

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

April 3rd, 2023 6:30PM

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 Allen Cockerline (Regular Member)

Members Absent:

- Bob Riva (Regular Member)
- Danella Schiffer (Alternate)
- Debra Allee (Alternate)

Staff Present:

Abby Conroy, Land Use Administrator (LUA)

8 **Brief Items and Announcements**

9 1. Call to Order / Establish Quorum

10 Chairman Klemens called the meeting to order at 6:30PM. A quorum was established with four regular
11 members present (Michael Klemens, Cathy Shyer, Martin Whalen and Allen Cockerline).

12
13 Chairman Klemens proposed the following amendment:

14 Item #22 add "A. 105 Interlaken Road Temporary Zoning Permit"

15
16 2. Approval of Agenda

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

18 Made by Cockerline, seconded by Whalen.

19 Vote: 4-0-0 in favor.

20
21 3. Minutes of August 1, 2022

22 Vice Chair Shyer proposed the following amendment:

23 Line 144: Add a period after "two-hundred people"

24
25 **Motion:** To approve Minutes of August 1, 2022 as amended.

26 Made by Cockerline, seconded by Shyer.

27 Vote: 4-0-0 in favor.

28
29 4. Minutes of August 15, 2022

30
31 **Motion:** To table the Minutes of August 15, 2022 until the next meeting.

32 Made by Cockerline, seconded by Shyer.

33 Vote: 4-0-0 in favor.

- 34
- 35 5. Minutes of September 7, 2022 – *pending*
- 36 6. Minutes of September 19, 2022 – *pending*
- 37 7. Minutes of September 20, 2022 – *pending*
- 38 8. Minutes of October 4, 2022 – *pending*
- 39 9. Minutes of October 17, 2022 – *pending*
- 40 10. Minutes of November 7, 2022 - *pending*
- 41 11. Minutes of November 21, 2022 - *pending*
- 42 12. Minutes of December 12, 2022 - *pending*
- 43 13. Minutes of December 19, 2022 - *pending*
- 44 14. Minutes of January 17, 2023 - *pending*
- 45 15. Minutes of February 6, 2023 - *pending*
- 46 16. Minutes of February 21, 2023 - *pending*

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47 17. Minutes of March 20, 20203 – *pending*

48

49 **Public Comment**

50 18. Public Comment is restricted to items that are neither on the agenda nor the subject of any pending
51 Planning & Zoning application or action and are limited to three minutes per person

52

53 **Pending Business**

54 21. #2023-0213 / Hotchkiss School / 270 Sharon Road / Site Plan Modification to Convert Single Family
55 Faculty Housing to Contain Two Units / Map 06 / Lot 09 / DOR: 03/20/2023/ Consideration of
56 Completeness and Possible Decision

57

58 Commissioner Cockerline recused himself from the application and stepped down from panelist to
59 attendee. LUA Conroy presented a floorplan of the subject dwelling used as a single family for faculty.
60 The applicant proposed to convert the building to include a second apartment unit. Minimal exterior
61 modifications were shown, which included a dormer, enclosed staircase, and walkway to the stairwell
62 for rear access to the building. LUA Conroy explained there are no setback issues, and the Fire Marshal
63 does not have jurisdiction over a two-family dwelling. Brian Hanecak joined the meeting and supported
64 LUA Conroy's review. Vice Chair Shyer asked if this dwelling is a two-family home that will have an
65 accessory apartment added, Mr. Hanecak replied no, the dwelling is a six-bedroom single family home,
66 being converted into two units, a four bedroom and plus a one-bedroom apartment.

67

68 **Motion:** To approve #2023-0213 / Hotchkiss School / 270 Sharon Road / Site Plan Modification to
69 Convert Single Family Faculty Housing to Contain Two Units / Map 06 / Lot 09 /

70 Made by Whalen, seconded by Shyer.

71 Vote: 3-0-0 in favor.

72

73 **Public Hearing – 6:45pm**

74 19. #2023-0209 / 343 MS Restoration LLC (Colgan) / 343 Main Street / Special Permit for Change of Use –
75 Multifamily, High Turnover Restaurant, Mixed Use Commercial, and a Use Rendering More than 30% of
76 the Lot Impervious (Sections 205.2, 209.2, 403.4) / Map 45 / Lot 26 / DOR:02/21/2023 / Continue
77 Hearing, Possible Consideration

78

79 LUA Conroy received revised plans, and written review from Town Consulting Engineer Tom Grimaldi. Bill
80 Colgan's engineer met with Engineer Grimaldi to discuss concerns and compose newly revised site plans.
81 LUA Conroy explained the application materials were received today and have not yet been uploaded to
82 the website for public review, therefore the public hearing will remain open until the next meeting to
83 allow the public access. Chairman Klemens stated the application is a continuation from a previous
84 meeting, and is pleased that engineering concerns have been resolved.

85

86 Bill Colgan joined the meeting to represent the application. Mr. Colgan explained the proposed
87 stormwater drainage underneath the asphalt parking area. Engineer Grimaldi's response letter
88 acknowledged all comments and concerns were addressed, took no exception with the revised plan set,
89 and offered conditions of approval. Chairman Klemens described a major change to this plan is switching
90 from a gravel parking area to a bituminous paved lot, due to limited area and concerns of gravel washing
91 out onto Route 44. Vice Chair Shyer asked if Mr. Colgan will be available at the upcoming meeting on
92 April 17th 2023, Mr. Colgan replied he will try to attend but if unable, another individual will represent

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93 him. There was no further comment from the Commission or public.

94

95 **Motion:** To continue public hearing on April 17th 2023, at 6:45PM via Zoom.

96 Made by Cockerline, seconded by Shyer.

97 Vote: 4-0-0 in favor.

98

99 **Pending Business**

100 20. #2023-0211 / American School for the Deaf (Allied Engineering) / 410 Twin Lakes Road / Site Plan
101 Modification for 818 SF Addition to Existing Staff Dormitory and Camp Kitchen in the LPOD (Section 404)
102 / DOR: 02/21/2023 / Map 64 / Lot 8 / Possible Consideration of Modification

103

104 There were no representatives present for the application. LUA Conroy commented she has not received
105 approval from Torrington Area Health District (TAHD), and shared correspondence with the Fire Marshal
106 who is actively working on a letter for this application. Chairman Klemens advised denying this
107 application without prejudice. He warned that not doing so would result in an automatic approval.

108

109 **Motion:** To deny this application without prejudice.

110 Made by Cockerline, seconded by Whalen.

111 Vote: 4-0-0 in favor.

112

113 22. #2023-0214 / Super Sumo Enterprises LLC (Little) /438 Lime Rock Road / Site Plan Approval for
114 Change of Use from Storage Building to Carpentry or Woodworking, Generator, Driveway and Parking
115 Improvements / Map 27 / Lot 9 / DOR: 03/20/2023 / Consideration of Completeness and Possible
116 Decision

117

118 Property Owner Chris Little, Attorney Mark Capecelatro and Engineer Pat Hackett joined the meeting to
119 represent the application. Attorney Capecelatro explained an earlier version of this application
120 warranted revision, due to concern from the Commission about diversion of stormwater runoff from the
121 front buildings and parking area into a culvert on Route 112. Engineer Hackett redesigned and improved
122 the stormwater management plan designed to take advantage of the excellent drainage capacity of the
123 property's soil, and resolved the roof water runoff concern. Attorney Capecelatro remarked all other
124 aspects of the application are the same as previous.

125

126 Engineer Hackett presented the stormwater management site plan, and explained areas in the front and
127 rear of the property recently had a binder course installed. Two basins were installed with a high point
128 in-between, so there is a Drainage Area A and Drainage Area B, a divide between the two buildings.
129 Engineer Hackett proposed a two-unit drywell be installed where the basins are located. The drywell has
130 an open top, and would use similar cast iron catch basin frames for ease of maintenance. The water
131 runoff from roofs were tied into the catch basins, so a proposed fifty-foot filter drain can be installed to
132 catch runoff, but the water that does not infiltrate will overflow into the basins.

133

134 Secretary Whalen asked if all stormwater runoff will still be discharged into the catch basins, Engineer
135 Hackett replied no, only overflow. Secretary Whalen asked if all drainage systems on this property are
136 connected. Engineer Hackett replied yes. The system is designed to hold up to six inches of water, but
137 above that, overflow must be discharged. Commissioner Cockerline asked for the capacity of dry wells
138 and catch basins in the parking area, Engineer Hackett replied there is about three-hundred-five cubic

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139 feet per basin. Water in the basins will constantly be infiltrating through sand and gravel, making the
140 capacity significantly higher than three-hundred-five cubic feet. Engineer Hackett stated the basins
141 should cover 90% of rainfall events before water overflow occurs. Chairman Klemens noted this plan was
142 not what he expected, but considered it an improvement over the current conditions of the property.
143

144 At 7:12PM, Chairman Klemens noted Secretary Whalen is no longer present. Chairman Klemens asked
145 the Commission if they wished for the Town Consulting Engineer to review this plan, all members were
146 comfortable with the design and replied no. There was no further comment from the Commission.
147

148 **Motion:** To approve #2023-0214 / Super Sumo Enterprises LLC (Little) /438 Lime Rock Road / Site Plan
149 Approval for Change of Use from Storage Building to Carpentry or Woodworking, Generator, Driveway
150 and Parking Improvements / Map 27 / Lot 9 /.

151 Made by Cockerline, seconded by Shyer.

152 Vote: 3-0-0 in favor.
153

154 22.A. ZP-22-81 / Arthur Howland & Associates (Primoff) /105 Interlaken Road / Temporary Zoning Permit
155

156 Jim McTigue of Arthur Howland & Associates joined the meeting to represent the application. Mr.
157 McTigue explained they are seeking a renewal of the temporary zoning permit so the property owners
158 may reside in the residence during construction. Site construction is progressing, the dwelling is framed,
159 windows are currently being installed, and project completion is anticipated in September 2023.
160 Commissioner Cockerline asked if this was their first extension request, Mr. McTigue replied yes. There
161 was no further comment from the Commission.
162

163 **Motion:** To authorize the zoning enforcement officer to issue a second temporary zoning permit for the
164 term of six months for 105 Interlaken Road.

165 Made by Klemens, seconded by Shyer.

166 Vote: 3-0-0 in favor.
167

168 **Other Business**

169 23. CT Bar Association Discussion
170

171 LUA Conroy asked the Commission for feedback from the CT Bar Association Event. One item the
172 Commission noted is announcing your name for proper identification when speaking during Zoom
173 meetings, which LUA Conroy has found helpful. Chairman Klemens found the Zoning Board of Appeals
174 (ZBA) presentation regarding decision making process for variances under Connecticut law helpful, but
175 did not agree with the last speaker's interpretations of conduct under the Inland Wetland Laws.
176 Chairman Klemens commented that although the meeting was hosted through Zoom, a large amount of
177 content was jammed into one discussion, and believed allowing time for breaks or a lunch hour would
178 have been beneficial. Secretary Whalen thought the ZBA and Chuck Andre's segments were informative,
179 but found other discussions wasteful. Vice Chair Shyer lamented that without an agenda, it was difficult
180 to take a proper break during the day. Vice Chair Shyer thought the event was well done with an
181 extensive amount of material. Chairman Klemens added he did not observe questions shared this year,
182 and thought if one or two speakers were cut from the presentation, that would allow additional time for
183 breaks and interaction. Vice Chair Shyer noted there was a chat box present throughout the Zoom
184 meeting where attendees asked substantial questions, and responses were given while the meeting was

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185 in progress.

186

187 24. Lakeville Planning Study Discussion

188

189 Chairman Klemens asked the Commission for feedback from the Collier's Charette that occurred on
190 March 18th. LUA Conroy shared that the consultants were pleased with the high turnout. Commissioner
191 Cockerline thought the event and location worked well for one presentation, but after the discussion
192 divided, excessive noise and disorganization made the event more difficult. LUA Conroy found sidebar
193 conversations counterproductive and disrespectful to presenters. Vice Chair Shyer thought the meeting
194 location helped encourage high turnout, and would support using it again.

195

196 LUA Conroy shared a correspondence with Debbie Lawlor discussing the recently closed questionnaire
197 which had been uploaded to the Town's website for public response. Ms. Lawlor worked on compiling
198 the information, and next steps are to develop a report, which will consider feedback from those
199 meetings to develop concept plans and help prioritize short term projects. LUA Conroy explained this
200 would help identify some options worth further investigations for Phase Two, but ultimately Colliers
201 must come back to the Commission for a presentation of findings. Vice Chair Shyer asked for a timeline
202 when the Commission will receive the Lakeville Village Report, LUA Conroy responded she is unsure of
203 the time frame. Chairman Klemens expressed interest in meeting with Ms. Lawlor to further discuss
204 concerns and inquire if a timeline could be established.

205

206 **Adjournment**

207

208 **Motion:** To adjourn meeting at 7:51PM.

209 Made by Cockerline, seconded by Whalen.

210 Vote: 4-0-0 in favor.

211

212

213 Respectfully Submitted,

214 Erika Spino

215 Secretary of Minutes