

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

January 6th, 2025 5:30PM

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 5:46PM*
- 5 Allen Cockerline (Regular Member)
- 6 Bob Riva (Regular Member)
- 7 Dr. Danella Schiffer (Alternate Member)
- 8 Beth Wells (Alternate Member)

**Members Absent:**

**Staff Present:**

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 regular  
13 members present (Dr. Michael Klemens, Cathy Shyer, Allen Cockerline, Bob Riva). Alternate Members Dr.  
14 Danella Schiffer and Beth Wells were also present.

15  
16 Chair Klemens appointed Alternate Member Wells as Voting Alternate.

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

19 Made by Riva, seconded by Cockerline.

20 Vote: 5-0-0 in favor.

- 21
- 22 2. Minutes of October 29, 2024 – pending
- 23 3. Minutes of November 4, 2024 – pending
- 24 4. Minutes of November 18, 2024 - pending
- 25 5. Minutes of December 2, 2024 – pending
- 26 6. Minutes of December 10, 2024 – pending
- 27 7. Minutes of December 12, 2024 – pending
- 28 8. Minutes of December 16, 2024 – pending
- 29 9. Minutes of December 17, 2024 – pending

30  
31 **New Business**

32 10. #2024-0272 / Peter Whitmore / 22 Robin Hill Lane / Site Plan Application for interior  
33 modifications to create an Accessory Apartment (Section 208) / Map 36 / Lot 20 / DOR: 01/06/2024  
34 / *Reception and Possible Consideration*

35  
36 Peter Whitmore joined the meeting to represent the application. Chair Klemens commented that the  
37 application complied with Site Plan Requirements, and recommended approval should be conditional on  
38 construction of a kitchen. Mr. Whitmore explained a potential kitchen location within the Accessory  
39 Apartment had not been finalized. Chair Klemens recommended requiring a temporary Zoning Permit  
40 including verbiage in the Resolution to reflect that a kitchen must be installed within one year of the  
41 approved Site Plan. Mr. Whitmore asked if the Accessory Apartment could be occupied before the  
42 kitchen is installed. Chair Klemens confirmed it could be. Vice Chair Shyer asked if the Applicant would  
43 have flexibility to adjust the kitchen location after a temporary Zoning Permit was issued. Chair Klemens  
44 replied yes, the applicant could return with Site Plan modifications.

45  
46 Secretary Whalen joined the meeting at 5:46PM, and was seated as a voting member in place of

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47 Alternate Member Wells.

48

49 **Motion:** To approve application #2024-0272 / Peter Whitmore / 22 Robin Hill Lane / Site Plan Application  
50 for interior modifications to create an Accessory Apartment (Section 208) / Map 36 / Lot 20 / with the  
51 following condition:

52 1. A six-month temporary Zoning Permit shall be issued, with possible renewal for another six  
53 months, pending the completion of a kitchen in the owner's unit.

54 Made by Cockerline, seconded by Riva.

55 Vote: 5-0-0 in favor.

56

57 **Public Hearing – 5:45PM**

58 11. #2024-0269 / Sievert and Eliza McCabe / 21 Mount Riga Road / Special Permit for Vertical  
59 Expansion of a Nonconforming Residential Structure (Section 503.2) / Map 14 / Lot 17 / DOR:  
60 11/18/2024 / *Open Public Hearing*

61

62 The public hearing opened at 5:48PM. Secretary Whalen read the Legal Notice. Chair Klemens explained  
63 the Applicant had not notified the abutters, completed Site Plans were not submitted, and approval  
64 from Torrington Area Health District (TAHD) was not received. Chair Klemens suggested continuing the  
65 public hearing to January 21, 2025 to provide the Applicant an opportunity to complete the application.

66 **Motion:** To continue the public hearing to January 21, 2025 at 5:45PM via Zoom.

67 Made by Cockerline, seconded by Riva.

68 Vote: 4-0-0 in favor, Secretary Whalen was not available to vote.

69

70 **New Business – Continued**

71 12. 2024-0271 / Hotchkiss School (Haley Ward – Parsons) / 11 Interlaken Road / Site Plan to Dredge  
72 Portion of Lake Wononscopomuc by Sucker Brook Involving Land Disturbance of 500' or More  
73 Within 75' of the Ordinary High Water Mark in the LPOD (Section 404) / Map 06 / Lot 08 / DOR:  
74 01/6/2025 / *Reception and Possible Consideration*

75

76 Commissioner Cockerline recused himself from this application. Chair Klemens appointed Alternate  
77 Member Wells to vote in Commissioner Cockerline's place. Todd Parsons of Haley Ward Engineering  
78 explained approval was received from the Inland Wetlands & Watercourses Commission (IWWC) with  
79 conditions that a review letter from Connecticut Department of Energy & Environmental Protection  
80 (DEEP) was submitted regarding a Natural Diversity Data Base (NDDDB) request.

81

82 Chair Klemens asked if NDDDB approval of the spoil's location was received. Mr. Parsons replied no. Vice  
83 Chair Shyer mentioned the beach and boat launch closures at Lake Wononscopomuc in response to an  
84 invasive plant species, *Hydrilla*. She suggested the dredging project be delayed to reduce the risk of  
85 spreading *Hydrilla*. The Commission reviewed the IWWC conditions of approval. Project Manager Sunny  
86 Kim of Hotchkiss School commented that she would discuss the Commission's concerns with the School.

87

88 Todd Parsons presented the Site Plan application and explained approval was requested for dredging  
89 activity. He said one-thousand eight-hundred cubic yards was proposed to be removed to ensure  
90 appropriate depth levels for launching sailboats. He explained diver-assisted dredging is planned, where  
91 a diver directs a nozzle and spoils emerge through a pump placed on a floating barge into a large  
92 dewatering bag. A turbidity curtain would be used and relocated throughout the project's progress. Mr.

SALISBURY PLANNING AND ZONING COMMISSION

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93 Parsons explained all equipment would be thoroughly cleaned prior to use. The project is anticipated to  
94 take one month, with up to three replacements of the dewatering bag. A contractor to remove spoils  
95 from the area would be acquired. He explained DEEP Fisheries requested an exclusion time from April 30  
96 to June 30 2025, and asked for water disruption prior to installation of the turbidity curtain to discourage  
97 fish from the area. He added that NDDDB determined the project would not impact any threatened or  
98 endangered species, and requested the submission of a disposal site location for the removed spoils. Mr.  
99 Parsons explained correspondence was received from the neighboring Sims Family Trust indicating they  
100 do not object to the project and would allow an anchor to be placed on their property for the turbidity  
101 curtain.

102

103 Chair Klemens asked when the Applicant planned to perform the dredging. Mr. Parsons replied July  
104 2025. Vice Chair Shyer reiterated concern about invasive plant species and asked if the project could be  
105 reconsidered. Alternate Member Wells shared Vice Chair Shyer's concern and asked if the area could be  
106 tested for *Hydrilla* prior to project commencement. Vice Chair Shyer explained the Town will perform  
107 monthly sampling for *Hydrilla* and Aquatic Plant Surveys around Lake Wononscopomuc beginning in May  
108 2025. Alternate Member Wells asked if new equipment could be purchased for the project. Mr. Parsons  
109 replied the anticipated company has custom-made equipment and acquiring new equipment may not be  
110 feasible. He suggested a written description of cleaning protocol for equipment could be provided.

111

112 Michael Virzi of Hotchkiss School expressed that he would like to discuss the project internally with the  
113 School, and requested the application be continued to a later date. Chair Klemens decided the  
114 application would be continued to the regular meeting on February 3, 2025.

115

116 13. 2024-0270 / NOTSERO LLC (Hackett) / 95 Preston Lane / Site Plan for Demolition and  
117 Reconstruction of Single Family Residence in the Lake Protection Overlay District (Section 404) /  
118 Map 69 / Lot 32 / DOR: 12/16/2024 / *Reception, IWWC Approval Pending*

119

120 Engineer Pat Hackett presented the application. Chair Klemens asked if a written narrative was included  
121 in the Site Plan application. Mr. Hackett replied yes. Chair Klemens requested the Applicant's name be  
122 clarified. Chair Klemens asked if impervious coverage calculations were provided. Mr. Hackett replied  
123 yes.

124

125 Mr. Hackett explained the Applicant proposed to tear down the current dwelling and construct a larger  
126 residential structure. He explained the application has been submitted to Town Consulting Engineer Tom  
127 Grimaldi for review, and approval was not yet received from the IWWC. Chair Klemens asked if the  
128 project intruded into property setbacks. Mr. Hackett replied no. Chair Klemens asked if the stone wall  
129 present on the property was pre-existing. Mr. Hackett replied it was. Vice Chair Shyer asked who would  
130 compose the Planting Plan. Brian Hanecak, representing the general contractor, explained the Planting  
131 Plan was designed by Landscape Arborist and Designer Mike Zaharek.

132

133 Chair Klemens clarified approval of this application is pending approval from the IWWC and TAHD.

134

135 **Motion:** To continue discussion on February 3, 2025 at 5:30PM via Zoom.

136 Made by Cockerline, seconded by Riva.

137 Vote: 5-0-0 in favor.

138

SALISBURY PLANNING AND ZONING COMMISSION

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139 14. 2024-0273 / Alexander Reid and Kathryn Spaziani / 99 Preston Lane / Special Permit Application  
140 for Vertical Expansion of a Non-Conforming Structure in the Lake Protection Overlay District  
141 (Sections 503.2 and 404) / Map 68 / Lot 10 / DOR: 01/06/2024 / *Review of Completeness and*  
142 *possible Schedule Public Hearing*  
143

144 Chair Klemens explained this application involved expansion of living space in the area of an existing  
145 deck. Engineer Pat Hackett explained the property is located within the Lake Protection Overlay District  
146 (LPOD) and R20 Zone. He explained the Applicant proposed to convert a wraparound deck on the north  
147 and west side of the structure into a mudroom, den and living room. A new deck would be built within  
148 building setbacks. He clarified approval was not yet received from TAHD.

149  
150 Chair Klemens commented that the structural footprint cannot be expanded into setback areas as it  
151 would increase the non-conformity. Property Owner Alexander Reid asked for suggestions or alternative  
152 options for expansion. Commissioner Cockerline explained any impervious surface areas can be  
153 converted within setbacks. Vice Chair Shyer asked for clarification of the location of stairs on the Site  
154 Plan. Mr. Reid explained the “current location of stairs” was existing open wooden stairs not structural  
155 to the dwelling. Property Owner Kathryn Spaziani explained the “original location” shown on the plan  
156 does not currently exist and was included from an older plan. Chair Klemens requested the “original  
157 location of stairs” be removed from the Site Plan. He also commented that converting the conforming  
158 portions of the deck into a residential structure can be supported, but the portions of the expansion  
159 within the Zoning setbacks must be reconsidered. Ms. Spaziani mentioned the entire dwelling was  
160 constructed on piers and does not have a foundation.

161  
162 Alternate Member Wells asked if a redesign with the addition constructed on the rear of the structure  
163 within setbacks would be acceptable. Commissioner Cockerline replied yes. Alternate Member Wells  
164 mentioned a redesign on the rear would be closer to the lake and preferred an expansion towards the  
165 front of the property. Mr. Hackett explained there was no foundation drain and the Applicant wished to  
166 work within the pre-existing structure. Chair Klemens advised the Applicant to redesign and relocate the  
167 expansion and to continue discussion at a future meeting.

168 **Other Business**

170 15. Printing Plan of Conservation and Development Discussion  
171

172 Chair Klemens suggested fifty copies of the Plan of Conservation and Development (POCD) be printed  
173 and distributed to volunteers and elected officials. The Commission agreed.  
174

175 **Motion:** To adjourn the meeting at 7:28PM.

176 Made by Cockerline, seconded by Riva.

177 Vote: 5-0-0 in favor.

178  
179 Respectfully Submitted,

180 Erika Spino

181 Secretary of Minutes