

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

September 16th, 2024 6:30PM

Remote Meeting by Live Internet Video Stream and Telephone

1 **Members Present:**

2 Dr. Michael Klemens (Chair)

3 Cathy Shyer (Vice Chair)

4 Allen Cockerline (Regular Member)

5 Bob Riva (Regular Member)

6 Dr. Danella Schiffer (Alternate Member)

7 Beth Wells (Alternate Member)

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11 **Brief Items and Announcements**

12 1. Call to Order / Establish Quorum

13 Chair Klemens called the Meeting to order at 6:30PM. A quorum was established with four regular
14 members present (Dr. Michael Klemens, Cathy Shyer, Bob Riva, Allen Cockerline). Alternate Members Dr.
15 Danella Schiffer and Beth Wells were also present.

16

17 Chair Klemens appointed Alternate Member Wells as voting alternate.

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19 2. Approval of Agenda

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21 **Motion:** To approve the agenda.

22 Made by Cockerline, seconded by Riva.

23 Vote: 5-0-0 in favor.

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25 3. Minutes of August 19, 2024

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27 Commissioner Riva and Alternate Member Wells were not present at this meeting and abstained from
28 voting. The Commission had no comments or questions.

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30 **Motion:** To approve Minutes of August 19, 2024.

31 Made by Shyer, seconded by Cockerline.

32 Vote: 3-0-2 in favor, with Commissioner Riva and Alternate Member Wells abstaining.

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34 4. Minutes of September 3, 2024 - *pending*

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36 **Public Comment**

37 5. Public Comment - Public Comment is restricted to items that are neither on the agenda nor the subject
38 of any pending Planning & Zoning application or action and are limited to three minutes per person.

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40 Member of the Public Bruce Palmer joined the meeting and asked if information could be shared during
41 meetings to identify members of the Public that are attending the Zoom call. Chair Klemens explained
42 ten citizens are currently in attendance.

43

44 **New Business**

45 6. #2024-0263 / Sternlof (Bodwell Engineering and Surveying) / White Hollow Road / Two-Lot
46 Subdivision / Map 03 / Lot 26 / DOR: 09/16/2024 / *Reception*

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Keith Bodwell of Bodwell Engineering and Surveying joined the meeting to represent the application. Chair Klemens explained the application involved a two-lot subdivision and first cut for a total of three lots. Chair Klemens asked if the applicant reviewed the Subdivision Regulations in regards to natural resource features such as vernal pools, rock out crops and species listed on the Natural Diversity Database. Engineer Bodwell confirmed that he did review the Regulations, and that there were no areas of concern. Chair Klemens replied that documents reflecting these determinations must be submitted. Commissioner Cockerline asked that a buildable square be represented on the plans as well. Chair Klemens asked that the Zoning Data be formatted into a table of Zoning Compliance. Engineer Bodwell commented that Torrington Area Health District (TAHD) approval is pending. Chair Klemens considered the application incomplete and advised the applicant to return to the Land Use Office (LUO) for assistance. All Commission members agreed.

Public Hearing - 6:45PM

7. #2024-0255 / McCord (Michael Trapp Inc) / 514 Wells Hill Road / Special Permit Application for an Accessory Apartment (Section 208) / Map 30 / Lot 04 / DOR: 08/05/2024 / DOH: 09/03/2024 *Continue Hearing, Possible Consideration*

The Public Hearing continued at 6:49PM. Alyssa Fournier and Michael Trapp joined the meeting to represent the application. LUTS Todaro presented documents and correspondence submitted since the last meeting. Ms. Fournier explained the Applicant has agreed to pull the buried gas, cable, and electric lines under the driveway planned for abandonment. Chair Klemens asked where the gas line would be cut off, Ms. Fournier replied it will be pulled back to the panel location at 514 Wells Hill Road. She added a letter was recently submitted to the LUO signed by 514 Wells Hill Road property owner Allen McCord agreeing to the terms requested by the owners of the property where the driveway encroached.

Chair Klemens opened the floor to the public for comments and questions.

Member of the public Ellen Weirtheimer joined the meeting and asked if approval of the application can be accompanied by a condition that the accessory apartment not be rented separately from the main property. Chair Klemens replied this condition cannot be legally applied. There were no further comments or questions from the public or Commission.

Motion: To close the public hearing at 6:58PM.

Made by Cockerline, seconded by Shyer.

Vote: 5-0-0 in favor.

Motion: To approve application #2024-0255 / McCord (Michael Trapp Inc) / 514 Wells Hill Road / Special Permit Application for an Accessory Apartment (Section 208) / Map 30 / Lot 04 / with the condition that the remediation of the "Greenberg property" (MBL 07-17-2) proceed as described in the letter by "Michael Trapp, Inc." dated September 10, 2024. Made by Cockerline, seconded by Riva.

Vote: 5-0-0 in favor.

8. #2024-0260 / Brazzale (Grickis) / 17 Railroad Street / Contractor Equipment Storage / Map 54 / Lot 58 / DOR: 08/19/2024 / *Open Hearing, Possible Consideration*

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93 Vice Chair Shyer recused herself from this application. Dr. Klemens appointed Alternate Member Schiffer
94 as voting alternate.

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96 The public hearing opened at 7:02PM. Chair Klemens read the legal notice. Attorney William Grickis and
97 applicant Nick Brazzale joined the Meeting to represent the application. Attorney Grickis explained Mr.
98 Brazzale chose to construct the equipment storage shed twenty feet back from the originally approved
99 location due to safety concerns. Attorney Grickis said communication of the circumstances was sent to
100 abutting property owners, and the applicant provided an As-Built to show where the building was
101 constructed. He asked the Commission to approve and accept the amended Site Plan As-Built so Mr.
102 Brazzale may acquire a Certificate of Zoning Compliance and Certificate of Occupancy.

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104 Mr. Brazzale presented the Site Plan and explained he made a decision to move the metal storage shed
105 back twenty-feet during construction due to its closeness to Railroad Street. He explained the building is
106 intended for equipment storage to prevent neighboring properties from viewing the equipment. LUTS
107 Todaro presented a letter of correspondence from nearby property owners. Alternate Member Schiffer
108 asked what kind of noise the neighbors are concerned about. Mr. Brazzale replied that employees show
109 up for work at 7:00AM to load equipment onto trucks and return by 4:30PM on business days. He
110 explained noise emitted from the front of the building when the garage door is opened is due to
111 equipment being moved. Chair Klemens asked if the building is utilized as a workshop. Mr. Brazzale
112 replied no. There were no further questions from the public or Commission.

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114 **Motion:** To close the public hearing at 7:21PM.
115 Made by Wells, seconded by Riva.
116 Vote: 5-0-0 in favor.

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118 **Motion:** To approve application #2024-0260 / Brazzale (Grickis) / 17 Railroad Street / Contractor
119 Equipment Storage / Map 54 / Lot 58 - Specifically to amend existing special permit #2022-0174 to
120 reflect modified building location per As-Built survey for safety reasons. Vote: 5-0-0 in favor.

121
122 **Other Business**

123 9. Update Regarding the Public Engagement Meeting for Plan of Conservation and Development (POCD)
124 September 30, 2024 (6:30-8:30 PM)

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126 Chair Klemens explained the POCD document was uploaded to the Town website. Three letters of
127 correspondence have been received so far. He said public comment will end after the Public Engagement
128 Meeting is hosted. Chair Klemens explained comments will be integrated into the POCD and then he will
129 return back to the Commission on October 7, 2024 for a final draft approval. Public Hearing for adoption
130 will be on December 16, 2024. Chair Klemens also mentioned that he contacted the Lakeville Journal,
131 who will compose an article that will be posted next week.

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133 **Adjournment**

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135 **Motion:** To adjourn the meeting at 7:30PM.
136 Made by Cockerline, seconded by Riva.
137 Vote: 5-0-0 in favor.

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141 Respectfully Submitted,

142 Erika Spino

143 Secretary of Minutes