

@2024-0257 Wake Robin LLC Special Exception Application

From Terri Carlson
on behalf of
Perley H. Grimes
Date Fri 11/29/2024 11:01 AM
To Land Use
Cc candres; jmackey; Abby Conroy; Miles Todaro

 1 attachment (164 KB)

WakeRobinComment11-27-24mod.pdf;

Please file the attached report of Artel Engineering Group, LLC in the record. Thank you

This will certify that I have forwarded copies of the attached report via email to Attorney Andres and Attorney Mackey who represent the Salisbury Planning and Zoning Commission and Aradev LLC respectively.

Perley H. Grimes, Esq.
By Terri Carlson

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ARTEL ENGINEERING GROUP, LLC

CIVIL, ENVIRONMENTAL AND MUNICIPAL ENGINEERS • PROJECT MANAGERS • SITE PLANNERS • PERMIT EXPEDITORS
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November 27, 2024

Town of Salisbury
Planning and Zoning Commission+
Atten: Dr. Michael Klemens, Chairman
27 Main Street
Salisbury, Connecticut 06068

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

Dear Chairman Klemens:

Our civil engineering firm has been recently engaged to review the Wake Robin Inn Redevelopment Plan Set, dated July 29, 2024, revised through 11-06-24 as prepared by SLR Consulting for the above referenced property. All documents that have been reviewed are as posted on the Town 'web site'. Our services included the review of the application materials relative to site layout and grading, utilities layout, stormwater management and water quality, and temporary and permanent soil erosion and sediment controls.

The above referenced properties are located in the RR-1 Rural Residence 1 Zone and total approximately 13.8-acres in size. A substantial portion of the eastern part of the properties are also located within the AP Aquifer Protection Overlay District. The property is currently developed as a small seasonal hotel and motel offering 20-rooms in the main building and 6-motel rooms for guest accommodations. The applicant is proposing to redevelop and expand the existing hotel use on the above referenced property. The expansion will include, as noted in the Wake Robin Inn Parking Analysis v4.0, a total of 53-guest rooms/suites and a restaurant in the main building. Additional accommodations are proposed in the form of 12-motel style private cottages with a mix of one and two bedrooms in each. The application also proposes an event barn, three storage structures, a swimming pool and associated structure and two spa structures.

Parking:

Section 703.4.e. of the Town of Salisbury Zoning Regulations requires the following: Parking aisle widths for one-way and two-way traffic shall be provided according to the degree of the angle of the parking space as follows:

<i>Angle of Parking Space</i>	<i>Minimum Required Aisle Width</i>	
	<i>One way traffic</i>	<i>Two way traffic</i>
<i>30 degree</i>	<i>11 feet</i>	<i>20 feet</i>
<i>45 degree</i>	<i>13 feet</i>	<i>21 feet</i>
<i>60 degree</i>	<i>18 feet</i>	<i>23 feet</i>
<i>90 degree (perpendicular)</i>	<i>24 feet</i>	<i>24 feet</i>

The current driveway and parking design does not comply with the requirements of the Town of Salisbury Zoning Regulations! Drive Aisles must be a minimum of 24-feet in width in areas of proposed 90 degree parking.

*The Salisbury Zoning Regulations require hotels to provide one-parking space per room plus “additional for other facilities based on parking needs assessment”. The proposed development calls for a 53-room hotel plus 12-cottages with a mix of one and two bedrooms in each. Based on Code requirements there should be a minimum of 65-parking spaces provided plus 28-parking spaces for the restaurant (‘low-turnover’ is assumed) requiring at least one-space per 100-square feet of gross floor area. Based on these two uses, the Zoning Regulations require a minimum of 93-parking spaces. In addition, the applicant states that there will be 40-employees during the offseason (and up to 70-employees during peak season). At one space per employee in addition to the parking required for the hotel and restaurant uses, a total of 133-parking spaces is required. As such, the 111-parking spaces demarcated on the plan are woefully shy of providing the amount of parking that is required on site on a daily basis. The site plan ‘cover sheet’ makes reference to ‘overflow great lawn spaces’. **The applicant must provide a drawing depicting the contemplated configuration of the great lawn parking spaces and vehicular access to those spaces.***

The Zoning Regulations require that at least 10% of the parking spaces that are provided include necessary infrastructure for electric vehicles. The Site Plan states that 5-electric vehicle charging spaces will be provided. **Four handicap-accessible parking spaces for the hotel are provided next to the deliveries/loading area with the only access to the building provided via a basement level door. The plans do not show an accessible route to the basement door. Additionally, the plans do not show a loading/unloading space nor access to the delivery/loading door that is indicated on the architectural plans.**

Pervious surfaces are proposed for the parking spaces. As the site primarily consists of ‘D’ hydrologic type soils will the proposed pervious surfaces provide the desired function? *The **CTDEEP Stormwater Quality Manual, Effective Date: March 30, 2024** requires confirmation soil testing at a frequency of: 1 test pit or boring per 5,000 square feet of permeable paving surface for permeable pavement installations, but no fewer than 2 test pits or borings per location where permeable pavement is proposed and, 1 infiltration test per 5,000 square feet of permeable paving surface for permeable*

pavement installations, but no fewer than 2 tests per location where permeable pavement is proposed.

The applicant has not conducted the required soil testing or provided the soil test information results that are necessary for design of permeable pavement parking and therefore the application must be denied.

Grading:

It is noted that the proposed height of the cottages, as depicted on the architectural renderings, appear to be compliant with zoning height and yard setback limits. However, portions of some of the proposed cottages appear to be elevated and in the case of units 12 and 9, are respectively approximately 8' to 11-feet above grade! The applicant must demonstrate that the proposed cottages will comply with the Zoning Regulations.

Proposed grading of the site appears to generally follow the existing condition grades, however, there are areas on the property that will require a substantial amount of fill to be completed per the plan. One area requiring substantial amounts of earthwork is the remote parking area that is located approximately 400-feet away from the hotel. This area includes the placement of fill to heights of 13-feet! This office has concerns with the proposed deep fills and the fact that storm water runoff from approximately three-quarters of an acre of land is flowing to a narrow swale located along the periphery of the deep fill. This proposed condition should be revised to eliminate the potential erosion and slope collapse. Further, the proposed drainage outfall from the pipe to the level spreader should be checked to assure that storm water flows do not erode and 'short-circuit' the level spreader and impact the wetland area located downslope.

Stormwater:

The stormwater analysis is not compliant with the requirements of the Connecticut Stormwater Quality Manual. *The CTDEEP Stormwater Quality Manual requires the design to: Control the 2-year, 24-hour post-development peak flow rate to 50% of the 2-year, 24-hour pre-development peak flow rate for each point at which stormwater discharges from a site using structural stormwater BMPs. The applicant has not met the 2-year, 24-hour storm flow reduction requirement.*

Two storm water detention basins have been proposed to manage the rate of runoff from the site. Function of both detention basins relies primarily on infiltration. Infiltration rates are noted in the drainage design however no field test results have been provided. ***The CTDEEP Connecticut Stormwater Quality Manual requires: 1 infiltration test per 2,000 square feet of infiltration area, but no fewer than 1 test per location where infiltration is proposed and 1 test pit or boring per 2,000 square feet of infiltration area, but no fewer than 1 test pit or boring per location where infiltration is proposed.*** The drawings provide deep test information for seven of the ten holes excavated. The missing test results should be added to the plans.

Please note the infiltration is being proposed in 'D' hydrologic type soils. These soil types are typically not ideal for infiltration due to their slow infiltration rates. The soil infiltration rate utilized for the design of detention basin 210 is exceedingly 'fast', **6.4 inches per hour**, for the 'D' type soil noted! Similarly, the soil infiltration rate utilized for the design of detention basin 220 is exceedingly 'fast', **4.278 inches per hour**. These rates are as one would expect in type 'A', sand or loamy sand soils. The deep test information provided on the plans includes references to 'tube sample' which implies being used for lab permeability tests. ***Per the CTDEEP Stormwater Quality Manual, Lab permeability testing is not acceptable for determining soil infiltration rates since lab tests do not adequately represent in-situ or field conditions. Further, the CTDEEP Stormwater Quality Manual states: If a loam surface is proposed for a surface infiltration system, use a design infiltration rate of 0.5 inch per hour (1 foot per day) for the loam surface when considering the most restrictive layer and the appropriate design infiltration rate. As additional in field soil testing is required to confirm the infiltrative capacity of the soils in the vicinity of the detention basins and, because the CTDEEP Stormwater Quality Manual, limits the loam surface detention basin design rate to an infiltration rate that is not faster than 0.5-inches per hour, the application is deficient and should not be approved.***

State Road Right-Of-Way:

Proposed work in the state road right of way is subject to review by the Connecticut Department of Transportation (CTDOT) District IV office. We note that the applicant is proposing a new HDPE drain pipe to be installed along the east edge and across Sharon Road. **The proposed pipe and proposed catch basin CLCB28 are located directly above and/or in direct conflict with the existing water main. Additionally, the proposed storm drain pipe crossing the Sharon Road appears to directly conflict with the existing sanitary sewer. These proposed conflicts must be corrected.** As required by the CTDOT, the applicants engineer should evaluate the capacity of the existing State drainage system to the discharge end of the drainage system. Lastly, a retaining wall (up to 10-feet in height) has been proposed along the Sharon Road frontage. Please note, it has been our experience that the CTDOT generally does not permit the construction of private structures within its right-of-way.

Sanitary Sewer:

Existing municipal sanitary sewer services will be utilized for the proposed development. The proposed gravity sewer mains appear to follow general guidelines typical to this type of use. Grease traps have been specified for gray-water discharges from the restaurant and event barn. Proposed grease trap sizes and pipe information are to be added to the plans. Pressurized sanitary sewer mains are proposed to serve the remotely located spa and tranquility spaces as well as three guest cottages. Aside from eight proposed cottages in the eastern portion of the property, all sewage flows will be directed to the existing municipal sewer main located in Sharon Road. The aforementioned eight structures at the extreme east side of the property will discharge

to the municipal sewer main located in Wells Hill Road. The applicant should depict a proposed sanitary sewer lateral location for the pool house structure as well as for cottage 5.

Review of the Proposed Wake Robin Inn Redevelopment - Sewer Gallons Per Day Calculations dated September 24, 2024 referenced the **Connecticut Public Health Code Regulations and Technical Standards for Subsurface Sewage Disposal Systems** for calculations. We note that the applicant mistakenly utilized 100-gpd per bedroom for the calculations. *The correct flow quantity is 150-gpd per bedroom. As submitted, the flow estimates for the residential portion of the application are at least 33.3% lower than they should be.* The estimated flow calculations must be updated and submitted to the Water Pollution Control Authority (WPCA) for consideration. **Approval of the application must not be granted prior to receipt of clear written confirmation from the local WPCA stating that it has current and future capacity to serve the project. As that confirmation does not exist, the Planning and Zoning Commission must deny the special permit application.**

Water:

Domestic water supply will be provided by Aquarion Water Company. The applicant must request service and confirm that the water company has adequate water pressure and volume to provide water for both, domestic and fire fighting purposes. The buildings should be adequately protected from fire by utilizing proposed sprinkler systems. Fire service connection locations should be depicted on the plans. Rather than having two 'dead-end' water main extensions serving the property, it may be prudent to 'loop' the water main, from Sharon Road to Wells Hill Road. The 'looping' will provide service redundancy and will limit water stagnation. The local fire-fighting authority should review the Site Plans for safety and adequacy of access to and around all existing and proposed buildings on site. **Absent the Fire Marshal (or authorized official) written approval of adequacy of water and access for those purposes, the application must be denied. Lastly, the plans do not provide the required minimum separation distance between the proposed water main and proposed sanitary sewer main and the application should therefore be denied.**

Cottages:

The proposed cottage structures do not comport with even the broadest interpretation of 'HOTEL' as defined in the Town of Salisbury Zoning Regulations and might be better described as 'MOTEL OR TOURIST CABIN'. **The Town of Salisbury Zoning Regulations** previously defined 'MOTEL OR TOURIST CABIN' as: "A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for automobile travelers and having a parking space adjacent to the sleeping room." We acknowledge the recently approved Zoning Regulation update which included a redefinition of 'MOTEL': "A facility offering transient lodging accommodations. Traditionally, a one or two-story accommodation catering to the automobile travelling public, with a majority of rooms having direct access to the outside

without the necessity of passing through a main lobby. Motels may include additional facilities and services, such as restaurants, banquet facilities, meeting rooms and event spaces, personal services, gift shop and convenience store, and recreational facilities.” The proposed cottage accommodations clearly ‘fit’ the definition of motel. The recently updated Table Of Uses categorizes Motel as Not Permitted in the RR-1 Rural Residence 1 Zone. **The cottages, as shown on the plans, are accordingly not permitted as a Special Exception use and must be eliminated from the plans.**

Section 500.2 of the Town of Salisbury Zoning Regulations states: *“it is the intent of these Regulations to reduce or eliminate non-conforming situations as quickly as possible”*. Further, **Section 503.1** of the Town of Salisbury Zoning Regulations states: *“No non-conforming use of land or non-conforming use of a building or a structure shall be extended to occupy a greater area, space or portion of such land, building or structure than was occupied or manifestly arranged for the use on the date that its non-conforming status was established.”*

In addition, three of the proposed cottages are located within 50-feet of a watercourse which may be regulated by the Salisbury Conservation Commission. **Section 305.1** of the Town of Salisbury Zoning Regulations states: *“No principal building shall be located within seventy-five (75) feet, and no attached deck or detached accessory building shall be located within fifty (50) feet of a water body or watercourse regulated by The Salisbury Conservation Commission.”*

Please feel free to contact this office with any questions, comment or concerns.

Sincerely,

ARTEL ENGINEERING GROUP LLC

Dainius L. Virbickas

Dainius L. Virbickas, P.E.

Professional Engineering Manager

DAINIUS L. VIRBICKAS, P.E.
PROFESSIONAL ENGINEERING MANAGER

EDUCATION: B.S Civil Engineering (1985), University of Connecticut

REGISTRATION: PROFESSIONAL ENGINEER -- Connecticut

YEARS EXPERIENCE: 39

Professional Profile:

Mr. Virbickas is a Project Manager with over 39 years of experience in all facets of site design, including the management of the design operations for commercial and residential land development projects, ranging in value from \$10,000 to \$17 million. He has managed projects involving planning, design, permitting, construction, construction inspection and certification of construction compliance for numerous municipal and private clients. He also presents plans, analyses and supporting documentation to review authorities and land use boards at public meetings.

Mr. Virbickas has managed projects throughout all of Connecticut, and, jointly with other licensed professionals, in Maine, New Hampshire, New York, New Jersey and Virginia.

Professional Experience:

Mr. Virbickas is primarily responsible for management of projects and engineering personnel. Specific fields of expertise include zoning, planning, drainage, stormwater management systems, soil erosion and sediment control, site earth grading design, utility design including site water, sewer and septic facilities, roadway systems, federal, state and local environmental compliance evaluations and design regarding stormwater, aboveground and underground storage tank designs, containment facilities, and related services.

Specific project involvement includes extensive design and project management experience with residential and commercial site plan developments, including multi-family housing, restaurants, hotels, gas stations, automobile dealerships and other retail specialty stores. Additional specialties include design and construction management experience with underground and above ground storage tanks, piping and dispensing systems design, including design modification and investigation of leak detection methodology, spill containment and overfill protection design to ensure compliance with EPA and State underground storage tank requirements. Various environmental permitting investigations including groundwater/site assessments, air emissions, sewer extensions, water main extensions, storage tank removal, closure plans and upgrades.

Project types include a variety of retail, commercial, petroleum industry, multi-family, industrial, and residential properties. Specific uses include shopping and retail centers, department stores, supermarkets, service stations, fueling terminals, maintenance facilities, restaurants, condominiums, office buildings, car washes, high school, middle school, elementary school, single-family residential subdivisions, industrial, manufacturing and related projects.