

**SALISBURY PLANNING AND ZONING COMMISSION**

**REGULAR MEETING MINUTES**

**Monday April 21st, 2025 6:30PM**

Remote Meeting by Live Internet Video Stream and Telephone

**Members Present:**

Dr. Michael Klemens (Chair)  
Cathy Shyer (Vice Chair)  
Martin Whalen (Secretary)  
Bob Riva (Regular Member)  
Dr. Danella Schiffer (Alternate Member)

**Members Absent:**

Allen Cockerline (Regular Member)  
Beth Wells (Alternate Member)

**Staff Present**

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

**Brief Items and Announcements**

1. Call to Order / Establish Quorum

Chair Klemens called the meeting to order at 6:30PM. A quorum was established with four regular members present (Dr. Michael Klemens, Cathy Shyer, Martin Whalen, Bob Riva). Alternate Member Dr. Danella Schiffer was also present.

Chair Klemens appointed Alternate Member Schiffer as voting alternate.

2. Approval of the Agenda

LUD Conroy proposed the following amendment:

Replace item #12 "Survey Completeness Checklist" with "Communication from Counsel"

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

Made by Riva, seconded by Whalen.

Vote: 5-0-0 in favor.

3. Minutes of March 3, 2025

Vice Chair Shyer abstained from voting. The Commission edited the detailed minutes of March 3, 2025.

**Motion:** To approve the minutes of March 3, 2025 as amended.

Made by Riva, seconded by Whalen.

Vote: 4-0-1 in favor.

4. Minutes of March 17, 2025

Vice Chair Shyer abstained from voting. The Commission edited the detailed minutes of March 17, 2025.

**Motion:** To approve the minutes of March 17, 2025 as amended.

Made by Riva, seconded by Whalen.

Vote: 4-0-1 in favor.

5. Minutes of April 7, 2025 - *pending*

**Other Business**

12. Communication from Counsel

LUD Conroy explained an application was recently submitted with a 25-foot-wide utility easement located along the side property line. Dimensional requirements call for a 30-foot setback which "shall

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not include area of a utility easement or access ROW,” effectively creating a fifty-five-foot setback. She noted the current Regulations lead to many contradictory dead ends. Chair Klemens expressed interest in potentially eliminating that specific portion of the Regulations as there appeared to be no significant public benefit to increasing the Zoning setback in this manner. He anticipated future discussions regarding this potential change.

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

There was no public comment.

**Public Hearing – 6:45 PM**

7. #2025-0279 / Sievert and Eliza McCabe / 21 Mount Riga Road / Special Permit for Vertical Expansion of a Nonconforming Residential Structure (Section 503.2) / Map 14 / Lot 17 / DOR: 03/17/2025 / *Open Hearing, Possible Consideration*

Due to a Legal Notice defect, the public hearing was not opened and was rescheduled for May 19, 2025. Eliza McCabe asked if certified mailings to abutting property owners with an updated meeting date must be sent. LUD Conroy replied she would discuss with Counsel, but it would most likely be done by the Town’s Land Use Office.

**New Business**

8. #2025-0281 / Robert and Robin Easton (UCE Fine Builders) / 104 Interlaken Road / Special Permit for Vertical Expansion of Nonconforming Residential Structure (Section 503.2) / Map 39 / Lot 17 / DOR: 04/21/2025 / *Consideration of Completeness, Schedule Hearing for May 19, 2025*

Jack Baer of UCE Fine Builders presented the application. Chair Klemens explained the Applicant proposed a vertical expansion of a pre-existing, non-conforming structure. LUD Conroy presented a survey showing the front portion of the structure, front yard setback and proposed dormers. LUD Conroy believed approval was received from Torrington Area Health District (TAHD). There were no questions or comments from the Commission.

**Motion:** To schedule a public hearing for application #2025-0281 / Robert and Robin Easton (UCE Fine Builders) / 104 Interlaken Road / Special Permit for Vertical Expansion of Nonconforming Residential Structure (Section 503.2) / Map 39 / Lot 17 / on May 19, 2025 at 6:45PM via Zoom.

Made by Whalen, seconded by Riva.

Vote: 5-0-0 in favor.

9. #2025-0282 / Noelle Becker (Pat Hackett) / 36 South Shore Road / Site Plan for Septic System in the Lake Protection Overlay District (Section 404) / Map 59 / Lot 09 / DOR: 04/21/2025 / *Reception and Possible Consideration*

Pat Hackett presented the Site Plan and application for septic system in the Lake Protection Overlay District (LPOD). Mr. Hackett explained there is an existing dwelling, deck, garage and well on site. A silt fence was proposed along the rear of the property. Site work is proposed during an ideal time to install

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septic systems and restore grass cover. Approval was received from the Inland Wetlands & Watercourses Commission (IWWC). Vice Chair Shyer mentioned construction would restrict future opportunity and expansion on the property due to its close proximity to the lake. Mr. Hackett agreed and said the structure would be a good candidate for vertical expansion. There were no further questions or comments from the Commission.

**Motion:** To approve application #2025-0282 / Noelle Becker (Pat Hackett) / 36 South Shore Road / Site Plan for Septic System in the Lake Protection Overlay District (Section 404) / Map 59 / Lot 09 /.  
Made by Riva, seconded by Whalen.  
Vote: 5-0-0 in favor.

10. #2025-0283 / Agostino Galluzzo (Allied Engineering) / 226 Millerton Road / Special Permit for Detached Apartment on Single Family Residential Lot and Associated Site Improvements in the Lake Protection Overlay District (Section 208 and 404) / Map 43 / Lot 32 / DOR: 04/21/2025 / *Reception Consideration of Completeness, Possible Scheduling of Public Hearing*

Engineer George Johannesen of Allied Engineering explained the application had been withdrawn to implement minor changes and they will return at the next meeting to reapply.

11. #2025-0284 / William and Stephanie Colaric (Allied Engineering) / 67 Old CNE Road / Special Permit Application for a Structure Less than 50' from a Waterbody (Section 305.2) and Site Development Activities Including Hardscaping, Landscaping, Stormwater Improvements in the Lake Protection Overlay District (Section 404) / Map 40 / Lot 30 / DOR: 04/21/2025 / *Reception Consideration of Completeness, Possible Scheduling of Public Hearing*

Mr. Johannesen presented the application and explained the Applicant proposed improvements for stormwater management. He said the existing impervious gravel driveway runs directly down a slope to a parking area in front of a garage. Mr. Johannesen explained they intend to improve infiltration through the use of landscaping, underdrains, and an additional section of pervious driveway. He said a bio-swale would be installed to absorb and filter excess stormwater runoff. A permeable blue stone patio would replace the wooden deck, permeable walkways and a stone patio sitting area are proposed to allow improved use of the property while providing additional filtration. Mr. Johannesen said all property improvements would result in decreased runoff.

Vice Chair Shyer asked if mature oak trees located along the lake's edge would remain. Property owner William Colaric said the mature oak trees will be preserved. Chair Klemens asked how many square feet of buffer would be present. Mr. Johannesen replied seven-hundred eight square feet of buffer and three-hundred fifteen square feet of permeable stone patio. Chair Klemens asked for impervious surface calculations. Mr. Johannesen replied the existing total was five-thousand seven-hundred nineteen square feet. The proposed would include an additional two-thousand seven-hundred seventy-five square feet, an increase to 7.7 percent, within the LPOD. Approval was received from the Natural Diversity Data Base (NDDDB) after plan adjustments along the wetlands and shoreline.

Mr. Johannesen presented a planting list composed by Matt's Landscaping. Chair Klemens expressed concern about precedent regarding approval of a structure within fifty feet of wetlands. He believed the width, protection and enhancements of a buffer should outweigh the allowance of a structure near the

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lake. He suggested at least a twenty-five-foot buffer should be implemented. Vice Chair Shyer expressed concern with a proposed structure in close proximity to the lake and was interested in performing a site visit. Chair Klemens suggested scheduling a joint site visit with the IWWC. Secretary Whalen asked if the proposed driveway slopes towards the bio-swale. Mr. Johannesen replied yes. Alternate Member Schiffer asked what the Applicant planned to place on the patio. Mr. Colaric replied a contained smokeless fire pit and Adirondack chairs, and no other structures would be installed. Chair Klemens suggested scheduling the public hearing date at an upcoming meeting pending action from the IWWC.

**Adjournment**

**Motion:** To adjourn the meeting at 7:46PM.

Made by Riva, seconded by Whalen.

Vote: 5-0-0 in favor.

Respectfully Submitted,

Erika Spino

Secretary of Minutes