

SALISBURY PLANNING AND ZONING COMMISSION
SPECIAL MEETING MINUTES
October 30th, 2023 - 6:30pm
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 Member)
Debra Allee (Alternate Member)

Staff Present:

Abby Conroy (Land Use Director)
Miles Todaro (Land Use Technical Specialist)

1 **Brief Items and Announcements**

2 1. Call to Order / Establish Quorum

3 Chair Klemens called the meeting to order at 6:30pm. All members were present except for
4 Alternate Member Allee. Land Use Director (LUD) Conroy explained that the Public Comment
5 section is not on the agenda because it is a Special Meeting.

6 ***Motion:*** To approve the agenda.
7 Made by Cockerline, seconded by Riva
8 Vote: 5-0-0

9

10 2. Enforcement and Reports of Potential Violation:

11 2.a. 167 Canaan Road – Salisbury Garden Center

12 LUD Conroy informed the Commission that she has not yet written the Notice of Violation for
13 this property.

14 2.b. 12 Indian Cave Road

15 LUD Conroy explained that herself and Chair Klemens did not get the opportunity to inspect the
16 property, however John Harney from the Housing Trust did. Mr. Harney took a photograph
17 showing absence of lawnmowers without showing much personal property. LUD Conroy
18 showed the Commission the email Mr. Harney wrote to accompany the photograph.

19 Chair Klemens asked the Commission if they felt Mr. Harney's email was adequate
20 documentation that the violation has been resolved. Vice Chair Shyer recused herself, and
21 Alternate Member Schiffer was seated. The Commission came to a consensus that this was
22 adequate documentation.

23

24 **New Business**

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25 3. #2023-0232 / Tanner / 373 Lime Rock Road / Special Permit for Home Occupation
26 (Section 210.2) / Map 28 / Lot 11 / DOR: 10/30/2023 / *Consideration of Completeness*
27 *and Schedule Hearing*

28 Chair Klemens explained that this application is for a Special Permit for a Home Occupation in
29 Lime Rock. He and LUD Conroy had reviewed it together and determined that it doesn't qualify
30 as a commercial use, and that a Home Occupation is more fitting. Commissioner Cockerline
31 asked if it would still require a Special Permit, which LUD Conroy confirmed.

32 Applicant Suzanne Tanner joined the meeting at 6:36pm and described her application as a low-
33 traffic business selling hats and art, with gentle use of the building. Chair Klemens noted that
34 there are a number of buildings on the lot. Ms. Tanner explained that there is a farmhouse and
35 two-story garage with a workshop. Chair Klemens asked Ms. Tanner to work with LUD Conroy
36 on the requirements for noticing the hearing to abutters.

37 **Motion:** To schedule a public hearing on November 20th at 5:45pm online via Zoom, for
38 application #2023-0232 / Tanner / 373 Lime Rock Road / Special Permit for Home Occupation
39 (Section 210.2) / Map 28 / Lot 11 / DOR: 10/30/2023
40 Made by Cockerline seconded by Riva
41 Vote: 5-0-0

42

43 **Brief Items and Announcements Continued**

44 16. Minutes of October 16, 2023

45 Chair Klemens announced that he has spoken with Land Use Technical Specialist (LUTS) Todaro,
46 and he will sign all future minutes he writes.

47 Line 5 – Remove the second “called”

48 Line 162 – Add “the” after “change”

49 Line 194 – Add “as” after “same”

50 Line 236 – Change “gas” to “gasoline”

51 Line 111 – Move “that” to after “believes”

52 Line 123 – Change “...Street, the issue being...” to “...Street. The issue being...”

53 **Motion:** To approve the minutes of October 16, 2023 as amended.

54 Made by Cockerline, seconded by Riva

55 Vote: 5-0-0

56

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57 **Public Hearing 6:45PM**

58 4. #2023-0226 / Salisbury Housing Trust (Johannesen) / 17 Perry Street / Special Permit for
59 New Construction Multifamily in the Multifamily Housing Overlay District (Section 405.3)
60 / Map 47 / Lot 37 / DOR: 09/18/2023 / Open Hearing and Possible Consideration

61 Secretary Whalen read the Public Hearing notice at 6:45pm. Secretary Whalen recused himself
62 and Alternate Member Schiffer was seated. John Harney, Judy Gafney, and Engineer George
63 Johannesen joined the meeting at 6:48pm.

64 Engineer Johannesen described the application. The plan includes two single-family homes,
65 gravel parking, and a rain garden. Trees are included on either side of the lot and between the
66 two homes for privacy. The parking area has been modified to face the back of the lot rather
67 than the side, in response to comments from a neighbor. He added that the lot is served by
68 Town sewer and water, is 0.65 acres, all Zoning Setbacks are met, and there are three parking
69 spaces per building.

70 Chair Klemens asked if this lot is located in the Aquifer Protection Overlay District. LUD Conroy
71 showed the Commission that it is in this District, as well as the Multifamily Housing Overlay
72 District. She clarified that since the plan has less than 30% impervious surface coverage it
73 doesn't need a Special Permit.

74 Chair Klemens asked why the plans included only two houses, when another could be planned.
75 Additionally, he asked if this meeting was simultaneously an 8-24 review. LUD Conroy answered
76 that the 8-24 review depends on the conveyance of the property, which has not yet been
77 settled. Engineer Johannesen answered that adding another building would increase the
78 percent of impervious surface coverage. LUD Conroy clarified that the lot can have up to 50%
79 impervious surface coverage because it's in the Multifamily Housing Overlay District. Engineer
80 Johannesen added that the monitoring wells on the property must remain for another ten
81 years.

82 Mr. Harney explained that the Housing Trust has already spoken to the neighbors about the lot
83 having two houses, and the Housing Trust depends on neighbor support. They would prefer to
84 keep the plan for two houses and not go back on what they already got support from the
85 neighbors for. Alternate Member Schiffer pointed out that the possibility of additional units
86 was suggested at the last meeting. She doesn't support abandoning the idea solely based on
87 comments from neighbors.

88 Commissioner Cockerline commented that in the Multifamily Housing Overlay District the units
89 could be within the front yard setback, but only if it's consistent with the neighborhood. He
90 added that he doesn't believe a third unit would fit on the lot unless you moved the other two
91 closer to the front property line. LUD Conroy showed the Commission an arial view of the
92 street. For clarification, Engineer Johannesen explained which trees on the plans are proposed
93 and which are existing.

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94 Alternate Member Schiffer clarified that she had understood that the applicant would explore
95 the feasibility of additional units, but that she is not necessarily suggesting that they modify the
96 plan.

97 LUD Conroy pointed out the monitoring wells on the plan. Commissioner Riva asked what
98 happens if the wells show contamination. Mr. Harney explained that the surface wells are
99 testing clean, but it could be 10 to 20 years before development is possible in that area.

100 Commissioner Cockerline stated that he can accept this application. Commissioner Riva agreed,
101 and added that he would like to see the lot maximized, but “NIMBY” (“Not in My Backyard”) is a
102 factor. He added that this road has had a neighbor dispute before, and he would like to work
103 with the neighbors.

104 LUD Conroy pointed out that the monitoring wells create a unique situation. Chair Klemens
105 replied that the wells are probably the only reason why he could support the application. Vice
106 Chair Shyer accepted the application, but expressed that she is disappointed that it is not the
107 highest and best use of the property. Alternate Member Schiffer agreed, and added that she
108 doesn’t believe “NIMBY” should necessarily be a factor. She expressed that she is disappointed,
109 but it is a good proposal. She strongly felt that it should have been brought to the Commission
110 differently. Chair Klemens agreed that he also is disappointed.

111 The Hearing was opened to public comment at 7:09pm. Alternate Member Allee joined at
112 7:09pm.

113 Affordable Housing Commission member Lee Ann Sullivan joined the hearing at 7:10pm and
114 expressed her support of the Housing Trust. She explained that she understands why the
115 Commission may be disappointed to see only two units but believes the Housing Trust did a
116 good job with the plan given the condition of the property.

117 Bruce Palmer joined the meeting at 7:11pm. His audio did not work, so his questions were
118 typed into the Zoom Chat and read aloud by Chair Klemens. Mr. Palmer asked how one qualifies
119 for these homes. Mr. Harney answered that there is an application on the Housing Trust
120 website. A Housing Trust Board reviews applications based on a number of factors, including
121 income. He added that there are currently two families in line for these houses. Chair Klemens
122 commented that he is confident in the formulas for reviewing applications. LUD Conroy
123 commented that this application is also not taking advantage of any of the Zoning exceptions
124 allowed for affordable housing developments in the Multi-Family Housing Overlay District, such
125 as density bonus.

126 Mr. Palmer asked if locals or non-locals would be eligible. Mr. Harney answered that for these
127 units the Housing Trust is qualifying for State grants, which means the units will be open to non-
128 locals. He added that when the funding source is private, the Housing Trust prefers to go with
129 local candidates. Mr. Palmer asked if this means someone from Millerton, NY could qualify. Mr.

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130 Harney answered that with State funding applicants can be from anywhere, including out-of-
131 state.

132 Mr. Palmer asked for clarification on the time frame and funding for this project. Mr. Harney
133 answered that the environmental monitoring aspect of the project could take another three to
134 six months. The Housing Trust is also applying with other Towns for other grants. Overall, he
135 expressed that it won't be happening anytime soon.

136 Randy McKee joined the hearing at 7:19pm. Mr. McKee asked if the Zoning Setback is 30 feet,
137 why does it matter what setback of the older houses on the street are. LUD Conroy explained
138 that as a Special Permit application the Commission has discretion that they wouldn't normally
139 have. Additionally, in the Multifamily Housing Overly District setbacks can be reduced up to half
140 to match neighboring houses.

141 Mr. McKee explained that the planned driveway is oriented so headlights will come right into
142 the front windows of his house. He added that there's a lot of traffic for a dead-end street, so
143 he doesn't support a third house that would add more traffic. The Commission viewed the map,
144 and Engineer Johannesen pointed out that the driveway is oriented between Mr. McKee's
145 house and his neighbor's, minimizing potential affects as much as possible.

146 Ana Bouchard joined the Hearing at 7:22pm, and explained that her house is 24 Perry Street
147 and her parents' house is 21 Perry Street. Ms. Bouchard asked how many families would be in
148 each of the planned units. Mr. Harney answered that there will be one family per unit. Ms.
149 Bouchard expressed that she would not support a third house on the lot. She also asked if the
150 houses will be for sale or rent. Mr. Harney explained that once an applicant is qualified and
151 accepted, they purchased the house. The Housing Trust retains the land and maintains the
152 grounds. He added that there are deed restrictions that prevent house-flipping, making it
153 affordable forever.

154 Jerry Kadar joined the Hearing at 7:26pm, and explained that he lives across the street. He
155 commented that the Town has a problem with a lack of affordable housing, so he supports the
156 two planned houses. He would not support adding a third.

157 There was no further comment from the public.

158 Mr. Harney announced that he would be happy to spend time with the neighbors who spoke up
159 tonight to acquaint them with the Housing Trust and keep them updated on the project.

160 **Motion:** To close the Public Hearing at 7:28pm.

161 Made by Cockerline, seconded by Riva

162 Vote: 5-0-0

163 The Commission supported acting on the application. Chair Klemens stated that he would like
164 something in the resolution that points out that the monitoring wells constrain what can be

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165 built. Commissioner Cockerline believed that the resolution would be redundant because the
166 application documentation clearly shows the wells.

167 **Motion:** To approve application #2023-0226 / Salisbury Housing Trust (Johannesen) / 17 Perry
168 Street / Special Permit for New Construction Multifamily in the Multifamily Housing Overlay
169 District (Section 405.3) / Map 47 / Lot 37 / while recognizing that there are exceptional
170 constraints on this property limiting this development to two single family houses.

171 Made by Cockerline, seconded by Riva

172 Vote: 5-0-0

173

174 5. #2023-0227 / Marisa Simmons / 37 Undermountain Road / Special Permit for Cottage
175 Bakery Home Occupation (Sections 210.1 & 210.2) / Map 56 / Lot 25 / DOR: 10/16/2023
176 / *Open Hearing and Possible Consideration*

177 Secretary Whalen read the Public Hearing notice at 7:32pm.

178 Marisa Simmons joined the Hearing and explained that she would like to apply for a Cottage
179 Food Operator license, which requires local Planning and Zoning approval. There's a \$50,000
180 revenue cap, and she would like to bake shelf-stable goods such as cakes and cupcakes. She will
181 be delivering most of her goods, but occasionally customers will pick them up. Chair Klemens
182 asked if the blue outline on the submitted aerial photo indicated parking availability, which Ms.
183 Simmons confirmed. Ms. Simmons explained that the building used to be a hairdresser, and it
184 still has a large, commercial-style driveway with plenty of parking.

185 There was no further comment from the Commission or the public.

186 **Motion:** To close the Public Hearing at 7:38pm

187 Made by Cockerline, seconded by Riva

188 Vote: 5-0-0

189 **Motion:** To approve application #2023-0227 / Marisa Simmons / 37 Undermountain Road /
190 Special Permit for Cottage Bakery Home Occupation (Sections 210.1 & 210.2) / Map 56 / Lot 25
191 / DOR: 10/16/2023

192 Made by Cockerline seconded by Riva

193 Vote: 5-0-0

194

195 6. #2023-0229 / McGhee (Ehle) / 254 Housatonic River Road / Special Permit for Vertical
196 Expansion of a Nonconforming Structure (Section 503) / Map 12 / Lot 30 / DOR:
197 10/16/2023 / *Open Hearing and Possible Consideration*

198 Secretary Whalen read the Public Hearing notice at 7:40pm.

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199 Chair Klemens disclosed that he sold this house many years ago, however he doesn't believe it
200 impacts his ability to render an impartial decision. Applicant Rick Ehle joined the meeting and
201 explained that the owners want to put a foundation under the existing sunporch and enclose it
202 to include it in basement space. Additionally, they intend on replacing the roofing and siding
203 and overhauling the house. This includes a deck on the back of the house and a portico over the
204 front door.

205 Chair Klemens commented that since this is work a net improvement it was not referred to the
206 Housatonic River Commission, as was decided at the last meeting. Commissioner Cockerline
207 noted the uniqueness of the vertical expansion for expanding down instead of up. He also
208 noted that the footprint of the building will not be changing.

209 There was no further comment from the Commission or the public.

210 **Motion:** To close the Public Hearing at 7:44pm

211 Made by Cockerline, seconded by Riva

212 Vote: 5-0-0

213 **Motion:** To approve application #2023-0229 / McGhee (Ehle) / 254 Housatonic River Road /

214 Special Permit for Vertical Expansion of a Nonconforming Structure (Section 503) / Map 12 / Lot
215 30 / DOR: 10/16/2023

216 Made by Cockerline, seconded by Riva

217 Vote: 5-0-0

218

219 **New Business Continued**

220 7. #2023-0233 / Hotchkiss School (Hanecak) / Site Plan Modification for Dining Hall
221 Renovations / Map 6 / Lot 8 / DOR: 10/30/2023 / *Reception and Possible Consideration*

222 Commissioner Cockerline recused himself, and Alternate Member Schiffer was seated. Assistant
223 Head of School and Director of Strategic Initiatives Joshua Hahn, Consultant and Project
224 Manager Ken Romeo, and Director of Facilities John Bryant joined the meeting at 7:46pm.

225 Mr. Bryant described the application. The original dining hall building is from 1948 when
226 Hotchkiss was smaller with a different dining model. There are now 593 students on campus,
227 and their dining model has changed. They feel they've outgrown the current space, which is
228 also old and in need of repairs. Their plan includes completely renovating and slightly
229 expanding the building.

230 This design process started with a study in 2016. This study found that the current location of
231 the dining hall is ideal, even though it will make construction more difficult. Temporary dining
232 trailers are being set up to the west side of the tennis building. The dining hall will be offline for
233 three semesters during construction. The plans add about 10,000 square feet. The current
234 building seats 342 people, the new will seat 524. Half the campus community could be seated

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235 at one time. Temporary walkways will be set up so students can circulate around the project
236 during construction. The loading dock will be expanded to three bays. They're hoping to start
237 the project in January, and begin using the new facilities in July 2025.

238 Mr. Hahn showed the Commission renderings of the architecture. He explained the goal of the
239 design is to blend with the surrounding campus. Chair Klemens asked if the temporary facilities
240 have been approved by the Inland Wetlands and Watercourses Commission (IWWC), which LUD
241 Conroy confirmed. Additionally, Chair Klemens commented that given all the site work he
242 would like to have the Town Consulting Engineer review the plans. LUD Conroy explained that
243 she has already had a preliminary discussion with the Town Consulting Engineer, and sent the
244 preliminary plans to Water Pollution Control Authority (WPCA). LUD Conroy asked for
245 clarification on the drainage shown on the plans. Mr. Bryant explained that eventually the
246 stormwater ends up where North Road intersects with Route 41. Chair Klemens asked if it
247 heads towards Sucker Brook, which Mr. Bryant confirmed. Chair Klemens commented that it is
248 one of the few tributaries to Lakeville Lake, and they are concerned with maintaining the
249 integrity of that stream. He added that he's sure Hotchkiss is as well.

250 LUD Conroy commented that she's not sure whether State-level stormwater permitting will be
251 required. Chair Klemens added that the Town Engineer will be able to advise on this. Vice Chair
252 Shyer commented that the Town Engineer should probably review the temporary dining facility
253 first. LUD Conroy replied that he has already done so. LUD Conroy added that since the project
254 could take a few years, the temporary dining facility could be described as a part of this
255 proposal. This way it's still covered once the temporary Zoning Permit expires.

256 Chair Klemens asked what Hotchkiss proposes to do for safety of pedestrians crossing to the
257 temporary dining facilities. Mr. Bryant answered that they will be hiring a full-time crossing
258 guard who will be there for every meal time. They will also install a temporary guard
259 booth/warming shack. Chair Klemens asked that they put the shack on the plans. He also asked
260 how many guards there will be at one time. Mr. Bryant answered that there is usually one
261 guard carrying a lit stop sign or wearing fluorescent gloves. Chair Klemens asked how it will
262 work when the guard needs a break. Mr. Hahn answered that the guards are part of the
263 security team, and are able to radio one another to coordinate breaks.

264 Secretary Whalen asked for clarification regarding the stockpile on the plan. Mr. Bryant
265 answered that they had shown a stockpile on the plans for the temporary dining facility. Based
266 on feedback from the Town Engineer, they're considering moving it to a gravel parking area
267 further from wetlands. They will be discussing it with the construction manager. If there ends
268 up being more cut than there is backfill, the excess material will be trucked away. LUD Conroy
269 added that State-level approvals could be required.

270 Secretary Whalen asked if the crosswalk could benefit from brighter flashing lights. He
271 commented that he feels they're up too high and not bright enough. Mr. Bryant responded that
272 they can talk to the State DOT about the latest and best technology for the crosswalks. Chair

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273 Klemens asked if they could put more warning signage up and down the road. Mr. Bryant
274 responded that they would have to ask the DOT, but temporary signage may be possible. Chair
275 Klemens asked LUD Conroy for clarification regarding the timing of the application. LUD Conroy
276 answered that the Commission has 65 days to act. Chair Klemens stated that the application
277 will be continued to the November 20th meeting.

278 There was no further comment.

279

280 8. #2023-0234 / A Slice of LLC (Capecelatro and Hackett) / Special Permit for Detached
281 Apartment on Single Family Residential Lot (Section 208) / Map 40 / Lot 29 / DOR:
282 10/30/2023 / Consideration of Completeness and Schedule Hearing

283 Attorney Mark Capecelatro and Engineer Pat Hackett joined the meeting. Attorney Capecelatro
284 explained the project to the Commission as the demolition and rebuilding and of a single-family
285 home. The Special Permit part of the project is for an apartment above a detached garage. The
286 plan has been reviewed by the Town Engineer and approved by IWWC with modifications. He
287 explained the profile of the new house is so low that it will be barely visible from the lake.
288 Stormwater runoff has been designed so that there will be very little impact on the lake.

289 Chair Klemens suggested that they keep the Site Plan application together with the Special
290 Permit, and wait to act on the Site Plan until after the Public Hearing. Attorney Capecelatro
291 agreed that would be fine.

292 Engineer Hackett explained the plans to the Commission. The existing house will be
293 demolished, the driveway will move slightly, and a walkway will connect the garage to the main
294 house. The existing septic system is being replaced. Michael Trapp has designed plantings for
295 the buffer area. There is an orchard proposed as well as a number of other plantings.

296 Chair Klemens commented that this plan very close to the 10% impervious surface coverage
297 maximum. Engineer Hackett was confident in his calculations, and pointed out where on the
298 plans they're documented. Chair Klemens commented that he likes the plant list. Alyssa
299 Fournier, representing Michael Trapp, explained that the goal of the planting plan is to add
300 plantings that complement the natural landscape and make it look like it has always been there.
301 She pointed out the different areas shown on the planting plan. Chair Klemens asked Ms.
302 Fournier to elaborate on the pathways shown on the plan. Ms. Fournier explained that there
303 will be mowed pathways to the lake, with no extra masonry elements or woodchips. There will
304 be woodchips in one area located out of the Lake Protection Overlay District.

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305 Alternate Member Schiffer expressed concern about the White Snakeroot featured on the plan.
306 She explained that it's highly toxic to mammals. Ms. Fournier answered that Michael Trapp
307 would likely not be against replacing it with a different native plant.

308 Architect Susan Rodriguez explained the building plans to the Commission. She pointed out the
309 roof on the main house will be a green roof and there will be photovoltaic panels on the garage
310 roof. Chair Klemens asked what the square footage of the house will be. Architect Rodriguez
311 answered that the main house is 3,400 square feet, plus 1,500 square feet for the mechanical
312 and equipment storage areas. The garage apartment 535 square feet, and the garage storage is
313 730 square feet. Chair Klemens pointed out that the house is long, but relatively modest in
314 terms of amount of living space. Architect Rodriguez pointed out that building is almost half the
315 maximum allowed height. Alternate member Schiffer asked if the building has a flat roof.
316 Architect Rodriguez answered that it's sloped slightly away from the lake. Chair Klemens asked
317 about potential light spillage from the building due to the lake side windows. Architect
318 Rodriguez answered that there are no exterior lights planned for the building.

319 Vice Chair Shyer asked for clarification on the walkway from the garage to the main house.
320 Architect Rodriguez explained that after parking in the garage, there's a gently sloping walkway
321 leading from there to the front door of the main house. Vice Chair Shyer asked how the lake will
322 be accessed, since there are no steps on the plan. Architect Rodriguez explained that there's an
323 existing graded landing area which will serve as the access.

324 There were no further questions from the Commission. Chair Klemens reminded the
325 Commission that they won't be taking action the Site Plan application (agenda item 9) until the
326 meeting public hearing for the Special Permit. Attorney Capecelatro asked how this will work
327 structurally during the meeting, since the Hearing is only for the Special Permit part of the
328 project. Chair Klemens answered that the Site Plan discussion will take place later in the
329 meeting, after the Public Hearings. He added that he'll make sure the applications are clearly
330 bifurcated.

331

332 **Motion:** To set a Public Hearing on November 20, 2023 at 5:45pm for application #2023-0234 /
333 A Slice of LLC (Capecelatro and Hackett) / Special Permit for Detached Apartment on Single
334 Family Residential Lot (Section 208) / Map 40 / Lot 29 /
335 Made by Cockerline, seconded by Riva
336 Vote: 5-0-0

337

338 9. #2023-0235 / A Slice of LLC (Capecelatro and Hackett) / Site Plan to Demolish Existing
339 and Rebuild New Single Family Residence and Associated Site Improvements in the Lake

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340 Protection Overlay District (Section 404) / Map 40 / Lot 29 / DOR: 10/30/2023 /
341 Reception and Possible Consideration

342 This item was tabled until the meeting on November 20, 2023.

343

344 **Other Business**

345 10. Construction Update and Consideration of Performance Bonding for Site Development
346 Correction and Compliance with Approval.

347 a. #2022-0160 / Cassidy & Teti / 9 Academy Street / Special Permit - Change of Use to
348 Hotel (Section 205.2) and Use Rendering a Lot More than 30% Impervious in the Aquifer
349 Protection Area (Section 403.4.c.) / Map 54 / Lot 74 / DOR: 02/07/2022

350

351 LUD Conroy explained that a Special Permit was issued in 2022 for Change of Use to Hotel.
352 There was a mistake made in the original application's calculations, which created a
353 discrepancy in regards to lot coverage. The property is located in the Aquifer Protection Overlay
354 District. Small changes to paving cumulatively created relatively large changes to impervious
355 surface coverage calculations. She discussed potential resolutions with the owner, who
356 ultimately decided on the removal of some of the unapproved paving. Chair Klemens asked if
357 another as-built survey will be required. Owner Aiden Cassidy confirmed that they will resubmit
358 a survey after the work is completed. Chair Klemens asked what else is needed. Mr. Cassidy
359 offered a performance bond estimate of \$2500 to complete the work. LUD Conroy explained
360 that typically the last thing she's waiting for is the as-built survey. In the past, bonds were not
361 accepted for the survey given the chance something could be installed in the wrong location.
362 This situation is somewhat different, so she is requesting input from the Commission. Chair
363 Klemens summarized that Mr. Cassidy could either go back to the Commission with a new
364 application, or pull out the excess paved areas to make it comply with what the Commission
365 initially approved (shown with an as-built survey). He added that the question of the Bond for
366 the work still remains. Chair Klemens believed that the Bond should cover everything the Town
367 would have to incur in the event the owner abandoned the project, which would be around
368 \$4,000. LUD Conroy explained that a temporary CO would be issued contingent on the work
369 being resolved, and a timeframe for this work would be needed. Chair Klemens commented
370 that Temporary COs are typically six months. Mr. Cassidy commented that three months should
371 be more than sufficient.

372 The Commission agreed that this change would not warrant new permitting.

373

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374 11. Minutes of March 20, 2023

375 Line 89 – Change “west” to “east”

376 Line 64 – Add “Selectman” before “Chris”

377 Line 66 – Delete “under Section 8-24 of municipal improvements”

378 Line 186 – Change “recites” to “reads”

379 Line 227 – Add “with the rest of south shore road” after “consistent”

380 Line 72 – Add “with” before “construction”

381 Line 84 – Replace “,” with “and”

382 Line 96 – Replace “,” with “and”

383 Line 123 – Replace “,” with “and”

384 Line 263 – Replace “,” with “and”

385 Line 84 – Replace “orchestrated” with “conducted”

386 **Motion:** To approve the minutes of March 20, 2023 as amended.

387 Made by Klemens, seconded by Riva

388 Vote: 5-0-0

389

390 *Agenda Items 12, 13, and 14 (Minutes of April 3, April 17, and May 1) were skipped.*

391

392 15. Minutes of May 15, 2023

393 Line 12 – Add “(minutes)” after “18”

394 Line 30 – Delete “,” after “irregularities”

395 Line 230 – Replace “attached” with “attach”

396 Throughout – Replace “LUA” with “LUD”

397 Line 123 – Replace “data” with “table” and “layer” with “sheet layer”

398

SALISBURY PLANNING AND ZONING COMMISSION
SPECIAL MEETING MINUTES
October 30th, 2023 - 6:30pm

Remote Meeting by Live Internet Video Stream and Telephone

399 **Motion:** To approve the minutes of May 15, 2023 as amended.

400 Made by Cockerline, seconded by Shyer

401 Vote: 5-0-0

402

403 **Adjournment**

404

405 **Motion:** To adjourn the meeting at 9:09pm

406 Made by Cockerline seconded by Shyer

407 Vote: 5-0-0

408

409 Chair Klemens announced that this meeting was Alternate Member Allee's last meeting, and
410 recognized her for her service to the Commission.

411

412

413 Respectfully Submitted,

414 Miles Todaro

415 Land Use Technical Specialist