

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

January 21st, 2025 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)

5 Allen Cockerline (Regular Member)

6 Bob Riva (Regular Member)

7 Dr. Danella Schiffer (Alternate Member)

8 Beth Wells (Alternate Member)

9

Members Absent:

Staff Present:

Abby Conroy, Land Use Director (LUD)

Miles Todaro, Land Use Technical Specialist (LUTS)

10 **Brief Items and Announcements**

11 1. Call to Order / Establish Quorum

12 Chair Klemens called the meeting to order at 5:30PM. A quorum was established with five regular
13 members present (Dr. Michael Klemens, Cathy Shyer, Martin Whalen, Allen Cockerline, Bob Riva).
14 Alternate Members Dr. Danella Schiffer and Beth Wells were also present.

15

16 Chair Klemens proposed the following amendment:

17 Move agenda item #15 before agenda item #12.

18

19 **Motion:** To accept the agenda as amended.

20 Made by Cockerline, seconded by Riva.

21 Vote: 5-0-0 in favor.

22

23 2. Minutes of October 29, 2024

24 The Commission did not have comments or questions for the detailed minutes of October 29, 2024.

25

26 **Motion:** To approve minutes of October 29, 2024.

27 Made by Cockerline, seconded by Whalen.

28 Vote: 5-0-0 in favor.

29

30 3. Minutes of November 4, 2024

31 The Commission did not have comments or questions for detailed minutes of November 4, 2024.

32

33 **Motion:** To approve minutes of November 4, 2024.

34 Made by Cockerline, seconded by Riva.

35 Vote: 5-0-0 in favor.

36

37 4. Minutes of November 18, 2024

38 The Commission edited detailed minutes of November 18, 2024.

39

40 **Motion:** To approve minutes of November 18, 2024 as amended.

41 Made by Cockerline, seconded by Riva.

42 Vote: 5-0-0 in favor.

43

44 5. Minutes of December 2, 2024 – *pending*

45 6. Minutes of December 10, 2024 – *pending*

46 7. Minutes of December 12, 2024 – *pending*

SALISBURY PLANNING AND ZONING COMMISSION

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47 8. Minutes of December 16, 2024 – *pending*

48 9. Minutes of December 17, 2024 – *pending*

49 10. Minutes of January 6, 2025 – *pending*

50

51 **Other Business**

52 15. January 13, 2025 Correspondence from Mark S. Hochberg, M.D.

53

54 The Commission reviewed a letter received from Mark S. Hochberg supporting the Commission’s
55 handling of the Wake Robin Inn Special Permit application process.

56

57 **New Business**

58 13. #2025-0273 / Nathaniel and Laura Kirk (Jones Construction) / 85 Preston Lane / Site Plan for
59 Second Story Addition Over Existing Attached Garage in Lake Protection Overlay District (Section
60 404) / Map 69 / Lot 29 / DOR: 01/21/2025 / *Reception and Possible Consideration*

61

62 LUD Conroy explained this property previously came before the Commission for a deck, and the pre-
63 existing dwelling continued to exceed the maximum ten percent allowed within the Lake Protection
64 Overlay District (LPOD). She explained the Applicant now proposed to construct a second story addition
65 on a pre-existing garage, subject to Site Plan approval. Chair Klemens asked if the structure conformed
66 to setbacks. LUD Conroy confirmed it did. LUD Conroy also explained window bump outs were initially
67 proposed. However, Town Consulting Engineer Tom Grimaldi considered the bump outs to be an
68 addition to impervious surface so they were eliminated. LUD Conroy noted that Torrington Area Health
69 District (TAHD) approval was received, and suggested a stamped letter from an architect confirming the
70 addition does not exceed the existing overhang as a condition of approval.

71

72 Chair Klemens asked if the application was complete. LUD Conroy confirmed it was. Commissioner
73 Cockerline asked if an As-Built Survey would be required. LUD Conroy confirmed one would be. There
74 were no further questions or comments from the Commission.

75

76 **Motion:** To approve application #2025-0273 / Nathaniel and Laura Kirk (Jones Construction) / 85 Preston
77 Lane / Site Plan for Second Story Addition Over Existing Attached Garage in Lake Protection Overlay
78 District (Section 404) / Map 69 / Lot 29 / with the condition of an As-Built Survey.

79 Made by Cockerline, seconded by Riva.

80 Vote: 5-0-0 in favor.

81

82 **Public Hearing – 5:45PM**

83 11. #2024-0269 / Sievert and Eliza McCabe / 21 Mount Riga Road / Special Permit for Vertical
84 Expansion of a Nonconforming Residential Structure (Section 503.2) / Map 14 / Lot 17 / DOR:
85 11/18/2024 / OH: 01/06/2025 close by 02/10/2025 (02/03/2025 meeting) / *Possible Close of Public*
86 *Hearing and Consideration*

87

88 The public hearing continued at 5:50PM. LUTS Todaro explained letters to the abutters have been mailed
89 and additional documents were submitted to the Land Use Office (LUO). Sievert McCabe joined the
90 meeting to present the application. Chair Klemens asked if a survey was composed to represent non-
91 conformities. Mr. McCabe replied no, and explained a new well would be drilled in an alternate location
92 to comply with Torrington Area Health District regulations. Chair Klemens advised that submitted

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93 architectural drawings must be signed by the architect. LUD Conroy said an As-Built survey would be
94 required. LUD Conroy asked if the current Site Plan had been approved by TAHD. Mr. McCabe replied
95 approval cannot be granted until the well is relocated. Commissioner Cockerline asked if this application
96 is considered vertical expansion of a structure with a pre-existing second floor. Mr. McCabe replied yes.
97

98 Chair Klemens suggested continuing the public hearing pending signed architectural drawings, and
99 approval from TAHD.

100

101 **Motion:** To continue the public hearing to February 3, 2025 at 5:45PM via Zoom.

102 Made by Riva, seconded by Cockerline.

103 Vote: 5-0-0 in favor.

104

105 **New Business (Continued)**

106 12. Pre-Application Meeting Per (CGS) §7-159b RE: ARADEV, LLC / 104 & 106 Sharon Road & 53
107 Wells Hill Road, Lots 2 & 2-1 / *“Such preapplication review and any results or information obtained*
108 *from it may not be appealed under any provision of the general statutes, and shall not be binding*
109 *on the applicant or any authority, commission, department, agency or other official having*
110 *jurisdiction to review the proposed project.”*

111

112 Landscape Architect Mark Arigoni of SLR Consulting and Land Use Attorney Joshua Mackey joined the
113 Meeting. Chair Klemens explained the purpose of this pre-application meeting was to discuss
114 improvements and suggestions to the previous application from ARADEV LLC.

115

116 Chair Klemens suggested minimizing the number of cottages proposed along Wells Hill Road, and
117 expressed concerns with the Event Barn and overall density of the project. Commissioner Cockerline
118 suggested the Applicant provide fully developed plans with measurable objective sound transmission
119 data with a baseline of decibel levels in the nearby neighborhood. He commented that the intensity of
120 the project and how it fits into the RR1 Zone was a concern. He suggested limiting the number of
121 cottages or eliminating the cottages altogether. Commissioner Cockerline also suggested written
122 approval from the Water Pollution Control Authority (WPCA) should be submitted as opposed to verbal
123 confirmation.

124

125 Vice Chair Shyer supported the suggestions made by Chair Klemens and Commissioner Cockerline. She
126 also expressed concern regarding the traffic data provided by the Applicant and the safety of pedestrians
127 who walk along Sharon Road. Vice Chair Shyer also expressed concern as to whether the provided
128 parking was sufficient for anticipated guests and staff. Attorney Mackey asked if the Commission would
129 suggest that their Traffic Engineer investigate sightline improvements and pedestrian traffic safety. Vice
130 Chair Shyer replied yes. Attorney Mackey agreed with Commissioner Cockerline that verbal
131 communication from the WPCA was not sufficient.

132

133 Commissioner Riva supported suggestions from Commissioner Cockerline regarding sound transmission
134 data and detailed plans for the Event Barn. He suggested introducing cottages as a second phase in the
135 project after ensuring noise would not negatively affect the nearby community. Chair Klemens advised
136 against encouraging segmenting the project. Commissioner Riva also expressed that he was comfortable
137 with the additional exit and sightline improvements, and believed pedestrian traffic should be
138 addressed.

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Alternate Member Schiffer expressed support for eliminating the cottages. She believed enforcement and policing of events was a major concern, and suggested relocating the Event Barn within the hotel structure.

Alternate Member Wells supported concerns about high density and sufficient parking needed for hosted events. She believed controlling noise would not be possible due to guest behavior and suggested that events cease at 10:00PM due to the residential location.

Chair Klemens added that his concern about the number of cottages was not based on density. He clarified that he believed the design did not fit in with the surrounding residential neighborhood, which made it inconsistent with Special Permit Requirements. Vice Chair Shyer reiterated her concern that emergency service access was not addressed for the cabins.

Development Team Project Partner Jonathan Marrale asked how the cottage area could be improved to fit within a residential area. Commissioner Cockerline replied the intensity level of the project was the major concern and suggested limitations would be needed. Commissioner Cockerline noted that a reapplication with a proposed project similar in size and density would receive similar pushback. Chair Klemens suggested the Granberry property alterations remain consistent with pre-existing conditions. He added that residents of Wells Hill Road are sensitive to the residential development pattern of the neighborhood along Wells Hill Road. Secretary Whalen commented that noise mitigation was a concern and disagreed that safety of pedestrian traffic on Sharon Road is a concern. Attorney Mackey thanked the Commission and said the Development Team would consider all suggestions.

Vice Chair Shyer left the meeting at 6:51PM. Chair Klemens appointed Alternate Member Wells as voting alternate.

Pending Business

14. #2024-0273 / Alexander Reid and Kathryn Spaziani / 99 Preston Lane / Special Permit Application for Vertical Expansion of a Non-Conforming Structure in the Lake Protection Overlay District (Sections 503.2 and 404) / Map 68 / Lot 10 / DOR: 01/06/2024 / *Review of Completeness and possible Schedule Public Hearing*

Alexander Reid explained that he decided not to move forward with the application due to regulatory constraints and limited options to expand the non-conforming structure.

Adjournment

Motion: To adjourn the meeting at 6:59PM.
Made by Cockerline, seconded by Whalen.
Vote: 5-0-0 in favor.

Respectfully Submitted,
Erika Spino
Secretary of Minutes