


#2024-0257 Wake Robin LLC

From Terri Carlson
on behalf of
Perley H. Grimes
Date Tue 12/3/2024 11:13 AM
To Land Use
Cc candres; jmackey; Abby Conroy; Miles Todaro; Terri Carlson

 1 attachment (29 KB)

Salisbury PZC - William F. Cruger, Jr..pdf;

Please file the attached in the record with the Intervenor documents. Thank you

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

Perley H. Grimes, Jr.
By Terri Carlson

Perley H. Grimes, Jr., Esq.
Cramer & Anderson LLP
46 West St., P.O. Box 278
Litchfield, CT 06759
Ph: 860-567-8718
Fx: 860-567-4531

Email: pgrimes@cramer-anderson.com

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To: Members of the Salisbury Planning and Zoning Commission
From: William F Cruger, Jr
Date: December 2, 2024
Re: #2024-0257/Wake Robin LLC and 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

Members of the Commission:

My name is William Cruger and my wife Angela and I are abutters of the Wake Robin property and proposed development. We have owned our home at 86-88 Wells Hill Road for over 30 years.

We first learned of the proposed development the week before Labor Day via a registered letter delivered to our New York apartment.

We immediately undertook to learn as much as we could about the proposed development. Our principal source of information was the material posted by Aradev LLC (the Applicant).

We were struck by the scale of what was being proposed. It would increase the footprint and operations of the Wake Robin facility by many multiples. Rooms by almost 3 times. Square footage by 6 times. Vehicle volume, as measured by parking, by 6-8 times (with related noise emissions from car ignitions, car doors closing, cars accelerating to leave, etc late in the evening). In addition it would add structures and uses, including a major event space. These are not just adjustments, refinements or enhancements. They constitute a wholesale transformation of a prior non-conforming use in an RR-1 Zone.

We had and continue to have two levels of concern. For the neighborhood. And for the Community.

First, the neighborhood.

Our concerns for the neighborhood derived initially from prior experience with events at the Wake Robin. It is so close to us, that whenever there was an event, the noise was not just audible but truly intrusive and diminished our ability to enjoy our property. And this was when the Inn was its current size and scale. It is almost inconceivable to imagine what might result with an expansion of the magnitude being proposed. Traffic flow, noise, light. The multiplicative demands on the utilities, watershed and sewage. And the impact on the environment from clearing trees, blasting in attempt to create adequate sitelines, etc

Special Permit regulations are very clear. Each of the subject matter experts will cite some or all of the Special Permit regulations in their presentations. So I will not repeat them here. But I will cite 803.3 which specifically addresses 'Neighboring Properties'. It states as follows:

803.3 Neighboring Properties

'The proposed uses shall not unreasonably adversely affect the enjoyment, usefulness or value of properties in the general vicinity thereof or cause undue concentration of population or structures'.

We have gone on record with a letter to PZC stating that we believe strongly that the proposed expansion would absolutely reduce the usefulness, enjoyment and value of our property. The PZC website contains multiple letters and communications from others stating similarly.

It is in fact these specific concerns that informed our approach to seeking external expert perspectives.

We engaged highly respected professionals to assist in establishing tangible, and where possible, quantitative measures of specific projected impacts on the characteristics of the surrounding area cited in the Salisbury Planning and Zoning regulations as they pertain to Standards for Special Permits. We asked these experts to provide their honest and accurate assessments and opinions.

Bios and CVs for each of the subject matter experts have been included in their memos and reports which were submitted to P&Z, Aradev (through their attorney), as well as Charles Andres, the attorney for the PZC. They have been or will be also posted on the PZC website.

Specifically:

- We engaged Attorney Perley Grimes and the law firm Cramer Anderson to help us identify the relevant laws, statutes and regulations.
- We engaged the Miller Planning Group (a Town Planner) to help us analyze the proposed development in the context of town governance, including the existing and pending plans for conservation and development. This expert, Brian Miller, would also help us place this potential development in the broader context of similar situations in other towns and municipalities. Brian Miller has been a professional town planner for over 30 years.
- We engaged Resource Valuation Group and Roger Rawlings as a real estate appraiser to analyze the potential impact on property values of neighboring properties (approximately 62 based on town records). Mr Rawlings founded Resource Valuation Group over 40 years ago and came to Lakeville over 30 years ago. He has served on the Salisbury Board of Education twice, he served on the Zoning Board of Appeals for 10 years and he chaired the WPCA from 2006-2009.
- We engaged Bennett Brooks of Brooks Acoustics Corporation to comment on the issues related to noise emissions and to comment as well on any proposed mitigants. Mr Brooks is a graduate of MIT, has been President of Brooks Acoustics since 1992 and is a past President of the National Council of Acoustic Consultants.
- We engaged George Logan and Sigrun Gadwa of Rema Ecological Services to assess the potential Environmental impact (eg groundwater quality, soil and wetland, listed species and other wildlife). It was a portion of their analysis that we submitted in our application for intervener status. Mr Logan is co-owner and Principal Environmental Scientist for Rema. Both he and Ms Gadwa are Registered Soil Scientists as well as Certified Professional Wetland Scientists
- We engaged Dainius Virbickas and Artel Engineering as a Municipal Engineer to analyze the plans from an engineering perspective. They would look at Site layout and grading, Utilities layout, Stormwater management, water quality, sewage capacity and temporary and permanent soil erosion and sediment controls. Mr Virbickas is a Civil Engineer 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.

You will hear from each of these experts this evening. As I mentioned, their reports were delivered to PZC, Aradev (through their attorney) and Charles Andres, the attorney for PZC. Two reports were delivered last Friday (Miller Planning Group and Resource Valuation Group). The reports from Brooks Acoustics and Rema Ecological were delivered on Wednesday and the report from Artel was delivered Friday morning.

We believe that the analyses by these experts are consistent and clear that the proposed development would negatively impact the enjoyment, usefulness and value of the neighboring properties. And specifically that they therefore violate the requirements for Special Permits.

The sheer scale of the expansion of the facility is factually and quantitatively beyond question. And where possible the experts have quantified or have otherwise made tangible the impacts of variables cited in the Special Permits standards.

The Applicant has moved some of the proposed expansion structures around on the property. But the scale of the expansion is basically unchanged. Increase of square footage by 6x. Number of rooms by nearly 3x. Vehicle volumes by 6-8 times. And the addition of a separate Event space of significant size.

The impact/manifestations of noise, light, traffic flows, etc are at least directly correlated to the volume of the proposed expansion. And the experts each note that, in their opinion, where mitigants have been suggested, there is either insufficient detail, lack of baseline for comparison, or simply inaccurate analyses.

Before I hand it over to these subject matter experts, I need to reiterate that, in addition to the neighborhood, our concerns are equally if not more grave for the community and the Town of Salisbury. The proposed development is in an RR-1 Zone. These zones exist for very specific reasons. Moreover, there is clear Connecticut law, as well as statutes and regulations (including for the Town of Salisbury) that prohibit the expansion of non-conforming structures and uses. If it is possible for a Zoning authority (or any other authority) to ignore or circumvent these laws, statutes and regulations, then the potential implications for our town are profound.

This is not 'just' people saying they 'don't like it'. Though there is that. It is people saying why they oppose it. They are citing wording in their own town regulations. They are stating for the record that it would reduce the usefulness, enjoyment and value of their properties. They are stating how and why. And we will now hear from 5 subject matter experts who will validate their concerns. This is not politics. This is not popularity. This is the law.

Now, we will begin with Brian Miller of the Miller Planning Group.