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By Darlene Brady at 10:52 am, Apr 15, 2024

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

REGULAR MEETING MINUTES

The Planning and Zoning Commission held a regular meeting on Thursday, April 11, 2024, beginning at 7:00 p.m. via zoom.

1. CALL TO ORDER

Mr. Wyrick called the meeting to order at 7:01 p.m.

2. ROLL CALL AND APPOINTMENT OF ALTERNATES IF REQUIRED

Commissioners Present: Wes Wyrick, Chairman; Karen Casey (7:04 p.m.) Sarah Chase, Darrell Cherniske, Larry Dumoff, Shelby Green, Chris Harrington, Alice Hicks, Anne McAndrew, Anthony Palumbo

Mr. Wyrick elevated Mr. Palumbo to voting status.

3. READING AND APPROVAL OF MINUTES:

3.A. March 14, 2024 Regular Meeting

Mr. Cherniske moved to approve the regular meeting minutes of March 14, 2024 as presented. Ms. Chase seconded and the motion carried unanimously.

4. PUBLIC COMMUNICATIONS (ORAL):

No action taken.

5. OLD BUSINESS: None

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

5.A.1. DISCUSSION AND POSSIBLE DECISION:

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No action taken.

6. NEW BUSINESS:

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

- 6.A.1.** Application # 04-24C & 05-24SP, Kent School, 25 Skiff Mountain Rd., Map 3, Block 9, Lot 24, modification to (145-02SEP) allow for three family dwelling.

Mr. Wyrick opened the public hearing at 7:04 p.m. and read the legal notice into the record.

Mr. Wyrick reminded the Commission about the pre-application discussion last month. Mr. Bergin, Facilities Director Kent School, was present. He explained that the proposed three-family dwelling will be constructed for faculty housing. The design will be in keeping with the other houses in the area.

There was no public comment.

Mr. Wyrick explained that the original plan had been around since 2003 with one modification done in 2020. There was some confusion as to what the final site plan will be. Mr. Wyrick continued that the use of the tri-plex decreases the density and creates open space. He would like to see the existing conditions submitted with an overlay with the new plan. Mr. Wyrick felt that it would provide clarity on this long-standing site plan. Mr. Dumoff asked if the new construction would have more impact on the area. Mr. Wyrick said that he did not think there would be any impact and will appear as a single-family dwelling. Mr. Bergin said that the overlay can be presented. Mr. Harrington asked which houses will be eliminated from the site plan. Mr. Bergin explained that the houses on what was referred to as Ward Rd were not built, the two houses closest to Skiff Mountain Rd were built in 2020. Mr. Wyrick asked that an “existing” and “proposed” site plan be submitted. Ms. Kern suggested that this include a revised landscaping plan with regard to the new layout. Mr. Bergin said that none of the drainage will be changed; it will remain as originally submitted.

Ms. Chase asked about the timeline. Mr. Bergin said that they were hoping to have this structure completed by the fall; but right now, they are hoping to have at least started by the fall. Mr. Wyrick asked if the Fire Marshal had submitted any comments. Ms. Kern said that she had received approvals from the Fire Marshal, and the Sewage Commission. They were waiting for comments from the Housatonic River Commission.

Mr. Bergin said that he will get the information to them as soon as possible. Ms. Kern asked if the Commission wanted her to create a Resolution of Approval or Denial. Mr. Wyrick said that a Resolution of Approval should be prepared for the next meeting. Mr. Bergin also mentioned that there was no need to appear before the Inland Wetlands Commission. Ms. Kern told the Commission that the original condition approval required reports on drainage inspections; to her knowledge none have been submitted and it was her recommendation that the commission consider modifying or removing this condition of approval.

Mr. Cherniske moved to keep the public hearing open to the next regular meeting. Ms. Casey seconded and the motion carried unanimously.

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6.B DISCUSSION AND POSSIBLE DECISION

6.B.1. Pre-application Special Permit and Site Plan Review, Kent Library Association, Inc, 32 North Main Street, Map 19, Block 42, Lot 22 additions, alterations and change of use.

Ms. Hicks and Ms. McAndrew recused themselves from this discussion.

Mr. Wyrick elevated Mr. Harrington to voting status.

Mr. Sam Callaway, member of the KML Board of Directors and member of the Building Committee explained the need for the expansion of the library. He then introduced Mr. Leonard Wyeth and Ms. Sara Holmes of Wyeth Architecture, the firm responsible for the creation of the plans for the expansion.

Mr. Wyeth then shared his screen showing the plans for the expansion. He explained that the front yard setbacks will be met, but the firehouse encroaches on the rear set back. The new exterior staircase on the southern side of the old firehouse will also encroach on the south side yard setback. The driveway will take up all of the area in front of the existing firehouse. The second floor of the existing firehouse will be part of the new plans; the area on the 3rd floor of the firehouse, will not.

Mr. Wyeth explained that the two buildings will be connected which will provide a set of legal stairs to the second floor of the existing firehouse providing public space. There will be a smaller blacktop entrance area allowing for the pick up of garbage and deliveries. There will be a fence on the south side by the Villager. The mechanicals will be placed on the rear of the south side. A fence will run along the backside of the property. The new entrance to the library will be in the center of the structure via a red brick sidewalk. There will be new trees planted and new small sitting benches installed along the Route 7 side of the property. The apple tree in the back will be removed.

The second floor of the firehouse will contain a new gathering space with a maximum capacity of 75. There is an elevator and a broader stair going down to the lobby. Mechanical space will be located on this level as well.

The existing library will remain the same; the existing entrance will be eliminated and the new entrance will be in the middle of the structure. The elevator will be placed within the clock tower which tops out at 35'. The area containing the new entrance and the tower is the new construction. The new legal stair on the side of the firehouse will be enclosed.

Ms. Chase asked where the handicap parking spaces were located. Mr. Wyeth showed them on the site plan. Mr. Callaway said that there were some questions about their location as they block the entrance to the firehouse. Handicap spaces were never required before, and they are considering asking for a waiver through the State during a meeting with the Building Official and Fire Marshal sometime next week.

Mr. Wyeth stated that the new entrance was placed so far back in order to accommodate the current configuration of the interior of the library. There will be no basement in the new construction.

Mr. Wyrick said that they only question he feels the Commission will be asking about is parking.

Mr. Dumoff asked if there were comments from the ARB. Ms. Kern said that they did appear before the ARB

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who had some questions so their application was tabled. A report should be prepared shortly after the next meeting. Ms. Kern commented that they will also have to appear before the ZBA.

Ms. Chase asked if the meeting room will be available to the public. Ms. Marshall, KML Director, replied that it would be. Ms. Chase asked about the timeline; and the color scheme. Mr. Wyeth said that the existing library will remain brick but the new construction will be clapboard. The full firehouse will be clad with insulation on the outside in order to bring it up to the energy code. The cladding will be a color, but they are not sure what color. Ms. Chase asked about solar efficiency. Mr. Wyeth said the new construction will exceed the current energy code. If they can afford it, they will see that panels on the roof will be installed. Mr. Wyrick asked if that will be presented to the ARB. Mr. Wyeth said that they would not be visible to the public. With regard to the timeline, Mr. Wyeth said that there will not be construction until late this year or early next year. Mr. Harrington asked where the construction vehicles will park and where would the construction materials be placed. Mr. Wyeth said that the location of the current book sale will be the staging area. Ms. Chase asked if there was any plan to cover the book sale area. Mr. Wyeth said that it was considered but is not part of the current plan.

Mr. Wyrick asked about a shared parking arrangement. Ms. Marshall responded that they had received a verbal agreement from the CFO of the Kent School for a shared parking agreement for parking at the engineering building behind 25-27 North Main Street. Most of the events will be held in the evening when this parking lot was not being used; they feel that the area is underutilized and would be agreeable to sharing. It was believed that there were 70 parking spaces. Mr. Harrington asked for the distance from the library to the shared parking area; it was unknown. Ms. Marshall said there are many agreements between the property owners with regard to parking. Mr. Harrington asked if more parking could be added to the front of the property. Ms. Marshall said that the book sale is responsible for 15 – 20% of their income; it also brings in many other patrons to the other businesses within the Town. Ms. Marshall said that they are remaining committed to having the book sale in the future. Ms. Chase asked if the handicap spaces could be placed on the street; Ms. Marshall replied that the spaces in front of the library are on a state road and they would have to designate them as handicap.

Mr. Dumoff asked if there are entrances on the back of the building. Mr. Wyeth said that there are doors that exit only; there will be no capability to enter the building from that area.

Mr. Wyrick said that there is still some work to be done; i.e., ZBA and ARB. Mr. Callaway asked if the Commission would consider a special meeting. Mr. Wyrick said that they do sometimes have special meetings.

6.B.2. Application #05-24C, Guy Mauri (Jason Doornick), 21 Bridge Street, Map 19, Block 13, Lot 10, site plan approval for dealer and repairer.

Ms. Hicks and Ms. McAndrew returned to the meeting.

Mr. Jason Doornick was present to address the Commission. He explained that they specialize in the repair and sale of vintage cars. They are looking to apply for their dealership license at this location.

Mr. Wyrick asked if they had their dealership license. Mr. Narwold, co-owner with Mr. Doornick, said that they are going through the dealership application process now. They need to present an insurance policy and approval from the zoning board which would then be submitted to the DOT. It was noted that the Fire Marshal would also need to sign off on the dealership application to the DOT. Mr. Doornick stated that there are cars parked in the front of the building and inside of the showroom.

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Mr. Wyrick asked about the number of businesses being operated from this location. Mr. Doornick replied that he knew of a Volvo repair facility but was unsure what other businesses were in the building.

Ms. Chase asked what steps would be taken to keep their vehicles off of the brand-new sidewalks. Mr. Doornick said that they had seen the members of the Catholic church parking on the sidewalks so they thought it would be okay. Mr. Doornick said that he would put up parking signs if required.

Mr. Wyrick asked about the parking at the rear of the building. Mr. Doornick said that he was not sure. He did not believe that it was part of their lease. Mr. Harrington asked how many parking spaces were in the front. Mr. Doornick replied 12. It was believed that there were 13 or 14 cars parked in that area. Ms. Kern said that there are 52 parking spaces on the property; they would only need 33 spaces; however, the regulations are based on square footage of the building with the exception of the repair bays which requires parking for 2 cars per bay. Outdoor storage encompasses a lot of the parking spaces. Mr. Wyrick asked if they lease the space from Mr. Mauri who also has a space there as well. Mr. Wyrick asked if that space was shared by him. Mr. Wyrick asked how the lease is created and asked where the bays are. Mr. Doornick said that they have the area in the front of the building as well as 2 bays on the side.

Mr. Palumbo asked if they would be repair or just selling; Mr. Doornick said that they would be doing minor repairs like oil changes.

Mr. Narwold said that they would just like to take over the parking spaces they are allotted so that they can get the business up and running. Ms. Kern said that the business plan said 15 to 20 cars. Ms. Kern said that they are currently parking quite a few cars in the front and possibly blocking the handicap spots which might be an issue with the Fire Marshal. Ms. Kern continued that the Fire Marshal will be doing a site visit.

Ms. Chase asked about employees. Mr. Doornick said that they will have 5 or 6 part time employees. Mr. Doornick said that they park at the gas station or at the location on Bridge Street. Mr. Wyrick asked if that was part of a parking agreement with the owners of the gas station. Mr. Doornick said that there is no agreement with the gas station; he just sees cars parked there and figured they could park there as well. Mr. Wyrick stated that they are trying to keep order with regarding to parking.

Mr. Doornick said that he spoke with the Fire Marshal who might come by next week.

Mr. Wyrick suggested that this application be tabled until they can get the information they need. Mr. Narwold asked what he needs to do to keep the application moving. Mr. Wyrick said that they need to reach out to the Fire Marshal.

Mr. Doornick asked Ms. Kern if this was a pre-approved use. Ms. Kern said that this is a preexisting use and the information regarding the history of the property is in the staff report. Mr. Doornick said that he has memories of his parents buying a car in that location and believes that this use is grandfathered. He asked for the terms which Ms. Kern reviewed the history of the site and explained that the Commission would have to determine whether the addition of this additional business to the existing business operating at the site is appropriate per site plan requirements. She also commented that over time many businesses have come and gone at this location and it was hard to determine what is currently operating.

Ms. McAndrew said that this would be a great addition to the Town and suggested that they continue to work with Ms. Kern to keep the application moving forward.

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Mr. Doornick said that he has received many requests for car shows and even off-roading events which he has been working with the Chamber on.

Mr. Dumoff asked if ARB needs to get involved. Ms. Kern said that there will be no changes to the building; she did note that there is a Motorist sign on the building which needs to be addressed.

Mr. Harrington moved to table Application #05-24C, Guy Mauri (Jason Doornick), 21 Bridge Street, Map 19, Block 13, Lot 10, site plan approval for dealer and repairer. Mr. Dumoff seconded and the motion carried unanimously.

6.B.3. John Casey 1 Landmark Ln, Maple St Ext, 1 Kent Green Blvd, 16 Landmark Ln, M/B/L 19/42/42, 4/42/1, 12/42/8 and 19/42/45 lot line revisions.

Ms. Casey recused herself from the discussion.

Mr. Casey was present to address the Commission and referred them to a site plan created by Mr. Gary Hock. Mr. Hock shared his screen and Mr. Casey presented the following narrative:

The first merger entails the merger of Map 19 Block 42 Lot 43, which is identified as “Parcel D” on the site plan, with Map 19 Block 42 Lot 8. This first merger will create a lot consisting of 19± acres. It is identified as orange on the site plan which can be located in the public meeting folder.

The second merger entails the merger of Map 4 Block 42 Lot 1 with Map 19 Block 42 Lot 43 (Parcel C) which would create a lot consisting of 11± acres with deeded access from Kent Green Blvd from the north and Maple Street Extension from the south. It is identified as blue on the site plan which can be located in the public meeting folder.

The third merger entails the merger of Map 19 Block 42 Lot 45, which is identified as “Parcel B” on the site plan, with Map 4 Block 42 Lot 1 which will create a lot consisting of 12 ± acres. It is identified as purple on the site plan which can be located in the public meeting folder.

Ms. Kern asked if the Commission would consider moving the Incentive Housing Zone designation onto the newly created merged lot. It was not something that can be done tonight, but it would be something to consider in order for the Commission to achieve their goal of creating incentive housing within the Village District. It was stated that if the sale goes through, it would be the new owner who would come forward to request that.

Mr. Casey said that he was looking for a nod from the Commission that this could be done. Mr. Wyrick asked for feedback from the Commission. Ms. Kern asked for the Commission to approve or deny them.

Ms. Chase moved to approve John Casey 1 Landmark Ln, Maple St Ext, 1 Kent Green Blvd, 16 Landmark Ln, M/B/L 19/42/42, 4/42/1, 12/42/8 and 19/42/45 lot line revisions. Mr. Cherniske seconded.

During discussion, Mr. Harrington said that he likes the idea. Ms. Hicks said that her concern was that the buyer may be the seller. She asked what criteria is being established. Ms. Kern explained that the underlying zone will be Commercial and the lots will have multiple overlay zones until those zones area changed down the line. Ms. Kern said that the Commission needs to understand that there is zoning conformity with regard to this lot line

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revision. If they don't feel that they are in line with the zoning regulations, they should deny the lot line revision. She also explained why it was referred to the Commission.

The motion carried.

Ms. Casey returned to the meeting.

6.B.4. Elevation of Jonathan Moore fill vacant ARB Regular Member position expiring 08/02/2024.

Mr. Cherniske moved to elevate Jonathan Moore to a regular member position expiring 8/02/2024. Ms. Chase seconded and the motion carried unanimously.

7. STAFF REPORT

No action taken.

8. REPORT OF OFFICERS AND COMMITTEES: N/A

No action taken.

9. OTHER COMMUNICATIONS AND CORRESPONDENCE:

9.A. Administrative Permits and Certificates of Compliance

No action taken.

10. ADJOURNMENT

Mr. Wyrick moved to adjourn at 9:19 p.m. Mr. Harrington seconded and the motion carried unanimously.

Respectfully submitted,

Donna M. Hayes

Donna M. Hayes, CZEO
Assistant Land Use Administrator

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