

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

June 20th, 2023 6:30 PM

Remote Meeting by Live Internet Video Stream and Telephone

1 **Members Present:**

2 Cathy Shyer (Vice Chair)  
3 Martin Whalen (Secretary)  
4 Bob Riva (Regular Member)  
5 Allen Cockerline (Regular Member)  
6 Dr. Danella Schiffer (Alternate)  
7 Debra Allee (Alternate)

**Staff Present:**

Abby Conroy, Director of Land Use  
Miles Todaro, Land Use Technical Specialist  
Dr. Michael Klemens, Senior Land Use Consultant

8  
9 **Brief Items and Announcements**

10  
11 1. Call to Order / Establish Quorum  
12 Vice Chairman Shyer called the meeting to order at 6:31 PM.

13  
14 2. Approval of Agenda  
15 With four regular members present a quorum was established. Alternates Schiffer and Allee were also  
16 present; Dr. Danella Schiffer was seated.

17  
18 **Motion:** To approve the agenda.  
19 Made by Cockerline, seconded by Riva  
20 Vote: 5-0-0.

21  
22 3. – 18. Approval of Minutes  
23 LUA Conroy Confirmed there are no meeting minutes ready for the Commission to review. She spoke  
24 with a representative from the Freedom of Information Commission (FOI) who said that it was okay to  
25 be behind on minutes while addressing a staffing problem provided there was not an attempt to hide  
26 actions from the public. Commissioner Cockerline expressed that he thought the Commission decided to  
27 satisfy the FOI requirements with action minutes for the older meetings. The Commission discussed the  
28 feasibility of action minutes, and what would be required for them. Vice Chair Shyer requested that LUA  
29 Conroy prepare five sets of minutes for review at the next meeting, if possible.

30  
31 **Public Comment**

32  
33 19. Public Comment - Public Comment is restricted to items that are neither on the agenda nor the  
34 subject of any pending Planning & Zoning application or action and are limited to three minutes per  
35 person

36  
37 No one from the public came forward with comments.

38  
39 **Public Hearing – 6:45pm**

40

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41 20. #2023-0218 / Cantele (Allied Engineering) / 204 Between the Lakes Road / Special Permit for  
42 Vertical Expansion of a Nonconforming Structure in the Lake Protection Overlay District (Section  
43 503.2 and 404) / Map 58 / Lot 3 / DOR: 05/15/2023 / *Open Hearing, Possible Consideration*  
44

45 Secretary Whalen read the hearing notice at 6:46pm.

46  
47 **Motion:** To open the public hearing for application #2023-0218 / Cantele (Allied Engineering) / 204  
48 Between the Lakes Road / Special Permit for Vertical Expansion of a Nonconforming Structure in the  
49 Lake Protection Overlay District (Section 503.2 and 404) / Map 58 / Lot 3 / DOR: 05/15/2023 / Made by  
50 Cockerline, seconded by Riva  
51 Vote: 5-0-0.  
52

53 Commissioner Cockerline asked if the main issue in the application involved the waiving the A-2 survey.  
54 Engineer Johannesen clarified that an A-2 survey was submitted, however LUA Conroy said she didn't  
55 receive it. Vice Chair Shyer asked the Commission if they had received Land Use Office's Planner's  
56 Report. It was received by Commissioner Cockerline, Commissioner Riva, and Alternate Schiffer.  
57 Alternate Allee did not receive it. Vice Chair Shyer noted that the requirement for an A-2 survey  
58 mentioned in the Planner's Report may not be relevant anymore. LUA Conroy asked Engineer  
59 Johannesen if the plans reference the A-2 survey. Johannesen referred to the plan's revision notes  
60 reference of the survey. Commissioner Cockerline suggested providing the A-2 survey could be a  
61 condition of approval.  
62

63 Commissioner Cockerline asked if the Planner's Report was written by Dr. Klemens'. Dr. Klemens  
64 clarified that it was written by LUA Conroy and himself, and that documents like it are not uncommon in  
65 many other municipalities. LUA Conroy stated that she hoped to get the Commission's feedback on the  
66 Report, and that the Land Use Office is working on another document to serve as a checklist of site plan  
67 requirements. This document would also be submitted to the Commission with relevant applications.  
68

69 Dr. Klemens called attention to the disclaimer at the top of the Planner's report, which clarified that the  
70 document is intended as advisory. Vice Chair Shyer said she thought the report was helpful, and will be  
71 helpful in the future.  
72

73 Vice Chair Shyer asked Engineer Johanssen where the 8.26% impervious surfaces figure came from.  
74 Engineer Johanssen said it was based on the A-2 survey. He also clarified that he emailed the erosion  
75 control estimate earlier that day. There were no further comments regarding the Planner's Report.  
76

77 Commissioner Cockerline asked what the finish on the building will be. Owner Linda Cantele joined the  
78 meeting and said she and Mr. Cantele were thinking of doing cedar shakes.  
79

80 Commissioner Cockerline asked Engineer Johansson what the Cultecs are being used for. Engineer  
81 Johannesen explained that there was a small section of Cultec for the water softener discharge.  
82

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83 LUA Conroy drew attention to section 2 of the Planner’s report, and stated that Engineer Johannesen  
84 provided an Erosion Control Bond estimate which has not been reviewed by the Town Consulting  
85 Engineer. Engineer Johannesen expressed that he would comply with the Town Consulting Engineer’s  
86 recommendations.

87  
88 LUA Conroy identified that the Town Engineer’s recommended conditions were included in the Planner’s  
89 Report. Commissioner Cockerline asked if it was necessary to include them all in the motion. LUA Conroy  
90 clarified that in order for the conditions to be binding, they must be included in the motion.

91  
92 Vice Chair Shyer asked for clarification on the eighth recommended condition of the Planner’s Report.  
93 LUA Conroy explained that it is to ensure all required work is completed before the Certificate of  
94 Occupancy is given. Engineer Johannesson added that he thought recommended condition number  
95 seven was a great idea, for the same reason LUA Conroy stated for number eight.

96  
97 Vice Chair Shyer asked if there were any members of the public in attendance that would like to talk.  
98 There was no public comment.

99  
100 **Motion:** to close the public hearing at 7:09PM

101 Made by Cockerline, seconded by Riva

102 Vote: 5-0-0

103

104 **Motion:** to approve special #2023-0218 / Cantele (Allied Engineering) / 204 Between the Lakes Road /  
105 Special Permit for Vertical Expansion of a Nonconforming Structure in the Lake Protection Overlay  
106 District (Section 503.2 and 404) / Map 58 / Lot 3 / to include the following conditions:

107 1. An A-2 survey be submitted to the land Use Office.

108 2. Revised plans shall be submitted to the Land Use Office prior to issuance of a Zoning Permit. The plans  
109 shall be modified to show a locator/key map and a revised data block demonstrating existing and  
110 proposed conditions of all applicable dimensional requirements including, but not limited to, lot area,  
111 building height, yard setbacks, building coverage, impervious surface coverage, and required parking.  
112 The block should also contain the regulatory standards for the zone.

113 3. The Applicant’s Engineer shall provide an Erosion and Sedimentation Control Measures Bond  
114 Estimate, which shall be reviewed and approved by the Town Engineer. The Town Engineer shall set the  
115 final bond amount. The Bond shall be a cash bond payable to the Town of Salisbury and shall be  
116 provided prior to issuance of a zoning permit.

117 3. A Pre-Construction Meeting with Town staff, the contractor, and design engineer is required prior to  
118 the start of construction to inspect E & S control measures and to discuss construction  
119 sequencing/phasing.

120 4. The Design Engineer shall inspect all phases of the Site work and provide a monthly report with  
121 photographs to the Land Use Administrator.

122 5. During the construction process, the Owner/Developer/Contractor shall add erosion and  
123 sedimentation control measures as deemed necessary by the Town of Salisbury staff and/or the Town  
124 Engineer.

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125 6. Daily inspections and required maintenance of all erosion & sedimentation control measures shall be  
126 completed by the General and/or Site Contractor until a permanent vegetated cover is established (70%  
127 turf establishment). Repairs shall be made immediately after inspections.

128 7. An As-Built Site Improvement and Grading Plan, prepared by a State of Connecticut Registered Land  
129 Surveyor, shall be submitted to the Land Use Administrator after all the site work is completed, and prior  
130 to requesting a Certificate of Occupancy. A mylar for filing on the land records and associated filing fee  
131 shall also be provided at that time.

132 8. A final site inspection shall be completed by the Land Use Administrator and/or the Consulting Town  
133 Engineer prior to the release of the Erosion & Sedimentation Control Bond and/or the request for a  
134 Certificate of Occupancy from the Building Department. Successful completion of inspections by the  
135 Building Department prior to complying with all the zoning requirements does not relieve the Applicant  
136 and their agents from any of these conditions.

137 Made by Cockerline, seconded by Riva

138 Vote: 5-0-0

139

140 **Pending Business**

141

142 21. #2023-0217 / Bendit (Allied Engineering) / 101 Taconic Road / Site Plan Review for a New Single-  
143 Family Dwelling, Septic and Well in the Lake Protection Overlay District (Section 404) / Map 19 /  
144 Lot 11 / DOR: 05/01/2023 / *Possible Consideration or Request Extension*

145

146 Engineer Johannesson explained that he already presented this application to the Inland Wetlands and  
147 Watercourses Commission, and they've scheduled as Site Walk for the 26<sup>th</sup> at 4:30pm. Engineer  
148 Johannesson also explained that he submitted a request for an extension due to staffing issues.

149

150 Vice Chair Shyer asked if this application will appear in the next Planning and Zoning Commission  
151 meeting. LUA Conroy confirmed it will be on the next regular meeting agenda.

152

153 22. Prioritization of Recommendations from Collier's Lakeville Study

154

155 LUA Conroy introduced a spreadsheet made by Land Use Technical Specialist (LUTS) Miles Todaro for  
156 aiding in the prioritization of the recommendations made by the Lakeville Village Planning Study. LUTS  
157 Todaro explained each column in the spreadsheet. Commissioner Schiffer commented that she looked at  
158 the recommendations more broadly, and thought the spreadsheet was too detailed for a first look. She  
159 suggested that the Commission first discuss which broad categories they would like to prioritize. Vice  
160 Chair Shyer acknowledged this suggestion, and then clarified that the first recommendation in the list  
161 refers to moving the train station building back. Commissioner Cockerline asked whether the building  
162 could be moved somewhere else, such as Bauer Park. Dr. Klemens clarified that this document should  
163 reflect what the Commission thinks. LUA Conroy explained that the outcome of this discussion will help  
164 herself and Dr. Klemens work on the Plan of Conservation and Development.

165

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166 Commissioner Cockerline pointed out that the recommendation for the Train Station Building would  
167 result in less parking, so he feels more discussion is necessary. Commissioner Cockerline also expressed  
168 that he feels there are issues with the report that were never addressed, such as the quality of the  
169 graphics.

170  
171 Vice Chair Shyer asked who would be working on the train station, and if moving and rotating it would  
172 be possible at all. LUA Conroy explained that it was indicated that the State Historic Preservation Office  
173 (SHPO) is not likely to support rotating the building, but they would support moving it back.

174  
175 Dr. Klemens suggested looking at the recommendations one category at a time, for example all the  
176 recommendations related to the train station. Commissioner Cockerline said he would support moving  
177 and rotating the train station if it created more parking. Vice Chair Shyer agreed, and added that it could  
178 be important for safety of that intersection. She also added that many decisions in that area depend on  
179 whether that project will be feasible and affordable. Commissioner Cockerline and Secretary Whalen  
180 expressed that they would be in favor of removing the building entirely, given its current lack of use.

181  
182 Alternate Allee added that the planners at Colliers believed that the building would be more useful if it  
183 was turned around so the front faced the road. Vice Chair Shyer reminded the Commission that SHPO  
184 would likely not support rotating the building.

185  
186 Vice Chair Shyer asked if it would be helpful to have someone from the Commission be the point person  
187 to follow up regarding this topic. Commissioner Cockerline expressed that he didn't think it was  
188 necessary, since the Selectmen are in favor of it and the Commission should support them on that.

189  
190 Dr. Klemens suggested viewing the related recommendations around railroad plaza. Commissioner  
191 Cockerline stated that he would not be in favor of the railroad theme, and instead would like to see  
192 simple painted road lines. Vice Chair Shyer stated that she would support a theme, but her priority  
193 would be safety.

194  
195 Vice Chair Shyer suggested reorganizing the document, and preparing it for the next meeting. LUA  
196 Conroy suggested each Commissioner take it back and complete it on their own after it's been  
197 reorganized..

198  
199 Dr. Klemens suggested he work with LUTS Todaro to reformat the document for the Commission to  
200 review and fill out on their own. Commissioner Cockerline asked if they'll discuss each point together  
201 after reconvening, which Dr. Klemens confirmed. The Commission and LUA Conroy decided that the  
202 Commissioners' completed documents should be returned to the Land Use Office by July 5, 2023.

203  
204 23. POCD Update

205  
206 LUA Conroy explained that the Housing Section of the POCD is 90% complete. She also explained she  
207 and Dr. Klemens have begun to merge the Inventory and Assessment sections. The Village Vibrancy

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208 section is 80% complete, and the Agricultural section is 85-90% complete. LUA Conroy and Dr. Klemens  
209 will be meeting with the Conservation Commission to review the Natural Resources section. The  
210 Infrastructure section still needs to be written, and will depend on the Lakeville Village Planning Study.  
211 Dr. Klemens also mentioned that he has started going through the Natural Resources section to highlight  
212 parts that should be in the Natural Resource Inventory instead.

213

214 Vice Chair Shyer asked what the next step for the PZC is regarding the POCD. LUA Conroy and Dr.  
215 Klemens explained they're goal is to get a final draft of many of the chapters to the Commission on the  
216 July 31, 2023. Dr. Klemens explained that the involvement of so many other groups has made the  
217 process take longer, but will be good for the final document. Vice Chair Shyer agreed that the  
218 involvement of other commissions will make it a much better ten-year project.

219

220 **Adjournment**

221

222 **Motion:** To adjourn the meeting at 8:07PM

223 Made by Cockerline, seconded by Whalen.

224 Vote: 5-0-0

225

226 Respectfully Submitted,

227 Miles Todaro

228 Land Use Technical Specialist