

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

November 4th, 2024 5:30PM

Remote Meeting by Live Internet Video Stream and Telephone

1 **Members Present:**

2 Dr. Michael Klemens (Chair)

3 Cathy Shyer (Vice Chair)

4 Martin Whalen (Secretary) *arrived 5:34PM*

5 Allen Cockerline (Regular Member)

6 Bob Riva (Regular Member) *arrived 6:13PM*

7 Dr. Danella Schiffer (Alternate Member)

8 Beth Wells (Alternate Member) *arrived 5:34PM*

9

10

11

**Brief Items and Announcements**

12 1. Call to Order / Establish Quorum

13 Chair Klemens called the Meeting to order at 5:30PM. A quorum was established with three regular  
14 members present (Dr. Michael Klemens, Cathy Shyer, Allen Cockerline). Alternate Member Dr. Danella  
15 Schiffer was also present.

16

17 At 5:30PM Chair Klemens appointed Alternate Member Schiffer as a voting alternate.

18

19 LUD Conroy proposed the following amendment to the agenda:

20 Add Item 6.A. "Site Plan Modifications Report"

21

22 **Motion:** To approve the agenda as amended.

23 Made by Cockerline, seconded by Shyer.

24 Vote: 4-0-0 in favor.

25

26 2. Minutes of September 17, 2024

27

28 The Commission discussed changes to the detailed minutes of September 17, 2024 Meeting. Vice Chair  
29 Shyer abstained from voting.

30

31 Secretary Whalen and Alternate Member Wells joined the Meeting at 5:34PM.

32

33 **Motion:** To approve minutes of September 17, 2024 as amended.

34 Made by Cockerline, seconded by Whalen.

35 Vote: 4-0-1 in favor, with Vice Chair Shyer abstained.

36

37 3. Minutes of September 30, 2024 - *pending*

38 4. Minutes of October 7, 2024 - *pending*

39 5. Minutes of October 16, 2024 - *pending*

40 6. Minutes of October 29, 2024 - *pending*

41

42 6.A Site Plan Modifications Report

43

44 LUD Conroy explained three applications were received and approved through the Land Use Office (LUO)  
45 as minor Site Plan modifications within the Lake Protection Overlay District (LPOD).

46

**Members Absent:**

**Staff Present:**

Abby Conroy, Land Use Director (LUD)

Miles Todaro, Land Use Technical Specialist (LUTS)

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47 LUD Conroy explained an applicant at 64 Interlaken Road had a deck connected from the driveway to the  
48 property's main dwelling, about eighty feet from the wetlands and lake area. The applicant requested to  
49 enclose the structure as a breezeway. She said a Zoning Permit was issued.

50

51 LUD Conroy explained an applicant at 45 Slater Road planned to replace an existing generator and add a  
52 new propane tank. She explained the changes will not result in additional impervious surface.

53

54 LUD Conroy explained the American School for the Deaf at 410 Twin Lakes Road planned to add a  
55 generator. She said the generator is one-hundred fifty feet from wetlands and there are no setback  
56 concerns present.

57

58 There were no comments or questions from the Commission.

59

60 **New Business**

61 7. #2024-0267 / Rand / 358 Undermountain Road / Special Permit Application for Vertical Expansion of a  
62 Nonconforming Residential Structure (Section 503.2) / Map 18 / Lot 23 / DOR: 11/4/2024 / *Consideration*  
63 *of Completeness, Schedule Hearing*

64

65 Chair Klemens explained the applicant Curtis Rand is not present. The application involved vertical  
66 expansion of a structure within the property's front yard setback. The Commission reviewed the  
67 submitted documents.

68

69 **Motion:** To schedule a public hearing for application #2024-0267 / Rand / 358 Undermountain Road /  
70 Special Permit Application for Vertical Expansion of a Nonconforming Residential Structure (Section  
71 503.2) / Map 18 / Lot 23 / on December 2, 2024 at 5:45PM via Zoom.

72 Made by Cockerline, seconded by Shyer.

73 Vote: 5-0-0 in favor.

74

75 **Other Business**

76 10. Draft Letter for the Salisbury Association's Grant Application

77

78 Chair Klemens presented the draft letter and explained this document is a supportive response regarding  
79 the Town's grant application to the Connecticut Department of Energy and Environmental Protection  
80 (DEEP). There were no comments or questions from the Commission.

81

82 **Motion:** To endorse the draft letter dated November 4, 2024 to DEEP regarding the Open Space and  
83 Watershed Land Acquisition Grant Program.

84 Made by Cockerline, seconded by Shyer.

85 Vote: 5-0-0 in favor.

86

87 **Public Hearing – 5:45PM**

88 8. #2024-0266 / Lestelle and Stephens (Matt Schwaikert) / 28 White Hollow Road / Special Permit  
89 Application for a Propane Tank and Generator in the Flood Plain Overlay District (Section 401) / Map 28 /  
90 Lot 22 / DOR: 10/07/2024 / *Open Hearing, Possible Consideration*

91

92 The Public Hearing opened at 5:44PM. Secretary Whalen read the Legal Notice. Chair Klemens explained

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93 notices to the abutters were not all sent and the hearing must be continued at a future meeting.

94

95 **Motion:** To continue the public hearing to December 2, 2024 at 5:45PM via Zoom.

96 Made by Cockerline, seconded by Whalen.

97 Vote: 5-0-0 in favor.

98

99 **Pending Business**

100 9. #2024-0264 / 280 BTLR, LLC (Great Falls Construction) / 280 Between the Lakes Road and 300  
101 Between the Lakes Road / Site Plan Application for a Single-Family Residential Construction and  
102 Associated Site Development in the Lake Protection Overlay District (Section 404) on lot 280 and a  
103 driveway passing through lot 300 / Map 67 / Lot 07 and 07-02 / DOR: 10/07/2024

104

105 Chair Klemens explained this pending business must be tabled because the Inland Wetlands &  
106 Watercourses Commission (IWWC) has not yet acted on the application.

107

108 **Motion:** To table application #2024-0264 / 280 BTLR, LLC (Great Falls Construction) / 280 Between the  
109 Lakes Road and 300 Between the Lakes Road / Site Plan Application for a Single-Family Residential  
110 Construction and Associated Site Development in the Lake Protection Overlay District (Section 404) on  
111 Lot 280 and a driveway passing through Lot 300 / Map 67 / Lot 07 and 07-02 /

112 Made by Cockerline, seconded by Whalen.

113 Vote: 5-0-0 in favor.

114

115 **Other Business**

116 11. POCD Discussion

117

118 LUD Conroy explained that she and LUTS Todaro watched a recording of the Board of Selectmen Meeting  
119 where commentary was received on the draft 2024 Plan of Conservation and Development (POCD). LUD  
120 Conroy commented that the meeting was similar to the Planning and Zoning Commission's first Public  
121 Outreach Meeting. At both meetings sufficient understanding of the document was not established and  
122 there was extensive discussion of tone and verbiage. LUD Conroy explained the POCD is a planning  
123 document intended for the next ten years and for the consideration of ideas rather than focusing on  
124 past accomplishments or listing definitive solutions. LUD Conroy and Chair Klemens explained they tried  
125 to consolidate the commentary received into possible improvements to share with the Commission.

126

127 LUD Conroy explained discussion at this meeting should involve reviewing comments as opposed to  
128 making changes to the document. She said adjustments can be made at the upcoming public hearing to  
129 ensure the public can provide comment as well.

130

131 LUD Conroy mentioned changes suggested on Page 2. Chair Klemens proposed alternative language to  
132 address the suggestions. All Commissioners supported the proposed alternative.

133

134 On Page 2, Alternate Member Schiffer suggested removing "cross acceptance between  
135 elected/appointed boards" as a tone adjustment. Commissioner Cockerline believed the verbiage should  
136 remain as "cross acceptance" reflects a consensus between varied personal opinions. Chair Klemens,  
137 Vice Chair Shyer, and Secretary Whalen agreed the verbiage should be retained.

138

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- 139 Commissioner Bob Riva joined the Meeting at 6:13PM, and was appointed as a voting member in place  
140 of Alternate Member Schiffer.  
141
- 142 On Page 6, LUD Conroy mentioned verbiage regarding the POCD survey that was interpreted negatively  
143 by the Board of Selectmen. She suggested an adjustment to the introductory sentence to better clarify  
144 “Survey Priorities.” Chair Klemens suggested replacing “Survey Priorities” with “Priorities Identified by  
145 the Survey.” All Commission members agreed.  
146
- 147 On Page 10, LUD Conroy mentioned proposed verbiage to remove and explained this change would  
148 adjust tense and better clarify intent.  
149
- 150 On Page 17, Chair Klemens explained updated information was received from Salisbury Housing  
151 Committee (SHC) to reflect renovation cost adjustments.  
152
- 153 On Page 21, LUD Conroy suggested using underline instead of bold to express emphasis consistently  
154 within the document.  
155
- 156 On Page 24, Chair Klemens explained a verbiage change was proposed for better comprehension of  
157 intention, and bold text removed to soften language.  
158
- 159 On Page 26, Chair Klemens explained a verbiage adjustment was proposed to soften tone.  
160
- 161 On Page 32, Chair Klemens mentioned proposed verbiage removal and alterations to address language  
162 concerns. LUD Conroy agreed the general public may find difficulty understanding a Zoning perspective  
163 that is focused on single lots versus mass control of several lots in an area. Commissioner Cockerline  
164 complimented the change and believed a majority of listeners agreed that flexibility of setbacks is  
165 needed in village centers.  
166
- 167 On Page 38, Chair Klemens explained alterations are proposed to make the tone less discouraging.  
168
- 169 On Page 39, Chair Klemens mentioned improved clarification between sidewalks, pathways, and  
170 encouraging pedestrian safety. Commissioner Cockerline believed bicycles and other devices used by  
171 children should not be encouraged to use roadways for travel. Vice Chair Shyer believed restrictions  
172 should be specified against electric-powered bicycles used on sidewalks.  
173
- 174 On Page 41, Alternate Member Schiffer suggested altering verbiage to encourage positivity. The  
175 Commission agreed.  
176
- 177 On Page 44, Chair Klemens suggested eliminating a paragraph detailing the Chester Report provided in a  
178 sidebar. The Commission agreed on retaining details of the Chester Report as a factual reference. Vice  
179 Chair Shyer suggested including an explanation to why the Chester Report is included in the document.  
180 The Commission agreed to keep the Chester Report in the document.
- 181 On Page 46, LUD Conroy suggested removing numbers associated with a tally of entities and additional  
182 verbiage to soften language.  
183
- 184 On Page 50, Chair Klemens recommended adding verbiage to clarify “new municipal improvements and

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185 investments.”

186

187 On Page 60, Chair Klemens explained “Salisbury Marketplace” was added alongside “LaBonne's.”

188

189 On Page 61, LUD Conroy suggested altering verbiage regarding the Loureiro report completed in  
190 Lakeville.

191

192 On Page 65, Chair Klemens explained the Communication Systems discussion within the document was  
193 considered out of date. Commissioner Riva said he would update the information and send it to the LUO.  
194 Chair Klemens proposed altered language about cellular coverage within the Town.

195

196 On Page 66, Chair Klemens mentioned two paragraphs regarding Town building maintenance were  
197 preferred to be removed by the Board of Selectmen. Commissioner Cockerline suggested summarizing  
198 the verbiage and stating that Town Hall needs improvements. The Commission agreed to remove the  
199 paragraphs.

200

201 On Page 69, Chair Klemens suggested removing a listed Colliers recommendation.

202

203 On Page 76, LUD Conroy mentioned removing verbiage regarding paid positions for fire safety.

204

205 On Page 101, Chair Klemens suggested adding verbiage that reiterated prohibiting floodplain  
206 development.

207

208 On Page 104, Chair Klemens recommended adjusting verbiage regarding bear-proof garbage containers.

209

210 On Page 106, Chair Klemens added verbiage suggesting the use of Scoville Library as a repository for  
211 documents.

212

213 LUD Conroy and Chair Klemens reminded the Commission that these adjustments will be catalogued and  
214 the POCD draft document has not yet been edited. The comments will be discussed with the public at  
215 the upcoming public hearing on December 16th, 2024. Written comments may be submitted by the  
216 public until the public hearing date.

217

218 Chair Klemens scheduled a Special Meeting on Tuesday December 17th, 2024 in case the PZC needed an  
219 additional night to review the comments received about the POCD prior to an adoption vote.

220

221 **Adjournment**

222

223 **Motion:** To adjourn the Meeting at 7:42PM.

224 Made by Shyer, seconded by Cockerline.

225 Vote: 5-0-0 in favor.

226

227 Respectfully Submitted,

228 Erika Spino, Secretary of Minutes

229