



TOWN OF SALISBURY
PLANNING AND ZONING COMMISSION

Number 2024-0241

APPLICATION FOR SPECIAL PERMIT

Owner of Record: Peter D'Aprile FRANSAM LLC
Address of Owner: 63 Bennetts Bridge Rd Sandy Hook, CT
Property Location: Tax Map # 54 Lot# 20 Land Records: Vol. 268 Page 833
Property Address: 20 MAIN ST
Acreage: 0.2 Zone: C20, AP0D

Bounded generally on the EAST North by: 22 ACADEMY ST - MARKETPLACE OF SALISBURY
(Full name of owner of record. East by: 10 + 12 ACADEMY ST - SUSAN RAND
Attach addition pages if needed) South by: 22 MAIN ST - GENERAL INVESTMENTS LLC + TOWN OF SALISBURY
West by: ROUTE 44 / 17.519 MAIN ST, SALISBURY CENTER LLC + HENLOCK HILL PROPERTIES LLC

* Special Permit Use Requested: parking flexibility / multi family in C20 zone of the Salisbury Zoning Regulations.

Section 205.2 + 703.8
Written statement of Proposed Use (4 copies): _____
Site Plan - 4 copies (See attached sheet) _____
Soil Erosion and Sediment Control Plan: N/A _____
Approval from TAHD, WPCA, or BHC regarding sewer and water: _____
Historic District Commission, if applicable: N/A _____
Conservation District Commission, if applicable: N/A _____
Preliminary Architectural Plans for Proposed structures & signs (2 copies) _____
Estimated Site Improvement Costs (other than buildings): N/A _____
Written Assurance of Bond or Letter of Credit: N/A _____
Additional Remarks: _____

Owner's Signature: P. D'Aprile Date: 3/3/24
Applicant's Signature and Title: P. D'Aprile, owner
Applicant's Address and phone number: 63 Bennetts Bridge Rd Sandy Hook, CT 06482

Filed at the Planning and Zoning Commission Office this 5th day of MARCH, 20 24

Fee Paid: \$300 Received By: (Signature)
Title: LUD

NOTE: One copy of the written statement of proposed use SHALL be sent to all abutting landowners by certified mail. This is the responsibility of the owner/applicant. The signed return receipts shall be submitted with this application.

* SEE ATTACHED EXPLANATION OF USE(S) RETAIL, MULTIFAMILY, PERSONAL SERVICE & PARKING FLEXIBILITY

Abby Conroy
Land Use Administrator

Telephone: 860-435-5190
Fax: 860-435-5172
Email: aconroy@salisburyct.us



Town Hall
P.O. Box 548
27 Main Street
Salisbury, Connecticut 06068

Memo to File
May 26, 2022
Re: Zoning Compliance - 20 Main Street, Salisbury

On May 17, 2022 a Letter of Zoning Compliance was requested for 20 Main Street in Salisbury, Connecticut. A review of the Land Use files was conducted on May 26, 2022 a summary of which is provided below.

The origin of the piece of property known as 20 Main Street, Salisbury Assessor's map 54, lot 20 in its current configuration is unclear. Salisbury Town Clerk's Map# 1375 dated 05/15/1973 and a property description in Town Clerk's volume 167 page 662 appear to indicate that both the building at 20 Main (referred to as drugstore) and post office (now known as 22 Main Street) were, at that time, on the same parcel. Thus, it appears that at some point between 1973 and the date of this letter, the piece was split. Therefore, I cannot without out being provided additional documentation determine if the lot is legally preexisting nonconforming.

The approximately 0.2-acre piece known as 20 Main Street is currently in the C20 Zone, Multifamily Housing Overlay District, and the Salisbury Aquifer Protection Area. The lot is nonconforming with regard to lot area and minimum square.

According to the survey filed in the Town Clerk's Office (#1375), the building encroaches on the property to the north and, albeit protected by Conn. Gen. Stat. § 8-13a(a), does not meet side or rear yard setback requirements. The maximum building coverage exceeds the zoning requirements for the C20 Zone under Section 300.3 and impervious surfaces exceed those allowed without a special permit under Section 403.4. There are no wetlands on the premise.

It is my understanding that the ground floor contains two retail spaces and the upstairs contains 3 apartment units. The only zoning approvals in the Land Use Office and the Building Office (at one point those files were kept together) refer to signage. There are no approvals for use, however the Town Clerk records which predate zoning clearly document retail use on at least the first floor of the building. The parcel does not contain sufficient parking for the retail and residential uses currently underway.

At this time, there do not appear to be any enforcement issues, however change of use would necessitate further permitting and may be limited due to the nonconforming factors associated with this parcel.

Sincerely,

Abby Conroy

Abby Conroy
Land Use Administrator

607 SITE PLAN - GENERAL REQUIREMENTS

The site plan shall be accurately drawn to a scale not to exceed 1" = 100' on sheets not to exceed 24" X 36" .

Site plans shall be certified correct to A-2 Survey Standards by a Connecticut Registered Land Surveyor (R.L.S.) Where it determines that A-2 level of accuracy is not necessary to determine compliance with these regulations the Commission may upon request of the applicant allow a less degree of accuracy for the location of certain improvements or certain property lines.

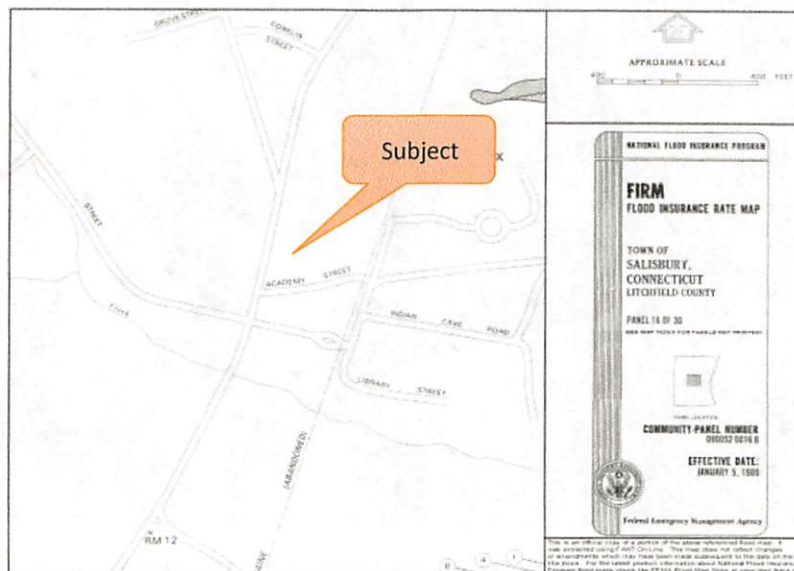
The design, layout and computations relating to the construction of facilities for storm drainage or improvements such as a new accessway, parking areas, etc. shall be prepared by a Connecticut registered engineer or where qualified to do so by a Connecticut registered landscape architect. where the regulations require a landscape buffer or such is required as a condition of approval of a Special Permit the landscape plan shall be prepared by a professional landscape architect or landscape designer.

A site plan shall contain the following information as applicable, as determined by the Commission or its authorized agent:

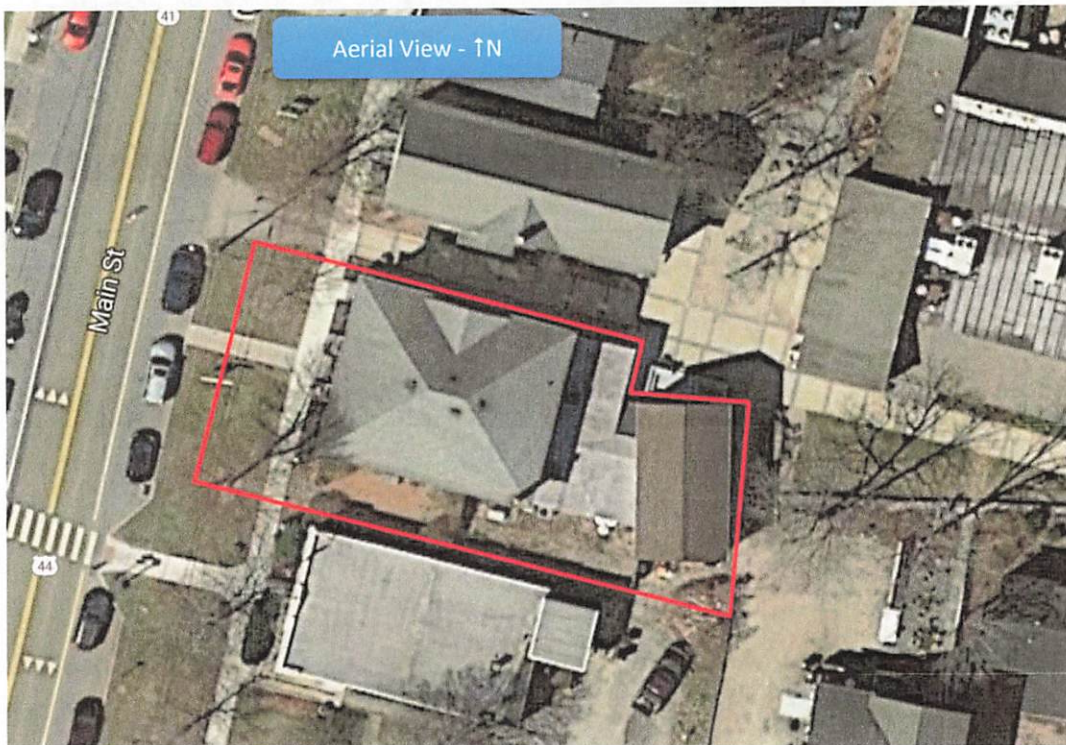
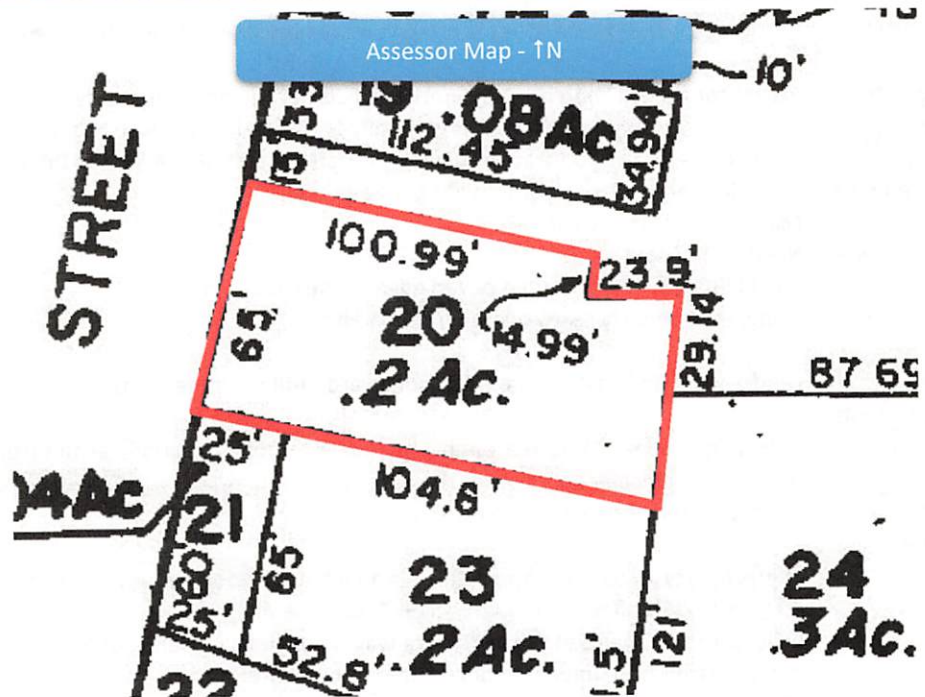
- a. Name of applicant and owner of property.
- b. Scale and North arrow.
- c. Property boundary, dimensions, angles, area, zoning classification, and zoning setback lines.
- d. Names of record owners of abutting properties.
- e. Locations and dimensions of all existing and proposed buildings, driveways, parking and loading areas, storage areas, drainage features. Location of fences and walls, natural and artificial water features, wetlands and exposed ledge rock. All statistical data to show that the requirements of the regulations have been met; adjacent properties, and how they relate to the proposed development and the neighborhood and, to the street pattern within 500 feet.
- f. Proposed signs showing locations, dimensions, and means of illumination and all other exterior listing fixtures.
- g. Locations and methods of water supply and sewage disposal facilities.
- h. Illustrations, elevations, and renderings of the proposed buildings and project area sufficient to show clearly what is proposed, as required by the Commission. A landscaping plan shall be submitted which shows existing and proposed landscaping, buffering and plantings including a table of sizes, types, and amounts of proposed materials.
- i. Certification, on the plan or separately, by the Health Officer concerning satisfactory conditions for sewage disposal, consistent with the State Health Code.
- j. Where grading is required, existing and proposed contours at two-foot intervals, based upon field survey.
- k. Existing and post construction surface drainage patterns. The Planning and Zoning Commission may modify the submission requirements of any site plan, if in the opinion of the Commission, the scope and circumstances of such a proposed development are such that certain information is not necessary to complete a review of the proposed project.

LAND DESCRIPTION

Land Area/ Frontage	0.2 acre (8,712 SF) with 65' of frontage on the east side of Main Street (Route 44).
Topography/ Shape	Except for a small "notch" at the northeast corner the parcel is nearly rectangular, roughly 65' wide and 125'-130' deep. It is generally fairly level, at or close to road grade.
Primary improvements	A mostly 2-story wood-frame building occupied 3,903 SF (44.8%) of the parcel based on main floor area. The land-to-building ratio is 1.28.
Setbacks (per Google Maps)	Main Street: ~31' / west: <3' North: <2' / south: ~15'-20' The building is ~38' from the paved edge of the road
Parking	None, the property relies on on-street parking.
Other Improvements	Landscaping (foundation plantings, courtyard), utility connections.
Sight Lines	Sight lines appear to be reasonably adequate in both directions at the frontage, though there is no vehicular access onto the parcel.
Utilities Available	Electricity, telephone, water, sewer, gas.
Flood Hazard	The property does not appear to be impacted by flood hazards, per community panel #0900520016B effective January 1, 1989 (copy below).
Soils/ Wetlands	Soils were not analyzed, though there was no obvious evidence of any wetlands. Soils do not appear to have impacted development in the area.
Environ- Mental	No environmental report was provided. The site is assumed to be "clean" (the appraiser claims no expertise in this area). The property does not appear on the state's list of contaminated or potentially contaminated sites updated to 12/1/21.
Summary	A 0.2-acre level in-town parcel with sewer and water largely improved with the building. It has a slightly irregular shape at the rear and is nearly fully improved with the building. The parcel has no off-street parking. Overnight parking is allowed on the street, though residential tenants have made alternate arrangements at nearby properties (e.g. church parking lot) at no cost.



LAND DESCRIPTION



The *estimated* lot layout with the building. As noted on page 5, a survey is recommended to determine the actual location of the building relative to the lot lines (if desired).

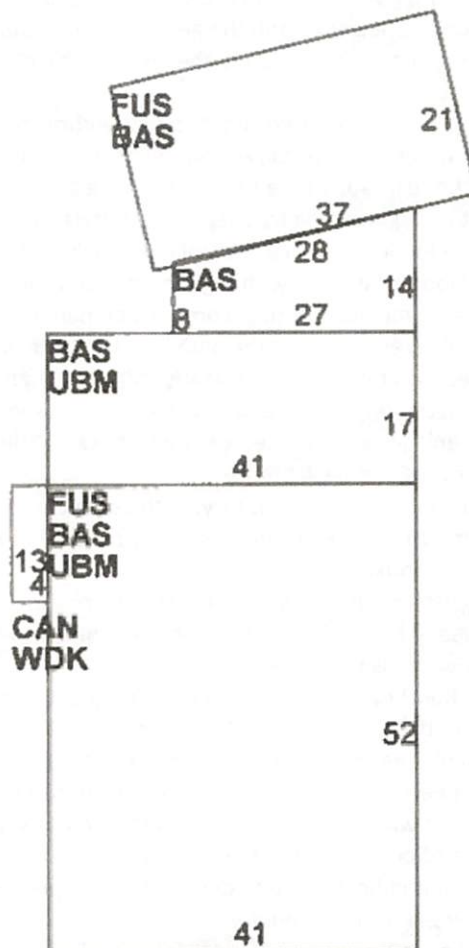
IMPROVEMENTS DESCRIPTION

Built / Stories	1870 (per assessor) / mostly 2-story, though with a small central one-story section that connects the two 2-story sections
Use	2 retail units on the first level and 3 apartments on the second floor.
Structure/ Exterior	Wood-frame construction with wood clapboard exterior and an asphalt-shingle roof. There is a basement beneath most of the front 2-story section (partial crawl space). Most windows are insulated glass.
Building area	Main Level: 3,903 SF 2 nd floor: <u>2,909 SF</u> Total: 6,812 SF
Layout	<u>Main level:</u> At the front is a retail unit with a mostly open layout, with basement stairs along the north wall (partitioned with storage). At the rear are a business office and lavatory. At the rear of the unit is an exit which leads to a small common area (down 2-3 steps, perhaps 80 SF) beyond which is a small retail unit (flower shop, ~777 SF) that has a display area, service counter, and preparation area. A lavatory is along the north side, up 2-3 steps. The unit had been a coffee shop and the general layout (and some kitchen equipment) remains. Splitting the common area pro-rata the units are ~3,110 SF and ~793 SF. <u>Second Floor:</u> At front are two similar size 2-bedroom apartments (average gross unit area of 1,066 SF): accessed by a stairway at the north end of the front that leads to a fairly small landing. At the rear (above the flower shop) is a 1-bedroom unit with vaulted ceilings and a small loft (storage) accessed by a separate stairway at the rear (777 SF).
Predominant Finishes	There are predominantly sheetrock/plaster walls and ceilings (suspended tile in the main retail unit). Floor finishes vary, though there is considerable wood flooring. A portion of the basement has some finishes (e.g. composition panel walls, limited suspended tile), though of nominal value, especially as the plumbing waste lines are at floor level (trip hazards).
Electrical / Lighting	The main electrical rating was not clearly stated, though 5 services were noted (no apparent owner meter). Lighting is mixed, with primarily recessed fluorescent/LED fixtures in the front commercial unit (new), recessed cans and track lighting in the rear unit. The apartments have standard residential lighting.
Plumbing	Each commercial unit has a lavatory, with some commercial kitchen plumbing in the rear unit. Each apartment has a 3-fixture bath, residential kitchen, and laundry hookups. The building is not sprinklered.
HVAC	The building has oil-fired hot water heat (hydro air in the front commercial unit) with a central (Buderus) boiler. The front commercial unit also has ducted central air. The rear unit has an older ductless through-wall AC unit.
Quality / Condition	Average (2 nd floor) to above average (1 st floor) quality. The front apartments were renovated ~15 years ago, the HVAC in 2009. The exterior paint on the east and (especially) south sides could use paint. The assessor notes portions of the roof were done 2000-2005. Some of the front roof appeared older, though it is assumed to be serviceable. The lighting in the primary commercial unit was recently replaced and there was some minor remodeling as well. There was evidence of peeling paint in one section of the rear 2-bedroom apartment, though the long-time tenant indicated it was old and there is presently no leak issue. The building is in generally average overall condition.
Utility	For the most part the utility is average/normal. The rear commercial unit has essentially no exposure and relies on pedestrian traffic, which is seasonal and the season is short. This space might have increased utility as combined with the front; however, it is down 2-3 steps and the front unit is already fairly large. It had been offered to the current tenant in the past, though it was declined. One of the front apartments is described as a 1-BR unit, though does have a second room with closet that could function as a second BR (with the laundry closet).
Economic Age	15-20 years (~25-30 years remaining)

IMPROVEMENTS DESCRIPTION

Environ-mental	No report provided; assumed "clean".
FF&E	No equipment is included in the valuation. It is noted that there is some kitchen equipment in place in the rear (vacant) commercial unit and there is a generator that powers the entire building.
Summary	The property is an older mixed-use building in a village center setting that is reasonably functional except for the smaller rear commercial unit, which has essentially no exposure of any significance. The main/front unit has been occupied by the local pharmacy/general store for decades, though the pharmacy portion of the business has been discontinued. While presently occupied, the rear unit has seen significant vacancy in recent years. One apartment is vacant, though only since 4/1 and it has not been relisted due to the pending sale.

BUILDING SKETCH - 6,812 SQUARE FEET - N ←



ZONING INFORMATION

ZONE

The property is zoned C20 Commercial.

PERTINENT PERMITTED USES

Pertinent permitted uses include retail, personal services, offices, and low-turnover restaurants. Also permitted are apartments in a business building (upper floor), as well as multi-family dwellings (maximum 3). High-turnover restaurants require a special permit.

AREA AND SETBACK REQUIREMENTS

Requirement	Required
Minimum lot size:	20,000 square feet
Minimum street frontage / square	25' / 90'
Minimum front /side / rear yards:	20' / 12' / 30'
Maximum building height:	35'
Maximum lot coverage:	25%
Minimum distance between buildings	10'

OFF-STREET PARKING

Use	Required Parking
Retail	1 per 200 square feet
Non-medical office	1 per 200 square feet
Apartment, 1-bedroom	1 space
Apartment, 2 or more bedroom	2 spaces

CONFORMITY

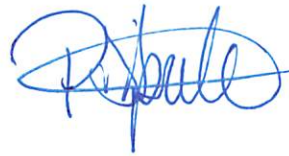
The property appears to conform to zoning as to uses. It is an existing lot of record and is non-conforming as to various site requirements. It also lacks any parking. There is a provision in the regulations for commercial parcels in the village center with insufficient area to meet standard parking regulations, allowing the commission to include proximate municipal, joint parking or satellite parking.

March 03,2024

20 Main Street
Salisbury, CT 06068

1. Proposed uses
 1. Retail - Salisbury General Store (front main floor)
 2. Service - Barber Shop (rear, main floor)
 3. Apartment 1 (floor 2, front of main building, 2 bedroom)
 4. Apartment 2 (floor 2, rear of main building, 2 bedroom)
 5. Apartment 3 (floor 2, over barber shop, 1 bedroom)
2. Parking: currently one tenant per apartment. 1 - 3 employees for each business.
3. No survey was done upon building sale. I have included any relevant sections of the property evaluation. Entire report available upon request.

When the building was purchased in 2022, there were no changes to any uses.

A handwritten signature in blue ink, appearing to read "R. Spauld", is located in the lower right quadrant of the page. The signature is fluid and cursive, with a large initial "R" and a stylized "Spauld" following it.

March 06,2024

In reference to the Special Permit Application for 20 Main Street for parking flexibility:

1. 3 Apartments: 1 space required for each.

Each of the 3 apartments are rented. One tenant has a motorcycle that is mostly parked at the White Hart where he is employed as a manager. Another tenant is away from Sunday - Thursday each week for work, so his car is mostly parked at an airport. The third tenant is employed locally and will park on the street.

2. Rear 1st floor "barber shop" space: 777 square feet. 1 space required.

The proposed barbershop will have one employee - and therefore one client at any given time. Parking will likely be on the street.

3. Front 1st floor retail space: 3132 square feet. 15 spaces required.

The General Store will have one employee working at a time, and there are normally one - two customers in the store at any given time. The average customer spends less than 15 minutes in the store. The only time we would come close to the 15 required parking-space-number of customers would be the couple of weeks around the holidays. Customers usually park on the street, but we do get some that park in the back lot combining a trip to some of the other local vendors, i.e. LaBonne's, Sweet Williams, Post Office, etc.

Thank You,

Peter D'Aprile
Owner

March 06, 2024

In reference to the Special Permit Application for 20 Main Street, I would like to officially request a waiver of the Survey requirement as there are no requested changes to the building footprint.

Thank You,

Peter D'Aprile
Owner

FRANSAM, LLC

ACTIVE

38 N MAIN STREET, KENT, CT, 06757, United States

BUSINESS DETAILS



Business Details



General Information



Business Name

FRANSAM, LLC

Business status

ACTIVE

Citizenship/place of formation

Domestic/Connecticut

Business address

38 N MAIN STREET, KENT, CT, 06757, United States

Annual report due

3/31/2024

NAICS code

Lessors of Nonresidential Buildings (except Miniwarehouses) (531120)

Business ALEI

1174136

Date formed

5/5/2015

Business type

LLC

Mailing address

38 N MAIN STREET BOX 632, KENT, CT, 06757, United States

Last report filed

2023

NAICS sub code

Principal Details



Principal Name

PETER D'APRILE

Principal Title

MEMBER

Principal Business address

38 N MAIN STREET, PO BOX 632, KENT, CT, 06757, United States

Principal Residence address

63 BENNETTS BRIDGE RD, SANDY HOOK, CT, 06482, United States

Agent details

Agent name

ANDREW J. BUZZI JR.

Agent Business address

69 NORTH ST, DANBURY, CT, 06810, United States

Agent Mailing address

69 North Street, Danbury, CT, 06810, United States

Agent Residence addresss

39 OBTUSE RD , NEWTOWN, CT, 06470, United States

Filing History



Business Formation - Certificate of Organization

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Filing date: 5/5/2015

Filing time:

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