

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

Monday March 17th, 2025 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)

5 Allen Cockerline (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 6:30PM. A quorum was established with four regular
12 members present (Dr. Michael Klemens, Cathy Shyer, Martin Whalen, Allen Cockerline). Alternate
13 Members Dr. Danella Schiffer and Beth Wells were also present. Chair Klemens appointed Alternate
14 Member Schiffer as the voting alternate.

15

16 2. Approval of the Agenda

17 Chair Klemens proposed the following amendments:

18 Add Item #13 - Enforcement Updates

19 Add Item #14 - POCD Subcommittee Discussion

20

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

22 Made by Cockerline, seconded by Whalen.

23 Vote: 5-0-0 in favor.

24

25 3. Executive Session to Discuss Pending Litigation - William Cruger and Angela Cruger VS. The Planning
26 and Zoning Commission of Salisbury

27

28 **Motion:** To move to Executive Session to Discuss Pending Litigation of William and Angela Cruger VS. The
29 Planning and Zoning Commission

30 Made by Klemens, seconded by Cockerline

31 Vote: 5-0-0 in favor.

32

33 The Executive Session was from 5:35PM to 7:14PM. After the Executive Session Chair Klemens
34 announced that no decisions were made or votes taken.

35

36 4. Minutes of January 21, 2025

37 Vice Chair Shyer abstained from voting.

38

39 **Motion:** To approve the detailed minutes of January 21, 2025.

40 Made by Cockerline, seconded by Whalen.

41 Vote: 4-0-1 in favor.

42

43 5. Minutes of February 3, 2025

44 Vice Chair Shyer abstained from voting.

45

46 **Motion:** To approve the detailed minutes of February 3, 2025.

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

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47 Made by Cockerline, seconded by Whalen.

48 Vote: 4-0-1 in favor.

49

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

51 7. Minutes of March 3, 2025 - *pending*

52

53 8. Public Comment: Public Comment is restricted to items that are neither on the agenda nor the subject
54 of any pending Planning & Zoning application or action and are limited to three minutes per person.

55

56 There was no Public Comment.

57

58 **Pending Business**

59 9. #2025-0276 / 127 WHR LLC (Stair/Parsons) / 127 Washinee Heights Road / Site Plan for Residential
60 Addition in the Lake Protection Overlay District (Section 404) / Map 58 / Lot 17 / DOR: 02/18/2025 /
61 *Possible Consideration*

62

63 Engineer Todd Parsons of Haley Ward Engineering presented the application. Mr. Parsons explained that
64 an existing house, garage and barn are located on the property. The application involved a proposed
65 addition, deck as well as a new septic system to be constructed outside of the three-hundred-foot Lake
66 Protection Overlay District. Town Consulting Engineer Tom Grimaldi provided suggestions which were
67 responded to by the Applicant. Mr. Parsons explained a water bar was added to correct rainwater runoff
68 coming down the sloped driveway into a temporary sediment trap, and an underdrain below the deck
69 that leads to a rain garden. He added calculations were provided for the modified rain garden. Approval
70 was received from Mr. Grimaldi after the alterations were completed.

71

72 At 7:23PM Vice Chair Shyer left the meeting due to technical difficulties. Chair Klemens appointed
73 Alternate Member Wells to vote.

74

75 There were no questions or comments from the Commission. LUD Conroy presented Mr. Grimaldi's
76 suggested conditions for the application.

77

78 **Motion:** To approve application #2025-0276 / 127 WHR LLC (Stair/Parsons) / 127 Washinee Heights Road
79 / Site Plan for Residential Addition in the Lake Protection Overlay District (Section 404) / Map 58 / Lot 17
80 / subject to the following conditions:

81

1. Revised plans shall be submitted for review/approval.

82

2. Final approved plans shall have live signature and embossed seal of the Engineer and Surveyor of
83 record. These shall be submitted to the Town of Salisbury Land Use Administrator prior to any
84 construction.

85

3. The Erosion & Sedimentation Control Measures Bond is set at \$28,241.40, which includes an ad-
86 ditional 10% for inflation. The bond shall be a cash bond payable to the "Town of Salisbury".
87 Please note: The Zoning Permit shall not be issued until the bond has been posted.

88

4. A Pre-Construction Meeting is required with the Town staff prior to the start of construction to
89 inspect E & S control measures and to discuss construction sequencing/phasing.

90

5. During the construction process, the Owner/Developer/Contractor shall add erosion and sedi-
91 mentation control measures as deemed necessary by the Town of Salisbury staff and/or the Con-
92 sulting Town Engineer.

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

Monday March 17th, 2025 6:30PM

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- 93 6. Daily inspections and required maintenance of all erosion & sedimentation control measures
94 shall be completed by the General and/or the Site Contractor until a permanent vegetated cover
95 is established. Repairs shall be made immediately after inspections.
96 7. Two inspections by the Consulting Town Engineer, as determined by the Commission.
97 8. An As-Built Site Improvement and Grading Plan, which shall include topography/locations of all
98 altered areas within the limit of disturbance, shall be submitted to the Land Use Administrator
99 after all the site work is completed, and prior to requesting a Certificate of Occupancy. Said map
100 shall prepared by a State of Connecticut Registered Land Surveyor.
101 9. A final site inspection shall be completed by the Land Use Administrator and/or the Consulting
102 Town Engineer prior to the release of the Erosion & Sedimentation Control Bond and/or the issu-
103 ance of a Certificate of Occupancy.
104 10. All the Notes/Conditions from the Torrington Area Health District (TAHD) shall be made part of
105 these conditions. Revised plans shall be submitted to TAHD.

106 Made by Cockerline, seconded by Whalen.

107 Vote: 5-0-0

108
109 **New Business**

110 10. #2025-0279 / Sievert and Eliza McCabe / 21 Mount Riga Road / Special Permit for Vertical Expansion
111 of a Nonconforming Residential Structure (Section 503.2) / Map 14 / Lot 17 / DOR: 03/17/2025 /
112 *Consideration of Completeness, Schedule Public Hearing*

113
114 Chair Klemens explained this project was previously denied without prejudice due to an incomplete
115 application. LUD Conroy said an application form and fee have been submitted with signed Site Plan and
116 Survey documents. She explained the survey showed the non-conforming location of the current
117 structure where a vertical expansion was proposed. LUD Conroy also noted that approval was received
118 from Torrington Area Health District (TAHD) on February 18, 2025. Chair Klemens reminded the
119 Commission an A2 Survey would be a condition of approval if the application is approved.

120
121 **Motion:** To schedule a public hearing for application #2025-0279 / Sievert and Eliza McCabe / 21 Mount
122 Riga Road / Special Permit for Vertical Expansion of a Nonconforming Residential Structure (Section
123 503.2) / Map 14 / Lot 17 / on April 21, 2025 at 6:45PM via Zoom.

124 Made by Cockerline, seconded by Whalen.

125 Vote: 5-0-0 in favor.

126
127 **Other Business**

128 11. Sidewalk Planning Discussion with the Salisbury Pathways Committee

129
130 First Selectman Curtis Rand joined the meeting and introduced the discussion. Engineer David Battista of
131 Haley Ward Engineering, Chairman of the Salisbury Pathways Committee (SPC) Christian Williams,
132 Hotchkiss School Director of Facilities Michael Virzi and Hotchkiss School Director of Strategic Initiatives
133 Joshua Hahn also joined the Meeting.

134
135 Mr. Williams explained they have come to the Commission for opinions and advice regarding a potential
136 sidewalk connecting Hotchkiss School and Lakeville village center. Mr. Virzi explained conceptual plans
137 were prepared by Hotchkiss School through Haley Ward Engineering during a SPC Meeting in February
138 2025 to address student and pedestrian safety concerns. Mr. Virzi believed the plan aligned well with the

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

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139 Plan of Conservation and Development (POCD).

140

141 David Battista presented conceptual plans for sidewalk construction. Mr. Battista explained the
142 proposed sidewalk would begin at North Road, a service road connecting to Hotchkiss School Campus.
143 The sidewalk would run along the westerly edge of Route 41 and connect to existing sidewalks in
144 Lakeville at 395 Sharon Road. He explained several minor wetland and drainage crossings would occur.
145 One significant crossing near Sucker Brook is anticipated, but the roadway shoulder is wide enough to
146 prevent wetland encroachment.

147

148 Chair Klemens asked if rock ledge removal would be required. Mr. Battista replied yes, requiring
149 discussion with Connecticut Department of Transportation (DOT) must occur to review risks associated
150 with blasting versus alternate forms of removal. Chair Klemens asked if students would access the
151 sidewalk from North Road. Joshua Hahn replied yes, North Road is a quiet access road providing a
152 pedestrian pathway. Chair Klemens asked what could be done to discourage students from walking
153 alongside Route 41 before North Road. Mr. Hahn replied the school encourages students to follow safety
154 precautions and use crosswalks with announcements during school meetings and advisory groups. He
155 said students are held accountable when necessary for not abiding by roadway safety rules.

156

157 Secretary Whalen believed starting the sidewalk at North Road is the best way to approach construction.
158 Commissioner Cockerline expressed support and believed the preliminary plan was encouraging to
159 review, Alternate Member Schiffer and Wells agreed.

160

161 Mr. Williams said when an application for 8-24 Review is prepared, the SPC will return and present the
162 plan to the Commission. Mr. Williams asked for advice on how to proceed with their potential plan. Chair
163 Klemens believed an informal discussion with the Inland Wetlands & Watercourses Commission (IWWC)
164 would be beneficial to all parties.

165

166 Chair Klemens asked if the proposed sidewalks would cross private property. Mr. Battista replied they
167 plan to keep the sidewalk within DOT right of way. He said there are three or four anticipated driveways
168 where easements or right of way action by the Town must be obtained from property owners. This
169 includes one steep driveway where it is anticipated that the driveway mouth will have to be rebuilt to
170 accommodate sidewalk accessibility while maintaining a proper driveway profile. Chair Klemens asked if
171 the Town Selectmen would approach private property owners regarding easements. Mr. Battista replied
172 they would.

173

174 12. Discussion of Events Parking at Lime Rock Park

175

176 Lime Rock Park President & CEO Dicky Riegel explained this discussion involved their newly proposed
177 NASCAR CRAFTSMAN Truck Series Event, to be hosted June 27-28, 2025. Their largest event to date was
178 the IMSA FCP Euro Northeast Grand Prix event hosted July 21-22, 2023, where Mr. Riegel believed
179 managing traffic, parking, noise, and thousands of guests was well handled. He explained the upcoming
180 NASCAR event is anticipated to attract a similar number of guests. Mr. Riegel said they wish to create
181 contingencies to have cars off the road and parked quickly. This could potentially provide opportunities
182 for neighboring properties to participate by offering their lawns and individually charging for parking. He
183 explained the NASCAR event is considered to be a one-time event and this initial hosting could be
184 utilized as a learning experience for potential future events of this volume.

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

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185 Chair Klemens asked if approval was received from the Regional High School board to utilize their shuttle
186 buses and property for additional parking. Mr. Riegel believed approval was received. If buses would be
187 utilized, Lime Rock Park would pay All-Star Transportation directly as a third-party provider for the
188 service. Commissioner Cockerline mentioned parking on private properties adjacent to the park has
189 occurred for many years. Mr. Riegel added that although 1,200-1,500 attendees are anticipated, the
190 scale is unknown due to day-of-event ticketing. He said they wish to establish contingency to aid with
191 parking and traffic. Secretary Whalen expressed concern with day-of ticket sales delaying traffic near
192 White Hollow Road. Mr. Riegel replied the drive-up ticketing booths have been adjusted and expanded,
193 and the establishment of digital ticketing has created a quicker check-in process.

194
195 Chair Klemens asked if this level of activity is anticipated to occur at the park multiple times per year.
196 Mr. Riegel replied ideally events would be hosted Memorial Day weekend, one event in June and July,
197 and a final event Labor Day weekend. He said they do not want to overload the community and staff at
198 the park with excessive hosted events. Chair Klemens mentioned he is uncomfortable with the concept
199 as it could be considered commercialization of residentially-zoned property. Secretary Whalen expressed
200 hope that the events would be run smoothly and efficiently.

201
202 LUD Conroy asked for an update on recent projects approved at Lime Rock Park. Mr. Riegel said
203 construction of the open-air post and beam pavilion to replace semi-permanent tents is underway. The
204 pavilion has a gravel floor, no plumbing and limited associated electricity. He added that additional
205 garages have been under construction since December 2024 with completion anticipated by June 15,
206 2025, prior to the NASCAR event. Mr. Riegel added all projects are on schedule, on or under budget, and
207 regular meetings are hosted to ensure plans are followed accordingly. Lime Rock Park will open for the
208 season on Saturday March 22, 2025. Chair Klemens asked if they wished to construct a hotel on site. Mr.
209 Riegel replied yes, they would like to pursue a small boutique hotel in the future. He thanked the
210 Commission for a positive discussion.

211
212 13. Enforcement Updates

213 LUD Conroy explained 100 Taconic Road had six violations on site including a shed, sauna and patio
214 installed without permits, pool equipment encroaching on a neighboring property, and a generator that
215 received a permit but was not installed in the approved location. She explained some of these violations
216 have easy solutions but some must be relocated.

217
218 LUD Conroy mentioned 136 Long Pond Road had a barn permitted without a kitchenette. On a
219 walkthrough she discovered a kitchenette had been installed. She explained that the majority of
220 violations do not warrant variances. LUD Conroy explained she has tried to prioritize which violations to
221 spend time enforcing. She has faced a dilemma of making every effort she can procedurally but has no
222 control of what occurs outside of permit approval. The Commission expressed support for her efforts
223 and communicated ideas for how they wish to proceed.

224
225 14. Plan of Conservation and Development (POCD) Subcommittee Discussion

226
227 LUD Conroy explained Administrative Assistant Emily Egan was open to the idea of being a key member
228 of the POCD Subcommittee.

229
230

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231 **Adjournment**

232

233 **Motion:** To adjourn the Meeting at 8:51PM.

234 Made by Cockerline, seconded by Whalen.

235 Vote: 5-0-0 in favor.

236

237

238 Respectfully Submitted,

239 Erika Spino

240 Secretary of Minutes