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ARTEL ENGINEERING GROUP, LLC

CIVIL, ENVIRONMENTAL AND MUNICIPAL ENGINEERS • PROJECT MANAGERS • SITE PLANNERS • PERMIT EXPEDITORS
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March 16, 2021

Planning and Zoning Commission
Town of Salisbury
27 Main Street
Salisbury, Connecticut 06068

Re: Holley Place
11 Holley Street

Dear Commission Members:

Our civil engineering firm has been recently engaged to review the Plan Set, dated 02-04-21 for the above referenced property as posted on the Town 'web site'. Our services included the review of the application materials relative to site layout and grading, pedestrian access and safety, vehicular access and safety, utilities layout, stormwater management and water quality, and temporary and permanent soil erosion and sediment controls.

The applicant is proposing to develop the parcel as a 12-unit, multi-family residential housing facility on the existing 0.31-acre parcel of land located on the south side of Millerton Road at its intersection with Holley Street in the Lakeville portion of Town. The parcel is considered to be a 'corner lot', having frontage on two streets (two front yards and two side yards) and is also 'non-conforming' as it does not meet the dimensional requirements of the Zoning Regulations. Per the Lakeville Village Zoning Map, the property is located in the General Commercial (CG-20) zoning district as well as in the Pocketknife Square (PKSQ) Overlay District. Lastly, the site is located within and encumbered by the Aquifer Protection Overlay District.

The site is currently developed and being used as a park with an associated 23+/- space municipal parking lot that was constructed and dedicated in 1976. The sole purpose of the municipal parking lot was, and still is, to provide safe and convenient parking for use by patrons of the local businesses as well as to provide a calming, park-like 'green space' to this historic portion of town.

A. General:

1. Aside from the Property and Topographic Survey Map, the Special Permit documents submitted by the applicant do not bear the seal, license number or signature of the professional that prepared the plans. Section 800.3 of the

Town of Salibury Zoning Regulations state that "Site Plans shall be prepared to Class A-2 Survey Standards".

2. The documents submitted are not compliant with Section 800.3 of the Zoning Regulations. The regulation states: "The design, layout, computations and plans showing existing and proposed drainage patterns, and construction of storm drainage improvements, driveways, access ways, parking areas, loading areas and other site construction improvements shall be prepared by a Connecticut Registered Engineer".

3. The plans fail to show sight lines from the existing/proposed driveway(s).

4. The Special Permit documents submitted do not include sufficient annotation to appropriately identify and describe all of the proposed site development elements. Artel Engineering Group has used best engineering judgement to interpret the elements depicted on the plans.

5. The submission documents do not include a site engineering report regarding storm water management and storm water quality. Section 801.5 of the Town of Salisbury Zoning Regulations states: "Special attention shall be given to proper surface water drainage so that it will not adversely affect neighboring properties or public storm drainage facilities, obstruct the flow of vehicular or pedestrian traffic or create standing water in paved or pedestrian areas. All surface water drained from roofs, streets, parking lots, and other site features shall be disposed of in a safe and efficient manner that will not create problems of water runoff or erosion on the site or on neighboring sites or pollution of surface water or groundwater. Insofar as possible, natural drainage courses and swales shall be properly stabilized and drainage-impounding areas shall be utilized to infiltrate water on the site through natural percolation to a degree equivalent to that existing prior to development. Also, appropriate erosion control measures shall be employed, including slope stabilization measures and the seeding of exposed areas to replace vegetative cover."

6. The submission documents do not include a site engineering report estimating daily potable water use, fire-fighting water requirement calculations and availability including confirmation of sufficient water volume and pressure to extinguish a fire in the proposed building.

7. The submission documents do not include a site engineering report regarding sanitary sewage flow estimates and confirmation of adequate capacity in the municipal sanitary sewer system to facilitate flows from the proposed development.

8. The submission documents do not include environmental reports regarding site history, subsurface site conditions and site suitability for use as

residential development. Has a Phase I environmental study been conducted?

9. The submission documents also appear to not have positive referrals from police and medical emergency response providers.

10. According to Town maps, the property is located within an Aquifer Protection Area. Section 403 of the Town of Salisbury Zoning Regulations is specific to the Aquifer Protection Overlay District. What provisions has the applicant made "to protect the public health, safety and welfare through the preservation of the Town's major groundwater resources; to insure a future supply of safe and healthy drinking water for the residents of Salisbury, and to reduce the potential for groundwater contamination"?

11. As proposed, it appears that the development will require the excavation and removal of more than 250-cubic yards of material from the site. Section 601.3 of the Town of Salisbury Zoning Regulations Require Special Permit approval for such work and states:

    "Before any Special Permit for Excavation, Filling and Grading may be granted, a written application shall be submitted to the Commission by the property owner or by his agent, on forms provided by the Commission, together with maps and plans prepared by an engineer or Registered Land Surveyor licensed to practice in the State of Connecticut, which shows the following:

    a. The boundaries of the property where the excavation is proposed and the delineation of the area to be excavated.

    b. The existing contours in the area to be excavated and the proposed contours after completion of the excavation. The contours shall be derived from an actual field survey based on bench marks noted and described on the map and drawn to a scale of not less than 100 feet to the inch with a contour interval not to exceed five (5) feet.

    c. The existing and proposed drainage during and after the excavation.

    d. Existing and proposed drainage easement and flowage rights.

    e. The surrounding access streets and property lines.

    f. The existing and proposed structures on the premises; and

    g. The proposed truck access route to the excavation area with particular reference to the route in relation to schools, playgrounds, churches and traffic through residential neighborhoods."

12. The proposed development requires the removal of the existing on-site retaining walls (historical foundation walls) and soil excavation approximately 10-feet in depth located approximately 10-feet from the edge of Route 44. The requirements of Section 601.5.c. of the Town of Salisbury Zoning Regulations must be addressed.

13. Section 801.10 Natural and Historical Resources, of the Town of Salisbury Zoning Regulations states that: "The Site Plan shall be designed to minimize any damage or destruction to locally significant natural or historical resources." The proposed plan requires the destruction and removal of an historic structure.

14. Pursuant to Section 602 of the Town of Salisbury Zoning Regulations, "A Storm Water Management Plan shall also be required in the C-20, CG-20, LI-1 or LI-20 zones for any Site Plan where the total impervious surface on the lot is greater than 20%". It does not appear that a storm water management plan has been submitted to the Town for review.

15. As this property was previously developed with a structure, have soil boings been conducted to assure suitable soil conditions for footing, foundation and building construction?

14. It should be noted that any proposed work located within the CTDOT right-of-way will require review and issuance of an Encroachment Permit by the CTDOT.

B. Site Plan, Grading & Utility Plan, Details and Building Drawings

1. Per Section 300.3 of the Town of Salisbury Zoning Regulations, the required front yard setback in the underlying zone (CG-20) is 20-feet. The proposed building will be located less than 1-foot to the front property line on the Millerton Road frontage. The applicant notes that this "matches existing front yard setback of buildings on abutting properties". Section 405.6.a.2 of the Town of Salisbury Zoning Regulations provides a means for the decreased front yard setback. Along the Holley Street frontage, the proposed building will be closer than 10-feet to the property line. This proposed setback is not in compliance with Section 405.6.a.2 of the Town of Salisbury Zoning Regulations.

2. Section 405.5 of the Town of Salisbury Zoning Regulations provides for PKSQ Overlay District Density and states that the maximum density shall be sixteen (16) dwelling units per acre with the following exception: where a minimum of fifty percent (50%) of the units are affordable housing, a greater number of units may be permitted per acre provided the minimum unit size shall be 350 square feet or the minimum required by the State Building Code,

whichever is less. As proposed, the 12-units proposed on this 0.31-acre parcel results in equivalent density of greater than 38-units per acre, exceeding the maximum density permitted by more than double! Is this the desired intent of the Zoning Regulations?

3. There are landscape elements proposed within the sight triangle as described in Section 304.4 of the Town of Salisbury Zoning Regulations. Obstructions of required sight lines are a safety concern and must be eliminated. Obstructions of sight lines increases the probability of the occurrence of accidents and injuries.

4. Section 801.7 of the Town of Salisbury Zoning Regulations is specific to utility placement. How will the site be served with an electrical supply and other utilities? Placement of the proposed electrical service and associated transformer must be added to the plan. Transformer placement must meet the requirements of the utility purveyor and must not obstruct required sight lines.

5. Has the applicant considered electric and gas meter placement? Where on the building will these utilities be located?

6. What is the purpose of keeping the existing 'bump-out' on Holley Street? This area should not be used for vehicle parking or loading due to safety concerns regarding its location and proximity to the intersection with Millerton Road.

7. Proposed curb cut radii from the subject site to Holley Street should be adjusted to facilitate safe vehicle access to and from the subject site. Proposed driveway radii located within the site should also be adjusted to assure safe vehicle travel throughout the site and to adjoining shared drives as applicable.

8. Vehicle turning plans should be prepared and submitted to the Commission to confirm that safe site access is provided for passenger, delivery/utility and emergency response vehicles. Unsafe turning radii and vehicle movements increase the probability of accident and injury occurrence.

9. Proposed directions of travel should be clearly depicted for site driveways. Appropriate directional pavement markings and signage must be depicted on the plans to assure safe traffic patterns.

10. As proposed, the south side of the building overhangs the vehicular drive aisle that provides access to and around the subject property. Based on the documents submitted, it appears that the proposed vertical clearance at the east end of the building may be approximately 9-feet. At the west end of the proposed building the vertical clearance appears to be approximately 7'-3" These minimal vertical clearances are likely not safe or adequate for passage by utility, delivery and emergency response vehicles.

11. The architectural drawings depict lounge and office areas as well as common/public restrooms and a janitorial closet. How many 'staff' will be on site at any given time and how many parking spaces will be occupied by staff?

12. Section 405.6.b. of the Town of Salisbury Zoning Regulations states: "All development shall be contextual in character. New construction shall be of a height, bulk, and design that complements the existing character of the neighborhood and community." The Regulations continue: "The following design elements shall be considered:

    1. Building facades shall be massed and scaled to present a varied appearance at street level, and shall be designed to give individual identity to each unit or section of units.
    2. The design shall consider the spacing and proportion of window and door openings, bays or other aspects of building fenestration, as well as colors, textures and the general nature of exterior materials and treatment, including building ornament and trim.
    3. Blank wall exposures shall be limited.
    4. The design shall consider variation in roof heights, use of pitched roofs, and other roof elements such as cross gables and dormer windows to provide visual interest and to reduce the scale of the building.
    5. All multi-family buildings shall comply with all applicable building and fire code regulations."

13. Section 405.6.a.1. of the Town of Salisbury Zoning Regulation states "The maximum building height shall be 40 feet if necessary to accommodate a third floor plus a gabled, hipped, or pitched roof consistent with community character." The proposed building has four floors. It is not clear if the proposed building is compliant with the Regulation. Further, Section 309.2.c. of the Town of Salisbury Zoning Regulations states "A plan prepared by a Registered Land Surveyor (R.L.S.) showing the calculation of the average elevation of the finished grade and the maximum building height measurement may be required by the Zoning Administrator where such documentation is needed to clearly determine that the application meets the building height requirements." Perhaps these plans should be verified by an R.L.S.?

14. The two proposed parking spaces that are located under the southeast corner of the building are not safe as they require drivers to 'blindly' back out into the drive aisle within close proximity to the site entrance.

15. Where will the trash and recycle receptacles be stored? How will they be accessed? What provisions are in place for odor, pest, scavenger and rodent

control? These are all health-related concerns and it is recommended that the trash and recycle containers be located away from the building.

16. Will the proposed parking area located in the lower level of the building require floor drains? If so, how will they be connected to the sanitary sewer?

17. Locations of proposed roof drains and footing drains should be added to the plans to assure feasibility of installation.

18. The slope of a short segment of the proposed drive aisle located near the southwest corner of the proposed building is approximately 20% - 25%. This exceeds the maximum slope permitted by Section 700.3.e. of the Town of Salisbury Zoning Regulations and is a non-compliant, unsafe condition that must be corrected.

19. The slope of a short segment of the proposed drive aisle intersection with Holley Street is approximately 14%. This exceeds the maximum slope permitted by Section 700.3.e. of the Town of Salisbury Zoning Regulations. This proposed non-compliant condition must be corrected.

20. The elevations, size, slope and materials of the proposed sanitary sewer lateral should be provided to assure that a 'gravity' connection can be achieved.

21. If the building is to be 'sprinklered' as a means of fire protection, the location of the service pipe and stand pipe should be depicted on the plan.

22. Where will snow be plowed and/stored on site? Storage of snow at the 'nose end' of the parking spaces may require parked cars to partially obstruct the drive aisle creating an unsafe condition increasing the probability of an accident or injury to occur.

23. The proposed stair and ramp handrail details must be corrected to be compliant with applicable codes.

24. Proposed fencing located along the edge of the elevated walk on the west side of the building must be compliant with applicable code(s) to assure pedestrian safety.

25. Additional sidewalks may be required for safe pedestrian access to municipal sidewalks.

26. Existing and proposed pedestrian crosswalks should be added to the plans. Are crosswalk signal controls existing and/or warranted for pedestrian safety?

It is the professional opinion of this office that the Plan Set is not compliant with requirements set forth in the Zoning Regulations. Plan revisions and additional site design and information are required to assess project safety and to determine suitability for the proposed development at this location. Please feel free to contact this office with any questions.

Sincerely,
ARTEL ENGINEERING GROUP LLC

Dainius L. Virbickas

Dainius L. Virbickas, P.E.
Professional Engineering Manager

ARTEL ENGINEERING GROUP, LLC

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HOLLEY PLACE
ZONING REGULATION NON-COMPLIANCE

Section 800.2 states: **"A Special Permit application shall be accompanied by a Site Plan where necessary to determine conformity with these Regulations. Every Site Plan application shall be accompanied by such information and reports as required in these Regulations and as necessary to determine conformity with these Regulations."**

The application submitted to the Town appears deficient and/or non-compliant with many sections of the Town of Salisbury Zoning Regulations. The following are a few of these instances:

- Section 800.3 states: "The design, layout, computations and plans showing existing and proposed drainage patterns, and construction of storm drainage improvements, driveways, access ways, parking areas, loading areas and other site construction improvements **shall be prepared by a Connecticut Registered Engineer.**"

- Section 801.5 states: "...drainage-impounding areas shall be utilized to **infiltrate water** on the site through natural percolation to a degree **equivalent to that existing prior to development.**"

- Section 601.3 states: "Before any **Special Permit for Excavation**, Filling and Grading may be granted, a written application shall be submitted to the Commission by the property owner or by his agent, on forms provided by the Commission, together with **maps and plans prepared by an engineer or Registered Land Surveyor** licensed to practice in the State of Connecticut."

- Section 602.1 states: "A **Storm Water Management Plan** shall also be **required in the** C-20, **CG-20**, LI-1 or LI-20 zones for any Site Plan **where the total impervious surface** on the lot **is greater than 20%.**" Further, the plan shall be designed to: "Maintain the hydrology of existing sub-watersheds including wetlands and watercourses."

- Section 300.3 requires: 20-foot front yard setback in the CG-20 zoning district. The proposed Holley Street front yard setback is 9.48'.

- Section 700.3 states: "The maximum driveway grade shall be 18%." As proposed, a portion of the west-side driveway will be 20-25%.

- Section 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. The application proposes the removal of an historic wall.

DAINIUS L. VIRBICKAS, P.E.
PROFESSIONAL ENGINEERING MANAGER

EDUCATION: B.S Civil Engineering (1985), University of Connecticut

REGISTRATION: PROFESSIONAL ENGINEER – Connecticut

YEARS EXPERIENCE: 35

Professional Profile:

Mr. Virbickas is a Project Manager with over 35 years of experience in all facets of site design, including the management of the design operations for commercial and residential land development projects, ranging in value from $10,000 to $17 million. He has managed projects involving planning, design, permitting, construction, construction inspection and certification of construction compliance for numerous municipal and private clients. He also presents plans, analyses and supporting documentation to review authorities and land use boards at public meetings.

Mr. Virbickas has managed projects throughout all of Connecticut, and, jointly with other licensed professionals, in Maine, New Hampshire, New York, New Jersey and Virginia.

Professional Experience:

Mr. Virbickas is primarily responsible for management of projects and engineering personnel. Specific fields of expertise include zoning, planning, drainage, stormwater management systems, soil erosion and sediment control, site earth grading design, utility design including site water, sewer and septic facilities, roadway systems, federal, state and local environmental compliance evaluations and design regarding stormwater, aboveground and underground storage tank designs, containment facilities, and related services.

Specific project involvement includes extensive design and project management experience with residential and commercial site plan developments, including multi-family housing, restaurants, hotels, gas stations, automobile dealerships and other retail specialty stores. Additional specialties include design and construction management experience with underground and above ground storage tanks, piping and dispensing systems design, including design modification and investigation of leak detection methodology, spill containment and overfill protection design to ensure compliance with EPA and State underground storage tank requirements. Various environmental permitting investigations including groundwater/site assessments, air emissions, sewer extensions, water main extensions, storage tank removal, closure plans and upgrades.

Project types include a variety of retail, commercial, petroleum industry, multi-family, industrial, and residential properties. Specific uses include shopping and retail centers, department stores, supermarkets, service stations, fueling terminals, maintenance facilities, restaurants, condominiums, office buildings, car washes, high school, middle school, elementary school, single-family residential subdivisions, industrial, manufacturing and related projects.