

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

FEBRUARY 21st, 2023 5:30PM

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)

10 **Brief Items and Announcement**

11 1. Call to Order / Establish Quorum

12 Chairman Klemens called the meeting to order at 5:30PM. A quorum was established with five regular  
13 members present (Michael Klemens, Cathy Shyer, Martin Whalen, Bob Riva, and Allen Cockerline).  
14 Alternates Danella Schiffer and Debra Allee were also present.

15  
16 Chairman Klemens proposed the following amendment:  
17 Item #16. A. add "Holly Block Litigation Announcement".

18  
19 2. Approval of Agenda

20 **Motion:** To approve Agenda as amended.

21 Made by Cockerline, seconded by Riva.

22 Vote: 5-0-0 in favor.

23  
24 3. Minutes of July 18, 2022

25 Commissioner Cockerline proposed the following amendment:

26 Line 70: Added "because he did not have time to review the tape from the previous meeting that he did  
27 not attend." after "attendee"

28  
29 Secretary Whalen proposed the following amendment:

30 Line 162: Changed "whisky" to "whiskey"

31 Line 171: Changed "whisky" to "whiskey"

32  
33 Alternate Schiffer proposed the following amendment:

34 Line 42: Removed space between "back ground"

35 Line 47: Changed "Debra" to "Debbie"

36 Line 129: Removed "l" after "Silvernale"

37  
38 Vice Chair Shyer and Commissioner Riva recused themselves from voting because they were not present  
39 at this meeting. Chairman Klemens seated Alternate Schiffer and Alternate Allee in their place.

40  
41 **Motion:** To approve Minutes of July 18, 2022 as amended.

42 Made by Schiffer, seconded by Allee.

43 Vote: 5-0-0 in favor with Shyer and Riva recusing themselves.

44  
45 Vice Chair Shyer and Commissioner Riva returned to their seats as panelists.

**SALISBURY PLANNING AND ZONING COMMISSION**

**REGULAR MEETING MINUTES**

**FEBRUARY 21st, 2023 5:30PM**

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- 46 4. Minutes of August 1, 2022 - *pending*
- 47 5. Minutes of August 15, 2022 - *pending*
- 48 6. Minutes of September 6, 2022 - *pending*
- 49 7. Minutes of September 19, 2022 - *pending*
- 50 8. Minutes of September 20, 2022 - *pending*
- 51 9. Minutes of October 4, 2022 - *pending*
- 52 10. Minutes of October 17, 2022 - *pending*
- 53 11. Minutes of November 7, 2022 - *pending*
- 54 12. Minutes of November 21, 2022 - *pending*
- 55 13. Minutes of December 12, 2022 - *pending*
- 56 14. Minutes of December 19, 2022 - *pending*
- 57 15. Minutes of January 17th, 2022 - *pending*
- 58 16. Minutes of February 6th, 2022 – *pending*
- 59 16.a. Holly Block Litigation Announcement
- 60

61 Chairman Klemens reviewed Judge Roraback’s decision regarding the Holly Block and explained the  
62 possible appeal process. In his decision, the Judge commented that the Planning & Zoning Commission  
63 had conducted themselves fairly, and also made note that the Commission incorporated consideration  
64 of the intervener's testimony into the conditions. Commissioners Cockerline and Riva expressed  
65 gratitude for those who assisted in the completion of this detailed resolution.

66  
67 Chairman Klemens announced Pending Business #18 Application #2022-0205 / Super Sumo Enterprises  
68 LLC (Little) has been withdrawn, and discussion on this matter will not occur.

69  
70 **Other Business**

71 17. Pope Land Design Committee - Presentation and Discussion

72 Chairman Klemens explained the differences between the Housing Commission, Housing Committee,  
73 and Housing Trust. The Housing Commission is a Town-appointed Commission that develops housing  
74 plans. The Housing Committee develops rentals. The Housing Trust is an independent non-governmental  
75 organization (NGO) that purchases properties, and renovates them to create affordable homeownership  
76 opportunities. Alternate Allee asked if the Salisbury Housing Committee is a development corporation.  
77 Peter Halle, President of the Housing Committee joined the meeting. Mr. Hallee responded that the  
78 term “development corporation” is not applicable to their organization, they are a developer that builds,  
79 manages, and maintains rental properties.

80  
81 Chairman Klemens introduced the Pope Land Design Committee (PLDC) and defined the purpose of this  
82 meeting; To establish consistency with the Plan of Conservation and Development, and Zoning  
83 Regulations. FHI Studio Landscape Architect Phil Barlow joined the meeting to present conceptual  
84 designs on behalf of the PLDC.

85  
86 Mr. Barlow introduced his firm, FHI Studio and provided background on the project including a zoning  
87 overview, and discussion of conception designs. He explained that elements incorporated in the  
88 concepts included:

89 Recreation:

90 *Walking paths*

91 *Multi-purpose athletic fields for soccer, lacrosse, and others*

**SALISBURY PLANNING AND ZONING COMMISSION**

**REGULAR MEETING MINUTES**

**FEBRUARY 21st, 2023 5:30PM**

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- 92 *One 90-foot base path baseball field*
- 93 *Two 60-foot base path baseball fields*
- 94 *Improved basketball court / outdoor skating rink*
- 95 *Six to eight pickleball courts*
- 96 *Playground*
- 97 *Small skateboard park*
- 98 *Pavilion*
- 99 *Designated recreational parking area*
- 100 *Reuse Trotta Field facilities*

Housing:

*Sixty-four residential units maximum*

101  
102  
103  
104 Mr. Barlow identified that the Trotta Field facilities may require an upgrade but can be reused. Chairman  
105 Klemens asked how the PLDC arrived at a sixty-four-housing unit figure. PLDC Chairman Ray McGuire  
106 joined the meeting. Mr. McGuire explained that their designs attempt to satisfy affordable housing  
107 needs identified in the Affordable Housing Plan (AHP). The goal is to reach a minimum of 5% affordable  
108 housing stock, and developing thirty-three to sixty-four units on the Pope Property can help achieve that  
109 goal. FHI Studio confirmed it is possible to fit sixty-four-units within the nineteen acres available for  
110 development.

111 Mr. Barlow reviewed preferences and decisions made by the PLDC to guide conceptual designs:

112 *Smaller apartment buildings preferred*

113 *No driveways adjacent to the trail*

114 *Soccer fields are a priority*

115 *Driveways should not bisect recreation area*

116 *Village concept around a green with community space is preferred*

117 Mr. Barlow presented a site map of the project area. The eastern section is dominated by wetlands, and  
118 the western section has two open fields. The Trotta Field property where two businesses (The Visiting  
119 Nurses Association and Housatonic Daycare Center), large community garden and recreational facilities  
120 are located has been incorporated in the overall development plan.

121  
122 Commissioner Cockerline asked if these two properties must be merged or can function separately.

123 Chairman Klemens replied he and LUA Conroy proposed this question to Lisa McAuliffe who advised they  
124 should be kept as separate properties for density calculation.

125  
126 Mr. Barlow presented a Lamb-Kiefer 2018 boundary survey to delineate the historic district and all other  
127 physical features. Soil, Science and Environmental Services Inc. flagged the wetlands during a 2019 study  
128 and identified five separate habitats on site: wetlands, hay field edge, wooded floodplain, wooded  
129 uplands, and creek habitat. Mr. Barlow explained according to GIS data, there is open space present  
130 north and south and connects both properties. The field's soil consists of loam and is good quality for  
131 development outside of the wetlands area. Neither property occurs in an aquifer protection zone.

132  
133 Mr. Barlow explained that the National Diversity Database shows areas with special concern flora and  
134 fauna species present. Chairman Klemens asked if there were any endangered or threatened species  
135 present, Mr. Barlow replied no, only special concern species were identified.

136  
137 Mr. Barlow commented that zoning for the properties are RR1V and R20, LUA Conroy replied that a new

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

FEBRUARY 21st, 2023 5:30PM

Remote Meeting by Live Internet Video Stream and Telephone

138 zoning map was adopted, eliminating the RR1V zone and expanding the R20. Mr. Barlow noted FHI  
139 Studio will update their zoning information to incorporate this change. Mr. Barlow reviewed the density  
140 calculations, which do not include the Trotta Field property. There are 60 acres of land on this property,  
141 40 acres of which are wetlands, leaving 18.8 acres of developable land. Taking into account maximum  
142 density factors for multi-family and affordable housing, up to three hundred-one residential units are  
143 allowable in this area, which far exceeds the thirty-four to sixty-four-unit preference.

144  
145 Concept #2 was introduced by Mr. Barlow alongside the site map. This concept retained the existing  
146 curb cut to the Trotta Field Property, alongside a residential road with fourteen duplexes adjacent to  
147 Pope Salmon Kill Road. Mr. Barlow described six-to-seven-unit apartment buildings, a green that fronts  
148 upon the walking trail and recreational facilities east of this site. The fields already present on the Trotta  
149 property will be utilized, alongside new pickleball courts, full sized soccer field, an adjacent youth soccer  
150 field, playground, small skate park, and a shelter. Mr. Barlow reviewed the advantages and  
151 disadvantages of Concept #2.

152 Pros

153 *One curb cut*

154 *Mix of housing*

155 *Generous Open Space*

156 Cons

157 *Large Buildings*

158 *Impact to existing residences on Salmon Kill Road*

159 *Picnic and skate park isolated*

160 Chairman Klemens asked for the location of the Historic District. Mr. Barlow replied that the boundary  
161 bisects two long apartment buildings and they anticipate working with the Historic District Commission  
162 (HDC) to receive approval for construction.

163  
164 Concept #4 was introduced alongside the site map. Mr. Barlow explained this concept groups apartment  
165 duplexes along a circular driveway which fronts onto a town green space. Two soccer fields are located  
166 at the northwest corner, while pickleball and basketball courts will be near the baseball fields already  
167 present on site. A second curb cut located near the pump station leads to parking for recreational  
168 facilities. Commissioner Cockerline asked where the baseball field parking is located. Mr. Barlow replied  
169 there is expanded parking at Trotta field and existing parking will remain, alongside additional, but less  
170 convenient parking in the west corner. Mr. Barlow reviewed the advantages and disadvantages of  
171 Concept #4.

172 Pros

173 *Large Open Space*

174 *Clustered housing*

175 *Housing and recreation nicely separated*

176 Cons

177 *Small Green*

178 *No Housing mix*

179 *Entrance to West parking area close to road curve*

180 Chairman Klemens suggested moving the west parking area curb cut behind the housing area, making  
181 the roadway parallel to Salmon Kill Road, Mr. Barlow replied this would require additional pavement but  
182 could be beneficial.

183

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

FEBRUARY 21st, 2023 5:30PM

Remote Meeting by Live Internet Video Stream and Telephone

184 Concept #6 was introduced alongside the site map. Mr. Barlow explained this concept is a hybrid of  
185 Concept #2, which mixes together duplexes and six-unit buildings alongside a driveway. A new curb cut is  
186 anticipated along the roadway, with the largest town green space concept created, fronting the housing  
187 and adjacent to the rail trail. Recreation is clustered to the south and east portions, with athletic fields,  
188 pickleball courts, playground, small skate park and picnic area. There will be parking adjacent to the  
189 baseball fields, and a smaller area near soccer fields. Mr. Barlow reviewed the advantages and  
190 disadvantages of Concept #6.

191 Pros

192 *Large town green that fronts rail trail*

193 *No housing fronting Salmon Kill Road*

194 *Neighborhood feel*

195 Cons

196 *Recreation is crowded*

197 *Some recreation features are isolated*

198 *Residential driveway is close to roadway curve*

199 Chairman Klemens asked for clarification about the isolated recreation features. Mr. Barlow replied the  
200 playground will be adjacent to the woodlands further away from other recreation areas, as well as the  
201 skate park and picnic area adjacent to Trotta field. Chairman Klemens asked if the PLDC had a preferred  
202 concept, Mr. Barlow replied no.

203

204 Alternate Schiffer asked why no provisions for restrooms are included, Mr. Barlow replied the  
205 Committee agreed to pursue portable toilets. Permanent toilets could be included, they can be difficult  
206 to maintain and potentially initiate security problems. Alternate Schiffer raised concern about lack of  
207 first aid stations and believed a defibrillator should be available on site in case of an emergency. PLDC  
208 Member and Recreation Director Lisa McAuliffe joined the meeting and explained that having  
209 defibrillators located on-site at town recreation areas is not standard protocol. She explained that there  
210 is a defibrillator located at the daycare center on the property that can be accessed during business  
211 hours; there is also one nearby at the on Salisbury School campus, one in her own personal vehicle and  
212 Salisbury Ambulance is located within 2 miles or less of Trotta field. Chairman Klemens commented that  
213 although these topics are important, these details are not typically discussed in depth during the concept  
214 design phase.

215

216 Vice Chair Shyer asked if outreach has been conducted with neighbors and property owners on Salmon  
217 Kill Road. PLDC Chairman McGuire responded that First Selectman Curtis Rand volunteered to initiate  
218 discussion and has hosted several meetings, but the process is not complete. Selectman Rand's efforts  
219 will be accelerated once a concept has been chosen. At which point a more extensive discussion can be  
220 had with those potentially affected by the development.

221

222 Secretary Whalen commented that the concept of public bathrooms must be seriously considered.  
223 Alternate Allee remarked that the playground location on Concept #6 is too far from the residential area.  
224 Mr. Barlow agreed and noted the location can be moved, but also added the playground could serve  
225 different constituencies being located near athletic fields. Chairman Klemens suggested that the gazebo  
226 and stage near the residential area could be substituted with a second playground.

227

228 Commissioner Cockerline favored the single access road through an existing driveway in Concept #2, but  
229 dislikes the "block" style of housing and large apartment buildings. Commissioner Cockerline preferred

**SALISBURY PLANNING AND ZONING COMMISSION**

**REGULAR MEETING MINUTES**

**FEBRUARY 21st, 2023 5:30PM**

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230 Concept #6; the blend of residential housing is superior, and the second access road near the athletic  
231 field could easily be shifted to the south to provide space between the curb cut and rail trail crossing.  
232

233 LUA Conroy inquired about how this development will fit in with the bigger picture of downtown,  
234 whether that includes pedestrian, bicycle or vehicular connection, and how the form and layout of the  
235 development will relate to the surrounding uses in the village.  
236

237 Chairman Klemens asked if PLDC Members have a favored concept. Mr. Barlow replied that a developing  
238 consensus leaned towards Concept #6, but not all members are in agreement. After incorporating  
239 suggestions made during this meeting, Mr. Barlow estimated a favorable concept could be established  
240 within six months.  
241

242 Chairman Klemens requested that the PLDC initiate site plan development, then come back to Planning  
243 & Zoning with a formal application including setbacks and improved designs. He suggested pursuing  
244 further discussion with the HDC about handling development within the Historic District portion of the  
245 lot. Commissioner Cockerline added that a project of this scope would benefit from further preliminary  
246 review.  
247

248 Commissioner Riva preferred the design of Concept #6 but would feel more comfortable with it if the  
249 second curb cut was removed. Vice Chair Shyer also preferred Concept #6, but agreed that only one curb  
250 cut should be a priority. She is in support of driveways not cutting through recreational areas and  
251 maintaining a substantial distance between pickleball courts and housing. Commissioner Cockerline  
252 favored the mix of housing in Concept #6, but preferred Concept #2 as long as the large apartment  
253 buildings could be altered to more diverse housing. He did not feel that housing should be avoided in the  
254 Historic District. Chairman Klemens agreed and noted the benefit of Concept #2's driveway design with  
255 one entrance road that bifurcates to the residences and recreation.  
256

257 The Commission had no further comments or questions. Chairman Klemens advised the PLDC to return  
258 with a better developed site plan, which should include the Trotta field parcel separated and Historic  
259 District boundary identified, as well as preliminary discussion with the HDC completed.  
260

261 **Pending Business**

262 18. #2022-0205 / Super Sumo Enterprises LLC (Little) /438 Lime Rock Road / Site Plan Approval  
263 for Change of Use from Storage Building to Carpentry or Woodworking, Generator, Driveway and  
264 Parking Improvements / Map 27 / Lot 9 / DOR: 11/07/2022 / *Extension granted through 1/17/2023 /*  
265 *Possible Consideration*  
266

267 Application #2022-0205 / Super Sumo Enterprises LLC (Little) was withdrawn.  
268

269 **New Business**

270 19. #2023-0209 / 343 MS Restoration LLC (Colgan) / 343 Main Street / Special Permit for  
271 Change of Use – Multifamily, High Turnover Restaurant, Mixed Use Commercial, and a Use  
272 Rendering More than 30% of the Lot Impervious (Sections 205.2, 209.2, 403.4) / Map 45  
273 /Lot 26 / DOR:02/21/2023 / *Reception, Consideration of Completeness, Schedule Hearing*  
274

275 Bill Colgan of MS Restoration LLC joined the meeting to describe the application which included detailed

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

FEBRUARY 21st, 2023 5:30PM

Remote Meeting by Live Internet Video Stream and Telephone

276 engineer's plans. The rear annex building has been reduced and moved to a different position since the  
277 last application. There are now four proposed apartments, one studio apartment was removed due to  
278 size. Accordingly, the parking area has fewer spaces, reduced from twenty-three to twenty-one. The  
279 front of the building has been shortened to allow for a wider access drive.  
280

281 Chairman Klemens asked about the high turnover restaurant and shop. Mr. Colgan explained that the  
282 restaurant and shop will be for ice cream and various desserts.  
283

284 **Motion:** To schedule public hearing for #2023-0209 / 343 MS Restoration LLC (Colgan) / 343 Main Street  
285 / Special Permit for Change of Use – Multifamily, High Turnover Restaurant, Mixed Use Commercial, and  
286 a Use Rendering More than 30% of the Lot Impervious (Sections 205.2, 209.2, 403.4) / Map 45 /Lot 26 /  
287 on March 20th, at 7:45PM via Zoom.

288 Made by Cockerline, seconded by Riva.

289 Vote: 5-0-0 in favor.  
290

291 20. #2023-0210 / Hayes (Centrella) / 48 State Line Road / Site Plan for a New Attached  
292 Accessory Apartment (Section 208) / Map 5 / Lot 31 / DOR: 02/21/2023 / *Reception and*  
293 *Possible Consideration*  
294

295 LUA Conroy introduced the application for an attached accessory/in-law apartment. A public hearing is  
296 not required for this plan as the apartment will be attached to an existing building on the property. The  
297 property owners reside on premise. LUA Conroy reviewed the site plan showing one bedroom, one  
298 bathroom, full kitchen and living room. Approval has been received from Torrington Area Health District.  
299 LUA Conroy described the existing dwelling as slightly non-conforming in the front yard, but the addition  
300 and rear portion of the building meets all set back requirements. Chairman Klemens asked which zone  
301 this property is located in, LUA Conroy replied RR1. There was no further comment from the  
302 Commission.  
303

304 **Motion:** To approve #2023-0210 / Hayes (Centrella) / 48 State Line Road / Site Plan for a New Attached  
305 Accessory Apartment (Section 208) / Map 5 / Lot 31 /.

306 Made by Cockerline, seconded by Riva.

307 Vote: 5-0-0 in favor.  
308

309 21. #2023-0211 / American School for the Deaf (Allied Engineering) / Site Plan Modification for  
310 818 SF Addition to Existing Staff Dormitory and Camp Kitchen in the LPOD (Section 404) /  
311 Map 64 / Lot 8 / *Possible Consideration of Modification*  
312

313 Design engineer George Johannesen of Allied Engineering joined the meeting. He noted that the request  
314 is slightly different than as shown on the site plan. The site plan proposes an addition to expand the  
315 existing kitchen and the construction of a loading dock. Directly above the kitchen, on the second-floor  
316 additional beds to accommodate more staff are proposed. They have not received approval from  
317 Torrington Area Health District. Mr. Johannesen explained that the concrete loading ramp leading up to  
318 the loading dock shown on the site plan must be removed due to cost. Chairman Klemens noted the  
319 Commission is unwilling to continue receiving piecemeal site plan modifications, and wishes to see a  
320 comprehensive long-term plan for future approvals. Mr. Johannesen agreed to postpone a decision on  
321 this site plan modification to an upcoming meeting on March 20th, at 6:30PM via Zoom.

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

FEBRUARY 21st, 2023 5:30PM

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322 **Public Comment**

323 22. Public Comment - Public Comment is restricted to items that are neither on the agenda nor  
324 the subject of any pending Planning & Zoning application or action and are limited to three  
325 minutes per person

326

327 **Adjournment**

328

329 **Motion:** To adjourn meeting at 7:28PM.

330 Made by Cockerline, seconded by Riva.

331 Vote: 5-0-0 in favor.

332

333 Respectfully Submitted,

334 Erika Spino

335 Secretary of Minutes