

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

APRIL 4, 2022, 6:30 PM

Remote Meeting by Live Internet Video Stream and Telephone

1 **Members Present:**

2 Dr. Michael Klemens (Chairman)

3 Cathy Shyer (Vice Chair)

4 Martin Whalen (Secretary)

5 Bob Riva (Regular Member)

6 Allen Cockerline (Regular Member)

7 Dr. Danella Schiffer (Alternate)

8

9 **Brief Items and Announcements**

10 1. Call to Order/ Establish Quorum

11 Chairman Klemens called the meeting to order at 6:29 p.m. with five regular members present

12 Chairman Klemens, Vice Chair Shyer, Commissioner Cockerline, Commissioner Riva, and Secretary

13 Whalen, a quorum was established. Alternate Schiffer was also in attendance.

14

15 2. Approval of Agenda

16 **Motion:** To approve the agenda as presented

17 Made by Cockerline, seconded by Whalen

18 Vote: 5-0-0

19

20 3. Minutes of December 13, 2021 - *Pending*

21 4. Minutes of December 20, 2021

22 5. Minutes of January 18, 2022 - *Pending*

23 6. Minutes of January 31, 2022 – *Pending*

24 7. Minutes of February 7, 2022 – *Pending*

25 8. Minutes of February 22, 2022 – *Pending*

26 9. Minutes of March 7, 2022 – *Pending*

27 10. Minutes of March 8, 2022 – *Pending*

28 11. Minutes of March 21, 2022 - *Pending*

29

30 Vice Chair Shyer and Alternate Schiffer offered the following amendments to the December 20, 2021

31 minutes:

32 Line 138: Revision of “Assuming we to preserve...” to “Assuming we wish to preserve...”

33 Line 177: Revision of “ongoing training by commissioners” to “ongoing training of commissioners.”

34 Line 183: Revision of “be able meet” to “be able to meet.”

35 Line 193: Revision of “Increase resident demands to services” to “increase resident demands for
36 services.”

37

38 **Motion:** To approve the minutes of December 20, 2021 as amended

39 Made by Schiffer, seconded by Riva

40 Vote: 5-0-0

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41 **New Business:**

42 12. #2022-0166/ Primoff (Arthur Howland & Associates)/ 105 Interlaken Road/ Site Plan – Demolish
43 and Build a New Single-Family Residence and Associated Site Improvements in the Lake Protection
44 Overlay District (Section 404)/ Map 38/ Lot 11/ DOR: 03/21/2022/ *Reception and Possible*
45 *Consideration*

46
47 Jim McTigue (Senior Project Manager - Arthur Howland and Associates) represented the owners of 105
48 Interlaken Road for the site plan application. Mr. McTigue proposed the demolition of the existing
49 principal structure and detached garage. He proposed a new principal structure that would utilize
50 Town water and sewer. He continued that the lot contains 39, 393 square feet within the Lake
51 Protection Overlay District (LPOD), with a proposed total impervious surface coverage of less than 10%
52 within the LPOD (3,845.3 square feet).

53
54 Alternate Schiffer inquired about the square footage of the proposed principal residence. Mr. McTigue
55 responded that the proposed principal residence is 5,500 square feet and would result in building
56 coverage of 3.8% within the Lake Residential Zone (LA Zone). Chairman Klemens inquired of the total
57 driveway area within the LPOD. Mr. McTigue identified two small areas of the driveway abutting the
58 principal residence on the site plan within the LPOD but did not present area calculations.

59
60 Chairman Klemens also requested additional information on the proposed permeable patio shown on
61 the site plan. Mr. McTigue stated that the permeable patio serves as one aspect of the stormwater
62 management plan of the property. He described the stormwater management plan for the principal
63 residence as the presence of leaders connected to level spreaders. He continued that the motor court
64 area would have a stormwater collection system that leads to a detention system behind the principal
65 residence. The proposed detention system is designed for a 100-year storm. Chairman Klemens
66 questioned the permeability of the proposed walkway and patio. Mr. McTigue presented the details of
67 the patio as follows: a base layer of non-woven filter fabric followed by eight inches of stone subbase,
68 four inches of stone base, two inches of aggregate pea stone bedding, patio stones, and a layer of ¼
69 inch crushed granite chips. He believed that the patio would perform as a permeable surface.

70
71 LUA Conroy requested additional information about the proposed deck changing area on the site plan.
72 Mr. McTigue stated that the proposed deck changing area would serve as an accessory structure on
73 the property. LUA Conroy clarified that the regulations allow for construction of accessory *storage*
74 structures with a reduced setback. She added that the proposed deck changing area is a structure but
75 would not meet the definition of a *storage* building.

76
77 Vice Chair Shyer asked why the fireplace from the original principal structure on the property would be
78 maintained. Mr. McTigue stated that the property owners desired to keep the fireplace as an outdoor
79 feature with no intention of building another accessory structure around the fireplace.

80

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81 Chairman Klemens requested that Tom Grimaldi (R.R. Hiltbrand Engineers and Surveyors) review the
82 proposed site plan to ensure adequate permeability of the walkway, patio, deck changing area, and
83 existing deck near the waterfront. LUA Conroy confirmed that she would send the site plan to Engineer
84 Grimaldi for review in advance of the April 18th, 2022 meeting.

85

86 **Public Hearing – 6:45 p.m.**

87 13. #2022-0160/ Cassidy & Teti/ 9 Academy Street/Special Permit – Change of Use to Hotel (Section
88 205.2) and Use Rendering a Lot More than 30% Impervious in the Aquifer Protection Area (Section
89 403.4c)/ Map 54/ Lot 74/ DOR: 02/07/2022/ *Continuation of Open Hearing and Possible*
90 *Consideration*

91

92 Aiden Cassidy (Property Owner/Applicant) and Hanna Przada (Principal Architect – Lyons Plain
93 Architecture and Design) represented the special permit application. Ms. Przada opened the
94 presentation with a review of Engineer Grimaldi’s recommendations for the design plan. Comments
95 from Engineer Grimaldi were as follows:

96

- 97 1. *Provide an Existing Conditions Plan to include the existing topography, existing drainage*
98 *structures/piping within Town road, existing fences, and existing grades at the southerly edge of the*
99 *Town road along the parcel frontage, etc.*
- 100
- 101 2. *Provide a Demolition Plan which clearly defines any existing site features, such as fences, guiderails,*
102 *and/or portion (s) of the existing structure to be removed. Include a temporary dumpster location.*
- 103
- 104 3. *Provide a detailed site-specific construction sequence/staging plan to include a construction staging*
105 *area.*
- 106
- 107 4. *Currently, from the subject property, there is erosion and sedimentation/pea stone deposition onto*
108 *the abutting property located to the east. In an effort to intercept and keep the run-off on the*
109 *subject property, we recommend installing a water quality swale with an underdrain along the*
110 *easterly property line and connecting the underdrain directly to the existing catch basin within*
111 *Academy Street. Provide a cross-section detail of the water quality swale/underdrain.*

112

113 *Based on this comment, the original parking layout would allow for this best management practice*
114 *to be implemented versus the revised layout, which would not, due to the close proximity of the*
115 *easterly property line. The Applicant may decide to relocate the existing curb cut to the east 5-6 feet*
116 *to accommodate the original parking lot layout. We recommend that the surface located around*
117 *the proposed parking area to be grass not pea stone due to potential migration of the pea stone*
118 *into the water quality swale.*

119

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- 120 5. *Recommend an access manhole for the underground storm drainage system for maintenance.*
121 *Provide an Operation and Maintenance Plan for this system.*
122
- 123 6. *Recommend a small high-level overflow pipe (4-6 inch PVC SDR35) from the proposed underground*
124 *storm drainage system to the existing catch basin within Academy Street. This pipe may discharge*
125 *into the water quality swale if grades prohibit connection directly to the Town drainage system.*
126
- 127 7. *We take no exception with the Storm Drainage Analysis. The Design Engineer was conservative in*
128 *their analysis utilizing the potential exfiltration rate as a Factor of Safety.*
129
- 130 8. *Recommend relocating the proposed easterly walkway closer to the building to allow installation of*
131 *the water quality swale/underdrain.*
132
- 133 9. *Provide a detail of the pervious walkway.*
134
- 135 10. *Provide a cross-section detail of pervious parking.*
136
- 137 11. *Provide a Maintenance Plan for the pervious parking treatment.*
138
- 139 12. *Provide a fifteen feet minimum paved apron from the existing edge of road into the property.*
140 *Provide a pavement cross-section detail.*
141
- 142 13. *Provide construction fencing along the easterly and westerly property lines so as to not encroach*
143 *onto the abutting properties.*
144
- 145 14. *Per the DEP 2002 E&S Guidelines, provide a site-specific project description and narrative to include*
146 *but not limited to project goals, seeding, stabilization, best management practices, and*
147 *maintenance.*
148
- 149 15. *Provide on the plan set, the responsible party for the maintenance of the Erosion and Sedimentation*
150 *Control measures with a 24-hr. Emergency Contact telephone number.*
151
- 152 16. *The Design Engineer shall provide an Erosion and Sedimentation Control Bond Estimate to include*
153 *maintenance of the ESCMs. The Bond Estimate will be reviewed and the final bond amount set by*
154 *the Consulting Town Engineer.*
155
- 156 17. *The Design Engineer shall provide an Encroachment Bond Estimate for work to be completed within*
157 *the Town of Salisbury Right of Way. The Bond Estimate will be reviewed and the final bond amount*
158 *set by the Consulting Town Engineer.*

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159 18. *The revised plans, to include Construction Drawings, shall be submitted for review and approval by*
160 *the Consulting Town Engineer.*

161
162 Mr. Cassidy proceeded to review the engineer's responses to Engineer Grimaldi's recommendations.
163 He stated that the installation of a water quality swale on the eastern edge of the property would
164 encroach on the vehicle turnaround space within the parking area. He stated that the application is
165 being amended to reflect removal of the existing pea stone and recoat the existing asphalt to eliminate
166 pea stone migration into the abutting property. He added that his civil engineer was confident that the
167 recoated asphalt would result in a sheet flow of stormwater into the catch basin within Academy
168 Street.

169
170 Mr. Cassidy explained that the proposed Stormwater Management Plan includes a CULTEC system to
171 address roof runoff and recoating the asphalt in the parking area to sheet flow stormwater runoff into
172 the Academy Street catch basin. He clarified that the CULTEC system contains inspection ports for
173 regular cleaning and maintenance which would eliminate the need for a manhole. He stated that a
174 maintenance schedule for the CULTEC system has been provided to the Commission.

175
176 Alternate Schiffer stated that she did not believe the proposed project qualified as a hotel due the
177 absence of hotel staff on the premises at all times (24-hours). LUA Conroy presented the definition of a
178 hotel from the Salisbury Zoning Regulations:

179
180 *A building providing lodging for persons, with or without meals and intended primarily for the*
181 *accommodation of transients and so designed that normal access and egress are controlled from a*
182 *central point.*

183
184 Because the building is located within the C-20 zone, Chairman Klemens stated that proposed project
185 would be best suited to be classified as a hotel. He added that the project would not qualify as an
186 Airbnb or Bed and Breakfast due to the property owner living on a separate property. Vice Chair Shyer
187 agreed that the proposed project does meet the definition for a hotel, as well as restated the property
188 owner's commitment to have 24-hour availability for guest needs.

189
190 Chairman Klemens opened the meeting to public comment at 7:18 p.m.

191
192 Peggy Rice (Lakeville Luxury Rentals) stated that the stormwater drainage pattern at 9 Academy Street
193 drops at a 10% grade in the rear portion of the lot. She continued that currently the stormwater runs
194 off the steep grade frequently washing out the parking area onto her rental property at 14 Library
195 Street. She expressed an interest in obtaining more information on the proposed drainage plans at 9
196 Academy Street from the applicant's engineer. Ms. Rice stated that she sent photographs to LUA
197 Conroy demonstrating the current drainage pattern from 9 Academy Street onto her property at 14
198 Library Street. Chairman Klemens requested that the photographs be included in the public record. The

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199 photographs portrayed both the pea stone migration and the steepness of the grade from the parking
200 lot on 9 Academy Street over to her adjacent lot on the eastern side of the property line. Chairman
201 Klemens stated that the photographs would be sent to Engineer Grimaldi for review.

202
203 Chairman Klemens stated that the modified plans addressing the comments provided by Engineer
204 Grimaldi would need to be submitted including a response in writing for a second review prior to final
205 consideration of the special permit. He continued that a written extension is required to continue the
206 hearing for the special permit. LUA Conroy stated that the public hearing would continue on April 18th,
207 2022 if the applicant is open to providing an extension. Mr. Cassidy stated that he would file an
208 extension with the Land Use Office to continue the public hearing.

209
210 **Motion:** To continue the public hearing for Special Permit Application #2022-0160/ Cassidy & Teti/ 9
211 Academy Street/Special Permit – Change of Use to Hotel (Section 205.2) and Use Rendering a Lot More
212 than 30% Impervious in the Aquifer Protection Area (Section 403.4c)/ Map 54/ Lot 74 on April 18th,
213 2022 at 6:45 p.m. via Zoom.

214 Made by Cockerline, seconded by Riva

215 Vote: 5-0-0

216

217 **Public Comment**

218 14. Public Comment – Public Comment is restricted to items that are neither on the agenda nor the
219 subject of any pending Planning and Zoning application or action and are limited to three minutes
220 per person.

221

222 Chairman Klemens opened the meeting for public comment at 7:28 p.m. There was no public
223 comment.

224

225 **New Business – Continued**

226 15. #2022 – 0167/ Floridis and Kashmer/ 87 Beaver Dam Road/ Special Permit – Renovate an Existing
227 Accessory Building to Contain an Apartment on a Single-Family Residential Lot (Section 208)/ Map
228 23/Lot 54/DOR: 03/21/2022/ *Reception and Schedule Public Hearing 05/02/2022*

229

230 Anthony O’Niel (O’Niel and Associates Inc.) represented Theodore Floridis and Allegra Kashmer for the
231 special permit application. He stated that the applicant desires for the pool house renovation to be in
232 full compliance with the Zoning Regulations. LUA Conroy confirmed that the special permit application
233 was complete and contained all necessary documentation. She displayed correspondence between
234 herself and Mr. Floridis regarding requirements for the special permit application. The correspondence
235 read as follows:

236

237 *We are proposing to upgrade and renovate an existing pool house building, which had an existing full*
238 *bathroom, partial kitchen, and living area approved and constructed in 1991, long prior to my purchase*

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239 *of the property in 2014. This building sits nearly one hundred (100) yards from the main dwelling*
240 *residence. This pool house building (adjacent to the tennis court) is approximately 320 sq ft and has an*
241 *existing Torrington Area Health-approved large septic tank dating back to an early 1991 installation.*
242 *Water and electric are supplied from the main house, however each year the water is blown out and*
243 *turned off completely in November through April to avoid freezing pipes in the pool house.*
244

245 *The pool house building has a cedar shingle roof, is wood clad, and is constructed and painted to match*
246 *the main dwelling residence 100 yards to the North. The pool house is a seasonal use building, solely*
247 *owner-used, roughly four (4) to six (6) months of the year. The pool house building, given its distance*
248 *from the main dwelling, will serve as a kitchen, full bathroom, changing area, storage, and resting area*
249 *primarily during pool and tennis season. It is not meant nor will it be used as a “dwelling.” Bringing*
250 *food, drinks, and other basic supplies for family – back and forth from the main dwelling 100 yards*
251 *away – is very cumbersome and difficult and we hope the renovated pool house will remedy that.*
252

253 There were no questions or comments from the Commission on this application.
254

255 **Motion:** To schedule a public hearing for Special Permit Application #2022 – 0167/ Floridis and
256 Kashmer/ 87 Beaver Dam Road/ Special Permit – Renovate an Existing Accessory Building to Contain an
257 Apartment on a Single-Family Residential Lot (Section 208)/ Map 23/Lot 54 on April 18th, 2022 at 6:45
258 p.m. via Zoom.

259 Made by Cockerline, seconded by Shyer

260 Vote: 5-0-0
261

262 16. #2022 – 0168/ McGrath (Hoyt)/ 143 Housatonic River Road/ Special Permit – To Construct a New
263 Detached Apartment on a Single-Family Residential Lot (Section 208)/ Map 16/ Lot 1/ DOR:
264 03/21/2022/ Reception and Schedule Hearing 05/02/2022
265

266 Brit Hoyt (Applicant and daughter of property owner) represented the special permit application. LUA
267 Conroy displayed the following written statement from Mrs. Hoyt for the special permit application:
268

269 *We would like to propose the building of a guest house on Northwood Farm located at 143 Housatonic*
270 *River Road in Salisbury. The proposed structure would not exceed 2,000 sq ft as stipulated in the deed;*
271 *the main house is 3,228 sq ft. It will be a barn-style house in keeping with existing outbuildings on this*
272 *143-acre piece of land. The guest house will be occupied by the owner’s family – daughter Brit Hoyt,*
273 *husband Peter, and grandsons Henry and Sam. The Hoyt Family will be assuming responsibility for the*
274 *management of the farm operations as Mrs. McGrath (widowed in 2018) will be maintaining her*
275 *residence indefinitely, turning 80 years old in July. We fully intend to uphold and observe all*
276 *conservation and preservation plans in place.*
277

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278 LUA Conroy stated that the proposed project is a new construction rather than the conversion of a pre-
279 existing structure. She stated that the applicant began their review with the Inland Wetlands and
280 Watercourses Commission in the previous week.

281

282 Chairman Klemens requested identification of the wetland area location on the property. LUA Conroy
283 identified a small stream that runs through the property and enters into the Housatonic River.

284 Alternate Schiffer stated that the proposed plan portrays the construction of two structures; one 3-
285 bedroom house and one garage. LUA Conroy stated that applicants seek to build an accessory dwelling
286 and also receive a zoning permit for construction of a garage if desired. She stated that garage space is
287 not included in the calculations for determining the ratio of square footage between the accessory
288 dwelling and the principal residence.

289

290 Due to the property's location within the RR-3 zone, Chairman Klemens stated that the applicants have
291 the option to create a subdivision on a three-acre section of the property. He asked the Commission
292 and the applicants whether the creation of a subdivision would be an appropriate course of action.

293 Alternate Schiffer did not believe a subdivision was necessary for this case. Mr. Hoyt stated that the
294 property was deeded in a manner to prevent the creation of subdivisions.

295

296 Chairman Klemens asked whether any portion of the property was under agricultural easement. Mrs.
297 Hoyt stated that she is in communication with the Connecticut Department of Agriculture to ensure
298 that the property remains as deeded. Due to this correspondence, Commissioner Cockerline stated
299 that a portion of the property must be under an agricultural easement. He continued that, per the
300 Connecticut Department of Agriculture, 5% of the property can be developed for agricultural buildings
301 and uses. He requested identification of the holder and location of the agricultural easement on the
302 property prior to the public hearing.

303

304 **Motion:** To schedule a public hearing for Special Permit Application #2022 – 0168/ McGrath (Hoyt)/
305 143 Housatonic River Road/ Special Permit - To Construct a New Detached Apartment on a Single-
306 Family Residential Lot (Section 208)/ Map 16/ Lot 1 on April 18th, 2022 at 6:45 p.m.

307 Made by Cockerline, seconded by Shyer

308 Vote: 5-0-0

309

310 17. #2022-169/ American School for the Deaf (Allied Engineering)/ 410 Twin Lakes Road/ Site Plan
311 Modification – To Construct Two New Cabins, Two New Athletic Fields, Vegetative Shoreline Buffer,
312 and Stormwater Improvements in the Lake Protection Overlay District (Section 404)/Map 64/ Lot 8/
313 *Reception and Possible Consideration*

314

315 George Johannesen (Principal Engineer – Allied Engineering Associates Inc.) represented the American
316 School for the Deaf for the proposed site plan modification at Camp Isola Bella on Twin Lakes Road.

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317 Chairman Klemens stated that he and LUA Conroy held a pre-application meeting with Mr. Johannesen
318 regarding the site plan modification.

319
320 Mr. Johannesen opened the presentation the proposed site plan to construct two new cabins and two
321 new athletic fields at Camp Isola Bella on Twin Lakes Road. He stated that the proposed construction
322 would allow for an additional 24 deaf children to have the opportunity to attend summer camp
323 through the American School for the Deaf. He stated that the existing property is classified as a non-
324 conforming entity per Zoning regulations (e.g., the camp land area is less than 100 acres). Per the pre-
325 application meeting, it was determined that as long as proposed site plan modification has a beneficial
326 effect on the lake environment, the site plan would be considered by the Commission.

327
328 Through the creation of a topographical survey of the island, Allied Engineer Associates Inc.
329 determined a total island area of 27 acres with the water's edge serving as the property line. Mr.
330 Johannesen identified the location of the two proposed cabins (490 square feet each) and athletic
331 fields (7,260 square feet each). The proposed project would increase the total impervious surface area
332 by 15,500 square feet (7.4% of total impervious surface coverage within the LPOD). He stated that the
333 regulations do not require the addition of gravel driveways or parking areas to the total impervious
334 surface coverage calculations, but that Allied Engineering Associates Inc added these areas to their
335 total impervious surface coverage calculations.

336
337 To compensate for the increase in impervious surface coverage on the property, Mr. Johannesen
338 proposed the creation of a vegetative buffer along sections of the existing gravel entrance road that
339 are within 25 feet of the water's edge. Allied Engineering Associated Inc. considered moving the
340 roadway further inland. Upon consideration, the presence of electrical structures and the required
341 removal of 70-80 trees made it preferable to keep the existing roadway location with the addition of a
342 vegetative buffer.

343
344 For the property's stormwater management plan, Mr. Johannesen identified the location of an
345 expanded stormwater quality swale (895-gallon capacity) on the uphill slope adjacent to the existing
346 gravel driveway. He continued that the swale would be planted with native plants that would absorb
347 from the stormwater to prevent algae blooms within the lake. He also identified the presence of a
348 swale within the proposed location of the northern athletic field. Runoff from the proposed southern
349 athletic field would be funneled into the expanded stormwater quality swale. He added that the
350 meadow area on the western side of the property is located over the existing septic field, eliminating
351 that area for consideration of the location of proposed athletic fields.

352
353 Mr. Johannesen also requested a waiver for the requirement for an A2 survey for the application due
354 to the water's edge serving as the property line.

355

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356 Chairman Klemens asked LUA Conroy whether the site plan modification needed to go to the Inland
357 Wetlands and Watercourses Commission (IWWC) for review. LUA Conroy stated that the vegetative
358 buffer and proposed expansion of the stormwater quality swale along the gravel roadway would need
359 to be reviewed by the IWWC.

360

361 Commissioner Cockerline clarified that the proposed athletic “fields” were actually paved athletic
362 courts, resulting in the increase in total impervious surface coverage on the property. Chairman
363 Klemens asked about invasive plant removal with the creation of the vegetative buffer. Mr.
364 Johannesen stated that the process of planting the vegetative buffer along the roadside and the
365 expansion of the stormwater quality swale will include the removal of any invasive species.

366

367 Alternate Schiffer questioned how the addition of cabins to the island improves the quality of the lake
368 ecosystem. Mr. Johannesen stated that the addition of the vegetative buffer along the roadside and
369 the expansion of the stormwater quality swale serves as beneficial additions to the lake ecosystem. He
370 continued that the vegetative buffer will be comprised of entirely native wetland plantings. Chairman
371 Klemens asked for the width of the proposed vegetative buffer at its narrowest and widest points. Mr.
372 Johannesen stated that the vegetative buffer would be 17-18 feet at its narrowest points and 25 feet at
373 its widest points. Vice Chair Shyer asked for the timeline of the completion the vegetative buffer. Mr.
374 Johannesen stated that the planting would occur during the late summer months of the present year.

375

376 Vice Chair Shyer also asked about the surface of the proposed athletic courts. Mr. Johannesen stated
377 that the courts would be an impervious asphalt surface. Chairman Klemens asked if there would be any
378 lighting added to the courts. Mr. Johannesen stated that there were no plans to have lighting for the
379 courts. Secretary Whalen asked if the proposed courts would be level upon completion. Mr.
380 Johannesen identified the presence of a one 1-foot contour line on the site plan to indicate the
381 presence of a slight slope on the southern edge of the courts.

382

383 Chairman Klemens stated that the discussion of the proposed site plan modification would continue at
384 the April 18th, 2022 Commission meeting.

385

Other Business

387 18. #2021-0147/ Red Mountain Properties, LLC (Higgins)/ 14 Red Mountain Road/ 4-Lot Subdivision/
388 Map 3/ Lot 5-2/ DOR 09/20/2021/ *Request for Waiver and Modification*

389

390 Adam Higgins (Applicant) and John Higgins (father of applicant) represented the request for a waiver
391 and modification at 14 Red Mountain Road for a four-lot subdivision. Adam Higgins identified the
392 location of a proposed driveway from Lot 2 on the site plan of 14 Red Mountain Road. He stated that
393 proposed driveway would cut through a wetland area if completed. The buyer of Lot 2 stated that they
394 would prefer utilizing the existing driveway to Lot 3 and Lot 4 rather than proceed with construction of
395 a new driveway. Adam Higgins stated that the waiver would allow for more than two houses to utilize

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396 the existing driveway on the subdivision. Chairman Klemens summarized the following two
397 justifications for the waiver:

- 398 1. Elimination of a second crossing over a wetland area
399 2. Avoidance of a significant land disturbance

400

401 Adam Higgins asked whether a new mylar survey would be required for the waiver if the lot is sold.
402 LUA Conroy stated that the submission of a mylar survey is required to avoid conflict with other
403 applicants looking to obtain a similar waiver in the future.

404

405 **Motion:** To approve a waiver of the Salisbury Subdivision Regulations to allow for three houses to
406 share one driveway with the benefit of eliminating a large area of land disturbance and avoidance of a
407 wetland crossing.

408 Made by Cockerline, seconded by Riva

409 Vote: 5-0-0

410

411 **Adjournment**

412 **Motion:** To adjourn the meeting at 8:26 p.m.

413 Made by Cockerline, seconded by Shyer

414 Vote: 5-0-0

415

416 Respectfully Submitted,

417

418 Abby Conroy

419 Land Use Administrator