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**SUMMARY**

TO: Members of the Commission

FROM: Perley H. Grimes, Jr., Esq.

DATE: December 2, 2024

RE: #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

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Members of the Commission:

I am Perley Grimes, an attorney with the firm of Cramer & Anderson. I represent Angela and William Cruger who reside at 86-88 Wells Hill Road in Lakeville and other interested neighbors with whom we have engaged. I write on their behalf to provide a summary of why the subject Special Permit Application must be denied.

**I. INTRODUCTION**

The hearing involves an Application by Aradev, LLC for a Special Permit which the Application says is for a "hotel" on 13.88 acres of land in the RR-1 residential zone. But in its narrative materials Aradev refers to its project as a "boutique hospitality campus." A look at the plans will clearly inform the Commission that the project is more than just a hotel. It is indeed a proposal to have a boutique hospitality campus in this sensitive rural residential RR-1 zone.

**II. EXPERTS**

You have heard the introduction by Mr. Cruger and the comments by experts Brian Miller, town planner, Roger Rawlings, appraiser, Bennett Brooks, acoustic engineer, George Logan, environmental ecologist and Dainius Virbickas, civil engineer prior to my remarks. All of those experts have testified that the Application does not meet the standards for Special Permits in your Regulations in various ways. A copy of those



Special Permit Uses and Standards for Special Permits Regulations (Sections 802 through 803-4 pp 81-82 of your Regulations is attached hereto. I have highlighted various provisions which are most significant on the copy and underlined especially significant language).

### III. BURDEN OF PROOF

The law provides that the burden of proof to establish that the criteria set forth in both Special Exception Regulations (attached) and Site Plans and Special Permit Applications, Sections 804 and 805 pp. 82 and 83 of your Regulations is on the applicant. My clients have produced experts to reflect that Aradev has not met its burden of proof. In addition, several members of the public and I have provided additional evidence and testimony that the Special Exception or Site Plan requirements have not been met. The case law is clear that the applicant bears the burden of proof on a special permit application. : Joseph's High School, Inc. v. Planning and Zoning Comm'n of Town of Trumbull, 176 Conn.App. 570, 586 (2017)(quoting Loring v. Planning & Zoning Comm'n, 287 Conn. 746, 778 (2008)(Norcott, J., dissenting))("'[T]he plaintiff, as the applicant, bore the burden of persuading the commission that it was entitled to the permits that it sought' under the zoning regulations.").

In addition, case law provides the burden of proof is on the applicant to show that all site plan requirements are met and furthermore which provides "If zoning regulations have specific requirements for site plan approval and there is no regulation giving the zoning authority the ability to waive or substitute the requirements for given reasons, then the commission must enforce the regulations and disapprove any site plan application that does not follow the regulation." Fedus v. Zoning and Planning Comm'n of Town of Colchester, 112 Conn.App. 844, 851, cert. denied 292 Conn. 904 and 292 Conn. 905 (2009).

It is the obligation of the Commission to carefully weigh all of the evidence before it and make a determination as to whether the Application should be granted. On September 3, 2024 Chairman Klemens asked that the public "... try to keep your comments to things that we can actually do, things that are within our jurisdiction. Comments to say you don't want it, we don't want it. There is nothing we can do with that. We want to hear how, in your opinion, this is not meeting the regulations." After listening to the experts engaged by the Crugers, and reviewing all relevant evidence and testimony, I think that you will find that my clients have followed those requests of Dr. Klemens and have provided you with reasons that the Application does not meet the town's regulations. Chairman Klemens went on to assure the public that Commission members were going to go through "... all conditions of the special permit and do a very thoughtful, in-depth, analysis of everything."

Also on September 3, 2024, the Chairman also asserted "... the Planning Commission is not about stopping change. Change is inevitable in this town. But it is about



managing the change to the best benefit of landowners and residents.” I am sure that the Commission recognizes however, that it is often not possible to act in a way to “manage the change” to the “best benefit” of both “landowners and residents.” Sometimes, as here, the requested change should not be made. That is clearly the case with the Aradev proposal. Its proposal manifests that the purposed landowner, Aradev, should not have its best interests served. It has not met the regulations or case law. This is a clear case where the application must be denied so that the best interests of residents will be served. It is the Commission’s obligation to deny the Aradev Application rather than try to satisfy “the best benefit of both Aradev and the residents.”

According to Land Use Officer Abby Conroy’s memo of October 15, 2024, prior to the Planning and Zoning Commission adopting Hotel and RR-1 Amendments on May 6, 2024, Aradev had discussions with representatives of the Commission regarding its desires for new regulations to allow its proposed “hotel” a/k/a “boutique hospitality Campus” on the Wake Robin Inn property. In fact, Aradev submitted a draft regulation for a Hotel Development Overlay District for consideration by the Commission which I attach hereto. Comparing Aradev’s draft regulation with the Amendments proposed and adopted by the Commission on May 6, 2024 shows that the Commission’s Amendments of May 6, 2024 provided Aradev all the major elements that it wanted in its draft “Hotel Development Overlay District”. This occurred according to the Planning and Zoning Commission Minutes of May 6, 2024 without significant input from the public (only Emily L. Elliot asked questions if certain “farms” would be allowed to have hotels). With such significant amendments, the Planning and Zoning Commission should have continued the public hearing and noticed a public hearing continuance so that more public input was received. In short, the Planning and Zoning Commission granted Aradev, by its amendment, the major elements it requested without any relevant public input.<sup>1</sup>

On September 17, 2024 at the second hearing session on the Aradev Application, Chairman Klemens stated “The Commissioners while elected are not politicians. We must adhere to our regulations as well as State and Federal Statutes.” My clients assert that if the Commission “adheres to its Regulations” after hearing all of the testimony from my clients that both adherence to the Regulations and Connecticut case law will compel a denial of the Application. Chairman Klemens stated on September 17, 2024 that “We are here to balance the legitimate interests of the neighbors at [sic] the Wake Robin Inn with the property rights of the Applicant” provided, however, that the Commission first determines that the proposal meets all the regulations and pertinent case law. After that the proper “balance” of those interests will lead to the inescapable conclusion that the Application should be denied.

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<sup>1</sup> Note that after receiving Aradev’s proposed amendment, I requested of the Land Use Director copies of other written communications between the Planning and Zoning Commission and Aradev, prior to and up to the adoption of the May 6, 2024 Amendments, but to date have not received any of that additional information requested



#### IV. QUALITY OF LIFE

In Husti v. Zuckerman Property Enterprises, Ltd., 199 Conn 575, 581-582 (1986) the Connecticut Supreme Court stated:

A city [and any municipality] has undeniably important interest in protecting the character of its residential neighborhoods and in promoting the health, safety and welfare of its citizens. As [U.S. Supreme Court] Justice Marshall has observed, '[zoning] may indeed be the most essential function performed by local government, for it is one of the primary means by which we protect that sometimes difficult to define concept of quality of life'.  
(emphasis added and internal citations omitted)

It is that "quality of life" that is referred to in the Special Exception Regulations to wit, Section 802.1a "the impact of the use(s) upon the environment, health, safety, welfare and convenience of the members of the community"; Section 802.1b "will not result in an unreasonable decrease in property values or a detriment to the present and potential use of the area in which it is to be located"; Section 803.2 "the proposed project or development shall be related harmoniously to the terrain and to the use, scale, and siting of existing buildings in the vicinity of the site. The use shall not create a nuisance to neighboring properties, whether by noise, air, or water pollution; offensive odors, dust, smoke, vibrations, lighting, or other effects"; Section 803.3 "The proposed uses shall not unreasonably adversely affect the enjoyment, usefulness and value of properties in the general vicinity thereof, or cause undue concentration of population or structures".

#### V. STANDARD OF REVIEW

In the case of Cambodian Buddhist Society of Connecticut, Inc. v. Planning & Zoning Commission of the Town of Newtown, 285 Conn 381 (2008) the Connecticut Supreme Court set forth the standard of review for special exceptions applications. The Court wrote:

We begin our analysis by setting forth the standard of review for the denial of an application for a special exception. "We previously have observed that [a] special exception allows a property owner to use his property in a manner expressly permitted by the local zoning regulations. . . . Nevertheless, special exceptions, although expressly permitted by local regulations, must satisfy [certain conditions and] standards set forth in the zoning regulations themselves as well as the conditions necessary to protect the public health, safety, convenience and property values [as required by General Statutes § 8-2]. . . . Moreover, we have noted that the



nature of special exceptions is such that their precise location and mode of operation must be regulated because of the topography, traffic problems, neighboring uses, etc., of the site. . . . We also have recognized that, if not properly planned for, [such uses] might undermine the residential character of the neighborhood. . . . Thus, we have explained that the goal of an application for a special exception is to seek permission to vary the use of a particular piece of property from that for which it is zoned, without offending the uses permitted as of right in the particular zoning district.” (Internal quotation marks omitted.) Id. at 426-427. (emphasis added and internal citations omitted).

In Cambodian Buddhist Society the Connecticut Supreme Court went on to instruct:

In contrast, when a use is not allowed as of right, but only by special exception, the zoning commission “is required to judge whether any concerns, such as parking or traffic congestion, would adversely impact the surrounding neighborhood. . . .” The reason for this requirement is that, although such uses “are not as intrusive as commercial uses . . . they do generate parking and traffic problems that, if not properly planned for, might undermine the residential character of the neighborhood.” “[T]he goal of an application for a special exception is to seek permission to vary the use of a particular piece of property from that for which it is zoned, without offending the uses permitted as of right in the particular zoning district.” (emphasis added). Thus, there is no presumption that a specially permitted use, or the traffic that it will generate, necessarily is compatible with any particular neighborhood within the zoning district. . . . [o]ff-site traffic congestion can provide the basis for denying a special permit because, “[u]nlike a site plan application for a permitted use where the commission has already made a determination that such a use is permitted in a particular area, [specially permitted uses are] theoretically allowed in any zone provided that the proposed [use] meets the standards and regulations set forth in the regulations.” (Emphasis added.) (citations and internal quotation marks omitted).

The Commission must fairly and impartially listen to not only the evidence presented by Aradev but importantly evidence presented by my clients, their experts and the public and make a decision based upon the totality of the evidence and its weight rather than suggesting ways for Aradev to obtain a special exception permit. As Dr. Klemens stated on October 16, 2024 at the third public hearing “Our regulations provide a legal and logical pathway to review all applications and at times the Planning and Zoning Commission takes unpopular positions because it is what the law requires.” He may



have been speaking about other applications that the Commission has looked at in the past. However, it is clear from this record that the denial of the Aradev Application is first “what the law requires” and second, is what the majority of residents have requested during the hearing process. We trust that the Commission will follow the “logical pathway” and listen to all the evidence presented by the Crugers, their experts and the public find that based upon all the evidence, and not just multiple revised presentations by Aradev, that the Application must be denied.

An example of where the Salisbury Regulations standards are not met is shown in the BAC report provided by Acoustic Engineer Bennett Brooks. The Cambodian Buddhist Society case is also controlling here. The case of Cambodian Buddhist Soc. Of Connecticut, Inc. v. Planning & Zoning Comm’n of Town of Newtown, 285 Conn. 381 (2008) is on point. In this case, the plaintiffs appealed the defendant commission’s denial of a special exception to build a Buddhist temple on property owned by the plaintiffs in Newtown’s farming and residential zone. Among other issues, the Supreme Court considered whether substantial evidence supported the commission’s decision to deny the special exception. The special permit application proposed a 7,618 square foot building, including a 1,618 square foot meditation temple, a 6,000 square foot meeting hall, and 148 parking spaces to accommodate 450 society members at five major Buddhist festivals annually. Id. at 386. The commission denied the special permit application on the basis that the proposed use was inconsistent with a quiet single-family residential neighborhood with a rural setting, and therefore did not meet Section 8.04.710 of the Newtown zoning regulations which required proposed uses be in harmony with the general character of the neighborhood.<sup>2</sup> Id. at 387. The Supreme Court affirmed the commission’s decision, stating:

We conclude that there was evidence in the record to support the commission's conclusion that attendance at previous events on the society's property had exceeded 450 people and 148 cars, and that the events had been highly disruptive to the neighborhood. The record also supported the conclusion that the society would hold twelve festivals over the course of one year, essentially on a monthly basis, and that the number of persons attending at least some of these festivals could exceed 450. Although the society maintained that the celebrations would be held indoors, the commission reasonably could have concluded that, especially during the warm weather months, the 450 attendees would not remain inside the temple's 6000 square foot meeting hall over the course of an entire day or multiple days but, as they had in the past, would take the opportunity to enjoy the entire site, which had been chosen for its pleasant pastoral qualities. In addition, although we have concluded that the

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<sup>2</sup> Other considerations of the commission included increased traffic (which the Court held on appeal was not supported by substantial evidence), decrease in surrounding property values (which was supported by substantial evidence), and an inadequate sewer and water system in place (which was supported by substantial evidence).



commission's determination that temple traffic would create undue traffic congestion and a traffic safety hazard was not supported by substantial evidence, the commission reasonably could have concluded that a parking lot for 148 cars would be a significant source of noise and disruption in the neighborhood. We conclude that this evidence supported the conclusion that the activities at the proposed temple would cause a significantly greater disruption to the neighborhood than any permitted use of the property would, and, therefore, the proposed use clearly was not in harmony with the general character of the neighborhood. We conclude, therefore, that the commission's decision that the proposed use violated § 8.04.710 of the regulations was supported by substantial evidence. (emphasis added) Id. at 439-440.

In Mr. Brooks' acoustic report, he tracks the language of the Salisbury P&Z regulations to conclude that the noise generated by the proposed expansion would violate several of the regulations. Specifically, Brooks cites to Section 801.2 of the regulations, which provides, "The design of the proposed project or development shall, to the extent practical, be related harmoniously to the terrain and the design and siting of existing buildings in the vicinity of the site. All buildings and other structures *shall be sited to protect the character of the neighborhood.*" (Emphasis added). I note, the language of this regulation is mandatory, rather than permissive. The proposed project ***shall*** be sited to protect the character of the neighborhood. This provision of the zoning regulations is the functional equivalent of the zoning regulation analyzed in the Cambodian Buddhist Society case which held, as stated above, that the noise generated by the proposed use would not be in harmony with the general character of the neighborhood.

Mr. Brooks also cites to Section 803.2 of the zoning regulations, which applies particularly to standards for special permits, as stating, "The size and intensity, as well as the design of the proposed project or development shall be related harmoniously to the terrain and to the use, scale, and siting of existing buildings in the vicinity of the site. The use shall not create a nuisance to neighboring properties, *whether by noise, air, or water pollution...*" This section also aligns with the zoning regulation considered in the Cambodian Buddhist Society case and further supports a reasoning why the noise generated by the proposed Aradev expansion is a sufficient basis to deny the special permit application.

In Heithaus v. Planning & Zoning Comm'n of Town of Greenwich, 258 Conn. 205, 215-16 (2001), the Supreme Court explained:

A special permit allows a property owner to use his property in a manner expressly permitted by the local zoning regulations. *The proposed use, however, must satisfy standards set forth in the zoning regulations themselves as well as the conditions necessary to protect the public health, safety, convenience and property values.* An application for a



special permit seeks permission to vary the use of a particular piece of property from that for which it is zoned, without offending the uses permitted as of right in the particular zoning district.

(Internal citations and quotation marks omitted; Emphasis added). Again, notice the mandatory language – the proposed use *must* satisfy the standards set forth in the zoning regulations themselves. Mr. Brooks’ report clearly articulates the standards in the zoning regulations require the proposed development be harmonious with the existing buildings in the vicinity of the proposed site. Here, the proposed expansion clearly is not harmonious because of the noise that would be generated that would disrupt neighboring property owners, like the Crugers. This is not something the Planning & Zoning Commission has the authority to ignore, as indicated by the Supreme Court in Heithaus and demonstrated by the holding in Cambodian Buddhist Soc.

Therefore, even without a similar logical analysis of the other expert reports, which would result in a like conclusion, the Application must be denied.

VI. CONCLUSION

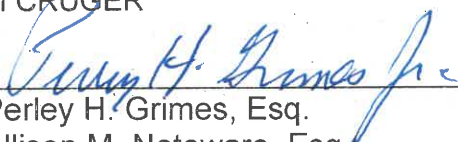
An unbiased review of all the record evidence and Planning and Zoning Commission Regulations Sections 803, 803.1, 803.2, 803.3 and 803.4 and 800.3j leads to the inescapable conclusion that the Special Exception Application must be denied.<sup>3</sup>

Respectfully submitted

PETITIONERS,

ANGELA CRUGER and  
WILLIAM CRUGER

By:

  
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<sup>3</sup> This conclusion is required even without consideration of the case law cited in Attorney Grimes Memorandum dated November 8, 2024.



### 801.10 Natural and Historical Resources

The Site Plan shall be designed to minimize any damage or destruction to locally significant natural or historical resources.

## 802 Special Permit Uses

### 802.1 Purpose

Special Permit uses are a class of uses that have characteristics or a location that unless properly planned and designed could be detrimental to properties in the neighborhood, the zone or overlay district.

Accordingly this Article provides standards and requirements permitting the Commission to conduct a comprehensive review of the proposed Special Permit plan to:

- a. Assess the layout of the building(s), structure(s) or use(s) in relationship to the topographical and other natural features of the land, and of the impact of the use(s) upon the environment, health, safety, welfare, and convenience of the members of the community.
- b. Insure that the design and layout of the site and the proposed use(s) will constitute suitable and appropriate development in character with the neighborhood and will not result in an unreasonable decrease in property values or a detriment to the present and potential use of the area in which it is to be located.
- c. Assure that proposed buildings, structures and uses will provide for the maintenance of air, surface-water, and groundwater quality and will not be detrimental to existing sources of potable water or other natural or historic resources.

### 802.2 General

Special Permit Applications shall be reviewed and decided upon by the Commission. A Special Permit Application shall be accompanied by a Site Plan when necessary to determine conformity with these Regulations.

## 803 Standards for Special Permits

When a Special Permit is required the Commission shall apply the following standards in review of the application.

### 803.1 General

All buildings, structures and uses for which a Special Permit is required under these Regulations must meet the applicable standards set forth throughout these Regulations, including, but not limited to, the standards set forth in 801 Site Plan Review Standards. In addition, the following standards shall apply to Special Permit uses.

### 803.2 Relation of Buildings to Environment

The size and intensity, as well as the design, of the proposed project or development shall be related harmoniously to the terrain and to the use, scale, and siting of existing buildings in the vicinity of the site. The use shall not create a nuisance to neighboring properties, whether by noise, air, or water pollution; offensive odors, dust, smoke, vibrations, lighting, or other effects.

### 803.3 Neighboring Properties

The proposed uses shall not unreasonably adversely affect the enjoyment, usefulness and value of properties in the general vicinity thereof, or cause undue concentration of population or structures. In assessing the impact on surrounding properties the factors the Commission shall consider include, but are not limited to, the existing and proposed pedestrian and vehicular circulation, parking and loading plans, storm water management systems, exterior lighting, landscaping, and signage.

#### **803.4 Adequacy of Proposed Methods, Measures and Plans**

The Commission shall be satisfied that the applicant has shown the adequacy of proposed methods, measures and/or plans for:

- a. Disposal of wastes and provision for protection of surface and groundwater water quality, including but not limited to, factors such as; hazardous material and storage areas; underground fuel storage facilities, location and size of floor drains; storm water run-off from parking lot areas and other impervious surfaces, and any other use that may adversely affect the quality or quantity of groundwater.
- b. Proposed measures to control storm water run-off.
- c. Proposed measures to foster an energy efficient layout.
- d. Proposed methods of site landscaping,
- e. Existing fire and police protection, transportation, water and sewer facilities, schools or other public facilities to meet the needs of the proposed use.
- f. Provisions for signs, if any, and proposed exterior lighting with reference to glare, traffic, safety, compatibility and harmony with adjacent properties and the neighborhood.
- g. Provisions for open space and landscaping and other safeguards to be compatible with the adjacent property and the neighborhood in general.

#### **803.5 Amendments or Modifications**

A Special Permit use may be amended or modified provided an application is made in the same manner as the original application and subject to the same procedures for approval, with the following exception. An amendment or modification, which does not materially alter the Special Permit as determined by the Commission, may be approved as an amendment to a Site Plan for the Special Permit use.

### **804 Site Plans and Special Permit Applications – General and Pre-Application Review**

#### **804.1 Purpose**

The purpose of the following sections is to provide both applicants and the Commission with comprehensive guidance on the Commission's and the Connecticut General Statute required procedures for review and action on Special Permit and Site Plan applications.

#### **804.2 Pre-application Reviews**

Applicants for a Site Plan or Special Permit approval, or any combination thereof, may request a pre-application review of a proposed project, as authorized by Connecticut General Statutes (CGS) §7-159b. This review may include members of the Planning and Zoning Commission, Inland Wetlands Agency, Historic District Commission, Housatonic River Commission, Health District Office, Building Official, Fire Marshal, land use staff and consultants, and other municipal officials as determined by the Commission or Zoning Administrator (collectively, the Pre-Application Review Team). Any meeting involving a quorum of board, Commission or agency members shall be duly noticed pursuant to Connecticut General Statutes, Section 1-225.

In addition to the pre-application review, an applicant for Site Plan or Special Permit approval may request a pre-application presentation to the Planning and Zoning Commission in accordance with CGS §7-159b.

## **406 Hotel Development Overlay District**

### **406.1 Statement of Purpose**

The intent of this overlay district is to establish standards to guide the size and location of future hotel development within designated areas located at RR-1 District. The Hotel Development Overlay District ("HDO") is located adjacent to existing village centers with access to public sewer and water. The minimum lot size and road frontage requirements required by the HDO ensures that lodging will meet the demands of visitors to the Town of Salisbury while at the same time maintain harmony with the essential character of the neighborhoods where hotels are located.

### **406.2 Definitions**

For the purpose of this section, the following terms shall be defined as follows:

**HOTEL:** A building containing one or more guest rooms offering transient lodging accommodations, available at daily rental rates, to the public. For purposes of this definition, "transient lodging accommodations" shall mean temporary sleeping accommodations, with or without independent kitchen facilities, offered to persons travelling from one place to another, stopping overnight, or otherwise in need of a temporary place to stay. Accessory uses, such as restaurants, meeting rooms, reception facilities, banquet facilities, and recreational facilities, may be provided, except where such accessory uses are prohibited in the regulations of a particular district. For purposes of this definition, the words "hotels, motels and inns" shall have the same meaning.

**BANQUET HALL:** event venue designed to host various types of gatherings, celebrations, and formal events such as weddings, receptions, corporate meetings, conferences, and banquets.

**RESTAURANT:** a commercial establishment where prepared food and beverages are served to customers in exchange for payment.

**BAR:** a commercial establishment where alcoholic beverages, such as beer, wine, and spirits, are served for consumption on the premises.

**GIFT SHOP:** a retail establishment within the hotel or standing alone and selling a variety of items suitable for gift-giving occasions including but not limited to souvenirs, novelty items, handicrafts, clothing, accessories, home decor, stationery, toys, and other miscellaneous goods.

**CONVENIENCE STORE:** a retail establishment selling a wide range of everyday items and consumables for quick and convenient purchase.

**EVENT SPACE:** a designated area designed to host various types of functions, gatherings and events that may be equipped with facilities and amenities to accommodate weddings, conferences, seminars, parties, exhibitions, and performances.

**SPA AND WELLNESS FACILITIES:** facilities that offers various health and wellness treatments and services.

**406.3 Relationship to Zoning Districts.** For all properties within the boundaries of the HDO, the regulations for both the base zoning district and the overlay district shall apply. The HDO determines if the hotel use is or is not a permitted use rather than the base-zoning district.

#### **406.4 Applicability**

The HDO shall be identified on the official zoning map as "HDO".

#### **406.5 Permitted Uses**

Within the HDO, the permitted uses are the same as those in the base-zoning district with the following exceptions:

- a. Hotels are permitted in the HDO. The HDO, not the base-zoning district, determines if a hotel use is or is not a permitted use.
- b. Ancillary facilities such as restaurants, bars, conference rooms, and recreational amenities directly associated with the hotel operation.
- c. Retail establishments primarily serving hotel guests, such as gift shops, convenience stores or boutiques.
- d. Banquet halls, event spaces and ballrooms whether as separate standing buildings or within the hotel where food service and other activities are offered in any form to hotel guests or the public.
- e. Spa, swimming pools and wellness facilities, subject to compliance with health and safety regulations.

#### **406.6 Conditions**

The below use conditions shall apply to new hotels.

- a. New hotels are permitted only within the HDO.
- b. An application for a Special Permit shall be submitted to the Planning and Zoning Commission in accordance with Article VIII- Site Plans and Special Permits – Application Requirements, Standards and Procedures of this Section.
- c. New hotels must be located on a minimum of 10 acres.
- d. New hotels must have frontage on a State Highway.
- e. New hotels may not utilize septic or well water and must have access to municipal water and sewer.
- f. Parking spaces shall be provided as follows:
  - i. 1 parking space per guest room.
  - ii. 1 parking space for every three full-time employees.
  - iii. 1 parking space per 150 square feet of front-of-house area (area visible and accessible to the public) for uses other than guest rooms.