

**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

**MAY 12, 2016 REGULAR MEETING MOTIONS**

The Town of Kent Planning and Zoning Commission held a regular meeting on Thursday, **May 12, 2016 at 7:00 p.m.** in the Kent Town Hall.

**1. CALL TO ORDER**

Mr. Winter called the meeting to order at 7:00 p.m.

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

Commissioners Present: Matt Winter, Acting Chairman; Karen Casey, Rich Chavka, Darrell Cherniske, Alice Hicks, Adam Manes, Anne McAndrew, Marc Weingarten, Wes Wyrick

Staff Present: Donna Hayes, Land Use Administrator

*Mr. Manes moved to add item 6.B.4. to the agenda. Mr. Cherniske seconded and the motion carried unanimously.*

*Mr. Manes moved to add item 6.B.5. to the agenda. Mr. Cherniske seconded and the motion carried unanimously.*

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

**3.A. Regular Meeting Minutes of April 14, 2016**

*Mr. Manes moved to approve the Regular Meeting Minutes of April 14, 2016, as presented. Mr. Weingarten seconded and the motion carried unanimously.*

**3.B. Special Meeting Minutes of April 28, 2016**

*Mr. Manes moved to approve the Special Meeting Minutes of April 28, 2016, as presented. Mr. Cherniske seconded and the motion carried unanimously.*

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

No action taken.

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**5. OLD BUSINESS:**

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

No action taken.

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

**5.B.1. Rewrite of Zoning Regulations**

*After a brief discussion, Mr. Manes moved to table Rewrite of Zoning Regulations to the end of the meeting. Ms. Casey seconded and the motion carried unanimously.*

**6. NEW BUSINESS:**

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

Mr. Chavka and Mr. Cherniske recused themselves from this discussion.

**6.A.1. Application #23-16SP and #24-16C, South Kent School Corporation, 0 Bulls Bridge Road, artificial turf, drainage and associated grading, Map 6 Block 38 Lot 2.**

Mr. Winter opened the public hearing at 7:08p.m. and read the legal notice into the record.

*Mr. Manes moved to continue Application #23-16SP and #24-16C, South Kent School Corporation, 0 Bulls Bridge Road, artificial turf, drainage and associated grading, Map 6 Block 38 Lot 2 to the next regular meeting. Mr. Weingarten seconded and the motion carried unanimously.*

Mr. Chavka and Mr. Cherniske returned to the meeting.

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

**6.B.1. Supremas Properties, Inc., modification to Site Plan Application #119-07C, Kent Town Center Association, alternative signage program to include a 24" x 36" projecting sign for The Covered Wagon Country Store, Map 19 Block 14 Lot 2.**

*Mr. Manes moved to approve Supremas Properties, Inc., modification to Site Plan Application #119-07C, Kent Town Center Association, alternative signage program to include a 24" x 36" projecting sign for The Covered Wagon Country Store, Map 19 Block 14 Lot 2. Mr. Cherniske seconded and the motion carried unanimously.*

**6.B.2. Modification to Application #63-15C, Arthur H. Howland & Associates, P.C., for Kent Center, LLC., 9 Maple Street, traffic and pedestrian circulation improvements, signage, relocation of structures, Map 19 Block 42 Lot 35, modifications to include replacement of raised speed tables with rumble stripping.**

**6.B.3. Modification to Application #64-15C, Arthur H. Howland & Associates, P.C. for Kent Center, LLC, 10 North Main Street, traffic and pedestrian circulation improvements, signage, relocation of structures, Map 19 Block 42 Lot 29 modification to include replacement of raised speed tables with rumble stripping.**

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Agenda items 6.B.2. and 6.B.3. were heard as one agenda item.

Messrs. Cherniske, Manes and Wyrick recused themselves from the discussion.

Mr. Winter elevated Mr. Weingarten and Ms. McAndrew to voting status.

*Mr. Weingarten moved to approve agenda item 6.B.2. Modification to Application #63-15C, Arthur H. Howland & Associates, P.C., for Kent Center, LLC., 9 Maple Street, traffic and pedestrian circulation improvements, signage, relocation of structures, Map 19 Block 42 Lot 35, modifications to include replacement of raised speed tables with rumble stripping and agenda item 6.B.3. Modification to Application #64-15C, Arthur H. Howland & Associates, P.C. for Kent Center, LLC, 10 North Main Street, traffic and pedestrian circulation improvements, signage, relocation of structures, Map 19 Block 42 Lot 29 modification to include replacement of raised speed tables with rumble stripping. Ms. McAndrew seconded.*

During discussion, Mr. Winter asked Mr. Weingarten if he would like to include the provision to raise the rumble strips a couple of inches. Mr. Szymanski said that he would need to obtain approval from the Building Official. Mr. Winter asked what would happen if Mr. Jenks says no. Mr. Szymanski replied that he would have to appear before the Commission once again. Ms. Hayes suggested that it could be done via a letter which she could read before the Commission rather than having Mr. Szymanski appear before them again. Mr. Szymanski said that he would find out if raising the rumble stripping an inch to an inch and a half would work. Mr. Winter said that if the Building Official does not agree, the Commission would then be approving this as presented. Ms. McAndrew asked for clarification. Mr. Winter said that Mr. Szymanski would like the raising of the rumble strips contingent upon approval by the Building Official. Mr. Szymanski said that in order to make it clear, they were volunteering that if an inch to an inch and a half was not acceptable to the Building Official, he would come back before the Commission. He said that there was no need to make it contingent upon the approval, because if the Building Official does not approve the height adjustment, Mr. Szymanski cannot build it and he would be required to return to the Commission. Mr. Winter agreed. Mr. Chavka asked if the Fire Marshall had to approve it as well. Mr. Szymanski said that he would check with him as well. With no further discussion, Mr. Winter said that the motion stands as presented.

*The motion carried unanimously.*

**6.B.4.** Application #31-16C, William Morrison for Irvlen Equity, LLC, 0 North Main Street, construction of new retail gallery, Map 19 Block 42 Lot 9.

*Mr. Manes moved to continue Application #31-16C, William Morrison for Irvlen Equity, LLC, 0 North Main Street, construction of new retail gallery, Map 19 Block 42 Lot 9 to the next regular meeting. Mr. Cherniske seconded and the motion carried unanimously.*

**6.B.5.** Modification to site plan application #72-07C, Housatonic Enterprises, Kent Green alternative signage program to include: one 18" x 72" wall sign and one 36" x 36" wall sign for Black Sheep Yarns, Map 19 Block 42 Lot 8.

*Mr. Manes moved to approve Modification to site plan application #72-07C, Housatonic Enterprises, Kent Green alternative signage program to include: one 18" x 72" wall sign and one 36" x 36" wall sign for Black Sheep Yarns, Map 19 Block 42 Lot 8. Ms. Hicks seconded and the motion carried unanimously.*

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**7. STAFF REPORT:**

- 7.A. Executive Session. Pending Litigation: Planning & Zoning Commission of the Town of Kent Et Al v. Burt, Kenton L. Et Al, Docket No. LLI-CV-16-6013331-S in Litchfield Superior Court. Discussion of strategy and negotiations with legal counsel.**

*Mr. Manes moved to go into Executive Session. Pending Litigation: Planning & Zoning Commission of the Town of Kent Et Al v. Burt, Kenton L. Et Al, Docket No. LLI-CV-16-6013331-S in Litchfield Superior Court. Discussion of strategy and negotiations with legal counsel at 9:42 p.m. Mr. Weingarten seconded and the motion carried unanimously.*

The Commission came out of Executive Session at 9:52 p.m.

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

No action taken.

**9. OTHER COMMUNICATIONS AND CORRESPONDENCE:**

- 9.A. Administrative Permits and Certificates of Compliance**

No action taken.

- 9.B. Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter, Volume XX, Issue 2, Spring 2016**

No action taken.


- 9.C. NHCOC Referral Response: New Milford to Allow School Caretaker Unit and Medical Marijuana Dispensary Facilities.**

No action taken.

**10. ADJOURNMENT**

*Mr. Wyrick moved to adjourn at 9:55 p.m. Mr. Manes seconded and the motion carried unanimously.*

Respectfully submitted,



Donna M. Hayes, CZEO  
Land Use Administrator

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