

Mr. Manes moved to table request for modification to Applications #106-18SP and 107-18C, by High Watch Recovery Center, Inc., for 54 Carter Road (Map 14 Block 22 Lot 6); 62 Carter Road (Map 14 Block 22 Lot 7); and the 15.48-acre unimproved parcel of land (Map 14 Block 21 Lot 23, Parcel I.D. #1486) abutting the northerly line of Carter Road and the southeasterly line of 47 Carter Road, for a special permit and site plan approval for the following: 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

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expansion to dining hall at 62 Carter Road; addition of detoxification service at 62 Carter Road; increase in total residential in-patient bed count from 78 to 90 at 62 Carter Road; conducting therapeutic activities (including temporary housing of staff) associated with the treatment of drug and alcohol addiction at 54 Carter Road; constructing expanded landscaping/vegetative screening, driveway entrance, parking area, retaining wall and stormwater detention basin at 54 Carter Road and 62 Carter Road; constructing new septic system on Parcel I.D. #1486; and associated site work on all three parcels. **Modifications to include: construction of exterior staircase; proposed future metal gazebo; creation of 3 additional detox therapy/group session rooms; creation of 5 additional office spaces; creation of elevated walkway from second floor of detox building; associated roofline adjustment due to creation of additional office spaces; removal of two-tiered wall system; removal of connecting sidewalk at the northeast corner of the pharmacy; slight site alterations due to an additional egress stair; new exterior walk-in cooler and freezer; and, reduction of parking spaces.** Mr. Weingarten seconded and the motion carried unanimously.

- 6.B.3.** Possible extension to Temporary Modification to Application #11-16C, 45 North Main Street, Map 19 Block 15 Lot 14, to allow the use of the previously operated walk-up window as a temporary drive-through window.

Donna Hayes explained that restaurants are permitted to open on June 17, 2020. The temporary drive-through for 45 North Main expires on June 20, 2020. The Commission agreed that there is no need to extend the temporary drive-through. It can return to a walk-up window as previously permitted.

Mr. Garrity questioned whether the Commission had done any long-term research to find this is an inappropriate use. Chairman Winter explained that this was discussed at length at the last meeting and reiterated that this drive-through window was appropriate at the time. Mr. Garrity asked for a study be done to determine if the Regulation is effective. Chairman Winter explained that they also received a request for a drive-up door that made no sense and created a danger to the public. He noted that this may be a case by case study. The members reminded Mr. Garrity that they had a discussion at length when reviewing the Regulations regarding this matter.

Mr. Weingarten moved to not extend when expires on June 20, 2020 the Temporary Modification to Application #11-16C, 45 North Main Street, Map 19 Block 15 Lot 14, to allow the use of the previously operated walk-up window as a temporary drive-through window. Mr. Manes seconded and the motion carried unanimously.

- 6.B.4.** Request for approval of State of Connecticut, Department of Consumer Protection, Liquor Control Division Application for Adding Live Entertainment, Kent Pizza Garden, 17 Railroad Street, Map 19 Block 42 Lot 17.

Donna Hayes explained that the ZEO has the ability to approve the accessory use; however, they have never had such an application. This will be both indoor and outdoor acoustic music. She would like to understand how the Commission feels about this. She has a concern with regulating this to be acoustic and not amplified.

Mr. Weingarten noted that he has concerns with the hours and that it is outside. He explained that not amplified can still be very loud.

The owners, Mr. & Mrs. Kapetanopoulos, explained that they let their music license of 18 years lapse. In the past it was only inside; however, due to Covid-19 they are asking to move it outside. They use one-man band folk music Saturdays 2-4 pm and Sundays 2-6 pm.

The group agreed that they would not regulate this as a Zoning matter and it would remain as it was in the past; a part of the liquor license process. Donna Hayes will sign off on the permit as the ZEO.

TOWN OF KENT PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES FOR June 11, 2020

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7. **STAFF REPORT:**

7.A. Update on Town Hall opening/procedures/timing

Jean Speck reported that she will hold off on re-opening Town Hall until September 1st. She will have a table available out front to meet with the public and on occasion the conference room can be available for meeting with the public. They will accommodate the Commissions, if they would like to meet in person again.

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

8.A. Subdivision Regulation Sub-Committee - previously discussed.

9. **OTHER COMMUNICATIONS AND CORRESPONDENCE:**

9.A. Administrative Permits and Certificates of Compliance – May 11, 2020 to June 5, 2020. Confirmed received.

10. **Open session involving discussion and possible action on Pending Litigation: The Roberti Family, LLC v. Town of Kent, Connecticut and Kent Planning and Zoning Commission of the Town of Kent, Connecticut; and, Potential Litigation: High Watch Recovery Center Main Project Proposed Design Changes.**

Mr. Manes moved to invite the representing attorneys to the Regular meeting in July. The motion was seconded by Ms. Casey.

Discussion: Donna Hayes agreed to see if the attorneys can be available on July 9, 2020 at 6 pm. and the motion carried unanimously.

11. **Freedom of Information (FOI) Request dated January 24, 2020, with regard to 175 Carter Road, Application #44-19SP, for a convalescent home and the disposition of the Application as reflected in the Resolution of Denial approved on November 14, 2019.**

Donna Hayes asked the Commissioners to search their hard drive for anything related to 175 Carter Road to satisfy the FOI request. A screen shot of their File Explorer should be forwarded to the Land Use Office.

ADJOURNMENT

Mr. Manes moved to adjourn at 9:59 p.m. Ms. Casey seconded and the motion carried unanimously.

Respectfully submitted,

Tai Kern

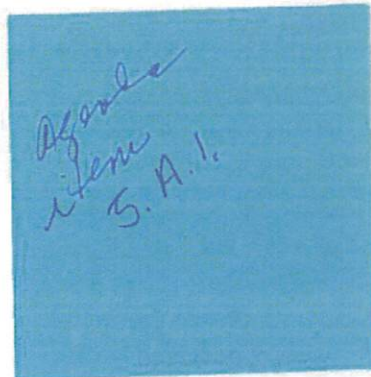
Tai Kern, Land Use Clerk

FW: RE: High Watch Recovery

1 message

dpalmer25@charter.net <dpalmer25@charter.net>
To: "landuseadmin@townofkentct.org" <landuseadmin@townofkentct.org>

Sat, Jun 13, 2020 at 8:07 AM



Donna,

I received this response from Michael Hart at the DEEP regarding High Watch Recovery. Thank you,

Linda Palmer
25 Carter Road
Kent, CT 06757-0132
(860) 927-3955
dpalmer25@charter.net

From: "Hart, Michael"
To: "dpalmer25@charter.net"
Cc: Antoanela"
Sent: Friday June 12 2020 3:13:32PM
Subject: RE: High Watch Recovery

Hi Linda,

I noticed this morning in DEEP's permitting database that an application has come into the department's Central Permit Processing Unit from High Watch Recovery Center, Inc. That application will move through a couple more hands before my program receives it for technical review, so I can't tell at this time what is included in their application package and whether it includes any of the proposed work that you've described below. Antoanela Daha, a very capable senior engineer who works in my program, will be responsible for reviewing the project and will be able to evaluate whether the applicant has demonstrated that they have sufficient onsite capacity for any additional septic systems or expansion of existing leaching systems. I advised Antoanela earlier today that we can expect to see the application shortly. You can certainly check in with her at a later date should you have any questions concerning the application; she is copied on this email.

While I understand your statements regarding changes in building plans, DEEP's jurisdiction regarding this project is specific to the septic systems. Ultimately, it's up to local building and health officials to ensure that construction proceeds in accordance with the various plan approvals. Keep in mind that some construction changes can be handled within the scope of an existing approval and other more substantive changes necessitate resubmittal by the applicant and a modified approval. In either case, you should know that copies of DEEP construction approvals are routinely sent concurrently to the applicant, project engineer, local health official and local building official so that all are properly informed.

Should you have any further questions, please let us know. Thank you. --Mike

Michael Hart

Supervising Sanitary Engineer

Water Permitting & Enforcement Division

Bureau of Materials Management and Compliance Assurance

Connecticut Department of Energy and Environmental Protection
79 Elm Street, Hartford, CT 06106-5127
P: 860.424.3819 | F: 860.424.4074 | E: michael.hart@ct.gov



www.ct.gov/deep

Conserving, improving and protecting our natural resources and environment;

Ensuring a clean, affordable, reliable, and sustainable energy supply.

<http://www.ct.gov/dep/cwp/view.asp?A=2721&Q=325706>

From: dpalmer25@charter.net <dpalmer25@charter.net>

Sent: Thursday, June 4, 2020 11:01 AM

To: Hart, Michael <Michael.Hart@ct.gov>

Subject: High Watch Recovery

Dear Mr. Hart,

High Watch is undergoing a massive expansion. Now they have applied to the Kent Planning & Zoning Commission to modify and expand even more. They want to create 3 more additional detox rooms, besides the 12 detox rooms that they were approved for. They also want to build 5 more additional offices. There is also a 218 seat auditorium and an addition on their dining hall.

They are putting in a new driveway entrance, parking area and stormwater detention basin at 54 and 62 Carter Road. They were caught by the building inspector changing their plans. They consistently violate our state and local zoning regulations.

They sued the Department of Health Strategy and Birch Hill Recovery for approving a Certificate of Need for Birch Hill Recovery. This has been dismissed.

They currently have seven septic systems. How many more septic systems can they install for this massive addition? Currently they have a permit to discharge 10,700 gallons per day into the environment. This permit expires in September 2022.

Thank you for your help.

Sincerely,

Linda Palmer
P.O. Box 132

Kent, CT 06757-0132
(860) 927-3955
dpalmer25@charter.net



image003.png
19K

RESOLUTION APPROVING TOWN OF KENT STREETSCAPE IMPROVMENTS

RESOLVED:

The Planning and Zoning Commission of the Town of Kent, exercising the authority of the Planning and Zoning Commission pursuant to Section 8-24 of the General Statutes, having reviewed the Kent Village Center Streetscape Master Plan Improvements prepared by Milone & MacBroom dated April, 2018, as may be amended and received by the Land Use Office on July 6, 2020, hereby approves said Master Plan.

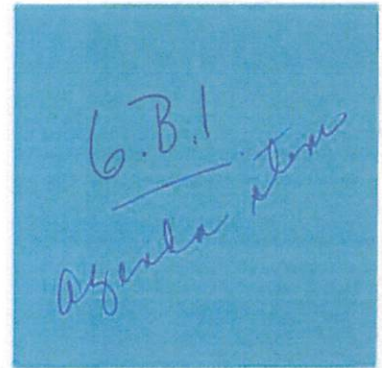
Moved by:

Seconded by:

Roll Call Vote:

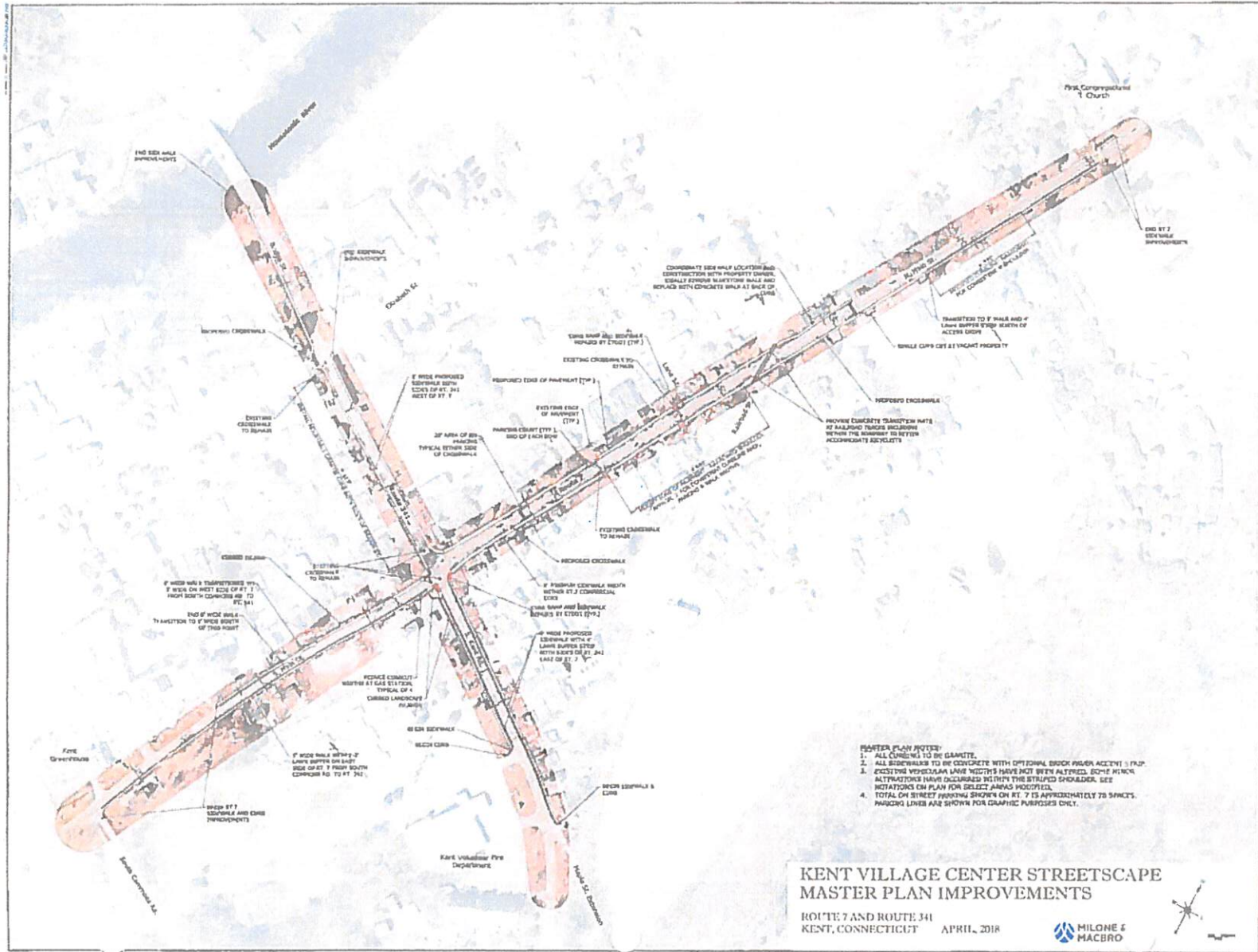
AYES

NAYS



Agenda Item
6.B.1

RECEIVED
7/6/2020

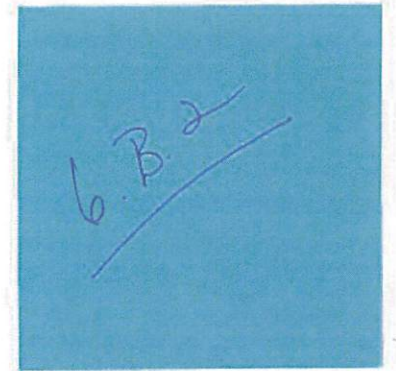




RECEIVED
7/8/2020

July 7, 2020

Mr. Matt Winter, Chairman
Kent Planning & Zoning Commission
41 Kent Green Boulevard
Kent, CT 06757



Re: **Proposed Site Improvements
Birch Hill Recovery Center
46 Maple Street
Kent, CT**

Dear Mr. Winter:

Site improvements are being proposed at the above referenced recovery facility in accordance with the attached site plan entitled Overall Site Improvements prepared by Civil dated March 6, 2020 and revised to July 7, 2020. Below please find a list of all of the improvements shown on the attached site plans.

- 1) Proposed re-striping of upper parking lot (27 spaces).
- 2) Proposed pavement removal and replacement for the lower parking lot (103 spaces)
- 3) Proposed pavement overlay for driveway area southwest of lower parking lot.
- 4) Proposed generator to be installed north of the existing building in place of the existing generator which is to be removed.
- 5) Trees are to be pruned around existing lighting.
- 6) Proposed lighting improvements at the building entrance to include one additional luminaire to be installed on an existing pole, lighted bollards to be installed along the entrance walkway and three wall-pack lights to be installed along southern building wall. All lighting shall be LED full cutoff fixtures.

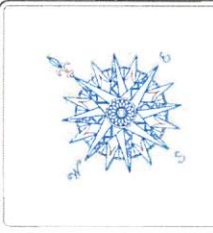
Should you have any comments or questions, please feel free to call.

Very truly yours,

Brian J. Baker, P.E.

CIVIL I

Cc: Ari Raskas, Birch Hill Recovery Center
Robert Fisher, Cramer & Anderson



NO.	REVISION	DATE
1	PROJECT FOR CLIENT	10.28.10

BEV&D
bvt
Professional Engineering Consultants

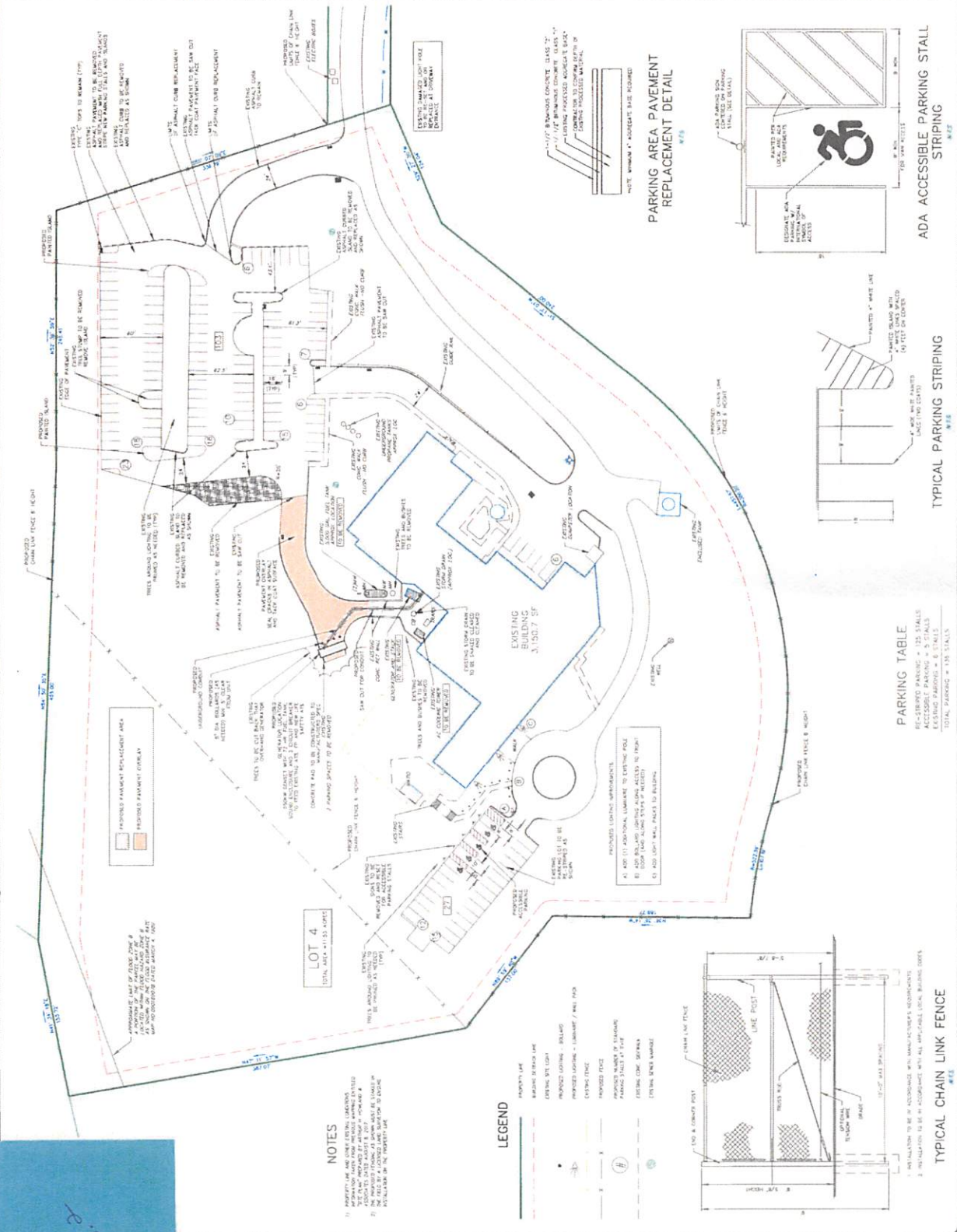
BIRCH HILL RECOVERY CENTER
46 MAPLE STREET
KENT, CT 06757

OVERALL SITE IMPROVEMENTS

46 MAPLE STREET

Civil 1
CONSULTING PROFESSIONAL FIRM, LICENSED P.E.
JESSE H. JOHNSON, P.E.
1088 SOUTH MAIN STREET
WINDSOR, CT 06095
PHONE: (860) 339-2711
FAX: (860) 339-2700
WWW.CIVIL1.COM

C.1.1

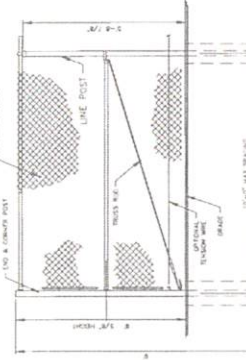


B. B. B. B.

- ### NOTES
- 1) PROPERTY LINE
 - 2) EXISTING SURFACE
 - 3) EXISTING DRIVEWAY
 - 4) EXISTING DRIVEWAY - UNPAVED / NEW PAV
 - 5) EXISTING DRIVEWAY
 - 6) EXISTING DRIVEWAY
 - 7) EXISTING DRIVEWAY
 - 8) EXISTING DRIVEWAY
 - 9) EXISTING DRIVEWAY
 - 10) EXISTING DRIVEWAY

LEGEND

- PROPERTY LINE
- EXISTING DRIVEWAY
- EXISTING DRIVEWAY - UNPAVED / NEW PAV
- EXISTING DRIVEWAY
- EXISTING DRIVEWAY
- EXISTING DRIVEWAY
- EXISTING DRIVEWAY
- EXISTING DRIVEWAY
- EXISTING DRIVEWAY



- ### TYPICAL CHAIN LINK FENCE
- 1. THIS FENCE TO BE IN ACCORDANCE WITH MANUFACTURER'S REQUIREMENTS.
 - 2. INSTALLATION TO BE IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL CODES.



- ### TYPICAL PARKING STRIPING
- 1. PAINTED WITH PAVEMENT (AS SHOWN)
 - 2. PAINTED WITH PAVEMENT (AS SHOWN)
 - 3. PAINTED WITH PAVEMENT (AS SHOWN)



- ### ADA ACCESSIBLE PARKING STALL STRIPING
- 1. PAINTED WITH PAVEMENT (AS SHOWN)
 - 2. PAINTED WITH PAVEMENT (AS SHOWN)
 - 3. PAINTED WITH PAVEMENT (AS SHOWN)



- ### PARKING TABLE
- 1. 4x4 POSTS
 - 2. 4x4 POSTS
 - 3. 4x4 POSTS



- ### TYPICAL PARKING STRIPING
- 1. PAINTED WITH PAVEMENT (AS SHOWN)
 - 2. PAINTED WITH PAVEMENT (AS SHOWN)
 - 3. PAINTED WITH PAVEMENT (AS SHOWN)



CRAMER & ANDERSON LLP

6 Bee Brook Road
P.O. Box 321
Washington Depot, CT 06794-0321

(860) 868-0527
Fax (860) 868-9342

email: rfisher@cramer-anderson.com

30 Main Street
Danbury, CT 06810

Kent Green
Kent, CT 06757

46 West Street
Litchfield, CT 06759

51 Main Street
New Milford, CT 06776

July 2, 2020

Kent Planning & Zoning Commission
41 Kent Green Blvd., PO Box 678
Kent, CT 06757
ATTN: Ms. Donna Hayes

Re: Birch Hill Recovery Center, 46 Maple Street
Application #'s 45-17SP and 46-17C

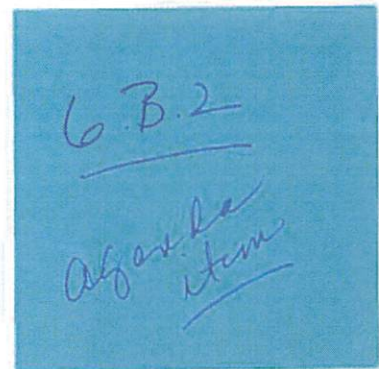
Dear Ms. Hayes,

This letter is to follow up on the telephone discussion that we had earlier this week. My office continues to represent Ari Raskas and Birch Hill Recovery Center with regard to the above applications (site plan and special permit). We request an opportunity to appear at the regular meeting to be held on July 9, 2020, to discuss relatively minor site plan revisions and our concerns over Condition Number 16 in the special permit approval. Of course, I understand that the meeting will be conducted via Zoom, and both Mr. Raskas and I are prepared to participate in that fashion.

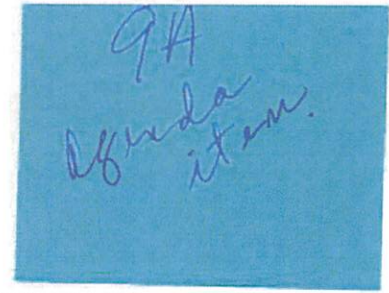
Sincerely,

Robert L. Fisher, Jr.

Cc: Mr. Raskas



TOWN OF KENT PLANNING AND ZONING COMMISSION
Administrative Permits Issued
June 8 – July 2, 2020



PERMIT #	PROPERTY OWNER	PROPERTY LOCATION	FOR	MAP	BLOCK	LOT
25-20AP	Smith/Levitt	85 Fuller Mountain Rd	Accessory dwelling unit	2	7	6
27-20AP	Veronique & Oliver Kinsey	28 Iron Mountain Road	Screened-in porch and deck	10	41	23
28-20AP	Parlen/Pereira	127 Kent Hollow Road	20' x 42' inground pool, pool equipment & site work	16	24	11
29-20AP	Irvlen Equities	60 North Main Street	Generator for storage building	19	42	9
30-20AP	Kent Hollow Straight, LLC	17 Straight Rd	Demo of existing farmhouse and barn; construction of new single-family dwelling & associated site work	17	32	31
31-20AP	Kent Hollow Straight, LLC	17 Straight Road	Construction of detached garage (carriage house #1)	17	32	31
32-20AP	Kent Hollow Straight, LLC	17 Straight Road	Construction of detached garage (carriage house #2)	17	32	31
33-20DAP	Kent Hollow Straight, LLC	17 Straight Road	Reconfiguration of existing driveway	17	32	31
35-20AP	Sabrina Felson	35 Jennings Road	10' x 14' prefab shed	11	40	15
36-20AP	David Boccuzzi	108 Anderson Road	14' x 20' shed	17	32	12

TOWN OF KENT PLANNING AND ZONING COMMISSION
Certificates of Compliance Issued

PERMIT #	PROPERTY OWNER	PROPERTY LOCATION	FOR	MAP	BLOCK	LOT
95-19AP	Parlen/Pereira	127 Kent Hollow Road	Demolition of existing barn and rebuild on small footprint	16	24	11

July 6, 2020



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone (860) 827-2935 Fax (860) 827-2950

E-Mail siting.council@ct.gov

Web Site www.ct.gov/csc

RECEIVED
6/9/2020
dmh

VIA ELECTRONIC MAIL

June 9, 2020

TO: Parties & Intervenors

FROM: Melanie Bachman, Executive Director *MAB*

RE: **DOCKET NO. 488** - Homeland Towers, LLC and New Cingular Wireless PCS, LLC d/b/a AT&T application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at one of two sites: Kent Tax Assessor ID #M10, Block 22, Lot 38 Bald Hill Road or 93 Richards Road, Kent, Connecticut.

Enclosed please find a copy of the Connecticut Siting Council's notice of a public hearing for the above-referenced matter.

MB/RDM/lm

Enclosure (1)

c: Secretary of the State
Council Members
Application Service Recipients
BCT Reporting LLC
Pryme Tyme Entertainment



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051
Phone: (860) 827-2935 Fax (860) 827-2950
E-Mail siting.council@ct.gov
Web Site www.ct.gov/csc

HEARING NOTICE

Pursuant to provisions of Connecticut General Statutes § 16-50m and Governor Lamont's March 14, 2020 Executive Order No. 7B, notice is hereby given that the Connecticut Siting Council (Council) will conduct a remote public hearing via Zoom conferencing on Thursday, July 23, 2020, beginning with an evidentiary session at 2:00 p.m., and continuing with a public comment session at 6:30 p.m. The hearing will be on an application from Homeland Towers, LLC and New Cingular Wireless PCS, LLC d/b/a AT&T for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at one of two sites: Kent Tax Assessor ID #M10, Block 22, Lot 38 Bald Hill Road or 93 Richards Road, Kent, Connecticut.

The purpose of the hearing is to receive evidence on the applicants' assertions that the public need for the facility outweighs any adverse environmental effects from the construction, operation, and maintenance of the facility. The 2:00 p.m. evidentiary session will provide the applicants, parties and intervenors an opportunity to cross-examine positions. **No public comments will be received during the 2:00 p.m. evidentiary session.** The 6:30 p.m. public comment session will be reserved for the public to make brief statements into the record. During the 6:30 p.m. public comment session, the applicants will present an overview of the proposed facility.

Attendees can join by clicking (or entering) the following link:

<https://zoom.us/j/98239942005?pwd=ektScjhxZ0RMaFVvK2NHMzVBdWwydz09>

from a computer, smartphone, or tablet. No prior software download is required. For audio-only participation, attendees can join by dialing in at 1 (929) 205- 6099 (not toll free) and then enter the Meeting ID# 982 3994 2005 from a telephone.

Interested persons may join any session to listen, but must sign-up in advance to speak during the 6:30 p.m. public comment session.

To participate in the 6:30 p.m. public comment session by computer, smartphone or tablet, please send an email to siting.council@ct.gov with your name, email address and mailing address by July 16, 2020. To participate in the 6:30 p.m. public comment session by telephone, please leave a voicemail message at 860-827-2935 with your name, telephone number, and mailing address by July 16, 2020. Public comments may also be submitted to the Council by electronic mail or by regular mail.

Any person may be removed from the Zoom remote evidentiary session or public comment session at the discretion of the Council.

Applicable law for this proceeding includes the Public Utility Environmental Standards Act, General Statutes § 16-50g, et seq., and Sections 16-50j-1, et seq., of the Regulations of Connecticut State Agencies.

The Council directs that all testimony and exhibits be pre-filed electronically with the Council and all parties and intervenors by July 16, 2020.

Individuals are encouraged to participate through their elected officials and other party/intervenor groupings.

Any person seeking to be named or admitted as a party or intervenor to the proceeding may file a written request to be so designated at siting.council@ct.gov, on or before July 16, 2020.

Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the evidentiary record.

Any person who is not a party or intervenor to this proceeding may file a written statement with the Council up to 30 days after the close of the evidentiary record. No written statement or any other information will be accepted after 30 days of the close of the evidentiary record, except as otherwise prescribed by law or the Council.

A verbatim transcript of the hearing will be posted on the Council's project webpage and deposited in the Town Clerk's Office of the Kent Town Hall for the convenience of the public.

Requests for information in alternative formats or for sign-language interpreter services must be submitted in writing by July 16, 2020.

Information about how the public hearing will be conducted and how the public can access it will be posted on the Council's Docket No. 488 project webpage at the following link: <https://www.ct.gov/csc/cwp/view.asp?a=962&q=611306>

The applicants are represented by the following:

Applicants

Homeland Towers, LLC and New Cingular
Wireless, PCS, LLC d/b/a AT&T

Its Representative

Lucia Chiochio, Esq.
Cuddy & Feder, LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

A copy of the application is available for review on the Council's website at <http://www.ct.gov/csc> under the link "Pending Matters." The Council has assigned this application Docket No. 488.

10:59 AM
06/10/20

TOWN OF KENT
Planning and Zoning **Actual vs. Budget**
July 2019 through May 2020

	<u>Jul '19 - May 20</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
132-400 · P & Z Fees / Road Inspection	46,442.12	22,000.00	24,442.12	211.1%
Total Income	<u>46,442.12</u>	<u>22,000.00</u>	<u>24,442.12</u>	<u>211.1%</u>
Gross Profit	46,442.12	22,000.00	24,442.12	211.1%
Expense				
A · General Government				
024-000 · PLANNING AND ZONING				
Compensation				
024-101 · Zoning Enforc. Officer	37,800.00	40,950.00	-3,150.00	92.3%
024-102 · Clerk	6,539.65	7,427.00	-887.35	88.1%
024-996 · Health	15,659.56	19,034.00	-3,374.44	82.3%
024-997 · Pension	1,541.72	2,048.00	-506.28	75.3%
024-998 · Social Security	3,262.15	3,701.00	-438.85	88.1%
Total Compensation	<u>64,803.08</u>	<u>73,160.00</u>	<u>-8,356.92</u>	<u>88.6%</u>
Department Operations				
024-201 · Supplies	685.85	1,000.00	-314.15	68.6%
024-202 · Postage	199.51	500.00	-300.49	39.9%
024-203 · Notices	1,793.90	2,000.00	-206.10	89.7%
024-204 · Mileage	68.50	200.00	-131.50	34.3%
024-409 · Printing & Mapping	0.00	2,000.00	-2,000.00	0.0%
024-411 · Engineering	0.00	1,000.00	-1,000.00	0.0%
024-412 · Planning	878.77	2,750.00	-1,871.23	32.0%
Total Department Operations	<u>3,626.53</u>	<u>9,450.00</u>	<u>-5,823.47</u>	<u>38.4%</u>
Professional Development				
024-450 · Dues	160.00	270.00	-110.00	59.3%
024-451 · Conferences	0.00	150.00	-150.00	0.0%
024-452 · Training	0.00	250.00	-250.00	0.0%
Total Professional Development	<u>160.00</u>	<u>670.00</u>	<u>-510.00</u>	<u>23.9%</u>
Total 024-000 · PLANNING AND ZONING	<u>68,589.61</u>	<u>83,280.00</u>	<u>-14,690.39</u>	<u>82.4%</u>
Total A · General Government	<u>68,589.61</u>	<u>83,280.00</u>	<u>-14,690.39</u>	<u>82.4%</u>
Total Expense	<u>68,589.61</u>	<u>83,280.00</u>	<u>-14,690.39</u>	<u>82.4%</u>
Net Ordinary Income	<u>-22,147.49</u>	<u>-61,280.00</u>	<u>39,132.51</u>	<u>36.1%</u>
Net Income	<u>-22,147.49</u>	<u>-61,280.00</u>	<u>39,132.51</u>	<u>36.1%</u>

CONNECTICUT FEDERATION OF PLANNING AND ZONING AGENCIES QUARTERLY NEWSLETTER

Summer 2020

Volume XXIV, Issue 3

Summer Webinar

Pronouncements have been made that zoning in general, and local control of land use in particular, are a leading racial segregation in our state. Could towns lose zoning authority? We are looking into holding a webinar this summer on this topic. If you would like to receive a notice, please e-mail us at cfpza@live.com.

STATE APPEALS COURT REMINDS US IT'S ABOUT THE USE, NOT THE USER

A shorefront hotel held outdoor summer concerts several times each year on a town owned park that abutted the hotel's property. Both the hotel and the park were nonconforming uses. The hotel property was subjected to various use restrictions that had been part of a comprehensive variance granted to it in the past. Outdoor concerts were not specifically mentioned as part of this variance approval. Several nearby neighbors grew increasingly frustrated by these concerts and sought a permanent injunction from the court.

The neighbors' property, as well as the hotel and park, were located in a residential zone that allowed single family homes and only those other uses not detrimental to single family uses. Public parks and hotels were not permitted in the zone and there was no evidence that outdoor concerts took

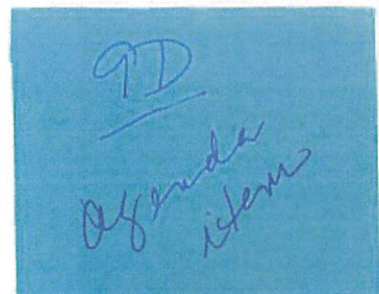
place at the hotel or park properties prior to the adoption of zoning.

The court granted the injunction and banned any future outdoor concerts at the park finding they would be an illegal expansion of the nonconforming hotel use as well as the nonconforming park. This decision was reversed by the Appellate Court. First, the court found that only the use of the park property was relevant as the concerts did not take place on hotel property. Thus, there could be no expansion of any nonconforming aspect of the hotel property. Second, there was evidence that the town allowed outdoor concerts at other town parks and that the term 'park' was not defined in the zoning regulations. Based on this evidence, the court found that since an outdoor concert was a typical use of park property, there was no expansion of the nonconforming park property near the hotel when it also hosted outdoor concerts. *See Phister v. Madison Beach Hotel LLC, 197 Conn. App. 326 (2020).*

AUTO RACE TRACKS SUBJECT TO ZONING SAYS STATE SUPREME COURT

In a recent opinion by our State Supreme Court which involved a well-known car racing venue, the authority of a planning and zoning commission to regulate such a use of land was affirmed. The case arose from an appeal of a decision by the commission to amend its zoning

Written and Edited by
Attorney Steven E. Byrne
790 Farmington Ave., Farmington CT 06032
Tel. (860) 677-7355
Fax. (860) 677-5262
attysbyrne@gmail.com
cfpza@live.com



CONNECTICUT FEDERATION OF PLANNING AND ZONING AGENCIES QUARTERLY NEWSLETTER

Summer 2020

Volume XXIV, Issue 3

regulations to clarify what activities were permitted at Lime Rock Park. Historically, Lime Rock Park had been governed by several court judgments which stipulated as to when certain activities could take place. One of these stipulations was that unmuffled automobile racing could not take place on Sundays.

Lime Rock Park claimed that Connecticut General Statute Sec. 14-164a(a) preempted the Commission's zoning regulation which prohibited unmuffled racing on Sunday. The State statute provided in part that such racing could take place, during reasonable hours, on any weekday and after 12 noon on Sundays. In order to resolve this issue, the Court looked to the history of this State statute. Until it was amended in 2004, this State statute had always provided that any such racing could be approved by the appropriate state agency as long as it did not conflict with any municipal ordinance. Relying on this history, the Court reasoned that the state legislature, when it amended the statute in 2004 without any debate, would not have departed from this long history of allowing municipal control over automobile racetracks. Since Sec. 14-164a(a) was prohibitory in nature, the Commission was acting within its authority when it imposed additional restrictions on Lime Rock Park, including the ban on Sunday racing.

Lime Rock Park also challenged the validity of the Sunday racing provision of the regulations on the basis that it was an invalid noise regulation. Before a municipal noise ordinance can be adopted, it must first comply with Connecticut General Statutes Sec. 22a-73 which requires, among other things, that the proposed ordinance be approved by the Commissioner of the Department of Energy and Environmental Protection. The Court found that the zoning regulation in question, which did not impose a noise level scheme but instead banned a particular use due to it being incompatible with the neighborhood wherein it would take place because of excessive noise was valid. One of the purposes of zoning is to eliminate nuisances. Thus, restricting loud, unmuffled automobile racing could reasonably be viewed as a way to eliminate a nuisance to this neighborhood, especially on Sundays. See *Lime Rock Park LLC v. Planning & Zoning Commission*, SC 20237, 20238, 20239 (2020).

OPINION LETTER BY ZEO IS A FINAL DECISION SUBJECT TO APPEAL TIME LIMITATIONS

A cease and desist order was timely appealed by the owner of a quarry to the zoning board of appeals. The cease and desist order alleged that the quarry operation was not permitted by the zoning regulations and needed to

Written and Edited by
Attorney Steven E. Byrne
790 Farmington Ave., Farmington CT 06032
Tel. (860) 677-7355
Fax. (860) 677-5262
attysbyrne@gmail.com
cfpza@live.com

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stop. The quarry owner alleged in defense that his quarry was a nonconforming use and thus could continue. As support for this claim, the quarry operator produced a written opinion by the prior ZEO that the quarry operation was a nonconforming use. This written opinion had been issued several years before and was recorded on the land records. The Board ignored this letter and upheld the issuance of the cease and desist order.

An appeal to court followed. In sustaining the appeal, the court found that the operative decision was the written decision by the prior ZEO and that this decision could not be challenged at this late date. Thus, the board was without jurisdiction to rule on the issue of whether the quarry was a nonconforming use as that issue had been decided by the prior ZEO and the time to appeal this decision had long since expired. *See One Barberry Real Estate Holding LLC v. Zoning Board of Appeals, 69 Conn. L. Rptr. 297 (2019).*

PZC CAN SUE ZBA OVER VARIANCE APPROVAL

When a planning and zoning commission appealed a decision to grant a variance, the zoning board of appeals moved to strike the complaint because it claimed a planning and zoning commission was not aggrieved by its decision. The court found in favor of the

commission and allowed the appeal to proceed.

The court reached its decision by first finding that the commission, under Connecticut General Statutes Sec. 8-8(1), is included as a person and thus could be aggrieved. Then, since the commission, as well as its agent, are entrusted with enforcing the zoning regulations, and a variance approved by a zoning board of appeal authorizes a violation of the zoning regulations, it is aggrieved by such a decision. This decision will certainly cause some discomfort to Boards of Finance. *See Planning & Zoning Commission v. Zoning Board of Appeals, 69 Conn. L. Rptr. 405 (2019).*

ANNOUNCEMENTS

Workshops - If your land use agency recently had an influx of new members or could use a refresher course in land use law, contact us to arrange for a workshop to be held at your next meeting. At the price of \$180.00 per session for each agency attending, it is an affordable way for your commission or board to keep informed.

ABOUT THE EDITOR

Steven Byrne is an attorney with an office in Farmington, Connecticut. A principle in the law firm of Byrne & Byrne LLC, he maintains a strong focus in the area of land use law and is available for consultation and representation in all land use matters both at the administrative and court levels.

Written and Edited by
Attorney Steven E. Byrne
790 Farmington Ave., Farmington CT 06032
Tel. (860) 677-7355
Fax. (860) 677-5262
attysbyrne@gmail.com
cfpza@live.com

BOOK ORDER FORM

Name of Agency: _____

Person Making Order: _____

Address: _____

Purchase Order No.: _____

"PLANNING AND ZONING IN CONNECTICUT"
at \$ 30.00 each for members Copies _____ \$ _____
at \$ 35.00 each for nonmembers

"CONNECTICUT ZONING BOARD OF APPEALS"
at \$ 25.00 each for members Copies _____ \$ _____
at \$ 30.00 each for nonmembers

"WORKSHOP BOOKLETS" at \$12.00 each for members & \$16.00 each for nonmembers
Planning & Zoning Commissions Copies _____ \$ _____
Zoning Board of Appeals Copies _____ \$ _____
Inland Wetlands & Watercourses Copies _____ \$ _____
Historic District Commissions Copies _____ \$ _____

TOTAL DUE: _____ \$ _____

*Please make check payable to:
Connecticut Federation of Planning & Zoning Agencies*

**CONNECTICUT FEDERATION OF
PLANNING & ZONING AGENCIES**
2B Farmington Commons
790 Farmington Avenue
Farmington CT 06032



Kent Planning & Zoning Commission
Town Hall
41 Kent Green Blvd.
P.O. Box 678
Kent, CT 06757-0678