

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

January 16th, 2024 5:30PM

Remote Meeting by Live Internet Video Stream and Telephone

1 **Members Present:**
2 Dr. Michael Klemens (Chair)
3 Vice Chair Shyer (Vice Chair)
4 Martin Whalen (Secretary)
5 Allen Cockerline (Regular Member)
6 Bob Riva (Regular Member)
7 Danella Schiffer (Alternate Member)
8 Beth Wells (Alternate Member)

Members Absent:

Staff Present:
Abby Conroy, Land Use Director (LUD)
Miles Todaro, Land Use Technical Specialist (LUTS)

9
10 **Brief Items and Announcements**

11 1. Call to Order / Establish Quorum
12 Chair Klemens called the meeting to order at 5:30PM. A quorum was established with four
13 regular members present (Dr. Michael Klemens, Martin Whalen, Allen Cockerline and Bob Riva).
14 Alternate Members Beth Wells and Dr. Danella Schiffer were also present.

15
16 2. Approval of Agenda
17 **Motion:** To approve Agenda.
18 Made by Cockerline, seconded by Riva.
19 Vote: 4-0-0 in favor.

20
21 3. Minutes of January 2, 2024 - *pending*

22
23 **Pending Business**

24 4. #2023-0233 / Hotchkiss School (Hanecak) / Site Plan Modification for Dining Hall Renovations / Map 6
25 / Lot 8 / DOR: 10/30/2023 / *Possible Consideration*

26
27 Commissioner Cockerline recused himself from voting. LUD Conroy explained that the Commission was
28 waiting for additional information pertaining to the decommissioning of temporary kitchen facilities,
29 updates regarding correspondence with Connecticut Department of Transportation (DOT), and the
30 temporary shed for crossing guards to be included on the plans. Director of Facilities (DOF) John Bryant
31 and Senior Project Manager Ken Romeo joined the meeting to represent the application. DOF Bryant
32 introduced Engineer Charles Croce, a representative from Tighe and Bond Consulting, to address any
33 questions regarding decommission plans. DOF Bryant reviewed a location plan for the warming hut,
34 which will be on school property near the crosswalk. School carpenters built a 6x6x10 foot heated shed.
35 DOF Bryant also presented the decommissioning plan which indicated the trailers will be removed and
36 the site will be regraded. The temporary dining area will be converted back into three tennis courts.

37
38 LUD Conroy reviewed the resolution she had drafted with Chair Klemens and asked if a time frame was
39 established for completing the decommissioning plan. She also mentioned that once the trailers are
40 moved revegetation will be required.

41
42 Vice Chair Shyer joined the meeting at 5:36PM.

43
44 DOF Bryant explained this transition may take time as the temporary dining facilities must remain open
45 until the new kitchen is built and can efficiently serve food. He estimated in August 2025 there will be a
46 transition to begin permanent serving and dining. Afterwards, the trailers will be removed first, then the

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47 connector built between trailers, then concrete blocks installed below to allow the site to be regraded,
48 which will allow for the conversion of the building interior back to its former use. LUD Conroy asked if
49 they anticipate the site to be completely restored by Thanksgiving 2025, DOF Bryant replied yes.

50

51 LUD Conroy explained the resolution and conditions. Chair Klemens asked if the estimated time of
52 completion for this project is eighteen months. DOF Bryant replied yes if all goes well. Chair Klemens
53 asked if the Commission had concerns that this project may exceed the anticipated eighteen-month
54 duration. All members replied no. LUD Conroy suggested adding verbiage to the resolution to indicate
55 that within six months of completing the Dining Hall renovations, temporary accommodations must be
56 removed and the site restored. The Commission agreed.

57

58 **Public Hearings 5:45PM**

59 5. #2023-0237 / Lime Rock Park II, LLC / 497 Lime Rock Road / Special Permit Application for Up to 25
60 Private Events Per Year Not Customary or Incidental to a Track for Racing Motor Vehicles / Map 4 / Lot
61 16 / DOR 11/20/2023 / Open Hearing 1/16/2024 / *Open Public Hearing, Possible Consideration*

62

63 The public hearing opened at 5:46PM. Secretary Whalen read the legal notice. Secretary Whalen recused
64 himself from voting and Chair Klemens appointed Alternate Member Schiffer as voting member.

65

66 Chair Klemens explained that the Commission received fifteen letters from the public as of 12PM
67 January 16th. These were uploaded to the Planning & Zoning web page. Chair Klemens listed the letters
68 as follows:

69

70 *Dated January 11th*

71 Ceely Ackerman

72 Mary Bush

73 Jocelyn Cohen

74 Victor Germack

75 Rick and Dale Malkames

76 Richard Rippe

77 Lori Shepard

78

79 *Dated January 12th*

80 Lime Rock Citizens Council

81 Harriet Fried/David Schwartz

82 Douglas Howes

83 Lisa Keller

84

85 *Dated January 16th*

86 Inge Heckel

87

88 Of these letters, Chair Klemens explained that he will only read the letter from the umbrella organization
89 Lime Rock Citizen Council (LRCC) into the record. This was specifically requested by LRCC who represent
90 the interests of at least 200 concerned citizens. Chair Klemens explained that all of the other letters are
91 part of the public record and have the same gravitas as if they had been read out loud. After the
92 presentation by LRP and Commissioners questions he will ask for a show of hands of those who wish to

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93 speak. Chair Klemens outlined guidelines for comments:

94

95 1. In order to comply with fundamental fairness and transparency, all attendees must clearly be
96 labeled with their first and last name if they raise their hand and wish to address the Planning &
97 Zoning Commission. In addition, when speaking each person will clearly state their first and last
98 names.

99

100 2. Chair Klemens will first recognize those individuals who wish to speak who have not submitted
101 written testimony.

102

103 3. Chair Klemens will then recognize those individuals who have written letters to offer any
104 additional thoughts beyond what is contained in their letters. Chair Klemens strongly discourages
105 reading letters verbatim.

106

107 4. Chair Klemens reserves the right as Chair to request presenters comply with these guidelines.

108

109 Chair Klemens explained that after reviewing the twelve letters submitted to date, one common theme
110 is that people are confused by the Track's two letters of October 30th and November 22nd and the
111 subsequent public notice. When this application was received, Chair Klemens asked for clarity as to
112 whether these events were customary and incidental to a track for racing motor vehicles. The notice that
113 was read at the opening of this hearing is the operative text and these 25 events are not customary and
114 incidental to a track for racing motor vehicles. If these events were customary and incidental to a track
115 for racing motor vehicles, they would not require a special permit.

116

117 Chair Klemens explained that this public hearing will be continued to the February 20th regular meeting
118 for two reasons. The first being the closure of Town Hall at 12:30PM this afternoon due to weather
119 which may have impeded the ability of citizens to present letters into the hearing record. The second is
120 that Lime Rock Park must be afforded the time to respond to the oral and written testimony while the
121 public hearing is open.

122

123 President and CEO of Lime Rock Park (LRP) Dicky Riegel joined the meeting and introduced Director of
124 Events Emily Riess, who was also present to represent the application. CEO Riegel addressed social
125 events hosted at LRP. These include gatherings such as weddings, anniversaries, reunions, birthdays, or
126 other private group meetings hosted by LRP, and are primarily served by their in-house park provisions
127 catering group. Often hosts of these social events have been participants, race fans or those who enjoy
128 the natural beauty of LRP. CEO Riegel explained in conversation with the Commission this past fall, that a
129 handful of these events have occurred, including one small wedding of 50 people in 2023. CEO Riegel
130 explained that LRP should have applied for a special permit for the wedding, but at the time was under
131 the understanding this event was customary to a Race Track as it was being hosted by racers involved
132 with the park. After further discussion with the Commission, LRP was encouraged to submit a special
133 permit application for blanket permission for these small social events of 20-50 people in order to avoid
134 holding public hearings for each activity. CEO Riegel noted in the application that every event, including
135 all under the special permit, will conform to noise regulations to ensure there is no disruption to
136 neighbors. Events are generally held at the infield area of LRP which is furthest away from abutting
137 neighbors and roads, further limiting disruption. CEO Riegel thanked the Commission and public for their
138 consideration.

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Chair Klemens asked if LRP would continue to consider events such as the wedding customary and incidental. CEO Riegel clarified no, this was a previous mistake made in the original application. Their goal was to specify the demographic of people who seek to have a private social event at the park.

Vice Chair Shyer asked how many events were hosted in 2023 and 2022 that would have fallen under this blanket application. CEO Riegel replied one wedding event in 2023, and two or three events in 2022. Vice Chair Shyer asked if LRP has denied any event requests. CEO Riegel replied that they have denied several, including a recent request for a Halloween fun house intended to be erected for one month. LRP felt this event would be considered disruptive to the neighborhood.

Alternate Member Schiffer expressed concern that this proposal is based upon an assumption that any individual seeking to host an event at LRP is either an enthusiast or involved with the park. Alternate Member Schiffer expressed further concern that important parameters have not been delineated, such as maximum number of attendees and defining on which days events are allowed. CEO Riegel replied they are happy to delineate parameters as requested in order to conform with all Commission requests. CEO Riegel reiterated the events they anticipate hosting will not be disruptive. Alternate Member Schiffer retorted that weddings can be noisy, and CEO Riegel acknowledged specific language could be included to cease events at required hours. He reiterated that these events will occur on their infield property location far away from Route 112 and White Hollow Road.

Commissioner Cockerline asked if LRP possessed a list of people interested in events. CEO Riegel replied no, requests typically occur throughout the year. Commissioner Cockerline asked if LRP would be amenable to restricting the number of people attending, and establishing an evening cutoff time for these events. CEO Riegel agreed providing these restrictions is reasonable. Commissioner Cockerline asked if events will primarily be hosted on Sundays, as it is an addition to normal track activities. CEO Riegel replied on the contrary, the park typically does not have an evening or lunchtime activity in conjunction with a track activity, and the location of these events can even occur privately on the hillside while racing is in progress on the track. Commissioner Cockerline asked how many people the chalet building accommodates. CEO Riegel replied around fifty. Commissioner Cockerline asked if LRP would be comfortable limiting the number of private events per year from twenty-five to ten or fifteen. CEO Riegel replied yes.

Commissioner Riva asked if LRP has the ability to schedule events any day of the week. CEO Riegel replied they are open seven days per week but strictly comply with regulations that prohibit track activities on Sundays, although private events could still occur then. Chair Klemens asked if LRP would agree to avoid hosting private events on Sundays. CEO Riegel replied no, due to lack of racing activity the lack of noise and activity could be ideal for quiet gatherings such as family reunions or funerals.

LUD Conroy asked the Commission if a written response from LRP composed for the upcoming meeting is desired, which should acknowledge compliance to the Commission's requests. Chair Klemens commented that a response from LRP is advised due to the extensive correspondence from the public. Vice Chair Shyer asked when LRP received copies of the letters from the public. LUD Conroy replied this afternoon. Alternate Member Schiffer added she is in support of Commissioner Cockerline's suggestion to reduce the number of events to better anticipate if these events are publicly disruptive.

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185 Chair Klemens opened the floor to the public for comments and questions. Member of the public Doug
186 Howes joined the meeting and asked if a document that reflects LRP's noise regulations could be
187 presented. Chair Klemens replied noise regulations are managed by Torrington Area Health District
188 (TAHD), and CEO Riegel may be referring to an informal agreement composed with neighboring
189 properties. Member of the public Peter Wolf joined the meeting and noted his concerns are expressed in
190 the letter composed by LRCC. Chair Klemens read the letter to the Commission.

191
192 Member of the public Victor Germack joined the meeting and thanked the Commission. Mr. Germack
193 commented that the current system to acquire special permits has worked well and does not burden the
194 Commission. He expressed concern that these events do not involve motor vehicle racing, which is
195 therefore a subversion of the general permit LRP received. Mr. Germack shared further concern that
196 violations will occur, and questioned if LRP should be monitored for compliance and how enforcement
197 will be handled. Mr. Germack mentioned previous events hosted at LRP on Sundays were non-profit
198 events that benefited the community. He added private events will not benefit the community, and
199 urged the Commission to reject this application.

200
201 Member of the public Lori Shepard joined the meeting. Ms. Shepard added that private event planning is
202 often scheduled far in advance, which allows ample time to apply for special permits. Ms. Shepard
203 further expressed opposition to hosting private events due to noise and traffic. She also suggested
204 altering the yearly limit to a maximum of three events to better anticipate how this new use affects the
205 community. Member of the public Inge Heckel joined the meeting and said the Commission has
206 appropriately requested more information, and hoped there will be time to allow LRP to compose a
207 more sustainable proposal. Chair Klemens replied this application will be continued to an upcoming
208 meeting to allow for continuance of public correspondence. Member of the public Terry Dunne joined
209 the meeting. Ms. Dunne expressed support for LRP, encouraged implementing a rule to restrict use of
210 amplifier and speaker systems on Sundays, and questioned how construction of a nearby hotel will
211 interfere in the future. There were no further comments or questions from the Commission or public.

212
213 **Motion:** To continue the public hearing on February 20th 2024, at 5:45PM via Zoom.
214 Made by Cockerline, seconded by Shyer.
215 Vote: 5-0-0 in favor, with Secretary Whalen recusing himself.

216
217 6. EV Charging Station Regulation Amendment / Town of Salisbury / *Open Public Hearing, Possible*
218 *Consideration*

219
220 The public hearing opened at 6:52PM. Secretary Whalen read the legal notice and was reappointed as a
221 voting member in place of Alternate Member Schiffer. LUD Conroy showed the Commission the draft
222 regulations and explained that based on the Town's current "structure" definition, electric vehicle (EV)
223 charging stations are subject to setback requirements. This is contradictory to practical use as charging
224 stations are typically in proximity to parking lots and driveways, which do not have setback
225 requirements. LUD Conroy and Chair Klemens drafted a regulation amendment that creates a distinction
226 between charging stations and other structures, accounts for accessibility, and includes statutory
227 requirements. This only applies to charging stations that are publicly accessible, not for a homeowner
228 who wishes to install a charging station on their property for personal use. LUD Conroy explained the
229 regulation was referred to Northwest Hills Council of Governments (NHCOG) for review. NHCOG
230 indicated they did not find the change to be regionally significant, and applauded the Town's efforts to

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231 increase EV capacity.

232

233 Alternate Member Schiffer asked what manufacturer will be used to provide the charging stations. Chair
234 Klemens replied federal guidelines will be followed to create stations designed to allow accessibility for
235 all EVs, not just one specific manufacturer.

236

237 Chair Klemens opened the floor to the public for comments and questions. Member of the public Robert
238 Schaufelberger joined the meeting. Mr. Schaufelberger introduced himself as a member of the Salisbury
239 Economic Development Committee (SEDC) and confirmed a project of theirs has been to help the Town
240 steward the process of getting EV chargers set up at the Grove. Mr. Schaufelberger asked for further
241 explanation of the remark regarding the 10% minimum of parking spaces designated for EV charging.
242 LUD Conroy replied this percentage is a statutory requirement, and Chair Klemens explained this results
243 in a foundational issue at the Grove due to the parking lot being primarily unpaved with no formal
244 striping.

245

246 Vice Chair Shyer asked if the paved and striped section of the parking lot abutting the senior center
247 could be utilized for EV charging stations. Mr. Schaufelberger replied the SEDC was urged not to use
248 those spaces as they are often occupied by users of the senior center, and building in this area would
249 require trenching under the paved areas, which raises costs higher than if implemented in the currently
250 proposed location near the paddleball courts. Mr. Schaufelberger added that the requirement of 10%
251 minimum parking spaces is burdensome and out of sync with how many EVs are present in Town. He
252 expressed there is already concern about taking too many spaces at the Grove and requiring more EV
253 spaces could encourage conflict, especially during high-traffic summer months. Commissioner Cockerline
254 suggested adding verbiage to specify “any new parking lot” as the Grove is an existing parking lot.
255 Commissioner Riva suggested “any new or increased parking spaces.” Chair Klemens suggested retaining
256 the inclusion of a percentage, especially if the lot is being restructured. He also advised LUD Conroy that
257 the draft resolution should be revisited. LUD Conroy understood Mr. Schaufelberger’s concerns and
258 planned to rework the document and revisit the statute that applies to multi-unit residential buildings.
259 Chair Klemens stated the regulations will be revised and acknowledged at the next upcoming regular
260 meeting.

261

262 Member of the public Lee Ann Sullivan joined the meeting and introduced herself as a member of the
263 Salisbury Affordable Housing Commission and Dresser Woods Advisory Neighborhood Group. Ms.
264 Sullivan asked if installing the complete EV charging station is required or if running the power for a
265 future station is acceptable. Chair Klemens replied that complete EV charging stations will be required.

266

267 **Motion:** To continue public hearing on February 5th 2024, at 5:45PM via Zoom.

268 Made by Cockerline, seconded by Shyer.

269 Vote: 5-0-0 in favor.

270

271 **Pending Business**

272 4. #2023-0233 / Hotchkiss School (Hanecak) / Site Plan Modification for Dining Hall Renovations / Map 6
273 / Lot 8 / DOR: 10/30/2023 / Possible Consideration

274

275 Commissioner Cockerline recused himself, and Chair Klemens appointed Alternate Member Schiffer as a
276 voting member. CEO Bryant rejoined the meeting and reviewed the resolution. There were no further

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277 comments or questions from the Commission.

278

279 **Motion:** To approve application #2023-0233 / Hotchkiss School (Hanecak) / Site Plan Modification for
280 Dining Hall Renovations / Map 6 / Lot 8 / with the conditions in the following resolution.

281

282 Whereas, on October 26, 2023 the Hotchkiss School filed an application for Site Plan Modifications for
283 Dining Hall Renovations and associated site improvements;

284 Whereas, the date of receipt of the site plan application is October 30, 2023 and a decision on an
285 application for approval of such site plan shall be rendered not later than sixty-five days after receipt of
286 such site plan;

287 Whereas, at the January 2, 2024 meeting of the Planning & Zoning Commission requested an extension
288 of time not to exceed sixty-five days. At that meeting, the applicant agreed to an extension to the
289 January 16, 2024 meeting. Additionally, the applicant provided that extension in writing;

290 Whereas, the site consists of multiple parcels, Assessor's Map 6 Lot 8 (11 Interlaken Road), located in the
291 LA Zone, and Assessor's Map 6 Lot 9 (22 Lime Rock Road) in the RR3 Zone;

292 Whereas, the principal use of the site is as an educational institution. The main campus and dining hall
293 are located on the 11 Interlaken Road parcel, with accessory uses that consist primarily of athletic and
294 maintenance facilities located at 22 Lime Rock Road;

295 Whereas, the Application included:

296 Civil-Site Engineering drawings as submitted by Tighe & Bond, dated 2/25/21, revised 12/14/23. Scale as
297 noted, to include the following sheets:

298 a. General Notes, Standard Abbreviations, and Legend, Sheet C0-01

299 b. Site Utility Demolition Plan, Sheet C0-02

300 c. Overall Site Utility Plan, Sheet C1-00

301 d. Stormwater Management, Sheet C1-01

302 e. Stormwater Management Enlargement, Sheet C1-02

303 f. Site Utility Plan, Sheet C2-01

304 g. Grading Plan, Sheet C3-01

305 h. Soil Erosion & Sedimentation Control Plan, Sheet C4-01

306 i. Soil Erosion & Sedimentation Control Details, Sheet C4-02

307 j. Drainage Details-1, Sheet C5-01

308 k. Drainage Details-2, Sheet C5-02

309 l. Drainage and Sanitary Sewer Details, Sheet C5-03

310 m. Sanitary Sewer and Water Service Details, Sheet C5-04

311 n. General Information & Work item Legend, Sheet L000

312 o. Landscape Demo Plan, Sheet L001

313 p. Landscape Layout Plan: Overall, Sheet L100

314 q. Landscape Layout Plan: South Enlargement, Sheet L101

315 r. Landscape Layout Plan: North Enlargement, Sheet L102

316 s. Landscape Soils Plan, Sheet L103

317 t. Site & lighting Details, Sheet L200

318 u. Soil & Landscape Details, Sheet L201

319

320 2. Stormwater Management Report, December 15, 2023 as prepared by Tighe & Bond, Pages 1-238.

321 3. Letter dated 12/15/23 prepared by Tighe & Bond, in response Town Consulting comments includes
322 sizing of the proposed Grease Trap and the Oil Water Separator.

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- 323 4. Restoration Plan as submitted by SLR Consulting, dated 1/12/24 and subsequently revised, dated
324 1/16/24;
- 325 Whereas, the Applicant has received a permit for regulated activity 2023-IW-020 from the Inland
326 Wetlands & Watercourses Commission (IWWC) granted with conditions on October 23, 2023;
327 Whereas, this resolution incorporates by reference all of the conditions of permit 2023-IW-020 permit
328 granted by the IWWC;
- 329 Whereas, the proposal is to conduct a complete renovation of the existing Dining Hall and install
330 associated site and drainage improvements. The anticipated construction duration is approximately 18-
331 months during which time temporary dining accommodations located at the Ford Tennis Courts at 22
332 Lime Rock Road will be used. Following completion of the Dining Hall renovations, the temporary kitchen
333 and dining accommodations at the Ford Tennis Courts will be removed and site restored.
- 334 Whereas, use of the Ford Tennis Courts as a temporary dining facility results in a substantial increase in
335 pedestrian crossings across route 44. The proposal includes a temporary crossing guard shelter and
336 increased presence of crossing guards to facilitate safe pedestrian crossings.
- 337 Whereas, the applicant has corresponded with the CT DOT to determine and install additional crossing
338 safeguards as possible and permitted by CT DOT.
- 339 Whereas, the Applicant has (in consultation with the Commission’s Consulting Engineer) revised the site
340 plans for consistency and to manage effectively stormwater on the site;
- 341 Whereas, the Commission’s Consulting Engineer concurred on December 22, 2023 that the applicant has
342 addressed “all of our engineering comments” and “take[s] no exception with the drainage analysis as
343 revised” provided certain standard conditions of approval are included in this resolution;
- 344 Whereas, the Commission finds that, with the conditions set forth below, the application satisfies the
345 requirements of the Zoning Regulations;
- 346 Now therefore be it resolved that, application #2023-0233 for site plan modification for dining hall
347 renovations is approved, as the Applicant has taken necessary steps to minimize the impacts of the use
348 and stormwater; and
- 349 Resolved that the modified site plan is approved with the following conditions:
- 350 1. Submit revised Engineering Plans to the Town Engineer for review/approval.
351
 - 352 2. Final approved plans shall have live signature and embossed seal of the Engineer and Surveyor of
353 record. These shall be submitted to the Town of Salisbury Land Use Administrator prior to any
354 construction.
355
 - 356 3. The Applicant’s Engineer shall provide an Erosion and Sedimentation Control Measures Bond
357 Estimate, which shall be reviewed and approved by the Town Engineer. The Town Engineer shall
358 set the final bond amount. The Bond shall be a cash bond payable to the Town of Salisbury.
359
 - 360 4. A Pre-Construction Meeting is required prior to the start of construction to inspect E & S control
361 measures and to discuss construction sequencing/phasing. Those in attendance shall include but
362 is not be limited to a representative from the Land Use Office, Town Consulting Engineer, Design
363 Engineer, Third-Party Erosion Control Inspector, General Contractor, Site Contractor.
364
 - 365 5. The applicant shall hire a Third-Party State of Connecticut Licensed Professional Engineer or a
366 Certified Professional in Erosion & Sedimentation Control, to inspect all phases of the Site work
367 and provide a monthly report with photographs to the Land Use Administrator.
368

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- 369 6. During the construction process, the Owner/Developer/Contractor shall add erosion and
370 sedimentation control measures as deemed necessary by the Town of Salisbury staff and/or the
371 Consulting Town Engineer
372
- 373 7. Daily inspections and required maintenance of all erosion & sedimentation control measures
374 shall be completed by the General Contractor until a permanent vegetated cover is established.
375 Repairs shall be made immediately after inspections.
376
- 377 8. Inspection requirements, by the Consulting Town Engineer, shall be determined by the
378 Commission.
379
- 380 9. An As-Built Site Improvement and Grading Plan, prepared by a State of Connecticut Registered
381 Land Surveyor, shall be submitted to the Land Use Administrator after all the site work is
382 completed, and prior to requesting a Certificate of Occupancy.
383
- 384 10. A final site inspection shall be completed by the Land Use Administrator and/or the Consulting
385 Town Engineer prior to the release of the Erosion & Sedimentation Control Bond and/or the
386 issuance of a Certificate of Occupancy.
387
- 388 11. No building or demolition permits may be issued or work commence until the applicant is in
389 compliance with the terms and conditions of Inland Wetland Permit 2023-IW-020, temporary
390 zoning permit ZP-23-11, and all applicable preconstruction requirements of this permit have been
391 met.

392 Made by Shyer, seconded by Riva.

393 Vote: 5-0-0 in favor, with Commissioner Cockerline recusing himself.
394

395 **New Business**

396 7. #2024-0237 / Huestis Tucker Architects (Robert Tucker) / 177 Interlaken Road / Special Permit
397 Application for an Apartment on a Single-family Lot and Site Development in the Lake Protection Overlay
398 District (Section 208 and 404) / Map 40 / Lot 45 / DOR: 01/16/2024 / *Reception and Scheduling of Public*
399 *Hearing*
400

401 Commissioner Cockerline was reappointed as voting member in place of Alternate Member Schiffer.
402 Architect Robert Tucker from Huestis Tucker Architects joined the meeting to represent the application.
403 LUD Conroy showed the Commission the revised site plans received this afternoon. Included in the
404 application was a more detailed narrative regarding the proposal and how it complies with zoning
405 regulations. Chair Klemens asked if approval from TAHD was received for the septic system. Architect
406 Tucker replied that plans have been submitted for review and are awaiting approval.
407

408 LUD Conroy pointed out the property has a pre-existing garage that does not comply with setback
409 requirements. The proposal involved removal of the non-confirming structure and replacing it with a
410 structure that does comply, as well as alterations to the driveway and impervious surfaces. Architect
411 Tucker commented impervious surface plans have changed and they intend to keep the same quantity
412 of impervious surface as the existing at 13.4%. Architect Tucker added the new garage and guest house
413 will have the same footprint as the existing garage, but will be relocated to fit within setback
414 requirements.

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Motion: To schedule public hearing for application #2024-0237 / Huestis Tucker Architects (Robert Tucker) / 177 Interlaken Road / Special Permit Application for an Apartment on a Single-family Lot and Site Development in the Lake Protection Overlay District (Section 208 and 404) / Map 40 / Lot 45 / on February 20th 2024, 5:45PM via Zoom.
Made by Cockerline, seconded by Riva.
Vote: 5-0-0 in favor.

8. #2024-0238 / Salisbury Housing Committee (Halle/Haley Ward) / Special Permit Application for “Dresser Woods” 20-Unit Affordable Multi-Family Housing in the Multi-Family Housing Overlay District (Section 405) / North End of Rail Road Street / Map 56 / Lot 56 / DOR: 1/16/2024 / *Reception and Scheduling of Public Hearing*

Engineer Todd Parsons of Lenard Engineering and Peter Halle of the Salisbury Housing Committee (SHC) joined the meeting to represent the application. Mr. Halle provided a brief overview of the application. In May 2022 Jim Dresser donated 5.3 acres of land to SHC. In July 2022, a Town vote granted access over the Rail Trail to that property, approved with a vote of 291 in favor to 50 opposed. They proceeded with the pre-development stage, hired Architects Erin Benken and Thomas Arcari of QA+M Architecture, and created an advisory group to assist with neighborhood perspective and guidance. Mr. Halle said that approval was recently received from the Inland Wetlands & Watercourses Commission.

Engineer Parsons presented the site plan. He explained the project is located at the north end of Rail Road Street, the property is 5.32 acres in the R10 zone, and is located in the Multifamily Housing Overlay District. North of this property is largely undeveloped land, to the west is the Rail Trail, to the south are neighborhoods, and to the east is open space. Engineer Parsons explained that based on density calculations the site could possess up to sixty units, but they are instead proposing nine buildings with twenty units total. Each building has two units, with the exception of Building #7 on the eastern side of the site with four units. Engineer Parsons explained provisions for EV chargers were developed, but modifications may be needed based on the recent prospective regulation amendment. The site would be served by both public sewer and water, with a storm water management system in place featuring rain gardens and subsurface detention to reduce peak flow. Engineer Parsons said a Stormwater Management Report, Architectural Package, Traffic Report, Erosion Control Plan, Planting Plan, Density Calculations and a memo explaining how the number of parking spaces was established was submitted for review at the upcoming hearing. Prior to approval from the Inland Wetlands & Watercourses Commission, an outside review by Town Consultant Tom Grimaldi was requested and all concerns have been resolved.

Chair Klemens asked for confirmation that there is seventy-five feet of protection around the vernal pool on the property. Engineer Parsons replied yes, the buildings are all beyond one-hundred feet of the pool. There will be minor grading impacts during construction, but afterwards the areas will be predominantly restored. Chair Klemens asked if a wildlife exclusion fence will be installed. Engineer Parsons replied yes, a permanent fence runs between the seventy-five and one-hundred-foot lines, and the site will be completely surrounded with silt fence for temporary impacts. Engineer Parsons presented a schematic diagram of the proposed fifteen-inch-tall wildlife fence. Chair Klemens requested the fence height be increased, and noted thirty inches in height is ideal. Chair Klemens asked if they have committed to restoration using non-cultivar native species. Engineer Parsons presented the planting plan and

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461 explained some cultivars are proposed as foundation plantings. Chair Klemens reviewed the list, noted
462 the majority of plantings appear to be cultivars, and requested the plans be revised and possibly altered
463 with native species.

464

465 Commissioner Cockerline asked if the property is located within the Historic District, Engineer Parsons
466 replied he does not know and will confirm. Vice Chair Shyer asked for clarification on efficient
467 emergency vehicle access to all buildings on this property. Engineer Parsons indicated an area of wide
468 sidewalk was installed at the request of the Fire Marshal for truck access.

469

470 Alternate Member Schiffer complimented the landscaping plan and asked if an underground watering
471 system will be utilized. Engineer Parsons replied no, an irrigation system is not proposed. Alternate
472 Member Schiffer asked if town water will be used for plantings, which Engineer Parsons confirmed.
473 Alternate Member Schiffer asked if the plans included manicured lawns. Engineer Parsons replied yes,
474 the anticipated area of lawn may total around one acre. Chair Klemens requested the location of
475 manicured lawns be indicated on the site plan.

476

477 Alternate Member Wells asked for confirmation of ten parking spaces present. Engineer Parsons replied
478 there are twenty paved spots and eleven on a proposed grass paver system. Alternate Member Wells
479 asked for the height of the buildings. Engineer Parsons replied there is a mixture of one and a half to two
480 story buildings. Alternate Member Wells asked if the structures resemble town-houses. Engineer
481 Parsons replied they appear more as a farm-house style, and Commissioner Riva noted the appearance
482 will be unique. Alternate Member Wells asked if tenants may drive directly to the structure furthest
483 from the parking area, Building #7. Engineer Parsons replied the only vehicular access intended for this
484 walkway was emergency access. Mr. Halle noted the distance from the parking area to Building #7 is
485 about one-hundred feet, and Engineer Parsons said discussion can occur with SHC and the property
486 owner to specify how to best utilize this walkway without affecting the site plan.

487

488 Vice Chair Shyer asked where the laundry facility is located. Engineer Parsons replied a laundry facility is
489 not proposed. Chair Klemens asked why it was not proposed and noted there are no laundromats in
490 Salisbury. Mr. Halle replied the decision was a function of expense and space, but the idea could be
491 discussed. Architect Tom Arcari joined the meeting and confirmed that each unit will have an individual
492 hookup for a washer and dryer, but a communal laundry room is not included in the proposal. Architect
493 Arcari said a detailed presentation of the architecture will occur at the upcoming public hearing, and
494 added they have gone to great lengths to adhere to historic district guidelines and detailing architecture
495 that is congruous with the community.

496

497 **Motion:** To schedule a public hearing for #2024-0238 / Salisbury Housing Committee (Halle/Haley Ward)
498 / Special Permit Application for "Dresser Woods" 20-Unit Affordable Multi-Family Housing in the Multi-
499 Family Housing Overlay District (Section 405) / North End of Rail Road Street / Map 56 / Lot 56 / on
500 February 20th 2024, at 5:45PM via Zoom.

501 Made by Cockerline, seconded by Shyer.

502 Vote: 5-0-0 in favor.

503

504 **Other Business**

505 9. Correspondence

506 a. Letter from Robin Roraback 1/7/2024

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507

508 Chair Klemens presented a letter of correspondence from member of the public Robin Roraback for the
509 Commission to review. Vice Chair Shyer asked if Commissioners could perform a site visit to the subject
510 property. LUD Conroy replied yes, it is Town property and Commissioners may visit at any time.
511 Alternate Member Schiffer asked if markers that indicate anticipated structure footprints are present.
512 LUD Conroy replied not yet. She added that the 8-24 referral will likely come first, which would authorize
513 the Town to lease or convey the land to the Housing Trust and would include a conceptual plan. The
514 permit process would be determined based on the proposal for development. Chair Klemens noted the
515 site plan will address some concerns expressed in this letter.

516

517 **Public Comment**

518 10. Public Comment - Public Comment is restricted to items that are neither on the agenda nor the
519 subject of any pending Planning & Zoning application or action and are limited to three minutes per
520 person

521

522 Member of the public Gail Gregg joined the meeting, requested to provide comment on the Dresser
523 Woods project, and expressed confusion regarding when public comment is allowed to be shared.
524 Members of the Commission explained the process, detailed how to access documents on the Town
525 website, and informed Ms. Gregg that public comment can be shared at or submitted for the upcoming
526 public hearing scheduled on February 20th.

527

528 **Adjournment**

529

530 **Motion:** To adjourn meeting at 8:16PM.
531 Made by Cockerline, seconded by Whalen.
532 Vote: 5-0-0 in favor.

533

534

535 Respectfully Submitted,

536 Erika Spino

537 Secretary of Minutes