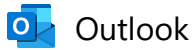


Letters of Support – Batch 5

For the purposes of consolidating digitized materials the following is a summary list of endorsements followed by the actual documents received.

Item #	Name (Title)	Date
5-a	Mark and Faith Hochberg	November 14, 2024
5-b	Brin O'Hagan	November 15, 2024

Date Created: November 18, 2024




#2024-0257 / Wake Robin LLC & Ms. Serena Granbery (ARADEV LLC) / 104 & 106 Sharon Road & 53 Wells Hill Road / Special Permit For Hotel (Section 213.5) / Map 47/ Lot 2 & 2-1 / DOR: 08/05/2024

From Mark Hochberg <mshochberg@gmail.com>

Date Thu 11/14/2024 6:42 PM

To Land Use <landuse@salisburyct.us>

 1 attachment (24 KB)

Wake Robin letter 11-14-2024.docx;

Dear Abby:

Please add this letter to the "Support" section for the Wake Robin project.

Thank you, Mark and Faith Hochberg

MARK AND FAITH HOCHBERG

97 SHARON ROAD

LAKEVILLE, CONNECTICUT 06039

November 14, 2024

Dr. Michael Klemens and Colleagues
Planning and Zoning Commission
Salisbury, Connecticut

Re: Conditional support for approval of the *Modified Application* for Special Permit for Wake Robin Inn renovation Subject to Inclusion in the Special Permit of Construction and Use Conditions Agreed by Applicant

Dear Dr. Klemens and Commissioners:

We are direct abutters on Sharon Road to the Wake Robin Inn. The Sharon Road footprint of the Wake Robin Inn faces our property directly across Route 41 (Sharon Road). Prior to the September 17th Hearing, we wrote to voice our objections to the Application, supported by citations to the criteria expressly set forth in the Salisbury Zoning Regulations. At the conclusion of the Hearing, Dr. Klemens suggested that the neighbors affected by the project meet with the developers to discuss our objections and potential remedies that could bring the Application into compliance with the regulations.

We took Dr. Klemens thoughtful recommendation very seriously. Accordingly, we met with Jonathan Marrale and Steven Cohen both in person and via Zoom on several occasions. Mr. Marrale had clearly read and understood my letter setting forth the regulatory violations inherent in the original Application. They were interested in our suggestions for a modified construction plan and modified hotel operating rules that could mitigate the violation of these zoning regulations. We requested that they agree to specific construction layout and usage conditions that could mitigate the effects of noise, hours, road traffic and pedestrian danger, and environmental degradation.

A major concern of the neighboring properties is that any conditions for both construction *and usage* could only be relied upon if they are incorporated into the Special Permit, so that they would, in legal terminology, “run with the land”. The reason that this is so important is that hotel properties are regularly bought and sold: it’s called “property life cycle” management. Only if the conditions to usage are made permanent can this mitigation of the effects on the surrounding properties be assured. The way that this is done is by writing each of the conditions [enumerated below] as conditions for issuance of the Special Permit. In this way, subsequent owners and managers would be bound by the same conditions.

Without this permanence, the zoning regulatory concerns would require that the Application be denied. Counsel for the Applicants has represented that the Commission has the jurisdiction and authority to impose these conditions in the Special Permit itself. This letter of support is therefore expressly conditioned upon the incorporation of the conditions listed below into the Special Permit.

Following our discussions with the Applicants, they significantly altered the original building plans; moved elements to locations where they would have less impact on surrounding properties, and reduced the overall scope of the construction. We all saw the modified construction plan presented to the P&Z and the community on October 16, 2024.

While the Applicants did not agree with everything we sought, they and we compromised our differences. For example, we opposed the new driveway return loop cut through the woodland directly across from our property. But, as Mr. Cohen explained, the CTDOT requires that hotel visitors who exit the property and wish to turn left on Sharon Road [toward Hotchkiss] have sufficient distance and line of sight to be able to see oncoming traffic, so that they can see cars coming around the dangerous blind curve on Sharon Road/Rt. 41 [opposite 117 Sharon Road]—and thus avert traffic accidents.

For this reason, we compromised on something we felt strongly about. And the Applicants compromised on multiple construction and usage terms: they relocated the Event Barn to a location much closer to the hotel—and away from Sharon Road—; they agreed to have no amplified outdoor music at any time; they agreed to move all music [including non-amplified music] indoors at an early evening hour. They also agreed that the Event Barn would have no outdoor balconies, terraces, or patios on the western and northern sides of the building, and that windows on the western side would be of the best sound proof glass obtainable and could only be opened in the event of an emergency.

The relocation of the Event Barn also mitigates the danger of cars waiting to enter from Sharon Road, because a greater number of cars can line up inside the complex, while waiting to park.

The Applicants also agreed to other construction conditions, and usage conditions as shown in the revised layout plan shown at the October 16 hearing: Slides 8, 9 [revised Site Plan] and Slides 5, 6 [Operations/ Programming Adjustments; Updated Hours of Operation]. Slides 8, 9 show the new locations of the Event Barn, Pool and Cottages. Slides 5, 6 detail **the usage conditions that the Applicants agreed to implement, and—most importantly—to have written into the Special Permit to “run with the land” and thus apply to any future owner or operator.**

After the October Hearing, we had another Zoom call with the Applicants, at which time they represented to us that they would agree to further limitation on the weekend nighttime hours-of-operation of the Event Barn activities, so that the Event Barn Events would end at 11PM and not Midnight; and, as agreed on Slide 5, all amplified music inside would stop at 10:30PM. The specifics of the negotiated usage conditions are set forth below.

Based upon the new site plan and—equally crucial—the Applicants’ stipulation to accept the conditions in the presentation slide entitled “OPERATIONS/PROGRAMMING ADJUSTMENTS” as conditions to the issuance of the Special Permit, we are prepared to withdraw our opposition to the original plan, and conditionally support the modified plan.

Our conditions to this letter of support hinge upon on the Commission’s attachment of the following 21 conditions (which we took from the ARADEV presentation slides), (plus the

additional Event Barn hours of operation limitation agreed upon after the October 16 Meeting) as conditions to the Special Permit, if and when issued by the Commission.

MODIFICATION OF ORIGINAL PLAN AND OPERATIONS/PROGRAMMING ADJUSTMENTS

1. **Before any work begins to cut trees or disturb soil to develop the new exit driveway, the Applicant will first complete the rock ledge removal at the dangerous blind curve [opposite 117 Sharon Road], as required by the Connecticut State DOT to achieve sightline of oncoming traffic around the dangerous curve.** The Applicant has agreed to complete this rock ledge removal and obtain the sign-off from the state highway/transportation authority prior to the commencement of any other work associated with this Application for a Special Permit. For this reason, this rock ledge remediation on the dangerous curve is designated as Phase IA of the Project.
2. Revised site plan with Event Barn as shown on Slide 8 shown at October 16 hearing; there will also be one fewer cabin.
3. Maximum guest capacity of 125 persons (seated or standing) inside the Event Barn during events, to be (a) included in all contracts for events; and to be (b) enforced by the senior hotel manager who shall be on site for all large “events”, together with a State Trooper hired by the Wake Robin Inn [trained with knowledge of the usage conditions]. The neighbors will be provided with the direct telephone numbers to the senior manager and State Trooper to report that a violation to sound limits is occurring.
4. Maximum of 65 guest room units – “65 keyed rooms”
5. All outdoor music played through speakers to be at an “ambient” level so as to be unheard beyond Wake Robin property lines.
6. Wake Robin Hotel management to implement a master volume control over all music outside and in the Event Barn, with the necessary control units wired into the main hotel during construction of the hotel and Event Barn, as proposed by Commissioner Cockerline.
7. Outdoor live music shall be limited to an unamplified piano or stringed instruments, or an acoustic guitar that is amplified only to the low ambient level measured at the property line, as proposed by a certified sound engineer.
8. All outdoor events, outdoor music, and outdoor food & beverage service to conclude at 9PM or be moved indoors at that time
9. Operable doors, windows, or openings as required by fire, life safety, or other codes are to be permitted on any elevation of the “event barn” facility. All Event Barn guests will enter and exit via the vestibule of the Event Barn, except in emergencies. There will be a sound proof wall between the vestibule and the party/performance area of the Event Barn.
10. All Event Barn emergency egress or openings are to be designed with panic hardware that will sound an alarm if an emergency exit is opened.
11. **Amplified live or recorded music shall be played only inside the Event Barn and must cease by 10:30PM except as noted in #7 above.**
12. No tented events with music greater than that noted in #7 above shall be held, and such events shall be limited to small outdoor ceremony / cocktail hour and daytime functions (i.e. trade fairs, charity events, etc.).
13. No amplified music is permitted in a tent, or on the lawn, or on patios except as stated in #7 above.

14. Moderate individual microphones may be used for wedding officiants and couples only.
15. No public speaking events with amplified microphones shall be conducted outside on the property.
16. Private events serving alcohol inside the “Event Barn” which are greater than 50 guests are required to hire a CT State Trooper to enforce the noise and other restrictions for the duration of the event.
17. No staff housing shall be permitted in the Event Barn
18. The Hours of Operation shall be as stated in Slide 6 of the October 16 meeting slide deck, except that Fri., Sat., Sun & Holidays hours of Event Barn events shall end by 11PM, and not midnight. [This is a further condition agreed upon by Applicants after the October 16 Meeting.]
19. Any issuance of the Special Permit will be specifically conditioned upon these special conditions, [or those substantially similar thereto] and incorporated into the Special Permit as requirements for Commission approval.
20. ARADEV “in good faith” agrees to operate the Inn for at least five years before selling or leasing the property.
21. In the event that the Wake Robin Inn is sold, the successor owners must also be legally bound by, and commit to follow these conditions and requirements as set forth by the Special Permit and its attached conditions.

Dr. Klemens and Commission Members, we will support the modified Wake Robin Inn site plan and construction and operational conditions, as long as they are clearly delineated as set forth above as special conditions to issuance of the Special Permit in a manner so as to ensure that they “run with the land”.

Dr. Klemens you have conducted the meetings in a fair and impartial way. Thank you on behalf of the community.

Sincerely,

/s/ Mark and Faith Hochberg

Wake Robin Inn

From Brian O'Hagan <bohagan@JERSEYMIKES.com>

Date Fri 11/15/2024 2:04 PM

To Land Use <landuse@salisburyct.us>

 1 attachment (24 KB)

Wake Robin letter 11-14-2024.docx;

To whom it may concern:

My name is Brian O'Hagan

I own the property, 117 Sharon Rd, Lakeville CT., Directly across the street from the Sharon Road entrance to the Wake Robin Inn.

Please see the attached letter from Mark and Faith Hochburg.

I am in complete agreement with this letter and stand with them on the issues pertaining to the Wake Robin Inn.

Thank you,

Brian O'Hagan

117 Sharon Rd

Lakeville CT

203-918-7687

Sent from my iPhone

MARK AND FAITH HOCHBERG

97 SHARON ROAD
LAKEVILLE, CONNECTICUT 06039

November 14, 2024

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