

SALISBURY PLANNING AND ZONING COMMISSION

SPECIAL MEETING MINUTES

JUNE 29, 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) arrived at 6:39pm
- 4 Martin Whalen (Secretary)
- 5 Bob Riva (Regular Member)
- 6 Allen Cockerline (Regular Member)
- 7 Dr. Danella Schiffer (Alternate)
- 8 Debra Allee (Alternate)

Members Absent:

Staff Present:

Abby Conroy, Land Use Administrator (LUA)

9 Brief Items and Announcement

10

11 1. Call to Order/Establish Quorum

12

13 Chairman Klemens called the meeting to order at 6:29 p.m. With 4 members present (Dr. Michael
14 Klemens, Bob Riva, Martin Whalen, and Allen Cockerline) a quorum was established. Alternates Dr.
15 Danella Schiffer and Debra Allee were also present.

16

17 2. Approval of Agenda

18

19 Chairman Klemens noted that the Minutes of March 21, 2022 were not available and recommended that
20 the agenda item be removed

21

22 **Motion:** To approve agenda with one deletion of item #3. Minutes of March 21, 2022.

23 Made by Cockerline, seconded by Riva.

24 Vote: 4-0-0 in favor.

25

26 3. Minutes of March 21, 2022 -not available for consideration

27 4. Minutes of April 4, 2022- pending

28 5. Minutes of April 12, 2022 – pending

29 6. Minutes of April 18, 2022 – pending

30 7. Minutes of May 2, 2022 – pending

31 8. Minutes of May 16, 2022 – pending

32 9. Minutes of June 6, 2022 – pending

33 10. Minutes of June 21, 2022 - pending

34

35 Chairman Klemens seated Debra Allee as a voting Alternate.

36

37 **Public Hearing(s) 6:45PM**

38

39 11. #2022-0178 / Higgins (Ebersol) / Regulation Amendment – Section 700.4 / DOR: 05/16/2022 /

40

41 The Commission addressed item #12 at 6:32pm as the hearing could not begin until 6:45pm in
42 accordance with the public notice.

43

44 **Other Business**

45

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46 12. Lakeville Planning RFP Discussion

47

48 Chairman Klemens stated that a portion of funding for the Study had been secured. Alternate Debra
49 Allee asked who the two contending firms are out of the original three considered, FHI, Colliers, and
50 Allied Engineering. The Chairman explained FHI was eliminated due to cost and their active engagement
51 in another Salisbury project.

52 LUA Conroy added both Colliers and Allied Engineering responded to phase 1 only, although it is not
53 necessary to use the same consultant for both phase 1 and 2. Chairman Klemens prefers to pursue
54 Colliers for phase 1 and Allied for phase 2. Alternate Allee was concerned that most of the Colliers team
55 are not local residents and she questioned their ability to provide beneficial input without high expense.
56 Alternate Schiffer does not think location is a concern, Debra Lawlor from Colliers ensured her that
57 travel costs would not exceed \$1,000. Lawlor lives in Bloomfield and another key consultant is in
58 Connecticut often.

59 At 6:39PM, Vice Chair Cathy Shyer joined the meeting and Alternate Debra Allee stepped down as voter.
60 Vice Chair Shyer expressed her belief that Colliers is the firm to pursue, but also finds value in involving
61 Allied Engineering to some degree. George Johanessen's extensive experience with the area is beneficial
62 and may lower cost. Member Cockerline supports that Colliers will be utilizing GIS data which broadens
63 their ability to work in the area without being physically present, Colliers is Cockerline's first choice.
64 Alternate Allee disagreed and finds more benefit utilizing consultants that can be present in town.

65

66 **Public Hearing(s) 6:45PM**

67

68 11. #2022-0178 / Higgins (Ebersol) / Regulation Amendment – Section 700.4 / DOR: 05/16/2022 /

69 At 6:46pm, Secretary Whalen read the hearing notice. LUA Conroy confirmed a referral had been
70 received from NWCOCG for this proposal. The Commission reviewed the application and justification with
71 no comments. At 6:51pm, Attorney Ebersol joined the meeting to represent this hearing. Current zoning
72 regulation permit 2 establishments to share 1 driveway. Attorney Ebersol's client Red Mountain plans
73 for 3 establishments to share 1 driveway, approved through the subdivision, but zoning does not have a
74 corresponding provision. Attorney Ebersol proposed the number in Section 700.4 A & B be changed from
75 2 to 3.

76 Secretary Whalen asked what would occur if 4 lots wish to share 1 driveway. Chairman Klemens
77 explained that 5 or more is considered a private road, and 4 could be a possibility if addressed in the
78 future through another proposal. Alternate Schiffer asked if the regulation must be amended or if special
79 permission could be granted. LUA Conroy confirmed that after speaking with Attorney Ebersol, a
80 regulation amendment is preferred over a variance. The Commission agreed this regulation is a positive
81 change to public policy.

82 **Motion:** To close the Public Hearing

83 Made by Cockerline, seconded by Riva.

84 Vote: 5-0-0 in favor.

85 No commissioners or members of the public wish to address this application further.

86

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87 **Motion:** To approve amendment to Section 700.4, changing shared driveway from “2” to “3” lots per
88 driveway.
89 Made by Cockerline, seconded by Riva.
90 Vote: 5-0-0 in favor.

91 **Other Business - Continued**

92 12. Lakeville Planning RFP Discussion

93 Alternate Schiffer restarted the discussion commenting that Allied Engineering’s initial proposal had
94 fewer strengths than Colliers. Behavioral response is of importance as well, and Alternate Schiffer had
95 difficulty communicating with Allied’s consultant Johanessen. The responses regarding a traffic expert
96 question were delayed or not provided. Colliers on the other hand procured a traffic consultant with
97 known credentials and experience that will work closely on the project. Colliers also expressed
98 willingness to collaborate with another local firm and to scale back their project for cost savings. Overall,
99 Alternate Schiffer perceived Colliers as the more impressive option of the two firms. She asked the
100 Commissions’ opinion on what value Johanessen would add to the project if a collaborative approach is
101 pursued. LUA Conroy mentioned a potential downfall having to coordinate between multiple firms,
102 requiring more time and effort. Member Cockerline commented that collaboration should not take
103 priority, especially if it’s not in best interest of the project. Member Riva expressed concern about cost
104 increases resulting from orchestration of multiple consultants, especially with Colliers’ proposal already
105 exceeding the budget.

106 Vice Chair Shyer commented that the Commission is nearing a conclusion pending negotiations for lower
107 cost. Colliers should be the driving force in this phase of the project but asked her fellow Commissioners
108 to keep in mind other representatives may be used, including George Johanessen and Surveyor Mat
109 Kiefer. Chairman Klemens concluded the discussion after confirming all members were comfortable
110 with the outcome.

111 13. Zoning Use Table – Continued Discussion

112 The Commission reviewed the draft use table combining residential and commercial zones as well as
113 accessory uses. Chairman Klemens explained the draft zoning tables identifying that the Commission
114 needs to focus efforts on temporary events. He identified that the R1-V zone column was removed as
115 per the draft zoning map amendments. On the second page, Vice Chair Shyer requested a definition of
116 “Home Occupation”. LUA Conroy explained that Home Occupations encompass home/shop/repair
117 services, a home office or home office of convenience. Alternate Allee and Alternate Schiffer both
118 suggest a text change, using “Business” instead of “Occupation”. Secretary Whalen noted the term
119 “occupation” had been used without issue in the past, and other Commission members do not find this
120 text change a necessity. The line will remain “Home Occupation.”

121 Member Cockerline mentioned permit requirements for building structures on farmland. If the structure
122 is temporary and incidental to farm use, such as greenhouses, Cockerline asked if a permit is required.
123 LUA Conroy confirmed that if it is considered a structure, a permit is required. Also, under farm/farming,
124 the Commission considered and agreed to remove “Seasonal” from “Seasonal Farm Stand (Accessory)”.

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125 Additionally, LUA Conroy asked if farm stands are considered accessory use. The Commission agreed to
126 keep it as an accessory but to farms only. LUA Conroy changes the line to “Farm Stand (Accessory to a
127 Farm)”.

128 Member Cockerline addressed “Keeping of Horses” and suggested that no permit should be required.
129 Permits are not needed for other large animals, such as cattle, so this rule is counterintuitive. With the
130 exception of LI zones where they remain not allowed, the Commission agreed to change all lines to “no
131 permit required” for “Keeping of Horses”.

132 The Commission discussed the type of permit required for outdoor recreation used under “Outdoor -
133 Golf Course, Driving Range, Skating Rink, Ski Area, Beach, Tennis or Riding Club” Member Cockerline
134 proposed changing “Not Allowed” to “Special Permit” required in the RE zone. The Commission agreed.

135 Chairman Klemens noted instead of listing “No Permit Required” for “Renting of Room and Board”,
136 changing to something simpler such as “Allowed.” LUA Conroy suggested removing this use from the
137 table completely. The Commission finds value in keeping it listed and elected to change to “Allowed” in
138 each zone.

139

140 14. Regulation Amendments – Continued Discussion

141

142 **Motion:** To call a special meeting on August 1, 2022 at 6:30PM via zoom for planning purposes only and
143 to discuss the regulation amendments.

144 Made by Cockerline, seconded by Riva.

145 Vote: 5-0-0 in favor.

146

147 **Motion:** To adjourn meeting at

148 Made by Cockerline, seconded by Riva.

149 Vote: 5-0-0 in favor.

150 Respectfully Submitted,

151 Erika Spino

152 Secretary of Minutes