

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

August 19th, 2024 6:30PM

Remote Meeting by Live Internet Video Stream and Telephone

1 **Members Present:**  
2 Dr. Michael Klemens (Chair)  
3 Cathy Shyer (Vice Chair)  
4 Martin Whalen (Secretary) *arrived 6:32PM*  
5 Allen Cockerline (Regular Member)  
6 Dr. Danella Schiffer (Alternate Member)

**Members Absent:**  
Bob Riva (Regular Member)  
Beth Wells (Alternate Member)

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

11 **Brief Items and Announcements**

12 1. Call to Order / Establish Quorum

13 Chair Klemens called the meeting to order at 6:30PM. A quorum was established with three regular  
14 members present (Dr. Michael Klemens, Cathy Shyer, Allen Cockerline). Alternate Member Dr. Danella  
15 Schiffer was also present.

17 Chair Klemens appointed Alternate Member Schiffer as voting alternate.

19 2. Approval of Agenda

20 Chair Klemens proposed the following amendment:

21 Remove Item #8, as the Public Hearing was withdrawn.

23 **Motion:** To approve the agenda as amended.

24 Made by Shyer, seconded by Cockerline.

25 Vote: 4-0-0 in favor.

27 Secretary Whalen joined the meeting at 6:32PM.

29 3. Minutes of July 15, 2024

31 The Commission did not have comments or questions for the detailed Minutes of July 15, 2024. Vice  
32 Chair Shyer and Alternate Member Schiffer were not present at the meeting and abstained from  
33 commenting.

35 **Motion:** To approve Minutes of July 15, 2024

36 Made by Cockerline, seconded by Whalen.

37 Vote: 3-0-2 in favor, with Vice Chair Shyer and Alternate Member Schiffer abstaining

39 4. Minutes of July 29, 2024 - *pending*

40 5. Minutes of August 5, 2024 - *pending*

42 **Public Comment**

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

46 There was no Public Comment.

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**Pending Business**

7. #2024-0255 / McCord (Michael Trapp Inc) / 514 Wells Hill Road / Special Permit Application for an Accessory Apartment (Section 208) / Map 30 / Lot 04 / DOR: 08/05/2024 / *Schedule Public Hearing for September 3, 2024*

LUD Conroy explained the Commission previously requested an updated site plan, and that an additional as-built plan was submitted with the existing conditions of the driveway. The property owner also submitted a letter which explained verbal permission was granted to access and utilize the driveway that crossed over a property not owned by the applicant. The submitted correspondence additionally stated the property owner agreed to abandon the portion of the driveway that crossed property lines. LUD Conroy said the driveway no longer needs to comply with shared driveway standards as it will only serve one lot. Chair Klemens believed this application was complete, all Commissioners agreed.

**Motion:** To schedule public hearing for application #2024-0255 / McCord (Michael Trapp Inc) / 514 Wells Hill Road / Special Permit Application for an Accessory Apartment (Section 208) / Map 30 / Lot 04 / on September 3, 2024 at 6:45PM via Zoom.

Made by Cockerline, seconded by Whalen.

Vote: 5-0-0 in favor.

**Pending Business**

9. #2024-0256 / McGlone (Nelson) / 54 Farnum Road / Site Plan Application to Turn Second Floor into an Attached Accessory Apartment (Section 208) / Map 49 / Lot 113 / DOR: 08/05/2024 / *Possible Consideration*

Chair Klemens explained additional documents were submitted which show the dwelling is outside of the nearby floodplain. Architect Raymond Nelson joined the meeting to represent the application. Architect Nelson presented a plan showing the Federal Emergency Management Agency (FEMA) map overlain on the property identifying the extent of the flood zone. He explained the floodplain is beyond the lawn and the existing dwelling lies outside of the floodplain. Architect Nelson explained the property is served by both Town sewer and water. Construction will not occur on the first floor. An addition is proposed on the second floor, along with a balcony and outdoor staircase that will be ingress/egress from the apartment. There were no questions or comments from the Commission. LUD Conroy asked if the primary first floor dwelling will be occupied by the property owner. Architect Nelson replied yes.

**Motion:** To approve application #2024-0256 / McGlone (Nelson) / 54 Farnum Road / Site Plan Application to Turn Second Floor into an Attached Accessory Apartment (Section 208) / Map 49 / Lot 113 / finding it compliant with the requirements of section 208 of the Zoning Regulations.

Made by Cockerline, seconded by Shyer.

Vote: 5-0-0 in favor.

**New Business**

10. #2024-0260 / Brazzale (Grickis) / 17 Railroad Street / Contractor Equipment Storage / Map 54 / Lot 58 / DOR: 08/19/2024 / *Consideration of Completeness, Schedule Hearing*

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93 Attorney William Grickis joined the meeting to represent the application. LUD Conroy presented the Site  
94 Plan and ss-built survey. She explained correspondence from the surveyor was received explaining less  
95 than 30 percent of the property is considered impervious surface, complying with the standards of the  
96 Aquifer Protection Overlay District.

97

98 Vice Chair Shyer recused herself from this matter. LUD Conroy reminded the Commission they may  
99 schedule a site visit if they wish. Attorney Grickis added all Commissioners are welcome to visit the  
100 property.

101

102 Chair Klemens explained discussion during the scheduled public hearing will be limited to the topic of a  
103 building built in a different location on the property. There were no further questions or comments from  
104 the Commission.

105

106 **Motion:** To schedule a public hearing for Special Permit application #2024-0260 / Brazzale (Grickis) / 17  
107 Railroad Street / Contractor Equipment Storage / Map 54 / Lot 58 / for September 16, 2024 at 6:45PM  
108 via Zoom.

109 Made by Cockerline, seconded by Whalen.

110 Vote: 4-0-0 in favor, with Vice Chair Shyer recusing herself.

111

112 11. #2024-0258 / Rohn / 100 Interlaken Road / Site Plan Application for Replacement of a  
113 Nonconforming Barn in the Lake Protection Overlay District (Section 404 and 504) / Map 39 / Lot 16 /  
114 DOR: 08/05/2024 / *Pending IWWC Approval*

115

116 LUD Conroy explained the applicant proposed to replace a structure on 100 Interlaken Road that does  
117 not meet the required setback from a watercourse. She said the application was received by the Inland  
118 Wetland & Watercourses Commission (IWWC) but has not been acted upon. Approval was received from  
119 Torrington Area Health District (TAHD). Property owner Dana Rohn joined the meeting to represent the  
120 application.

121

122 Chair Klemens asked if construction of the replacement building will result in increased impervious  
123 surface calculations. Ms. Rohn replied no, the building footprint will remain the same. LUD Conroy  
124 presented the submitted site plan and additional application documents. Chair Klemens asked if the  
125 newly constructed building will have a foundation. Ms. Rohn replied the IWWC preferred that the  
126 building be installed with piers or on a gravel pad. She explained the new building will be constructed  
127 with a floor located on skids sitting on top of a bed of gravel. Commissioner Cockerline suggested the  
128 application be handled by the Land Use Office (LUO) administratively. All Commissioners agreed. Chair  
129 Klemens explained after approval is received by the IWWC, the application will be approved by the ZEO  
130 and the Chair.

131

132 **Motion:** To find the proposal to rebuild a nonconforming structure to the same dimensions a minor  
133 modification of the existing site plan, and to authorize administrative approval by the Planning and  
134 Zoning Commission Chair and Zoning Enforcement Officer.

135 Made by Cockerline, seconded by Shyer

136 Vote: 5-0-0 in favor

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138 12. #2024-0259 / Frischling (Johannesen) / 42 Slater Road / Site Plan Application for Site Development

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139 Activities in the Lake Protection Overlay District (Section 404) / Map 68 / Lot 06 / DOR: 08/19/2024 /  
140 *Possible Consideration*

141  
142 Engineer George Johannesen from Allied Engineering joined the meeting to represent the application for  
143 Property Owners Mandy and Teddy Frischling. LUD Conroy presented the Site Plan, survey, and  
144 additional application documents. Engineer Johannesen explained the applicant proposed installation of  
145 an asphalt sports court, two small sheds and landscaping designed by Old Farm Nursery. He explained  
146 the 11-acre property consisted of a peninsula between Lake Washinee and the outlet channel near  
147 Channel Road. There is an existing main dwelling and pool house with an individual septic system.  
148 Engineer Johannesen explained the property is in Zone RR-1 and is partially in the Lake Protection  
149 Overlay District (LPOD). The proposed site development within the LPOD is a portion of the sports court,  
150 pergola, one shed, fencing, and potential porch addition.

151  
152 Engineer Johannesen explained approval was received from TAHD and IWWC. The IWWC requested  
153 eight additional trees be installed throughout the property. Chair Klemens asked for the impervious  
154 surface calculations. Engineer Johannesen replied the percentage within the LPOD will increase slightly  
155 from 7.3 percent to 7.96 percent. Vice Chair Shyer asked if proposed plantings will be installed by Old  
156 Farms Nursery, Engineer Johannesen replied yes. Vice Chair Shyer requested to review the planting list,  
157 including proposed trees. There were no further questions or comments from the Commission.

158  
159 **Motion:** To approve application #2024-0259 / Frischling (Johannesen) / 42 Slater Road / Site Plan  
160 Application for Site Development Activities in the Lake Protection Overlay District (Section 404) / Map 68  
161 / Lot 06 /.

162 Made by Whalen, seconded by Cockerline.

163 Vote: 5-0-0 in favor.

164

165 **Other Business**

166 13. Enforcement Updates

167 a. 253 Indian Mountain Road

168

169 LUD Conroy explained the property owner successfully obtained approval from TAHD and received a  
170 Zoning Permit. LUD Conroy will perform a final inspection on Monday and close out the permits.

171

172 b. 144 Salmon Kill Road

173

174 LUD Conroy explained no correspondence was received from the property owner. They previously  
175 updated that a surveyor was hired to perform the work requested. LUD Conroy said a Notice of Violation  
176 will be sent this week as the sixty-day waiting period has passed.

177

178 c. 263 Millerton Road

179

180 LUD Conroy explained she visited the property and noticed a majority of grass grew into the areas of  
181 concern. A follow-up inspection will be required. LUD Conroy suggested to Engineer Pat Hackett that an  
182 erosion control blanket be installed for stabilization. LUD Conroy explained she will touch base with the  
183 Connecticut Department of Transportation (DOT) and noted the major areas of concern have been  
184 addressed by the property owner.

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d. 349 Main Street

LUD Conroy explained a response from the property owners has not been received regarding propane tanks installed at the boathouse. LUD Conroy said the LUO will move forward with a Notice of Potential Violation.

e. 16 Woodland Drive

f. 24 Woodland Drive

LUD Conroy explained Attorney Grickis represented these properties. LUD Conroy explained discussion occurred regarding a new propane tank location, and the LUO received correspondence about an encroachment into the front yard setback, beyond what was approved by the ZBA LUD Conroy explained the only way to remedy this situation is returning to the ZBA. LUD Conroy considered this update as substantial progress to remedy the concern.

**Adjournment**

**Motion:** To adjourn the meeting at 7:27PM.  
Made by Cockerline, seconded by Whalen.  
Vote: 5-0-0 in favor.

Respectfully Submitted,

Erika Spino

Secretary of Minutes