

MACKEY BUTTS & WHALEN LLP

ATTORNEYS AT LAW

Ellen L. Baker
Robert R. Butts
Robert B. Dietz
Richard R. DuVall
Ian S. MacDonald
Joshua E. Mackey
Cara A. Whalen

Christina A. Mazzarella
Alexander D. Salvato

Emily Abrahams
Tyrone Brown
Richard J. Olson
R. Keith Salisbury

Hon. Albert M. Rosenblatt

September 12, 2024

Via Email: landuse@salisburyct.us

Dr. Michael Klemens
Chairman – P&Z Commission
Town of Salisbury
PO Box 548
27 Main Street
Salisbury, CT 06068

**Re.: Wake Robin Inn – 104-106 Sharon Road, Lakeville CT
(Special Permit Application #2024-0257)**

Dear Dr. Klemens:

Our office has put together a formal response in regard to the requests and questions that were discussed at the Salisbury Planning and Zoning Commission public hearing meeting on September 3, 2024.

1. Radio frequency tests and/or radiation for the area in close proximity to the cell tower?

As part of their application package to the Connecticut Siting Council, AT&T performed a Radio Frequency Emissions analysis per the Federal Communications Commission guidelines set forth in FCC OET Bulletin 65 Edition 97-01, ANSI/IEEE Std. C95.1, and ANSI/IEEE Std. C95.3. The analysis concluded that the radio frequency exposure at ground level will be significantly below the limits for the general public, thus all cottages, amenities, and hotel facilities will be safe for patrons.

2. Does the Wake Robin own the driveway that leads out to Wells Hill Rd?

As described on the submitted A-2 Survey Map within the application materials, Wake Robin, LLC currently has perpetual right, via easement to use a 12' Right-of-Way, as documented in the Town land records.

3. How are construction vehicles going to enter & exit the property?

The primary entry and exit for all construction vehicular traffic will be via the Sharon Road driveway. If the need arises to utilize the Wells Hill Road existing access point on a temporary basis during construction, adequate traffic control measures will be discussed and approved by the

Reply to:

3208 Franklin Avenue
Millbrook, NY 12545
P 845.677.6700
F 845.677.2202

319 Mill Street
Poughkeepsie, NY 12601
P 845.452.4000
F 845.454.4966

81 Main Street
P.O. Box 308
Sharon, CT 06069
P 860.364.6232
F 860.364.6429

www.mbwlawyers.com

Town/Emergency Services prior to use. These traffic control measures may include temporary warning signage, traffic cones, flag persons, and police traffic control at the expense of the owner.

4. Clarify the zoning of the property:

104-106 Sharon Rd (Wake Robin Inn) and 53 Wells Hill Rd (Serena Granbery) are both in the RR-1 zoning district. Hotel use is allowed in the RR-1 zoning district under a special permit per the zoning regulations 213.5 Hotels in Residential Zones.

5. Expand on which buildings / amenities are open to the public, hours of operation of each use, and occupancy:

Refer to the updated project narrative (uploaded to the town's project folder) and the presentation for the public hearing on September 17, 2024. Additional information has also been provided in the revised Project Narrative (dated 09/12/2024)

6. Why was there a traffic study done at the intersection of Wells Hill Rd and entrance/exit if that is being used for emergency vehicles only?

It is customary traffic engineering practice to study all existing access points to subject properties in order to fully assess and make recommendations for future use and improvements.

7. Sewer system approval/capacity?

Preliminary correspondence and meetings with the WPCA provided positive feedback on the adequacy of capacity to support the proposed project. Continued coordination and final approval by the WPCA for the project is underway.

8. Tree preservation plan?

Based upon the request of the Commission, the applicant has initiated the preparation of a tree preservation report for the project. Upon completion the applicant will submit the plan to the Town for review. It is the intent of this plan to evaluate the trees on the property and determine/locate those trees to be removed/preserved within the proposed development impact envelope.

9. Noise mitigation plan / noise control:

The proposed facility will be an upscale, programmed venue, with the appropriate number of dedicated and trained staff assigned for each planned event at the facility as well as a full-time operations manager who will be responsible for compliance with internal and external rules and conditions. Hours of operation both inside and outside will be strictly adhered to. It should also be noted that the current property hosts outdoor wedding/event receptions in an open-sided, temporary tent structure, while the proposed project will host these weddings/events within a fully permanent interior facility designed for sound attenuation.

The use of standard, non-acoustically rated windows, and modern building construction typically provides an indoor-to-outdoor sound reduction of 30 dBA or more, the event barn proposed for this project will use an acoustically rated window system that will provide a considerably higher reduction. It should be noted that three of the barn's proposed facades will have a limited amount of glazing (windows), with the fourth side facing the great lawn, that will include several doors and windows allowing access and daylight into the structure. Furthermore, the distance, changing topography, and natural and proposed vegetation will provide additional sound reduction in the range of 10-20 dBA, or greater. Thus, considering these factors cumulatively, any proposed indoor sound levels of 90 to 100 dBA (typical industry standard for live music) would result in mitigated property line sound levels near or below typical ambient sound levels in a rural setting at 30-40 dBA, which is relatively quiet and comparable to typical conversational sound.

10. Lighting Plan + Photometric Plan:

A detailed photometric plan has been prepared for all exterior lights proposed for the site and illustrates a 0.0 footcandle measurement at all property boundaries will be achieved. The lighting design has been developed to provide the minimal amount of light necessary onto the surface of the pathway and driveways of the facility. All parking, driveway, and pathway lighting is dark-skies compliant.

11. Concern over the water flowing down the cliff to the Watson property at 126 Sharon Road:

A detailed storm water management plan has been engineered for the property, and reviewed by the Town's engineering consultant, to ensure that all storm water from the site is treated and controlled on the property. In most cases, the actual storm water quality and management will be improved from the existing conditions.

12. View of the property line along Wells Hill Rd:

Several photo-simulations have been prepared to illustrate the proposed viewsheds from Wells Hill Road onto the property, post construction. These digital illustrations are based upon the proposed site development plans to depict photo realistic proposed conditions and are based upon actual recent photographs taken on September 6, 2024

13. Who is Aradev?

Aradev is a hospitality development firm based in NYC. Its principals Jonathan Marrale and Steven Cohen have over 30 years of combined hotel and hospitality experience. Both have family ties to New York, Connecticut and Rhode Island and are looking forward to becoming part of the Salisbury community through the approvals process, as well as during the future operation of the facility. Their experience is heavily weighted in the hospitality and hotel industry and includes several full life-cycle new build hospitality properties, several renovations of historic properties, as well the asset management of the properties. Aradev is committed to sustainability in both preservation of the site and its environs, as well as the architecture and building materials. Aradev has brought together a design team

of international industry experts, ALL with significant experience in the greater Salisbury, Connecticut region.

14. Response to the towns 3rd party engineer comments:

A comment/response letter, and supporting revised plans and reports, have been prepared by the applicant and submitted to the Town for review.

15. Hours of Operation:

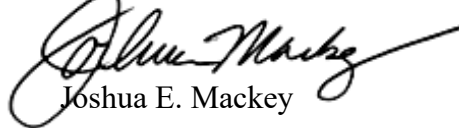
Food and beverage serving facilities will close by 11pm, but private events (located **INSIDE** the event barn, restaurant/bar, or hotel) will be able to continue until 1AM (Monday, Tuesday, Wednesday, Thursday, and Friday) and 2AM (Saturday, Sunday, and the day after a holiday) per Connecticut Liquor Control Act (Ch 545) Sec. 30-91(a)

16. Public Safety:

To enhance the public safety of both hotel guests and local residents, the project will be implementing several key measures. All private events hosted at the hotel will require the hiring of private security to ensure that guests and community members remain safe and secure. In addition, all alcohol-serving staff will be certified in ServSafe Alcohol training to prevent over-serving and promote responsible alcohol consumption. Ownership will install 24/7 security cameras with on-site monitoring to provide continuous surveillance and quick response to any incidents. To further address concerns and foster a collaborative relationship with the community, the future general manager of the hotel will have a direct phone number and email address available to local neighbors, ensuring that any issues can be addressed promptly and effectively.

Sincerely,

MACKEY BUTTS & WHALEN, LLP

A handwritten signature in black ink, appearing to read "Joshua Mackey", written over a printed name.

Joshua E. Mackey