

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

September 19th, 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)

Members Absent:

Debra Allee (Alternate)

Staff Present:

Abby Conroy, Land Use Administrator (LUA)

8
9 **Brief Items and Announcements**

10 1. Call to Order / Establish Quorum

11 Chairman Klemens called the meeting to order at 6:31PM. With five regular members present (Dr.
12 Michael Klemens, Cathy Shyer, Martin Whalen, Allen Cockerline, Bob Riva) a quorum was established.
13 Alternate Dr. Danella Schiffer was also present.

14
15 2. Minutes of June 6, 2022

16 Vice Chair Shyer proposed the following amendment:
17 Line 461: Corrected “neighbor” to “neighborhood”.

18
19 **Motion:** To approve Minutes of June 6, 2022 as amended.

20 Made by Cockerline, seconded by Riva.

21 Vote: 5-0-0 in favor.

22
23 3. Minutes of June 21, 2022 – *pending*

24 4. Minutes of June 29, 2022 – *pending*

25 5. Minutes of July 18, 2022 – *pending*

26 6. Minutes of August 1, 2022 – *pending*

27 7. Minutes of August 15, 2022 – *pending*

28 8. Minutes of September 6, 2022 - *pending*

29
30 **Public Hearing**

31 9. Zoning Map Amendment

32 The hearing opened at 6:45PM. Secretary Whalen read the legal notice. LUA Conroy presented a
33 PowerPoint titled “Revised Zoning Maps for Salisbury: Responding to Current Needs 9/19/2022”. LUA
34 Conroy reported several community members visited the Town Clerk to review the maps but did not
35 hear from any members of the public directly.

36
37 Zoning Regulations Include:

38 Divide the Town into zones and overlay districts of such type, number, size, shape and area to
39 implement the above stated purposes and the Town Plan of Conservation and Development.

40 Regulate the density of population, the location, the use of buildings/structures, land for businesses,
41 industries, residences and other purposes.

42 Regulate the construction, reconstruction, alteration, use of buildings/structures and the use of
43 buildings and land in each zone and overlay district.

44 Permit certain classes of uses or types of buildings and structures only after approval of a special
45 permit.

46 Regulate the height, number of stories and size of buildings and other structures and the percentage

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47 of the lot area developed, the area of yards, open spaces and buffer strips.
48 Regulate height, size, location of signs, parking, landscaping, lighting and other uses of land.
49 Regulate development to minimize erosion and sedimentation, ground and surface water pollution
50 and adverse impacts on wetlands, watercourses, lakes and ponds, flood hazard areas, steep
51 slopes, ridgelines and other sensitive and significant features of the natural environment.
52

53 Current Zones in the Town of Salisbury Include:

54 Single Family Residential Zones (R-10, R-20) - These zones are designed to provide for the orderly
55 development of the residential neighborhood housing in the Salisbury and Lakeville village
56 centers, consistent with the historic New England appearance of these village centers.

57 Single Family Residential Zones (RR-1-V, RR-1, RR-3) - The purpose of these zones, which encompass
58 large portions of the Town, is to provide for residential housing and agriculture and other uses
59 compatible with the rural residential and agricultural sections of Town, factoring in constraints of
60 topography, soils, wetlands and limitations of water required for development. The RR-1-V zone
61 is a transition area between small housing clusters designed to maintain open space entry-ways
62 to the village centers.

63 Single Family Residential Zones - Mount Riga Zone (MR) and Lake Residential Zone (LA) - The purpose
64 of the MR single family residential zone established in the area around Mount Riga is to provide
65 for uses and standards consistent with the development limitations in this rugged, remote
66 mountain area location. The purpose of the LA single family residential zone (surrounding Lake
67 Wononscopomuc) is to permit development under standards designed to reduce the effects of
68 eutrophication (weed and algae growth in the lake) and protect lake and ground water quality.

69 Rural Enterprise Zone (RE) - The purpose of this zone is to provide for a mixture of uses - residential,
70 recreational, commercial and other in a location removed from the village center in a manner
71 compatible with the soils and topography limitations of the district subject to requirements
72 designed to protect the neighboring residential property values.

73 Village Center Commercial Zones (C-20, CG-20) - The primary purpose of these zones is to provide
74 centralized, compact areas for retail, office, business and specialized uses and services, accessory
75 residential, and associated parking, pedestrian circulation and landscaping. The requirements for
76 these districts are aimed at maintaining the historic small town New England appearance of the
77 Salisbury and Lakeville village centers. Residential uses are intended to be supportive of the
78 commercial uses and, where feasible, should be located above the first floor.

79 Industrial Zones (LI-1) - The purpose of this zone is to provide appropriate locations for offices,
80 manufacturing, warehousing and research uses in existing industrial areas along major highways
81 where major utilities are available.
82

83 LUA Conroy explained that the existing zoning boundaries are arbitrarily drawn, and described examples
84 of boundaries splitting lots. The Town's Geographic Information Systems (GIS) was introduced as a
85 system that can be programmed to manage, analyze, and map all types of data. GIS provides a
86 foundation for mapping and analysis. The benefits include improved communication (with the public and
87 between Town departments and elected and appointed governance bodies) and efficiency as well as
88 better management and improved decision making. Due to inconsistencies in data entry and
89 management, LUA Conroy advised that some of the data retrieved from the Town's GIS system may
90 conflict with the Zoning Map. The Zoning Map is the more accurate reference to determine which zone
91 a parcel lies in.
92

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93 LUA Conroy presented the proposed Zoning Map. One major change addressed undersized pre-existing
94 non-conforming lots. As an example, South Shore Road is currently designated RR-1. The minimum lot
95 requirement is 80,000 square feet, however, the average lot size on South Shore Road is 32,400 square
96 feet. This limits homeowner's building coverage and setbacks constrain development. Once setbacks are
97 factored into the undersized lots there is little space left for stormwater management. The proposed
98 downzoning to R-20 would reduce the side yard setback requirements from thirty to twenty feet,
99 facilitating site development flexibility. Vice Chair Shyer asked if the front or rear yard setback will
100 change, LUA Conroy responded no.

101

102 The commercial CG-20 zone of Lime Park has several proposed changes. Undersized lots are burdened
103 by either RE and RR-1 dimensional requirements, and proposed changes will downzone these lots to
104 provide relief from setbacks. In addition to making the CG-20 follow parcel boundaries, there was one lot
105 that will remain split. The zoning boundary will follow a stone wall with one side residential (RR3) and
106 commercial (CG20) on the other. Residential lots that have portions in the RE zone will be removed from
107 the RE zone as the RE zone is primarily intended for activities customary and incidental to a track for
108 racing motor vehicles.

109

110 The RR-1 Rural Residential and Mount Riga zone have large lots including conserved and water company
111 land split by current zoning district designations. The MR zone is proposed for expansion to encompass
112 the largest parcels. The majority of land has steep slopes and development is considered topographically
113 constrained.

114

115 Housing density in village centers was also considered. The current minimum lot requirement is 20,000
116 square feet, and the average lot size is 18,000 square feet, rendering many lots non-confirming. Many R-
117 20 lots have been downzoned to R-10, and parcels with frontage on the main roads are being retained as
118 R-20. Closer to the center of Town where commercial uses started to mix in, parcels were changed to
119 commercial zones.

120

121 A referral letter submitted to the Northwest Hills Council of Government (NHCOG) was returned with
122 comment and shared with the Commission. NHCOG Staff found the proposed amendment not to be
123 regionally significant and identified that the zoning map changes have no apparent inter-municipal
124 impacts.

125

126 Public correspondence from William Hower (of Westmount Road) was shared with the Commission. Mr.
127 Hower would prefer that his property remain in the MR zone instead of the proposed RR-1. Chairman
128 Klemens and LUA Conroy do not find issue with this preference and will oblige Mr. Hower's request.

129

130 Representative from the Economic Development Committee, Janet Graaff read a letter expressing
131 gratitude and approval of the zoning map amendments. Jeff Silvernale stepped forward to provide
132 comments that he supported these changes and appreciated the Commission's work. Charlie Kelley and
133 Jane Kellner stepped forward to comment they are impressed and appreciative of the Commission and
134 the hard work exhibited in this project.

135

136 LUA Conroy read a letter from Pat Hackett with questions, which began with asking if any analysis was
137 done to the acreage parcels of the existing RR-1 zone now proposed RR-3, and how many new RR-3
138 parcels will be non-conforming? Chairman Klemens responded there may be non-conformities but there

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139 is a balance when you compare the number of lots that will now be conforming, and setback relief for
140 these neighborhoods is an appropriate tradeoff. Mr. Hackett asked why the CG-20 zone in the Taconic
141 area was eliminated. Chairman Klemens replied this is a post office embedded in a residential zone and
142 the Commission preferred to avoid further commercial expansion in that residential area. Mr. Hackett
143 asked why commercial zones between Burton Brook and Orchard Street were expanded and changed
144 from R-10 zones? Chairman Klemens responded this was done to provide more flexibility allowing
145 residential and providing future commercial potential. Mr. Hackett asked why the existing R-10 zone
146 between Elm Street and Sharon Road was eliminated and added to the LA zone? Chairman Klemens
147 responded that this area warranted change due to water drainage into the lake.

148
149 There was no further comment from the public or Commission.

150
151 **Motion:** To close the public hearing at 7:58PM.
152 Made by Cockerline, seconded by Shyer.
153 Vote: 5-0-0 in favor.

154
155 **Motion:** To adopt the zoning map changes as presented with one amendment to the Hower parcel in the
156 MR zone., effective October 17th, 2022
157 Made by Cockerline, seconded by Riva.
158 Vote: 5-0-0 in favor.

159
160 **Other Business**
161 10. Zoning Regulation Revision Discussion

162
163 Chairman Klemens and LUA Conroy have performed one working session with more to be scheduled in
164 the future, these amendment s and rewrites must be addressed at a later date.

165
166 **Adjournment**
167 **Motion:** To adjourn meeting at 8:03pm.
168 Made by Cockerline, seconded by Shyer.
169 Vote: 5-0-0 in favor.

170 Respectfully Submitted,

171 Erika Spino

172 Secretary of Minutes