

SALISBURY PLANNING AND ZONING COMMISSION

SPECIAL MEETING MINUTES

November 7th, 2022 5:30 PM

Remote Meeting by Live Internet Video Stream and Telephone

1 **Members Present:**

- 2 Dr. Michael Klemens (Chairman)
- 3 Cathy Shyer (Vice Chair)
- 4 Bob Riva (Regular Member)
- 5 Allen Cockerline (Regular Member)
- 6 Dr. Danella Schiffer (Alternate)
- 7 Debra Allee (Alternate)

Members Absent:

Martin Whalen (Secretary)

Staff Present:

Abby Conroy, Land Use Administrator (LUA)

8 **Brief Items and Announcement**

9 1. Call to Order / Establish Quorum

10 Chairman Klemens called the meeting to order at 5:30PM. With 4 members present (Michael
11 Klemens, Cathy Shyer, Allen Cockerline, Bob Riva) a quorum was established. Alternates (Danella Schiffer
12 and Debra Allee) were also present.

13
14 **Motion:** To approve Agenda.

15 Made by Cockerline, seconded by Riva.

16 Vote: 4-0-0 in favor.

- 17 2. Minutes of June 6, 2022 - *pending*
- 18 3. Minutes of June 21, 2022 – *pending*
- 19 4. Minutes of June 29, 2022 – *pending*
- 20 5. Minutes of July 18, 2022 – *pending*
- 21 6. Minutes of August 1, 2022 – *pending*
- 22 7. Minutes of August 15, 2022 - *pending*
- 23 8. Minutes of September 19, 2022 - *pending*
- 24 9. Minutes of September 20, 2022 - *pending*
- 25 10. Minutes of October 4, 2022 - *pending*
- 26 11. Minutes of October 17th, 2022 - *pending*

27

28 **New Business**

29 12. #2022-0205 / Super Sumo Enterprises LLC (Little) / 438 Lime Rock Road / Site Plan Approval for
30 Change of Use from Storage Building to Carpentry or Woodworking, Generator, Driveway and Parking
31 Improvements / Map 27 / Lot 9 / DOR: 11/07/2022 / *Reception and Possible Consideration*

32

33 Business owner Christopher Little joined the meeting to represent the application. LUA Conroy explained
34 this proposal requires approval for restoration activities occurring at the property, involving a structure
35 previously used for storage, now being converted into a workshop with a bathroom. Mr. Little provided
36 documents from Torrington Area Health District, which included approval for a septic system installed
37 last year, and a Drainage Connection Agreement from the State of Connecticut. Metcalf Paving Company
38 is repaving the parking lot, and a drainage agreement was required to allow all stormwater from the
39 parking area and roof drains to flow into catch basins on Lime Rock Road. Mr. Little provided a narrative
40 for parking and uses on the property for the Commission to review.

41

42 Chairman Klemens explained stormwater drainage running into the Salmon Kill River can be detrimental,
43 and suggested stormwater should be infiltrated on site where the soils are highly pliable. Property
44 owner Mr. Little explained that he submitted a permit application to the building department for
45 apartment renovations prior to Salisbury’s online system, which was approved. His paving contractor

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46 Metcalf Paving Company also applied to the Department of Transportation for the encroachment permit
47 which was approved. When Mr. Little subsequently applied for his electrical/mechanical permits in the
48 online permit system he received a request from LUA Conroy to compose a site plan. LUA Conroy spoke
49 with a representative of the State of Connecticut, who remarked that encroachment permits are not
50 supposed to be issued unless there is local approval, which did not happen in this case.

51

52 Chairman Klemens asked about abandoned vehicles located on the property, Mr. Little replied 12 or 13
53 vehicles were moved at the end of May 2022 to a location in Sheffield, and 1 car remains on the
54 property. Chairman Klemens suggested involving Town Consulting Engineer Tom Grimaldi to obtain his
55 opinion on handling stormwater drainage from the parking lot and the building in a more ecologically
56 friendly manner, instead of using catch basins. Vice Chair Shyer supported this and asked if the property
57 owner is willing to work with the Commission to find compromise.

58

59 Christopher Little explained there are two catch basins located on the site plan in the central parking lot.
60 The drainage pipes should flow directly into them and there is 8 to 12 inches for soil and silt to drop
61 before running into the State drain on Route 112. Chairman Klemens asked if a maintenance schedule
62 was established and included in the site plans. Mr. Little replied a plan has been established verbally but
63 is not documented, the grates where water enters are removable, and a visual inspection can be
64 completed every two months. Once silt levels rise, a shovel can be used for removal. Chairman Klemens
65 stated the Commission operates by a design standard requiring water to be treated and infiltrated
66 directly on the property, but recognized that the State of Connecticut issued a permit incorrectly and
67 prematurely.

68

69 Commissioner Riva asked if the woodworking shop is personal or commercial, Mr. Little replied it is a
70 commercial shop run by a tenant. Commissioner Riva asked how sawdust cleanup is performed and
71 expressed concern about noise pollution, Mr. Little replied an internal vacuum is utilized, he is in close
72 communication with neighbors and is willing to work with them if loud sounds become a disturbance.

73

74 Chairman Klemens concluded the business owner must return with a new site plan representing on site
75 infiltration and detention of stormwater. Commissioner Riva, Alternate Schiffer, and Alternate Allee are
76 in agreement, Commissioner Cockerline preferred to wait for Tom Grimaldi's review. LUA Conroy asked
77 if a zoning permit could be granted for the apartment at this time, the Commission approved.

78

79 **Public Hearing(s): 5:45PM**

80 13. #2022-0200 / Findlay / 42 Prospect Mountain Road / Special Permit for Detached Apartment on
81 Single Family Residential Lot (Section 208) / Map 15 / Lot 58-1 / DOR: 09/06/2022 / *Continue Hearing*
82 *Opened 10/17, Possible Consideration*

83

84 Property owner Ian Findlay joined the meeting. The public hearing continued at 5:58PM. LUA Conroy
85 summarized the application and reminded the Commission that the property was part of a recent
86 subdivision. A barn on site was torn down. The property owner plans to renovate the existing dwelling
87 and construct a new guest/pool house and swimming pool. Torrington Area Health has provided
88 approvals.

89

90 Alternate Schiffer was seated as a voting member. There was no further comment from the Commission
91 or public.

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92 **Motion:** To close the public hearing at 6:04PM.

93 Made by Cockerline, seconded by Shyer.

94 Vote: 5-0-0 in favor.

95

96 **Motion:** To approve application #2022-0200 / Findlay / 42 Prospect Mountain Road / Special Permit for

97 Detached Apartment on Single Family Residential Lot (Section 208) / Map 15 / Lot 58-1 /

98 Made by Cockerline, seconded by Riva.

99 Vote: 5-0-0 in favor.

100

101 14. #2022-0201 / Salaway (Capecelatro) / 300 Between the Lakes Road / Two-Lot Residential Re-

102 subdivision / Map 67 / Lot 7 / DOR: 09/19/2022 / *Open Hearing, Possible Consideration*

103

104 At 6:05PM, Vice Chair Shyer left the meeting and Alternate Debra Allee was seated in her place as voting
105 member.

106

107 Chairman Klemens read the legal notice and opened the hearing at 6:06PM. Attorney Capecelatro joined
108 the meeting and presented approval from the Inland Wetlands & Watercourses Commission and

109 Torrington Area Health District. All mean high watermarks and wetlands soils were located by Jay Fain &

110 Associates LLC, then marked and plotted by Surveyor Mat Kiefer. The site plan map meets regulation

111 requirements of Class A2 survey. Engineer Bill Colby composed a site development plan which gives

112 details on the reserve septic system area for the existing dwelling on Proposed Lot One, and a primary

113 and reserve septic system area for Proposed Lot Two. Proposed Lot One consists of 2.62 acres (98,553 sq

114 feet), and Proposed Lot Two is larger at 4.406 acres (191,911 sq feet). The open space for the subdivision

115 is 43,651 square feet. A required 150-foot buildable square is clearly shown for both lots, and all yard

116 setback lines are noted. Proposed Lot Two is un-developed and shows the proposed locations within the

117 buildable area for a house, well, and a primary and reserve septic area. There are no state or federally

118 endangered species or critical habitat located on Proposed Lot One and Two. A letter from Mrs.

119 Halloway was presented to show consideration for utilizing solar energy techniques on the property.

120

121 Attorney Capecelatro concluded the subdivision as proposed meets all regulations and requirements.

122 The floor was opened to the public for comment.

123

124 Member of the public Karen Vrotsos joined the meeting. Ms. Vrotsos asked if this property has lake

125 access, and if so, how would this subdivision affect the beachfront area. Attorney Capecelatro replied

126 Proposed Lot Two and the owners of that property will possess the entirety of lake front space,

127 Proposed Lot One will be landlocked. There was no further comment from the Commission or public.

128

129 **Motion:** To close the public hearing at 6:22PM.

130 Made by Cockerline, seconded by Riva.

131 Vote: 5-0-0 in favor.

132

133 **Motion:** To approve application #2022-0201 / Salaway (Capecelatro) / 300 Between the Lakes Road /

134 Two-Lot Residential Re-subdivision / Map 67 / Lot 7 /

135 Made by Cockerline, seconded by Riva.

136 Vote: 5-0-0 in favor.

137

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138 15. #2022-0204 / Block (Slotnick) / 4 Main Street / Special Permit for Vertical Expansion of
139 Nonconforming Residential Building and Attached Apartment on Single Family Residential Lot (Section
140 503.2 and 208) / Map 54 / Lot 15 / DOR: 10/17/2022 / *Open Hearing, Possible Consideration*
141

142 Chairman Klemens read the legal notice and opened the public hearing at 6:25PM. Property Owner Janet
143 Block and Architect Elizabeth Slotnick joined the meeting. LUA Conroy summarized that this application
144 was submitted to the Zoning Board of Appeals for a variance due to its non-conformity, proposing to
145 reorientate the building further away from the property line. The dwelling is still non-conforming, but
146 now is slightly more conforming as pertains to the setback. A request for vertical expansion of the non-
147 conforming residential structure was submitted, to expand into an art studio and anticipated accessory
148 apartment, the additional area totaling 586 square feet, including the first floor and loft. Ms. Slotnick
149 provided architectural plans describing the renovation.
150

151 Chairman Klemens asked for the total area of the principal dwelling, Janet Block replied between 2,300
152 and 2,500 square feet. There was no further comment from the Commission or public.
153

154 **Motion:** To close the public hearing at 6:32PM.

155 Made by Cockerline, seconded by Riva.

156 Vote: 5-0-0 in favor.
157

158 **Motion:** To approve #2022-0204 / Block (Slotnick) / 4 Main Street / Special Permit for Vertical Expansion
159 of Nonconforming Residential Building and Attached Apartment on Single Family Residential Lot (Section
160 503.2 and 208) / Map 54 / Lot 15

161 Made by Riva, seconded by Cockerline.

162 Vote: 5-0-0 in favor.
163

164 **New Business - Continued**

165 16. #2022-0206 / Salisbury School Inc (Boyer) / 251 Canaan Road / Site Plan Modification to
166 Construct Two New Two-Family Dwellings for Faculty Housing / Map 15 / Lot 41 / DOR: 11/07/2022 /
167 *Reception and Possible Consideration*
168

169 Bill Boyer, Director of Buildings, Grounds, and Safety at Salisbury School joined the meeting. LUA Conroy
170 explained that the proposal was to build additional faculty housing. Salisbury School's septic systems are
171 regulated by the Department of Energy & Environmental Protection (DEEP), and there is a sewage
172 treatment plant on campus, so no individual septic system must be installed. The Commission reviewed
173 the site plans.
174

175 Chairman Klemens asked if DEEP is required to approve the additional dwellings. LUA Conroy replied the
176 additional dwellings can be accommodated but are awaiting approval from DEEP, Bill Boyer agreed.

177 Commissioner Bob Riva was impressed by the plan's details. No further comment from the Commission.
178

179 **Motion:** To approve application #2022-0206 / Salisbury School Inc (Boyer) / 251 Canaan Road / Site Plan
180 Modification to Construct Two New Two-Family Dwellings for Faculty Housing / Map 15 / Lot 41 / with
181 contingency (of DEEP's approval) that the wastewater treatment plan meets DEEP standards

182 Made by Cockerline, seconded by Riva.

183 Vote: 5-0-0 in favor.

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184 **Adjournment**

185

186 **Motion:** To adjourn meeting at 6:40PM.

187 Made by Cockerline, seconded by Riva.

188 Vote: 5-0-0 in favor.

189 Respectfully Submitted,

190 Erika Spino

191 Secretary of Minutes