

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

February 20th, 2024 5:30PM

Remote Meeting by Live Internet Video Stream and Telephone

1 **Members Present:**

2 Dr. Michael Klemens (Chair)
3 Cathy Shyer (Vice Chair) *arrived 5:31PM*
4 Martin Whalen (Secretary)
5 Allen Cockerline (Regular Member)
6 Bob Riva (Regular Member)
7 Dr. Danella Schiffer (Alternate Member)
8 Beth Wells (Alternate Member) *arrived 5:48PM*

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 5:29PM. A quorum was established with four regular
13 members present (Dr. Michael Klemens, Martin Whalen, Allen Cockerline and Bob Riva). Alternate
14 Member Dr. Danella Schiffer was also present.

15
16 2. Approval of Agenda

17
18 **Motion:** To approve the agenda.

19 Made by Cockerline, seconded by Riva.

20 Vote: 4-0-0 in favor.

21
22 3. Invitation for Opinion Piece in the Lakeville Journal Clarifying the role of Planning, Policy, and
23 Procedure Versus Politics as Pertains to the Lakeville Village Planning Study, Grove Street
24 Affordable Housing 8-24, and Pope Property Concept Plans

25
26 Vice Chair Shyer joined the meeting at 5:31PM.

27
28 LUD Conroy explained that the Land Use Office (LUO) and Commission have received a plethora of
29 emails from members of the public concerned about agenda items, including the Lakeville Village
30 Planning Study, Grove Street Affordable Housing, and Pope Property concept plans. LUD Conroy noticed
31 frequent misunderstanding of the land use process in the emails, and had not been able to respond to all
32 of them. LUD Conroy explained an advertisement posted in the Lakeville Journal falsely stated the
33 Planning & Zoning Commission was moving forward to pave over Community Field. LUD Conroy
34 explained that the Land Use Office composed a disclaimer regarding this false information that can be
35 accessed on the Salisbury Town website under the Lakeville Village Planning Study page. LUD Conroy
36 advised the Commission to consider publishing an additional article in the Lakeville Journal to further
37 explain the process. Chair Klemens mentioned he spoke with Publisher John Corson, and asked if the
38 Commission would be comfortable with him and LUD Conroy composing an opinion piece to publish in
39 the Lakeville Journal. All Commission members agreed.

40
41 4. Minutes of February 5, 2024 – *pending*

42
43 5. Minutes of January 16, 2024

44 Chair Klemens proposed the following amendments:

45 Line 7: Add “Dr.” before “Danella Schiffer”

46 Line 126: Remove “provisions”

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47 Line 428: Replace "Lenard Engineering" with "Haley Ward Engineering"

48 Line 440: Replace "Town Consultant" with "Town Consulting Engineer"

49 Line 480: Add "a" after "be", add "design" after "unique"

50 Line 490: Replace "Hallee" with "Halle"

51

52 Alternate Member Schiffer proposed the following amendments:

53 Line 158: Add "Finally, Alternate Member Schiffer noted that previous non-track related events were in
54 support of nonprofits that also benefited the community. In contrast, the private events being proposed
55 benefit only Lime Rock Park and the sponsor."

56

57 Alternate Member Wells joined the meeting at 5:48PM.

58

59 The Commission paused review of minutes to proceed with the public hearing.

60

61 **Public Hearings - 5:45 to 7:30 PM**

62 7. #2024-0238 / Salisbury Housing Committee (Halle/Haley Ward) / 37 Railroad Street / Special Permit
63 Application for "Dresser Woods" 20-Unit Affordable Multi-Family Housing in the Multi-Family Housing
64 Overlay District (Section 405) / Map 56 / Lot 56 / DOR: 1/16/2024 / *Open Public Hearing – 5:45-7:00 PM*
65 *& Continue to March 18, 2024 at 6:45 PM*

66

67 The public hearing opened at 5:48PM. Secretary Whalen read the legal notice.

68

69 Chair Klemens stated the following:

70

71 Tonight, we have opened the public hearing on Dresser Woods. As you are aware this hearing will
72 continue to our next regular meeting on March 18, 2024 at 6:45 PM and possibly to subsequent
73 meetings.

74

75 Once a hearing is opened, it places restrictions on the conduct of the Planning & Zoning
76 Commissioners, the LUO staff, and the public. Simply stated, any communication other than by
77 written commentary submitted to the Commission via the LUO by the public to any
78 commissioner and/or land use staff on the merits or deficiencies of this application is ex parte
79 and is strictly prohibited by law.

80

81 The Salisbury Housing Commission and its affiliates are requested not to send group or individual
82 emails advocating for this project to any Commissioner while the hearing remains open. If
83 Commissioners receive such emails, these are to be sent to the LUO for inclusion in the legally-
84 required public record.

85

86 If an individual Commissioner is sent any communication from any member of the public
87 concerning Dresser Woods, they are required by law to turn that email over to the LUO for
88 inclusion in the legally-required public record.

89

90 Only by strictly adhering to these procedures can we ensure that the record of this matter
91 complies with FOI (the Freedom of Information Act) and can withstand challenge.

92

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93 To be clear—once a hearing is opened it remains open between meetings. The hearing opened
94 this evening will remain open from tonight onward at least until March 18th and is only closed
95 by a formal vote of the Commission.
96

97 This is a good moment in time to distinguish the role of the Planning & Zoning Commission in
98 contrast to politicians. While we are elected, unlike politicians, the Planning & Zoning
99 Commission operates under strict rules of evidence, procedure, and policy guided by Statute and
100 FOI.
101

102 We welcome all comments made during the public hearing, as well as those submitted in writing
103 between meetings, but in the final analysis our decisions are based on the law, not the number of
104 letters/comments supporting or opposing a project.
105

106 Therefore, we encourage constructive, concrete suggestions on how to improve this project,
107 and/or address the concerns of those who have expressed reservations about Dresser Woods.
108

109 When we turn to the public comment portion of tonight’s hearing, those wishing to speak please
110 use the raise hand function and leave the hand raised until you are recognized. We will ask for
111 your first and last name for the record before you speak.
112

113 Vice President of the Salisbury Housing Committee (SHC) Jocelyn Ayer joined the meeting to represent
114 the application. Ms. Ayer introduced a slideshow presentation and provided a brief overview with a
115 summary of materials submitted to the Commission. SHC proposed to develop a cluster of nine buildings
116 with twenty rental units on Railroad Street. This 5.3-acre property was donated by Jim Dresser for the
117 purpose of constructing affordable housing. The buildings will be surrounded by trees and landscaping,
118 and is within walking distance of LaBonne’s Market and the village center. All units will be affordable and
119 accessible to residents with varied income. Approximately half of the site will remain undeveloped. Ms.
120 Ayer explained that the proposal was designed to maintain a majority of mature trees within the site’s
121 developed portion. All trees in the buffer zone will be retained.
122

123 Vice President Ayer explained the SHC is an all-volunteer housing non-profit organization. The
124 organization has built and managed affordable rental housing since the 1970s. The SHC has an
125 established contract with a professional property management team for unit maintenance to ensure
126 tenant concerns are addressed quickly. Ms. Ayer presented the Board of Directors list, all of which are
127 Salisbury residents, and noted sadly board member Anne Kremer recently passed away. Ms. Ayer
128 introduced additional members of the design team. These included Architect Erin Benken from QA+M,
129 Engineer Todd Parsons from Haley Ward Engineering, Traffic Engineer Scott Hesketh from FA Hesketh &
130 Associates, and Wetlands Consultant Sigrun Gadwa of REMA Ecological Services.
131

132 Engineer Parsons explained that the application package included existing conditions, utility, layout,
133 planting, foundation planting, erosion control narrative, site details, storm water profiles, and a
134 stormwater management report. Engineer Parsons also shared the notice that was mailed to all
135 neighboring properties. The property is located in the R10 zone and is within the Multifamily Housing
136 Overlay District. Engineer Parsons explained the Zoning Regulations allow up to sixty units on this
137 property, but the plan includes twenty proposed units. He explained the site plan complies with all of
138 the Town’s applicable regulations and requirements, and received approval from the Inland Wetlands &

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139 Watercourses Commission (IWWC).

140

141 Engineer Parsons presented the existing conditions plan. North of this property is undeveloped land, to
142 the west is the Rail Trail, to the south residential housing, and to the east is open space. Two wetland
143 areas are shown on the north side of the site. Engineer Parsons explained all development would occur
144 on the southernmost part of the property. Engineer Parsons shared soil on the property is a gravelly
145 sandy loam. The property is located within the Aquifer Protection Overlay District.

146

147 Engineer Parsons presented the site plan which included nine buildings containing a total of twenty
148 housing units. In the middle of the site are twenty-one paved parking spaces, with ten overflow parking
149 spaces on the south side of the driveway. The site is served by municipal water and sewer. Engineer
150 Parsons explained an exclusion fence installed between the proposed buildings and the wetland areas
151 will inhibit wildlife from entering the site. A detailed erosion control plan included a perimeter silt fence
152 that will act as a limit of disturbance and further prevent wildlife intrusion during construction. Engineer
153 Parsons shared areas more vulnerable to erosion will have a double row of erosion control barriers.

154

155 Engineer Parsons presented the stormwater management plan. The amount of impervious surface was
156 reduced by keeping all paved areas in a central location and using a grass paver system for a portion of
157 the parking spaces. Engineer Parsons explained nearby rain gardens will capture a majority of roof
158 runoff, and runoff will be captured and sent through a filter media. Subsurface detention systems are
159 present on the east and west side of the site to reduce peak water flow to acceptable levels. Engineer
160 Parsons shared alternative stormwater treatment plans were investigated. Permeable pavement and
161 infiltration were rejected by Aquarion Water Company due to the nearby public water well fields, and a
162 surface detention basin was rejected due to the chance of it functioning as a decoy wetland that
163 encourages wildlife use.

164

165 Engineer Parsons presented the layout plan that provided parking details. There will be several regular
166 spaces, two or three Americans with Disabilities Act (ADA) compliant spaces, and two electric vehicle
167 (EV) charging spaces. Engineer Parsons explained a border of boulders will be installed between the Rail
168 Trail and driveway buffer zone to reduce the opportunity for cars to cross into the pedestrian way. A
169 speed bump will be constructed at the entrance to slow traffic entering or leaving the property.

170

171 Engineer Parsons presented the Landscaping and Planting plan. Plantings are proposed internally,
172 adjacent to the unit foundations, and along the south side of the site by nearby residential properties.
173 Plantings include native shrub and tree species. Engineer Parsons explained shrubs will be planted
174 around the wetlands to provide a habitat for wildlife and create a barrier to reduce the opportunity for
175 residents to walk through. Engineer Parsons presented the lighting plan and explained all outdoor
176 lighting is dark sky compliant and there will be no spill over onto adjacent properties.

177

178 Engineer Hesketh presented the traffic impact report performed on December 13th, 2023. Engineer
179 Hesketh explained the existing road network is capable of accommodating increased traffic associated
180 with this proposed development. Engineer Hesketh explained that he researched files from the
181 Connecticut Department of Transportation (DOT) which conducts a count program on state highways
182 and sub-local roadways on a three year basis. DOT performed traffic volume counts on Route 44 just
183 south of Route 41 during September of 2021.

184

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185 Engineer Hesketh explained that the count indicated Route 44 had five-thousand three-hundred vehicles
186 traveling on a daily basis, with morning peak hour of five-hundred thirty-eight vehicles, and afternoon
187 peak hour of five-hundred thirty-four vehicles. Counts performed during October of 2009 indicated
188 higher volumes of traffic on Route 44, which included seven-thousand seven-hundred daily trips, with
189 morning peak hours of six-hundred six vehicles and afternoon peak hours of six-hundred ninety-eight
190 vehicles. Engineer Hesketh explained in November 2023 manual turning movement counts were
191 arranged at two locations, at the intersection of Route 44 with Library Street and Factory Street, and
192 Route 44 with Academy Street. The manual turning counts observed were 13% less and 26% less than in
193 October 2009. Engineer Hesketh explained the count indicated a 1% increase per year growth rate, and
194 as a result grew the 2009 traffic volumes to a 2025 design year.

195
196 Engineer Hesketh shared a projected total of one-hundred forty-four trips could occur on a daily basis,
197 with 50% entering and 50% exiting the facility. A projected total of ten vehicles during morning peak
198 hours, and afternoon peak hours eleven vehicles. Based on observed traffic volumes a projected 60% of
199 to and from travel on Route 44 from the south and 40% to and from the north. Engineer Hesketh
200 explained a projected 85% of traffic would utilize Library Street and 15% would use Academy Street for
201 access. Engineer Hesketh presented a Level of Service Summary and described its contents. Engineer
202 Hesketh concluded the twenty-unit residential development under conservative analysis indicated
203 virtually no impact to the existing roadway network.

204
205 Ms. Ayer cited a memo based on a parking analysis from the property manager at Sharon Ridge and
206 Sarum Village, with an average of 1.35 cars per unit. She explained that Zoning Regulations only require
207 one parking space per unit, but that 1.5 spaces have been proposed with this plan.

208
209 Architect Erin Benken shared the proposed design was developed after studying the architecture and
210 scale of other buildings in Salisbury. The master plan is based on a concept called a “pocket
211 neighborhood”. Architect Benken explained this concept fosters a close knit, walkable community that
212 placed emphasis on creating small outdoor spaces located between buildings. She explained centralized
213 parking reduces impervious area on the site, and a generous walkway leading from central parking to
214 Building 7 created additional space for pedestrian circulation and a safe location for children to play
215 away from vehicles.

216
217 Architect Benken explained the units on the site are a mixture of one, two and three bedroom units,
218 three of which are ADA compliant. Each unit has a private covered porch outdoor area. She then
219 presented a unit floor plan. The building complex will utilize flat over flat townhouse style units with
220 open concept living space including kitchen, dining and living room grouped together, and with bedroom
221 and bathroom private spaces to the rear. Each unit will have a laundry hookup and exterior storage
222 closet.

223
224 Architect Benken explained the building exteriors reflect simple architectural forms that resembled the
225 residential scale found throughout Salisbury. Most buildings are one to one and a half story duplexes,
226 with one barn building at two stories with four units. Architect Benken presented conceptual renderings
227 of how the Dresser Woods Projects would appear when complete. Dormers are used to reduce the scale
228 of buildings and bring the roof lines down. Landscaping assists with the aesthetic of the neighborhood
229 and allows for small pockets of private outdoor spaces. Each building will be painted an individual color
230 from a monochromatic scheme inspired by nature.

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231

232 Ms. Ayer shared that this project is supported by both the 2018 and 2023 Salisbury Affordable Housing
233 Plans. She reiterated that affordable housing options are desperately needed by members who work
234 within the community, with over one-hundred local households on a waiting list. Ms. Ayer explained
235 constructing a simple project with thirty or more units surrounded by parking would be cheaper, but this
236 proposed development better fits within the community despite the additional cost.

237

238 Chair Klemens asked for details of the wildlife exclusion fence and suggested placing a permanent
239 conservation restriction on the vernal pool and woodlands to prevent further development. He also
240 asked for detail on the open space lawn areas. Chair Klemens inquired about water services and how
241 they will be addressed and paid for.

242

243 Vice Chair Shyer expressed concern about the pedestrian walkway leading to Building 7 and asked for
244 consideration to install a one-way driveway to allow for cars to pull in alongside each unit.

245

246 Commissioner Cockerline suggested considering full basements to eliminate the need for utilities on the
247 first floor and allow more space for tenant belongings.

248

249 Alternate Member Wells noted that limited closet and storage spaces are offered and questioned how
250 additional storage might be provided. Alternate Member Wells expressed support for constructing full
251 basements or a communal laundry area.

252

253 Alternate Member Schiffer asked if the projected sixty units allowed by the Zoning Regulations are based
254 on the entirety of the five acre property or the portion of acreage with proposed development. Alternate
255 Member Schiffer also asked for clarification of the 1.5 parking spaces offered per unit.

256

257 Chair Klemens opened the floor to the public for comments and questions.

258

259 Member of the public Robin Roraback joined the meeting and asked if the traffic report considered
260 future increased traffic flow as a result of additional developments at other sites. Projects such as the
261 Pope Property, Sarum Village and Grove Street could increase traffic flow beyond what is shown on
262 plans by the Traffic Engineering Firm. Ms. Roraback also noted storage space within units appears
263 limited.

264

265 Member of the public Sally Spillane joined the meeting and asked if additional public comment can be
266 shared at the future meetings. Chair Klemens replied yes, public comment will be open for the extent of
267 the public hearing.

268

269 Member of the public Dan Moses Schreier joined the meeting and asked for the issue of density to be
270 addressed. The site is discussed as a five-acre site but only two acres are being developed. Mr. Schreier
271 also mentioned washing machines and laundry as an additional concern that should be addressed.

272

273 Member of the public David Rich joined the meeting and expressed support for the project. Mr. Rich
274 advised there may be funding constraints from the state and noted trade-offs are to be expected.

275 Developments in rural areas are more costly, and advocating to increase the per unit subsidies that
276 come from the state would be a significant help.

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277

278 Member of the public John Siegenthaler joined the meeting and mentioned the open space facing the
279 East Meadow community is quite small. Mr. Siegenthaler asked if the proposed privacy fence that runs
280 alongside the south side of the property should be extended.

281

282 Member of the public Keith Stein joined the meeting and asked if consideration has been given to
283 develop this property as modular buildings to reduce construction costs.

284

285 LUD Conroy shared four letters sent to the LUO with questions and concerns, and twenty-five letters of
286 support.

287

288 Chair Klemens commented that for the Commission, the facts are important, not the amount of support
289 or opposition. Member of the public Eileen Epperson joined the meeting and asked for clarification of
290 Chair Klemens' statement. Chair Klemens replied when projects generate strong expressions of support
291 or opposition, the Commission will continue to make decisions based on the law.

292

293 Engineer Parsons shared the exclusion fence can be extended along the east and west sides of the
294 construction site. Chair Klemens advised the fence should be extended further along the south side due
295 to an additional vernal pool. Engineer Parsons replied the fence can extend alongside the East Meadow
296 open space, and noted that the height of the fence has been increased to thirty inches from the ground.

297

298 Ms. Ayer acknowledged concerns regarding the provision of laundry accommodations within units.
299 According to the property manager hookups within units are highly desirable. The concern over
300 replacing storage space with washer and dryer hookups may be addressed with alternate interior
301 floorplans and additional exterior storage options for each of the units.

302

303 Chair Klemens asked if the tipping point viability could be addressed. Vice President Ayers replied there
304 is a per unit limit that the Department of Housing will assist with in terms of providing funds for
305 construction. Extra costs such as additional storage, EV chargers, and parking are spread among twenty
306 units. The Department of Housing will not cover all construction costs. Donations from Jim Dresser,
307 community members and fundraising have provided crucial funding for this development to progress.

308

309 Engineer Parsons acknowledged concerns about the lawn open space and explained changes on the
310 planting plan reflect the limit of manicured lawn that will be planted as turf.

311

312 Member of the public Katherine Kiefer joined the meeting and asked for the interior ceiling height of the
313 units. Ms. Kiefer suggested additional storage spaces could be provided if ceiling height allows. Ms. Ayer
314 replied that attic space storage can be addressed by architects and further discussed at the upcoming
315 meeting. She clarified that 1.5 parking spaces indicated the average number of spaces for all units and
316 does not reflect half sized parking spots.

317

318 Chair Klemens said the public hearing will continue on March 18th, 2024 at 6:45PM via Zoom.

319

320 8. #2024-0237 / Huestis Tucker Architects (Robert Tucker) / 177 Interlaken Road / Special Permit
321 Application for an Apartment on a Single-family Lot / Map 40 / Lot 45 / DOR: 01/16/2024 / *Open Public*
322 *Hearing and Possible Consideration*

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323

324 Secretary Whalen read the legal notice opening the hearing at 7:01PM. Architect Bob Tucker of Huestis
325 Tucker Architects joined the meeting to represent the application on behalf of property owner David
326 Nathan. Architect Tucker presented a site plan. The proposal is to demolish a nonconforming garage and
327 construct a new structure containing a garage and accessory dwelling unit. Architect Tucker explained
328 the second floor will be a two-bedroom one-bathroom apartment with a living room, kitchenette and
329 open study cubicle space. The first floor will have a two-car garage with an entry room and storage area.

330

331 Chair Klemens asked if the property was connected to the Town sewer. Architect Tucker answered no,
332 and explained that an application has been submitted to Torrington Area Health District (TAHD), who
333 requested the septic tank be replaced. Architect Tucker proposed a new two-thousand-gallon septic tank
334 to replace the existing tank. The accessory dwelling unit and main house will both be connected to the
335 new tank. Chair Klemens asked if the septic tank is located in a setback area. Architect Tucker replied
336 yes, but it could be relocated if required by Zoning.

337

338 Chair Klemens asked if the impervious surface calculations comply with the requirements of Lake
339 Protection Overlay District (LPOD). Architect Tucker replied existing impervious coverage is 13.4% and
340 will remain unchanged with construction. Chair Klemens observed that the proposed structure has an
341 identical footprint but has been relocated on the property. While the relocation eliminates the
342 nonconforming setback, it increased the footprint of the building present within the LPOD. Architect
343 Tucker confirmed the guest house was moved but could be shifted further out of the LPOD if needed.

344

345 Vice Chair Shyer asked about the garage “slab” north of the main house. Architect Tucker explained this
346 garage belongs to a neighbor who possesses an easement for access to the building by the existing
347 gravel driveway. Vice Chair Shyer asked if stone walls, septic tank and playground areas have been
348 included in impervious surface calculations, Architect Tucker replied that he is unsure.

349

350 LUD Conroy confirmed structures and septic systems fall under a clause adopted in 2010 and should be
351 located in a buildable area. LUD Conroy explained lots that legally existed prior to adoption could be
352 granted a special permit if placement outside the buildable area will result in less grading or other
353 disturbance to the natural environment. Alternate Member Wells noted that installing the new tank
354 further from the lake could only be beneficial. Vice Chair Shyer asked for the building height, Architect
355 Tucker replied twenty-three and a half feet.

356

357 There were no further questions or comments from the Commission or public. The hearing will be
358 continued on March 4th, 2024 at 5:45PM via Zoom.

359

360 New Business – 7:30 PM

361 9. #2024-0239 / Saint Martin of Tours Parish Corp / 80 Sharon Road / Special Permit Application for
362 Philanthropic Use Requiring Satellite Parking (at Saint Martin of Tours Parish Parking Lot - Wells Hill
363 Road) / Map 47 / Lot 06-01 / DOR: 2/20/2024 / *Reception and Scheduling of Public Hearing for March 4,*
364 *2024 at 5:45 PM*

365

366 Co-President of the Corner Food Pantry Amanda Halle joined the meeting to represent the application.
367 Ms. Halle explained Corner Food Pantry has been in operation for more than thirty years, and its mission
368 is to provide nutritious food for citizens within the tri-state area. Ms. Halle said the pantry operates out

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369 of a building at St. Mary's Church, located on a separate lot from the church and rectory building. Corner
370 Food Pantry and St. Mary's Church began negotiations for a long-term lease two years ago. After
371 meeting with Chair Klemens and LUD Conroy in early 2023, it was recommended the Pantry apply for a
372 special permit. Ms. Halle explained a special permit is needed for philanthropic use of the existing
373 buildings, garage, and satellite parking using the St. Mary's parking lot off of Wells Hill Road. Ms. Halle
374 said the Commission previously granted two temporary zoning permits, the second will expire on April
375 24, 2024 and is not renewable.

376
377 Ms. Halle explained food pickup at the pantry imitates a drive-through. Citizens may drive through the
378 back of the St. Mary's Church lot (70 + 76 Sharon Road) towards the Pantry building, where volunteers
379 pass packaged food items through a window. Ms. Halle added the Corner Food Pantry operates two days
380 per week, on Friday 3:00PM to 5:30PM and Saturday 9:00AM to 10:00AM. Ms. Halle presented a site
381 plan composed by Engineer Pat Hackett and an A2 survey. Ms. Halle explained the proposal extends the
382 existing driveway closer to the Pantry building to simplify distribution of food items.

383
384 Chair Klemens asked how long the lease will last. Ms. Halle replied the lease is ten years in length with
385 the ability to renegotiate every three years.

386
387 **Motion:** To schedule a public hearing for application #2024-0239 / Saint Martin of Tours Parish Corp / 80
388 Sharon Road / Special Permit Application for Philanthropic Use Requiring Satellite Parking (at Saint
389 Martin of Tours Parish Parking Lot - Wells Hill Road) / Map 47 / Lot 06-01 / DOR: 2/20/2024 / for March
390 4th 2024, at 5:45PM via Zoom.
391 Made by Cockerline, seconded by Riva.
392 Vote: 5-0-0 in favor.

393
394 10. #2024-0240 / Rawlings / 33+35 East Main Street / Special Permit Application for Detached Accessory
395 Apartment / Map 56 / Lot 51 / DOR: 2/20/2024 / *Reception and Scheduling of Public Hearing for March*
396 *4, 2024 at 5:45 PM*

397
398 LUD Conroy introduced the application and explained there was an initial request to rent the lot's main
399 dwelling and an accessory apartment on the property. LUD Conroy explained both dwellings cannot be
400 rented due to owner occupancy requirements. If documentation can be provided that the apartment
401 predates zoning requirements, they can be grandfathered in to allow rental for both dwellings. LUD
402 Conroy reviewed zoning regulations based on documentations of the apartment being used in 1966. In
403 1966, twice the minimum lot area was required to have two dwelling units, which this parcel did not
404 possess.

405
406 Property owners Roger and Christie Rawlings joined the meeting to represent the application. Mr.
407 Rawlings added he found information to show an individual lived in the accessory apartment in 1928.
408 Mr. Dempsey owned a plumbing shop on the ground floor and built an apartment upstairs. Mr. Rawlings
409 explained holes are present in the floor to reflect where a kitchen sink was previously installed. Mr.
410 Rawlings explained he requested a permit to construct a deck off the west side of the structure.
411 Commissioner Cockerline noted this application may not require a special permit if considered an
412 addition to a pre-existing non-conforming structure.

413
414 LUD Conroy asked for the current and proposed layout of the dwelling. Mr. Rawlings replied the house

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415 has a living room, kitchen and half bath downstairs, with three bedrooms, a den and a full bath upstairs.
416 The proposed construction would alter the space to a three bedroom, three bath with kitchen, living
417 room and deck. LUD Conroy asked if square footage will change, Mr. Rawlings replied the dwelling is
418 1280 square feet and will remain unchanged. Chair Klemens asked if the deck will be a conforming
419 structure, Mr. Rawlings replied yes. Chair Klemens mentioned an affidavit from a previous property
420 owner will be required. Mr. Rawlings stated an affidavit can be acquired by next week and withdrew the
421 special permit application.

422

423 5. Minutes of January 16, 2024 (continued)

424

425 **Motion:** To approve the Minutes of January 16, 2024 as amended.

426 Made by Cockerline, seconded by Shyer.

427 Vote: 5-0-0 in favor.

428

429 6. Minutes of January 2, 2024

430 Chair Klemens proposed the following amendments:

431 Line 6: Add "Dr." before "Danella Schiffer"

432 Line 90: Replace "submission" with "was submitted"

433 Line 119-120: Remove "and Chair Klemens reappointed Alternate Member Schiffer as voting member"

434 Line 184-185: Replace "questioned if providing additional detail would allow for additional security" with
435 "inquired if providing this detailed checklist would ensure consistent compliance."

436 Line 202: Capitalize "Recreation Study"

437 Line 249: Replace "Towns" with "Town's"

438 Line 251: Add "Village Planning" after "Lakeville"

439

440 Vice Chair Shyer was not present at the January 2, 2024 meeting and abstained from voting.

441

442 **Motion:** To approve the Minutes of January 2, 2024 as amended.

443 Made by Riva, seconded by Cockerline.

444 4-0-1 in favor.

445

446 **Public Comment**

447 11. Public Comment - Public Comment is restricted to items that are neither on the agenda nor the
448 subject of any pending Planning & Zoning application or action and are limited to three minutes
449 per person

450

451 There was no public comment.

452

453 **Adjournment**

454

455 **Motion:** To adjourn meeting at 8:02PM.

456 Made by Cockerline, seconded by Shyer.

457 Vote: 5-0-0 in favor.

458

459

460 Respectfully Submitted,

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

February 20th, 2024 5:30PM

Remote Meeting by Live Internet Video Stream and Telephone

461 Erika Spino

462 Secretary of Minutes