

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

Monday March 3rd, 2025 5:30PM

Remote Meeting by Live Internet Video Stream and Telephone

1 **Members Present:**

2 Dr. Michael Klemens (Chair)

3 Martin Whalen (Secretary)

4 Allen Cockerline (Regular Member)

5 Bob Riva (Regular Member)

6 Dr. Danella Schiffer (Alternate Member)

7 Beth Wells (Alternate Member)

8

9 **Brief Items and Announcements**

10 1. Call to Order / Establish Quorum

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

14

15 Chair Klemens appointed Alternate Member Schiffer as voting alternate.

16

17 2. Approval of the Agenda

18 Chair Klemens proposed the following amendments:

19 Remove Item #9 (application 2024-0270) - Tabled

20 Remove Item #11 (application 2025-0276) - Withdrawn

21

22 **Motion:** To accept the agenda as amended.

23 Made by Cockerline, seconded by Riva.

24 Vote: 5-0-0 in favor.

25

26 3. Minutes of January 6, 2025

27

28 **Motion:** To approve detailed minutes of January 6, 2025.

29 Made by Whalen, seconded by Riva.

30 Vote: 5-0-0 in favor.

31

32 4. Minutes of January 21, 2025 – *pending*

33 5. Minutes of February 3, 2025 – *pending*

34 6. Minutes of February 18, 2025 – *pending*

35

36 7. Public Comment: Public Comment is restricted to items that are neither on the agenda nor the subject  
37 of any pending Inland Wetlands application or action and are limited to three minutes per person.

38

39 **Pending Business**

40 8. 2024-0270 / NOTSERO LLC (Hackett) / 95 Preston Lane / Site Plan for Demolition and Reconstruction  
41 of Single Family Residence in the Lake Protection Overlay District (Section 404) / Map 69 / Lot 32 / DOR:  
42 12/16/2024 / Extension Granted / *Possible Decision*

43

44 Engineer Pat Hackett joined the meeting to present the application. Chair Klemens explained approval  
45 was received from the Inland Wetlands & Watercourses Commission (IWWC). Mr. Hackett presented a  
46 Site Plan and noted that the new septic system is proposed in roughly the same area as the existing.

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47 Additionally, a path will be cut that extends to a moderately leveled area by the lake. Eco-Grass from  
48 Prairie Moon Nursery was proposed for planting, and a bond amount for the application was posted.  
49

50 Chair Klemens asked for impervious surface percentages. Mr. Hackett replied impervious surfaces would  
51 increase from 3% pre-development to 8.8% post-development. LUD Conroy asked if the altered driveway  
52 was included in impervious surface calculations. Mr. Hackett replied no, a gravel driveway would be  
53 installed. Chair Klemens asked if the gravel driveway would be constructed to infiltrate water and avoid  
54 compaction. Mr. Hackett replied no, but a deeper section of gravel could be included at the base of the  
55 driveway to encourage additional infiltration. Chair Klemens suggested including six to eight inches of  
56 coarse gravel topped with finer gravel for improved infiltration. Commissioner Cockerline suggested  
57 crowning the driveway to divert water runoff into coarser material on either side of the driveway.  
58 Secretary Whalen and Commissioner Riva agreed. Alternate Member Schiffer asked if driveway  
59 improvements would be a hardship for the applicant. Mr. Hackett replied no. Alternate Member Wells  
60 suggested paving the driveway and reducing impervious surface area of the proposed dwelling to remain  
61 within Lake Protection Overlay District (LPOD) requirements.  
62

63 Chair Klemens suggested the applicant return with a redesign of the gravel driveway. Commissioner  
64 Cockerline said Town Regulations currently recognize gravel driveways as impervious and the application  
65 was approved by Town Consulting Engineer Tom Grimaldi. He suggested to approve the application and  
66 leave a potential impervious surface solution up to Mr. Hackett's discretion. Secretary Whalen and  
67 Commissioner Riva agreed. LUD Conroy presented conditions of approval from the IWWC. Alternate  
68 Member Schiffer suggested adding a condition to allow improvements of the gravel driveway's  
69 permeability to avoid overreaching the impervious surface limit. The Commission agreed.  
70

71 **Motion:** To approve application 2024-0270 / NOTSERO LLC (Hackett) / 95 Preston Lane / Site Plan for  
72 Demolition and Reconstruction of Single Family Residence in the Lake Protection Overlay District (Sec-  
73 tion 404) / Map 69 / Lot 32 / DOR: 12/16/2024 / with the following conditions:

- 74 1. To enhance and improve the driveway perviousness.
- 75 2. Final approved plans shall have live signature and embossed seal of the Engineer and Sur-  
76 veyor of record. These shall be submitted to the Town of Salisbury Land Use Administrator  
77 prior to any construction.
- 78 3. The Erosion & Sedimentation Control Measures Bond shall be a cash bond set at \$17303.00,  
79 which includes 10% to account for inflation. The bond shall be a cash bond payable to the  
80 "Town of Salisbury"
- 81 4. A Pre-Construction Meeting with the Town staff is required prior to the start of construction  
82 to inspect E & S control measures and to discuss construction sequencing/phasing.
- 83 5. The Design Engineer shall inspect all phases of the Site work and provide a monthly report  
84 with photographs to the Land Use Administrator.
- 85 6. During the construction process, the Owner/Developer/Contractor shall add erosion and sedi-  
86 mentation control measures as deemed necessary by the Town of Salisbury staff and/or the  
87 Consulting Town Engineer.
- 88 7. Daily inspections and required maintenance of all erosion & sedimentation control measures  
89 shall be completed by the General and/or the Site Contractor until a permanent vegetated  
90 cover is established. Repairs shall be made immediately after inspections.
- 91 8. An escrow shall be provided for three inspections by the Consulting Town Engineer, prior to  
92 the commencement of work.

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- 93 9. An As-Built Site Improvement and Grading Plan, which shall include topography/locations of  
94 all altered areas within the limit of disturbance, shall be submitted to the Land Use Adminis-  
95 trator after all the site work is completed, and prior to requesting a Certificate of Occupancy.  
96 Said map shall be prepared by a State of Connecticut Registered Land Surveyor.  
97 10. A final site inspection shall be completed by the Land Use Administrator and/or the Consult-  
98 ing Town Engineer prior to the release of the Erosion & Sedimentation Control Bond and/or  
99 the issuance of a Certificate of Occupancy.

100 Made by Cockerline, seconded by Riva

101 Vote: 5-0-0

102  
103 **New Business**

104 10. 2025-0277 / Lemon Properties, LLC / 160 Dugway Road / Site Plan for New Single Family Dwelling in  
105 the Housatonic River Overlay District (Section 402) / Map 8 / Lot 28-13 / DOR: 03/03/2025 / *Reception*  
106 *and Possible Consideration*

107  
108 Chair Klemens explained the property is located within the outer corridor of the Housatonic River  
109 Overlay District (HROD) which required Site Plan approval from the Commission. Jason Lemon joined the  
110 meeting to present the application. LUD Conroy explained this parcel is the northernmost part of a  
111 recent three-lot subdivision. She also noted that approval was received from Torrington Area Health  
112 District (TAHD) for the septic system.

113  
114 Chair Klemens asked if there were concerns with installing utilities. Mr. Lemon replied no and mentioned  
115 electricity connection would commence shortly. Commissioner Cockerline asked if the proposed  
116 driveway would be shared with a neighboring lot. Mr. Lemon replied no. Mr. Lemon explained erosion  
117 and sediment control plans were established. Alternate Member Schiffer asked for the length of the  
118 proposed driveway, which Mr. Lemon explained would be several hundred feet. Alternate Member  
119 Schiffer mentioned excessive sand and salt in driveway runoff could potentially impact the nearby  
120 Housatonic River. Mr. Lemon explained a depression is present where water pools on the eastern side of  
121 the bottom eighty to ninety feet of the driveway, so it would not cross over Dugway Road. He added  
122 sand and salt from Dugway Road pose a much greater impact on the watershed compared to the  
123 proposed driveway.

124  
125 **Motion:** To approve application 2025-0277 / Lemon Properties, LLC / 160 Dugway Road / Site Plan for  
126 New Single Family Dwelling in the Housatonic River Overlay District (Section 402) / Map 8 / Lot 28-13 /  
127 DOR: 03/03/2025.

128 Made by Cockerline, seconded by Riva.

129 Vote: 5-0-0 in favor.

130  
131 **Other Business**

132 12. Pre-Application Meeting Per (CGS) §7-159b RE: New Staff Housing for Camp Sloan at 162 Indian  
133 Mountain Road / Camp Sloane YMCA, Inc. / *“Such preapplication review and any results or information*  
134 *obtained from it may not be appealed under any provision of the general statutes, and shall not be*  
135 *binding on the applicant or any authority, commission, department, agency or other official having*  
136 *jurisdiction to review the proposed project.”*

137  
138 Chair Klemens explained the potential applicant wished to build a second dwelling on the Camp

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139 Director’s parcel, separate from the Camp Sloan parcel. Chair Klemens and LUD Conroy believed the  
140 proposed construction may best be considered as a Special Permit for an accessory dwelling unit.  
141 Commissioner Cockerline asked if both parcels are owned by Camp Sloan, Chair Klemens replied yes. All  
142 Commission members agreed the applicant should come forward with a Special Permit for a detached  
143 apartment accessory to a single family dwelling.  
144

145 13. Pre-Application Meeting Per (CGS) §7-159b RE: Establish private art studio at 9+9a Sharon Road / 9  
146 Sharon Road, LLC / *“Such preapplication review and any results or information obtained from it may not  
147 be appealed under any provision of the general statutes, and shall not be binding on the applicant or any  
148 authority, commission, department, agency or other official having jurisdiction to review the proposed  
149 project.”*

150  
151 Chair Klemens explained the Commission previously approved a restaurant with parking flexibility, and a  
152 small building also present on the property was to be used for storage purposes. He said the building  
153 had recently been rented to an artist who wished to utilize the space as an art studio. Chair Klemens  
154 believed using the building as an art studio would not constitute a change of use as long as art  
155 exhibitions or sales do not occur. Owner Teepoo Riaz presented a letter from artist Rina Banerjee to  
156 clarify the intended use and explained that customers would not be visiting the studio for retail  
157 purposes. Secretary Whalen and Commissioners Cockerline and Riva expressed they were comfortable  
158 not considering this a change of use.

159  
160 Alternate Member Schiffer believed the studio space should be considered a workspace rather than  
161 storage and asked if parking would be required with this use. LUD Conroy replied professional office use  
162 was the closest matching description in the Zoning table of uses, where parking spaces are required.  
163 Chair Klemens asked the Commission if the conversion to an art studio would be considered a change of  
164 use, understanding that Zoning Regulations of a professional office are different from the proposed use.  
165 Alternate Member Schiffer believed there was a change of use and the space should not be considered  
166 as storage. Mr. Riaz explained the building had been utilized as a storage area and workspace to  
167 construct Adirondack chairs since 2017. He believed the artist’s utilization of the space should not be  
168 considered a change of use. Commissioner Cockerline believed that commission action was not  
169 necessary. LUD Conroy suggested the application could be considered an amendment or minor  
170 modification to the approved Site Plan.  
171

172 **Motion:** Per Section 803.5 of the Zoning Regulations, the Commission accepts that the modification of  
173 the use from storage to a workspace/studio does not materially alter the special permit for parking flexi-  
174 bility, and constitutes a minor modification to the site plan.

175 Made by Cockerline, seconded by Riva

176 Vote: 5-0-0

177

178 14. Discussion Regarding Establishing a POCD Implementation Committee

179

180 LUD Conroy explained the conclusion of the Plan of Conservation and Development (POCD) contained a  
181 recommendation to establish a POCD Implementation Committee (implementation committee). Chair  
182 Klemens said three Town entities have reached out wishing to be involved with implementing strategies,  
183 including the Salisbury Pathways Committee (SPC), Salisbury Affordable Housing Commission (SAHC),  
184 and IWWC. He also suggested one member of the Commission volunteer as a representative of the

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185 implementation committee.

186

187 Secretary of the SPC Natalia Smirnova explained the vision of SPC is to connect the villages of Salisbury  
188 and Lakeville and increase walkability throughout Town. She volunteered to be a member of the  
189 implementation committee.

190

191 LUD Conroy recommended a staff-based Committee with a primary representative from the Planning &  
192 Zoning Commission, while calling in alternative representatives for other projects. Commissioner  
193 Cockerline suggested reaching out to Town Committees and Commissions to ask for one designee to  
194 advise the implementation committee. All Commissioners supported establishing an implementation  
195 committee.

196

197 **Adjournment**

198

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

200 Made by Cockerline, seconded by Whalen.

201 Vote: 5-0-0 in favor.

202

203

204 Respectfully Submitted,

205 Erika Spino

206 Secretary of Minutes