

SALISBURY PLANNING AND ZONING COMMISSION

SPECIAL MEETING MINUTES

August 29th, 2023 6:00 PM

Remote Meeting by Live Internet Video Stream and Telephone

Members Present:

Dr. Michael Klemens (Chair)
Cathy Shyer (Vice Chair)
Martin Whalen (Secretary)
Bob Riva (Regular Member)
Allen Cockerline (Regular Member)
Dr. Danella Schiffer (Alternate)
Debra Allee (Alternate)

Staff Present:

Abby Conroy, Director of Land Use
Miles Todaro, Land Use Technical Specialist

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Brief Items and Announcements

1. Call to Order / Establish Quorum

The special meeting was called to order at 6:00pm. Secretary Whalen was absent, and Alternate Schiffer was appointed voting alternate. Chair Klemens explained that the meeting is principally to review the Plan of Conservation and Development (POCD) Chapters 6 and 7. He added that this meeting will be the last time the Commission reviews these chapters before they go to public hearing.

Agenda Items 2 through 9 were skipped.

Other Business

10. Draft Plan of Conservation and Development Discussion (POCD)

Chair Klemens asked the Commission to find their way to Chapter 6: Agriculture.

The Commission had no comments on the introduction paragraph. Commissioner Cockerline suggested clarifying that "Natural Resource Inventory" is referred to as "NRI." He also suggested changes to a paragraph about farming history in the region. Alternate Schiffer expressed that she was uneasy about naming specific business as examples in the text. Chair Klemens said that this has already been discussed at length, and they reached the conclusion that this particular example is acceptable.

Secretary Whalen joined the meeting at 6:24pm.

Chair Klemens explained that the paragraph citing the Grasslands Farm subdivision will be formatted as a box in the sidebar, separate from the body text. He added that they've done this formatting with a number of other "case studies" that were too technical or complex for the main document text.

Alternate Schiffer pointed out a sentence referencing a recent application that she felt was not entirely accurate. Chair Klemens suggested removing that sentence entirely.

Secretary Whalen was seated at 6:31pm as a voting member in place of Alternate Schiffer.

33 Commissioner Cockerline expressed that he felt “fee simple” was not the best way to describe
34 conservation easements in the Natural Resources section of Chapter 6. Chair Klemens and
35 Commissioner Cockerline reworked this section to better reflect Commissioner Cockerline’s comment.
36 Chair Klemens suggested further broad changes to this section to make the points made work better
37 together.

38
39 The Commission discussed the phrase “stewardship of the commons” in a paragraph about
40 conservation lands and farm lands. Commissioner Cockerline commented that the distinction between
41 pastureland and cropland is important, especially in reference to bog turtle habitat. The Commission
42 discussed the order in which different points should be made. The Commission also deliberated
43 phrasing of a statement about agritourism, and the veracity of a statement about farm housing. There
44 was also discussion regarding the inclusion of information about supporting local sourced farm
45 products.

46
47 The Commission had no comments on the beginning of Chapter 7: Natural Resources.
48 Alternate Schiffer commented that the paragraph discussing the POCD survey seemed to
49 mischaracterize the survey responses. Chair Klemens agreed to verify the that cited conclusion is
50 correct. Chair Klemens emphasized that he believes what’s currently written to be correct.

51
52 Vice Chair Shyer suggested clarifying that “ASL” stood for “above sea level.” Alternate Allee asked if it
53 was a good idea to use uncommon words like “refugium.” The Commission decided to leave it in.
54 Alternate Schiffer asked what was meant by native plant “cultivars,” and why it was written that they
55 should be avoided. Chair Klemens explained that they are native plants that have been modified for
56 nursery stock. Nursery cultivars often differ genetically from their local wild counterparts, and can even
57 adversely affect the native species.

58
59 Alternate Schiffer asked if the disease affecting beech trees should be brought up in the strategies
60 section. LUA Conroy suggested that it may be better to make more general statements, since there
61 could be other, currently unknown diseases that arise in the next 10 years. Chair Klemens said that he
62 believes some of these topics are already in the strategies section.

63
64 Vice Chair Shyer expressed that she felt daylighting streams/culverts is something missing from the
65 strategies section. LUA Conroy added that they had talked about adding watershed studies to the
66 POCD, which are necessary for many funding sources. Chair Klemens added that sometimes streams
67 are better protected in pipe than they would be if they were daylighting. Shyer expressed that she still
68 feels that it’s a missing topic. LUA Conroy made a note of this in the document.

69
70 Commissioner Cockerline stated that he thinks the point about stormwater retention shouldn’t be
71 asking for 100% retention. Chair Klemens responded that it’s a goal being set. Vice Chair Shyer asked
72 for clarification on the point about burning brush and logs. Chair Klemens responded that there are
73 more ecologically responsible methods of disposal available that could be considered (such as
74 composting). He added that given the Canadian wildfire smoke this past summer and the recent Lime
75 Rock Park drifting event, he would like to add a section about air quality.

76

77 Chair Klemens clarified that encouraging best landscaping practices is about educational outreach, not
78 regulation. Alternate Schiffer suggested adding a point about school outreach. Vice Chair Shyer added
79 that summer camps could be included as well.

80

81 **Pending Business**

82 11. #2023-0217 / Bendit (Allied Engineering) / 101 Taconic Road / Site Plan Review for a New
83 Single-Family Dwelling, Septic and Well in the Lake Protection Overlay District (Section 404) /
84 Map 19 / Lot 11 / DOR: 05/01/2023 / *Possible Consideration*

85

86 Chair Klemens asked if the IWWC had approved this application. LUA Conroy answered that they did
87 approve it at the last meeting, and Town Engineer Tom Grimaldi sent his letter on Friday. Engineer
88 George Johannesen joined the meeting and summarized the application process so far. He explained
89 that they're ready to meet all of Engineer Grimaldi's recommendations. LUA Conroy showed the
90 Commission the plan, and Engineer Johannesen pointed out where the utilities will be connecting.

91

92 Chair Klemens asked that the Commission focus their attention on the Lake Protection Overlay District.
93 Engineer Johannesen pointed out where the boundary of this district is shown on the map. Chair
94 Klemens pointed out that the plant list contains good examples of native plants species, and excludes
95 native plant cultivars. LUA Conroy asked how to would verify the difference once they've been planted.
96 Chair Klemens suggested that the planting material be verified before being planted, using the labels.

97

98 Chair Klemens for the impervious surface area calculations. LUA Conroy showed the Commission the
99 part of the plan with the calculation (2.65%). Chair Klemens acknowledged that it is well under the
100 threshold.

101

102 LUA Conroy showed the Commission Engineer Grimaldi's letter. Chair Klemens said he would like to
103 see that the planting list is verified. LUA Conroy and Commissioner Cockerline suggested an invoice of
104 the purchased plants. Chair Klemens added that he feels it should be added as a condition of approval.
105 Commissioner Cockerline disagreed, since they'll be approving the plan as specified, which lists the
106 native species rather than cultivars. Chair Klemens emphasized the need to verify that it's planted
107 correctly, and that landscape architects could otherwise make substitutions for cultivars. He feels that
108 it should be included in the approval. Commissioner Cockerline emphasized that he feels that this
109 would be redundant. Chair Klemens feels that the plans are not clear enough that the species list
110 excludes cultivars.

111

112 **Motion:** To approve application #2023-0217 / Bendit (Allied Engineering) / 101 Taconic Road / Site Plan
113 Review for a New Single-Family Dwelling, Septic and Well in the Lake Protection Overlay District
114 (Section 404) / Map 19 / Lot 11 / DOR: 05/01/2023

115 with the condition that the planting plan stick to the native species that are listed on the planting plan,
116 not native species cultivars, and incorporating conditions of Engineer Tom Grimaldi's letter of August
117 25, 2023

118 Made by Cockerline, seconded by Riva

119 Vote: 4-0-0

120

121 Secretary Whalen did not respond Chair Klemens when asked to vote.

122

123 12. #2023-0225 / Elbow Partners LLC (Allied Engineering) / 77 Beaver Dam Road / Special Permit for
124 Detached Apartment on Single Family Residential Lot (Section 208) / Map 23 / Lot 07-1 / DOR:
125 08/29/2023 / *Receive and Schedule Hearing for September 18, 2023*

126

127 Engineer Johannesen explained that this application is for the construction of a main house in the back
128 of a large lot. There is also a pool and pool house, a carriage house with an upstairs apartment, and
129 future hay barn. The carriage house with apartment requires a special permit. Engineer Johannesen
130 added that the construction is far from setback lines and the wetlands on the property, so IWWC
131 approval is not needed. Alternate Schiffer asked for the square footage of the apartment. Engineer
132 Johannesen answered that it will be 1,585 square feet. Chair Klemens clarified that the only aspect of
133 the application the Planning and Zoning Commission needs to look at is accessory apartment. LUA
134 Conroy added that per a conversation she had with Engineer Johannesen and the builder, they
135 understand that they could build the carriage house first, and live in it with a temporary zoning permit.
136 Engineer Johannesen clarified that the idea is to start both buildings at the same time but start using
137 the carriage house as agricultural equipment storage whenever it's ready.

138 The Commission agreed that the application is complete.

139

140 **Motion:** To schedule a hearing for application #2023-0225 / Elbow Partners LLC (Allied Engineering) /
141 77 Beaver Dam Road / Special Permit for Detached Apartment on Single Family Residential Lot (Section
142 208) / Map 23 / Lot 07-1 / DOR: 08/29/2023 / Receive and Schedule Hearing for September 18, 2023
143 Special permit hearing to be scheduled at 6:45pm on September 1, 2023 via Zoom

144 Made by Cockerline, seconded by Riva.

145 Vote: 3-0-0

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147 Chair Klemens lost connection to the meeting before his vote could be counted, and Secretary Whalen
148 was also not available to vote. Vice Chair Shyer stepped up as acting Chair to continue the meeting.

149

150 **Adjournment**

151 Motion: To adjourn at 8:39pm

152 Made by Cockerline, seconded by Riva.

153 Vote: 3-0-0