

**SALISBURY PLANNING AND ZONING COMMISSION
SPECIAL MEETING MINUTES
MARCH 8, 2021 5:30 PM**

Remote Meeting by Live Internet Video Stream and Telephone

Members Present:

- Dr. Michael Klemens (Chairman)
- Allen Cockerline (Regular Member)
- Bob Riva (Regular Member)
- Martin Whalen (Secretary)
- Cathy Shyer (Regular Member)
- Debra Allee (Alternate)
- Jon Higgins (Alternate)
- Dr. Danella Schiffer (Alternate)

Staff Present:

- Abby Conroy, Land Use Administrator (LUA)
- Tai Kern, Recording Secretary

Brief Items and Announcements

Chairman Klemens gave an overview of the order for the hearing. He explained that the meeting will end at 9:30 p.m. and be continued to March 22nd or April 12th at the applicant's decision. He asked each member a series of questions related to conflict of interest and predisposition with regard to this application and as a result it was found that there were no conflicts with any of the members.

A petition for intervener status was accepted as a neutral action. Attorney Cassagrande of Cramer and Anderson was elevated to represent the petitioners for this matter. LUA Abby Conroy reviewed the list of documents submitted for this meeting and posted on the Town's website.

1. Call to Order/Approval of Agenda

Chairman Klemens called the meeting to order at 5:32 p.m.

2. Seating of Members & Alternates

All of the Regular Members were present and seated.

3. Minutes of February 8, 2021 - tabled

Public Hearings

4. #2021-0123 / Salisbury Housing Committee / 11 Holley Street / Special Permit to Construct 12-Unit Multifamily Dwelling in the PKSQ District and Aquifer Protection Area (Section 403 & 405) / Map 45 / Lot 2 / DOR: 02/08/2021

Attorney Chris Smith came forward as a representative for the applicant. He reported that the proposal is within the aquifer protection zone and identified that the Connecticut Department of Public Health and Aquarion Water were notified of this hearing as well as the abutting property owners.

43 Jocelyn Ayer came forward with the team to represent the Salisbury Housing Committee for this
44 application. They reviewed a power point presentation regarding this proposal. Ms. Ayer explained
45 that the Committee listened to public input during an informational workshop and the prior
46 application and have accordingly made changes to the architecture and size of the project. The project
47 has been reduced from 21 bedrooms to 18 bedrooms. The footprint was reduced and as a result 2
48 parking spaces were lost but did not impact the required parking and should not be problematic due to
49 the reduction in bedrooms.

50
51 Jon Tunsky, Landscape Architect, came forward and reviewed the proposal noting that the proposed
52 structure includes an accessible entrance matching matched the setbacks of other buildings in the
53 area. He reviewed the plans for a patio on the north side of the property and proposed reuse of the
54 stones from the existing onsite wall. The parking plan includes 10 spaces for the public. Mr. Tunsky
55 confirmed that this development will have no adverse effects on the aquifer. The Fire Marshal noted a
56 need for extra fire lanes, which will be added to the plan. Mr. Tunsky then reviewed the requirements
57 per Section 405 of the Regulations noting that they have been met.

58
59 Rocco Petitto, Architect, reviewed the square footage breakdown and floor plans. He reviewed the
60 exterior view of the proposal stating that the building will have asphalt shingle roofing and clapboard
61 siding. They have utilized a federal style design and made the building more symmetrical. There will
62 be some exterior lighting, which is mostly motion activated. He confirmed that the design
63 requirements of 405.6(b) have been met.

64
65 Joe Balskus, Traffic Engineer, reviewed his traffic study noting that there is very low generation of
66 traffic as a result of this development. There is ample parking and DOT safety improvements have
67 been implemented.

68
69 Jocelyn Ayer advised that the 12 outdoor spaces are open to the public. Residents may need four of
70 the outdoor spaces during peak hours. Additionally, the 10 spaces under the building will be reserved
71 for residents only.

72
73 Ms. Ayer confirmed that all 12 units will be affordable. She reviewed the HUD income limits and
74 sample rent schedule. Twelve units is the smallest they can make this project to meet the goals for this
75 site as stated in the Town's affordable housing plan, which the public voted in favor of in 2018. There
76 will be no change to any right-of-way access ways for surrounding businesses.

77
78 Attorney Smith noted that this plan is consistent with 2012 POCD goal to provide for housing
79 opportunities as well as consistent with the Town's Zoning Regulations.

80
81 Chairman Klemens Opened floor to the Commission for questions:

82
83 It was clarified for Chairman Klemens that the fire-lanes will be on the south and west sides of the
84 buildings. There will be two laundry rooms to accommodate the residents as a convenience. Rocco

85 Petitto agreed to provide the individual floor reductions by square feet. The lighting was discussed and
86 it was confirmed that lighting would be downward directed. A lighting consultant will be utilized.
87
88 Attorney Smith discussed the interveners and whether their claims will be historical. It is uncertain at
89 this time, but he will be responding to claims when they are brought. The Commission will determine
90 whether the intervener has met their burden.
91
92 Member Bob Riva asked Jon Tunsky to review the drainage plan. Mr. Tunsky reported that roof
93 leaders, underground piping and catch basins for treatment will be utilized.
94
95 Member Alan Cockerline questioned whether the Historic Commission needs to review this
96 application. Attorney Smith advised that it is their understanding that this is not necessary. It was
97 confirmed that this is in the CG20 Zone District and the plan meets the bulk of the requirements for
98 this district.
99
100 Member Cathy Shyer discussed the concern for parking expressed by existing businesses in the area.
101 She asked if there is any way to assure there will be ample parking. Ms. Ayer deferred to the parking
102 study noting that the lot can accommodate the demand and there is no shortage of on-street parking.
103 An extensive parking study was done. It was confirmed that the west alley designated as a fire lane will
104 be maintained at the existing width. Ms. Ayer confirmed that the units are 100 percent affordable.
105
106 Mr. Petitto reported on the reduction in square footage per floor as requested. The first and second
107 floor were reduced by 500 square each and the third floor was reduced by 750 square feet.
108
109 Secretary Marty Whalen questioned whether more than one car per family was considered as part of
110 the parking plan.
111
112 Alternate Dr. Danella Schiffer asked for clarification of the traffic patterns of the indoor parking. It was
113 explained that the design meets the designated width for two lanes but that arrows could be added to
114 direct traffic.
115
116 Alternate Jon Higgins asked about potential of obstructions in the fire-lanes during construction. It was
117 agreed that construction sequence would be later reviewed.
118
119 Alternate Deborah Allee questioned whether methods of transportation other than cars such as
120 busses, bicycles, and motorcycles were considered. Ms. Ayer noted that a bike rack location could be
121 added. The bus company confirmed that children will be picked up in front of the building on Route
122 44/Millerton Road.
123
124 Jocelyn Ayer explained for Allee that the existing 12-foot-tall wall will be incorporated into the existing
125 site as much as possible. They will work with the State Historic Preservation Office regarding this
126 matter.

127 Attorney Casagrande advised that the petition was not filed under 22A-19a because it is not applicable.
128 This is not a court action. This is an administrative proceeding; therefore, the petition was filed
129 properly.

130
131 The Chairman then opened the floor to questions from Attorney Capecelatro and Attorney Grickis who
132 submitted letters representing nearby property owners. Neither Attorney Capecelatro or his client;
133 Dean Diamond, were present.

134
135 Attorney Grickis came forward for his client; Seth Churchill. He noted his surprise that Member
136 Cockerline remained seated during the proceedings due to his affiliation with affordable housing in
137 Falls Village. He cannot imagine a successful project using the cow path alley. All of the businesses in
138 the area believe their zoning special permits depend upon the satellite parking as noted in the 2018
139 minutes for Churchill. There has been nothing done to update traffic study that was done during the
140 pandemic. This is a dangerous strip of road where an officer has been requested repeatedly to be
141 present at the crosswalk for safety purposes; however, it has been advised the Town cannot afford this
142 officer. The location of this site is illogical. He urged the Commission to encourage the applicant to
143 choose a more suitable location. It was requested and agreed that Attorney Grickis will come forward
144 and share with the group the missing firehouse information that continues to be referenced.

145
146 Attorney Chris Smith noted that Joe Balskus would like to respond to Attorney Grickis. Mr. Balskus
147 expressed disagreement with Attorney Grickis' statements regarding traffic and parking. Stating that
148 there was no need to update the study conducted in 2020 and reiterating that his study shows that the
149 road is not dangerous. Jocelyn Ayer clarified to Mr. Grickis that the design does not consider the alley
150 as a point of access for residents. The Committee believes that the project and its 12 young and senior
151 tenants will add to the beauty and vitality of the area. Attorney Smith quoted the same sentiment
152 from the POCD.

153
154 Member Allen Cockerline noted that he counts 3 to 8 cars each time he passes the parking lot. He feels
155 the traffic report is thorough.

156
157 Alternate Jon Higgins countered Mr. Grickis' position stating that these parking spots are not
158 designated satellite parking spots for the fitness center. The prior approval granted to Mr. Grickis'
159 client merely identified that parking on this site could be utilized to support businesses in the area, but
160 that it was not specifically designated.

161
162 The floor was opened to the Public.

163
164 Attendee, Artemis Growth Partners was asked to come forward due to several comments submitted in
165 the "Q&A" box. Mr. Muecke of 9 Elm Street identified himself and asked about local employment.
166 Attorney Chris Smith advised that this question is not relevant to land use. Mr. Muecke was advised
167 that the answer to his question regarding height off-grade from rear is included in the submittal.
168 Attorney Smith stated that that they feel the project meets the surrounding aesthetics. Ms. Ayer

169 advised that they are working with the State Historic Preservation Office regarding this matter. Mr.
170 Muecke questioned why 12 units are financially viable. Attorney Smith noted that this question is not
171 relevant to Zoning. Ms. Ayer referred to Town's affordable housing plan. Attorney Casagrande advised
172 that this is also a 22-19 application where the economic viability is precisely relevant.
173

174 Carol Dmytryshak stated that Salisbury needs affordable housing. Salisbury will be lucky if affordable
175 housing is ultimately realized on all the properties identified in the housing plan. The goal is high and
176 Salisbury is nowhere close to meeting it.
177

178 Mr. Van Deusen asked when the traffic survey was done. Joe Balskus noted that study was done last
179 year using volumes accumulated prior to the pandemic. Mr. Van Deusen further noted his concerns
180 with parking and feels that this is the wrong spot for such a proposal. He asked about sidewalks and
181 expressed that traffic from restaurants were not taken into consideration.
182

183 Lloyd Baroody discussed parking and the history of the area. He asked that everyone keep things in
184 perspective. A quantum increase is needed in affordable housing. This project is a no brainer.
185

186 Susan Galluzzo explained that none of the people in the area can make a living without parking. She
187 submitted a document to the P&Z Commission as an attorney noting the required parking spaces in
188 Lakeville Center is 90 spaces. The parking deficit is 61 spaces. The 15-foot right-of-way is a one-way
189 street. The business owners were never asked about their needs during the traffic study.
190

191 Ashley Marchand; an owner of Lakeville Interiors, asked about the parking lot. She described how their
192 deliveries are received by tractor trailers. She asked whether there will be a limit of a number of cars
193 per unit. Additionally, she inquired whether there will be a guardrail near their building.
194

195 Eileen Fox stated that she has never had a problem finding parking in the area. This is an application
196 about needed housing. It is a false flag to make this about parking. She asked the Commission to
197 please consider the basis for the application.
198

199 Attorney Smith advised that his clients will respond to the public's questions at the continued hearing.
200

201 Philip Oppenheimer stated that some of the attorney stuff is a stalling tactic. He does not think they
202 should be allowed to stall this thing.
203

204 Marie Stucke asked that a view of the building from factory pond with the screening to be provided.
205

206 Pamela Wilson discussed the revenue information provided. She would like it shown that the tax
207 payers will not have to pick up any additional costs, including maintenance, on the building.
208

209 Attorney Grickis asked that all of the issues in his March 2nd letter be responded to.
210

211 M. E. Freeman agrees parking is a false flag. She has never had a parking issue. She discussed the
212 other locations that have been identified and stated that they are not ideal at this time. The Town
213 desperately needs affordable housing. People are being priced out of the town.

214
215 Chairman Klemens asked Attorney Smith about scheduling going forward. He noted that his client has
216 been working on this proposal a long time and two weeks are more than enough to prepare for the
217 next meeting. He requested that the hearing be continued to March 22, 2021.

218
219 Attorney Casagrande noted that a continuance of 30 days is standard and objected to the date of
220 continuation stating that two weeks to put together expert witnesses and a presentation is grossly
221 unfair.

222
223 The members all agreed to the extension to March 22nd with the understanding that this may be
224 continued once again.

225
226 *Motion:* To continue to March 22, 2021 at 5:30 p.m. the public hearing for application 2021-0123 /
227 Salisbury Housing Committee / 11 Holley Street / Special Permit to Construct 12-Unit Multifamily
228 Dwelling in the PKSQ District and Aquifer Protection Area (Section 403 & 405) / Map 45 / Lot 2. Made
229 by Cockerline, seconded by Whalen.

230 Vote: 5-0-0 in favor.

231
232 It was noted that technical submissions must be submitted by March 18, 2021.

233
234 **Adjournment**

235
236 *Motion:* To adjourn the meeting at 9:05 p.m.

237 Made by Riva, seconded by Cockerline.

238 Vote: 5-0-0 in favor.

239
240 Respectfully submitted,

241
242 Tai Kern,
243 Recording Secretary