

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

November 21st, 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 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 1. Call to Order / Establish Quorum

11 Chairman Klemens called the meeting to order at 5:29PM. With 5 members present (Dr. Michael
12 Klemens, Cathy Shyer, Martin Whalen, Allen Cockerline, Bob Riva) a quorum was established.
13 Alternates (Dr. Danella Schiffer and Debra Allee) were also present.

14

15 2. Approval of Agenda

16 **Motion:** To approve Agenda.

17 Made by Cockerline, seconded by Riva.

18 Vote: 5-0-0 in favor.

19 3. Minutes of June 6, 2022 - *pending*

20 4. Minutes of June 21, 2022 - *pending*

21 5. Minutes of June 29, 2022 - *pending*

22 6. Minutes of July 18, 2022 - *pending*

23 7. Minutes of August 1, 2022 - *pending*

24 8. Minutes of August 15, 2022 - *pending*

25 9. Minutes of September 19, 2022 - *pending*

26 10. Minutes of September 20, 2022 - *pending*

27 11. Minutes of October 4, 2022 - *pending*

28 12. Minutes of October 17th, 2022 - *pending*

29 13. Minutes of November 7th, 2022 - *pending*

30

31 The Commission discussed hiring a secretary of minutes and composing a job description for a
32 technical assistant position at the Town Land Use Office.

33

34 14. Election of Officers

35 **Motion:** To nominate the following slate of officers for 2023: Dr. Michael Klemens as Chairman, Cathy
36 Shyer as Vice Chair, and Martin Whalen as Secretary.

37 Made by Cockerline, seconded by Riva.

38

39 Chairman Klemens, Vice Chair Shyer, and Secretary Whalen recused themselves from the election of
40 Officers vote. Chairman Klemens seated Alternate Danella Schiffer and Alternate Debra Allee as voting
41 members in their place.

42 Vote: 4-0-0 in favor.

43

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44 15. 2023 Meeting Calendar

45 The Commission reviewed upcoming Meeting Dates for 2023. When a holiday occurs on Monday,
46 meetings are moved to Tuesday of the same week. Chairman Klemens re-seated himself, Vice Chair
47 Shyer and Secretary Whalen, replacing Alternates Schiffer and Allee as voting members.

48

49 **Motion:** To approve 2023 Meeting Calendar.

50 Made by Cockerline, seconded by Whalen.

51 Vote: 5-0-0 in favor.

52

53 **Public Comment**

54 16. Public Comment - Public Comment is restricted to items that are neither on the agenda nor the
55 subject of any pending Planning & Zoning application or action and are limited to three minutes
56 per person

57

58 Member of the public Janet Graaff joined the meeting to extend gratitude towards Chairman Klemens
59 and the Commission for their dedication and hard work. Ms. Graaff asked if recommendations from
60 the Lakeville Study will be incorporated into the Plan of Conservation & Development (POCD)
61 document. Chairman Klemens added inclusion will occur if warranted.

62

63 **Pending Business**

64 17. #2022-0205 - Super Sumo Enterprises LLC (Little) / 438 Lime Rock Road / Site Plan Approval for
65 Change of Use from Storage Building to Carpentry or Woodworking, Generator, Driveway and Parking
66 Improvements / Map 27 / Lot 9 / DOR: 11/07/2022 / Possible Consideration

67

68 Property owner Christopher Little requested this item of business be tabled to the next meeting.
69 Attorney Capecelatro and Christopher Little reported progress to stabilize the site. Attorney
70 Capecelatro has begun communication with Engineer Pat Hackett to address the stormwater
71 management issues raised at the previous meeting stating that more investigation is required before
72 resolving. Work completed on the driveway by Metcalf Paving Company was capped with a binder
73 layer of asphalt to prevent erosion.

74

75 Chairman Klemens asked if the binder layer is being used as a stabilization measure that can be easily
76 removed, Attorney Capecelatro replied yes. Chairman Klemens asked if the pipes proposed to hook
77 directly into catch basins on Lime Rock Road have been installed. Property owner Little replied the
78 pipes were installed before receiving a request from the Land Use Office to provide a site plan, but
79 construction of these pipes have ceased and will either be removed or capped pending Engineer
80 Hackett's stormwater plan.

81

82 Attorney Capecelatro anticipated extension to an upcoming meeting on January 17th, 2023, and will
83 notify the Commission if a new stormwater management plan is received from Pat Hackett before
84 January 11th, 2023.

85

86 **New Business**

87 18. #2022-0207 / Zimmerman (Grickis) / 16 Woodland Drive / Special Permit for Vertical Expansion
88 of Nonconforming Dwelling (Section 503) / Map 35 / Lot 6 / DOR: 11/21/2022 / Reception,

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89 *Consideration of Completeness, and Schedule Hearing*

90

91 Chairman Klemens summarized that this applicant obtained a variance from the Board of Zoning
92 Appeals to expand the footprint of a structure closer to wetlands and front yard setbacks. LUA Conroy
93 explained the dwelling is non-conforming due to zoning and wetland setbacks and regardless of
94 variances received; the zoning regulations have a mechanism that required a special permit for vertical
95 expansion of a non-conforming structure. Attorney Grickis joined the meeting to represent the
96 application. Attorney Grickis presented site plan documents and approvals from Torrington Area
97 Health District (TAHD), Inland Wetlands & Watercourses Commission, Zoning Board of Appeals, and are
98 now requesting approval for a second-floor addition to a pre-existing non-conforming structure.

99

100 Secretary Whalen asked if extension of the first floor has occurred, or if it will be completed during the
101 proposed second floor addition. Attorney Grickis replied LUA Conroy issued a zoning permit for
102 demolition of the first floor, but further construction is pending this special permit approval.

103

104 **Motion:** To schedule a public hearing for #2022-0207 / Zimmerman (Grickis) / 16 Woodland Drive /
105 Special Permit for Vertical Expansion of Nonconforming Dwelling (Section 503) / Map 35 / Lot 6 / on
106 December 12th, at 10:00AM via Zoom.

107 Made by Cockerline, seconded by Whalen.

108 Vote: 5-0-0 in favor.

109

110 **Other Business**

111 19. Enforcement Updates

112 LUA Conroy reviewed discussion with Chairman Klemens and the Land Use Attorney regarding short-
113 term rentals. The Land Use Attorney's recommendation is to regulate short term rentals through
114 ordinance and not zoning. The Commission discussed the idea of a citation ordinance to assist with
115 enforcement of violations. The Commission supported ordinances for both concepts.

116

117 LUA Conroy reviewed past complaints regarding a property at 56 East Main Street with airstream
118 trailers presently parked on property. Another trailer was added recently, and the property is currently
119 listed for sale. LUA Conroy has mailed a notice of potential violation with steps for compliance but has
120 not received a reply. If the property changes hands, a title search would occur and discover the
121 potential violation. If needed, a notice of violation would be filed on the land records. Secretary
122 Whalen asked if the trailers must be cleared before the property is sold, LUA Conroy replied that if the
123 sale was cash, the leverage of the Commission may be reduced as opposed to a sale contingent upon a
124 mortgage where violations would be part of the title search/due diligence of the lending institution.

125

126 LUA Conroy reviewed correspondences associated with a complaint regarding construction activity and
127 noise from 17 Railroad Street. Attorney Grickis identified that his clients, the property owner and her
128 son, would immediately install a fence on the relevant portion of the property boundary. The
129 correspondence included a sketch of a proposed pole barn for equipment storage. Attorney Grickis
130 represented that construction of the storage barn is anticipated to begin in early December 2022.

131

132

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133 **Adjournment**

134

135 **Motion:** To adjourn meeting at 6:29PM.

136 Made by Cockerline, seconded by Shyer.

137 Vote: 5-0-0 in favor.

138

139

140 Respectfully Submitted,

141 Erika Spino

142 Secretary of Minutes