

MACKEY BUTTS & WHALEN LLP

August 12, 2025

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RE: Responses to Questions and Comments from Public Hearing #1
Application #2025-0287, Wake Robin Inn Redevelopment

—
Christina A. Mazzarella
Alexander D. Salvato
—

Emily Abrahams
Tyrone Brown
Richard J. Olson
R. Keith Salisbury

—
Hon. Albert M. Rosenblatt

We represent Aradev LLC. On their behalf, Aradev, LLC offers the following responses to the questions and comments from the members of the Planning and Zoning Commission and the general public that were made at the August 7, 2025 public hearing regarding the above-referenced application.

Questions & Comments from Commission Members:

C1: The term fast casual provisions was mentioned. Does this have anything to do with the provisions at the White Hart Inn?

R1: No. The fast casual provisions at the Wake Robin property have nothing to do with the White Hart Provisions. It is solely the same usage of the word "provisions"

C2: Is the applicant committing to the fact that there will be no more tented lawn weddings outside?

R2: The applicant will agree to having only daytime (before 8 pm) tented events on the property which will have minimal amplified microphones, music, or live music. The intended use is to use the tented events for wedding ceremonies, daytime trade shows, festivals, community events, and receptions, all in accordance with the sound study that was provided by Cavanaugh Tocci and the conclusion that sound will not be a nuisance

C3: Explain how the public or guests using the Inn Restaurant will work while events in the event space are ongoing?

R3: When there is an event in the event space (e.g. wedding), the outdoor portion of the restaurant, specifically in the courtyard, will have limited service (reduced number of tables, exact number TBD) as guests will be walking

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through to get to the courtyard and event area. In addition, when there is a private event in the event space, the fast casual provisions area will be closed.

C4: Explain how the peak traffic flow for the property will be during the afternoon when there is an event versus the evening rush hour dinner arrivals:

4: The following response is from the SLR Consulting traffic engineers (Neil Olinski and David Sullivan). When there is an event in the main event space, the casual dining kitchen will be closed. Consequently, we considered both scenarios in our traffic study: one with an event, and one with the casual dining open. In the afternoon peak hour, the event space will generate more traffic than the casual dining. The intersection capacity analysis (Level Of Service [LOS] analysis) was based on the higher traffic generation scenario and found that during the afternoon peak hour the study intersections will operate at LOS C or better (mostly LOS A's and B's) on a scale of LOS A to F. Note that during non-peak times of day that LOS are typically even better. Also note our traffic study LOS findings have been independently verified through peer review by F.A. Hesketh & Associates, per their letters dated October 11, 2024 and July 17, 2025. See R8 below for further description of LOS A, B, and C.

C5: How many times does the applicant expect to turn the tables for a restaurant serving 180 people?

R5: To clarify, as described in the application narrative and its accompanying documents, the facility has been designed for 160 people (40-80 people inside and 40-80 people outside). Ownership expects to turn tables on average 2 times on a weekday and 2- 3 times on a weekend.

C6. What has been the growth curve in traffic in the last 20-30 years without development?

R6: The following response is from the SLR Consulting traffic engineers (Neil Olinski and David Sullivan). We reviewed traffic monitoring data from CTDOT that shows what the daily amount of roadway traffic near the site has been over the past 18-year period from 2006 to 2024. CTDOT has several traffic monitoring locations near the site, which show that Average Daily Traffic (ADT) on roadways near the site was notably less in 2024 than it was back in 2006. In other words, traffic in this area was higher in 2006 than it is now. CTDOT typically collects updated daily traffic volumes ever three years, with the last collection round occurring last year. Notwithstanding, we are in regular contact with CTDOT and their Bureau of Policy & Planning who requires that we assume some future growth in area roadway traffic volumes in our traffic studies even if historical data proves that roadway traffic is actually on a downward trend. In our traffic study, our June 2024 intersection traffic

counts were increased 1% to year 2026 in accordance with this CTDOT requirement.

C7: What is a normal growth curve for a community of this size and how that is affected?

R7: The following response is from the SLR Consulting traffic engineers (Neil Olinski and David Sullivan): As mentioned above in R6, for traffic studies following standard industry-wide methodology, projected growth in roadway is included in traffic analyses. Every community is different, and according to CTDOT, there is expected to be an approximately 1% increase in roadway traffic near the site over the next 1-2 years. Note that this increase in roadway traffic is separate from the amount of traffic that is estimated to be generated by this proposed development. This development's traffic is then separately added on top of the 2026 projected roadway traffic volumes in our traffic study.

C8: Provide an explanation on level of service classifications (A, B, and C):

R8: The following response is from the SLR Consulting traffic engineers (Neil Olinski and David Sullivan): Per methodology in the Highway Capacity Manual, published by the National Transportation Research Board, Level Of Service (LOS) is determined by the computed or measured control delay for automobiles and is defined for each minor vehicle movement. Delay includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. For unsignalized intersections, the specific LOS criteria for LOS A through LOS C are the following:

LOS A: Delay of ≤ 10 seconds per vehicle

LOS B: Delay range of > 10 AND ≤ 15 seconds per vehicle

LOS C: Delay range of > 15 AND ≤ 25 seconds per vehicle

C9: How many tented events have taken place at the Inn in the last 3 years?

*R9: During the last 3 years, the current Inn owners have steered away from having tented events on the property due to Covid-19 (2020-2022) limitations, the pending acquisition of the property (2023-present), as well as other personal and health reasons. As shown in the presentation on 8/5/2025 and the corresponding "Historical Narrative" prepared by the current owners, the Wake Robin has historically held numerous outdoor weddings, fairs, car shows, and events per year. **The property is permitted under the current Salisbury Zoning Regulations to continue the usage of outdoor tented events. As***

proposed, the applicant would be moving evening outdoor tented events into a newly constructed acoustically designed structure. See R2.

C10: How many individuals or families do you expect to accommodate in one cottage at a time?

R10: According to the Project Narrative dated April 29, 2025, the maximum and anticipated occupancy of a single cottage is 6 persons.

C11: Can you share other properties that Aradev, Steven Cohen, and Jonathan Marrale have recently developed?

R11: The applicant, Aradev LLC, has shared a lengthy bio on the company and the two principals (Steven Cohen and Jonathan Marrale). As mentioned by Dr. Klemens, the Planning & Zoning Commission determines the completeness of an application and votes on the application based on its Regulations, not on the resume of the applicant.

Questions and Comments from the Public:

C12: In the event people in the cottages are being disruptive to neighbors, will there be a night manager who the neighbors can call 24/7?

R12: Once a general manager is brought on board for the project, the applicant will share a 24/7 phone number and email for neighbors to have in case of complaints.

C13: Police enforcement won't work. How can we hold the applicant accountable?

R13: As mentioned by Dr. Klemens at the meeting on August 5, 2025, the Town of Salisbury has enforcement, but is lacking the citation ordinance which has been a request by many people. Such an initiative is in the control of the Town, not the applicant. When considering a special permit, the town cannot assume that someone/applicant is going to violate a permit. As mentioned at the August 7th hearing, the applicant has agreed to require private security at events greater than 50 people where alcohol is being served.

C14: The proposed project is multiple in size, function, and occupancy based on what is there now.

R14: The proposed project has a slightly greater building footprint compared to what exists, but all of the proposed structures and the plan as a whole is a drastic improvement and is more harmoniously related to the neighborhood,

neighboring properties, and town than what is there now. Although the proposed project is an expansion and refurbishment of what is there now, the project will be 40% less than the maximum that could be allowed. Refer to the table included in the letter which illustrates the current proposal of 6.1% building footprint when the maximum allowed under the Zoning Regulations is 10%. In addition, the proposed project is moving the “parking lot” along Wells Hill Road, removing the outdated motel structure, and placing all new buildings/additions more interior to the lot.

C15: Is this project really within the bounds of the regulations?

R15: Yes. The project strictly adheres to and complies with the various Salisbury Zoning Regulation sections including, but not limited to Section 213.5, Section 800, Section 803. Refer to the “Exhibit A – Zoning Compliance” document included in the original application submission for an in-depth analysis on the compliance of the application with the Regulations.

C16: What are the town codes regarding on street parking? Will the applicant agree to only park cars on their property and not on the street?

R16: Yes. The submitted site plans, traffic study, parking analysis, all take into consideration that cars will only be parked on the project’s property, with no spillage onto state or town owned roads.

C17: Has not seen any documentation on how cars, car lights, and storm runoff will be addressed.

R17: Refer to the Town of Salisbury website for a detailed set of site plans, drainage reports, traffic studies, photometric plan, elevation drawings, and various other corresponding documents that clearly address this comment. Where applicable, licensed architects, engineers, landscape architects, and other certified professionals have assembled the application materials and documentation.

C18: The main parking lot will sit 20 feet above existing residences, down to the church and will look like a UFO is landing at night in Lakeville, with lights projecting out into houses and the lake area.

R18: Refer to the LS sheet of the submitted Site Plan package prepared by SLR Consulting where there is an elevation drawing that depicts the stone wall, extensive vegetation, and landscaping which will create a barrier for all headlights.

C19: Would like to have a 6-foot earth embankment above the parking lot elevation so all light and sound along with full vegetation to stop encroachment into neighboring residences.

R19: See response above.

C20: The application hasn't changed intensity and the applicant reconfigures the buildings but if anything, the revised proposal is more dense and intensive.

R20: Refer to the table included in this letter that illustrates that the project is well below the maximum allowed intensity under the Salisbury Zoning Regulations. In addition, the following aspects of the application have been decreased from the prior application: number of cottages, total keys, total building square footage, maximum occupancy, anticipated occupancy, peak traffic count, event space square footages, and building coverage.

C21: The application provides hundreds of pages of unresponsive charts and graphs.

R21: In order to adequately describe the proposed improvements and their consistency with the applicable land use regulations, the application includes hundreds of pages of charts, graphs, engineered plans, professional engineered reports, legal letters, architectural drawings, and renderings all produced by industry professionals and experts in land use, land planning, civil engineering, traffic engineering, landscape architecture, construction management, and hospitality.

C22: There is a dangerous blind curve on the east side of Sharon Road: Is the applicant committed to no land clearing of the new portion of the driveway until they have secured the approval and action from the CT DOT to remove the rock ledge and correct the sight line work (work would be done before land clearing would start). Are you sticking with this commitment?

R22: Yes. The applicant promotes safety and will complete the CT DOT sight line work prior to the commencement of any earth moving work on the property.

C23: How will garbage be secured from bears?

R23: To ensure garbage is secured from bears, the project will use a dedicated dumpster enclosure equipped with a bear-resistant locking mechanism, such as a heavy-duty bar latch or gravity latch system that requires opposable thumbs to open, effectively preventing bear access. The enclosure will be constructed of durable, reinforced materials, and waste will be promptly removed on a

regular schedule. Additionally, the area around the enclosure will be routinely cleaned to minimize odors and other attractants. Refuse cans throughout the property will be minimized to those areas where it is required for food service, and where applicable they will be cleaned daily.

C24: Applicant presented square footages & units of previous applications, but we want to see current numbers (as relates to section 500 and section 800).

R24: Refer to table included in this letter.

C25: The project is too large for the infrastructure of the town.

R25: The applicant reviewed the plans with the Fire Marshal and will do so again prior to construction. Approval from the Water Pollution Control Authority was granted; the sight line approval process has been undertaken by the applicant; and the Aquarion Water Company is updating its prior “will serve” letter approval (reduction in water) proving that the infrastructure serving the wake Robin property has more than enough capacity.

C26: There has been a misguided attempt to shoehorn this project into small town zoning regulations.

R26: The project has not been misguided or shoehorned at all. The applicant met with the town at a pre-application meeting in Spring 2024, adjusted its application and business plan more than 5 times, met with over 35 neighbors, and has been fully transparent with its project, all within compliance of the Salisbury Zoning Regulations.

C27: It is wrong to change the regulation for a specially permitted use (if it was not intentional it definitely came across as it was).

R27: The Planning and Zoning Commission has the right and responsibility to amend its Regulations from time to time, when it deems appropriate to do so. Uses that are subject to approval of a special permit are subject to a higher level of scrutiny by the Commission as outlined in Section 800 of the Zoning Regulations.

C28: The town residents are going to be the ones who will experience a diminishment of the quality of life but that ultimately they will be paying for it. We just reached the limits on our infrastructure (blessed with plenty of water), not doing enough to protect the natural resources of this area that ultimately the tax payers will have to expand infrastructure and will experience a decline in property values....its on a small piece of land. This is a hotel not catering to

the residents...its for people who stay there, its not a benefit to the town except for restaurants

R28: The project is located on a 13.8-acre site, well within the Zoning Regulations requiring a minimum lot size of 10 acres. The project has been approved by the Water Pollution Control Authority. The project will benefit the overall Salisbury community through year-round tourism, creation of local jobs, encourage community interaction and engagement, providing amenities available to residents (addressing the current service gaps), and an increase in taxes generated from the property.

C29: Traffic study is from June 2024, that is not legitimate to consider...traffic has increased in the neighborhood and the town has a lot more construction....it is very different and need to have the 4 corners at Hotchkiss as part of this study.

R29: The following response is from the SLR Consulting traffic engineers (Neil Olinski and David Sullivan): As mentioned in R6 and R7, roadway traffic near the site has decreased over the past 15-20 years but nonetheless our June 2024 traffic counts were increased 1% for our traffic study analysis at the direction of CTDOT. The amount of new traffic that is estimated to be specifically generated by this development was then added on top of the increased 2024 traffic counts. Then, our intersection capacity analysis found that the study intersections will operate at LOS C or better (mostly LOS A's and B's) during peak hours, which are good on the LOS scale of LOS A to F. This LOS finding and our traffic analyses were independently peer reviewed by F.A. Hesketh & Associates who agree with our findings.

The 4 corners intersection at Hotchkiss School (Route 41 at Route 112), which was analyzed in our traffic study, is expected to continue to operate at LOS A to LOS B in the future. Note that traffic counts are considered valid by CTDOT for 2 to 3 years after the date that they were collected. Lastly, it should be noted that CTDOT's Office of the State Traffic Administration does not require LOS analysis of intersections unless they are anticipated to handle an additional 50 new peak hour left-turn trips or 100 new peak hour total trips from a new development. Other than the site driveway intersection at Sharon Road, there are no offsite intersections that are expected to handle this amount new traffic from this development.

C30: Further detailing on the removal of land, earth, and trees is required; at the bottom of the removal plan "all tress vegetation in conflict with the proposed work shall be removed whether noted on the plans or not"

R30: At the request of the Planning and Zoning Commission during the previous application process, the applicant engaged the services of Bartlett Tree Experts (Licensed Arborist) who performed a tree survey of the property, provided a detailed existing conditions report, and consulted with the design team to modify the proposed site plan improvements to minimize tree removals. Bartlett will continue as a consultant through the tree removals process when the project moves to construction. The note on the “Removals” page is a standard note that can be found on most detailed site plans; however, the note will be modified to read “Licensed Arborist” will be consulted for the unplanned removal of trees not shown to be removed in the site plan package. Additional removals may be required due to additional dead or dying trees, life and safety concerns, utility adjustments during final construction coordination with utility providers, and CT DOT sight line approvals process. Any additional trees not shown for removal on these plans that may require removals will be reviewed by a Licensed Arborist and brought to the attention of the Land Use official for review prior to removal.”

C31: How will valet parking service be run?

R31: Guests will enter the property via Sharon Road and drive up to the main entrance of the Inn where they will be greeted by a valet parking attendant. The valet attendant will drive the car to the main parking lot and then walk back or take a golf cart to the main inn. When a guest wants their car or is leaving the property, they will let the valet know and the car can be waiting for them or the valet attendant will retrieve the car from the parking lot and bring it back to the main entrance where the guest is waiting. Depending on where the guest’s room is, if they are a spa guest, handicapped, or a fast casual patron, the car will be parked in the applicable area, but most of the cars will be parked in the main parking lot.

C32: Can the cottages be long-term rentals or perhaps permanent rentals?

R32: The cottages will be reserved as a typical hotel room on a nightly basis and will be categorized as a “suite.” State of Connecticut State regulations allow a guest to stay in a room for up to 30 days maximum to be treated as a transient guest. **The cottages will not be for sale residential or permanent rentals**

C33: Concern regarding trees that will be cut down and the exposure of the Cell Tower....pleased with how it looks right now, but concerned that the removal of proposed trees will expose the cell tower even more to numerous residents and visible from across the lake.

R33: As a luxury hotel with high-end amenities, the applicant shares the same goal as residents and neighbors: ensuring the cell tower remains out of view as much as feasible. The project includes an extensive re-landscaping and re-vegetation plan which is specifically designed to help provide a visual screen to the cell tower pad and utilities which was not part of the original tower construction project. For clarity, the cell tower is under a separate job and application which approval was from the Connecticut Siting Council.

C34: Project is too large because of the location of the land (proximity to homes, and land being 11 acres).

R34: The project is 13.5 acres, well within the requirements of Section 213.5 of the Zoning Regulations. In addition, the proposed building footprint accounts for 6.1% where Regulations allow up to 10%, 40% below the maximum allowed Regulations. Additionally, the applicant purposely designed the structures on the property to create an inner courtyard, keeping guests, activities, and visitors all central to the property.

C35: Traffic on Wells Hill Road will increase (any argument that traffic will come from Sharon Road is "preposterous"). Traffic will still come up Wells Hill Rd.

R35: As clearly shown on the site plans and addressed during the hearing, access to the property will only be from Sharon Road. Access from Wells Hill Road will be for emergency use only. Refer to the detailed traffic analysis for further explanation on traffic flow.

C36: Even though the Granbery parcel may be owned at one point in time by the applicant, allowing the applicant to include the Granbery parcel into its application and project is not right, it is a stretch, and sets a dangerous precedent. Historically the property has been single family use. Removing a house from the housing stock and turning it into a hotel doesn't align with the POCD.

R36: Historically, the Granbery parcel and the Wake Robin Inn were both owned by the same entity and the Wake Robin used to have amenities on the Granbery parcel. The applicant, Aradev LLC, is under contract to purchase the Granbery parcel and will complete a zoning lot merger if the special permit is granted. In addition, if any expansion or acquisition of a neighboring property is to occur in the future, the applicant will have to come back to the Planning & Zoning Commission for their approval, in accordance with the Special Permit regulations of the Town. The benefits that the Wake Robin Redevelopment project bring to the Town of Salisbury and the local community far exceed the 1 house that will be removed from the housing stock. There are various other

ways that the redevelopment project aligns with the 2024 POCD. One can reference the POCD analysis that was completed by Vincent McDermott, AICP, from SLR Consulting and is included in the application documents on the Towns website.

C37: Can the applicant confirm whether or not the Wake Robin currently uses the Granbery property for its operations?

R37: No. The Wake Robin does not use the Granbery parcel as part of its operations. The Wake Robin and its operations stay within its own property. The Granbery parcel is owned by Ms. Granbery and she has been a neighbor for a few years with a very good relationship with both the Inn owners and the applicant.

C38: How large is this project without the Granbery parcel?

R38: 11.5 acres

C39: What is the egress for the property if the Granbery parcel were not part of the application/project?

R39: The application documents and detailed site plans include the Granbery parcel. As mentioned throughout the documents, the egress in and out of the Wells Hill Rd point will be gated for emergency access only.

C40: The applicant may not be the owners and operators of this property in perpetuity; how can the P&Z and applicant make sure these obligations and undertakings are running with the permit and the land.

R40: As required by the Connecticut General Statutes and the Zoning Regulations, special permit approvals are filed on the land records of the Town and are binding on the applicant and its successors. Any changes in the plans and conditions of approval will need approval from the Planning and Zoning Commission. Unauthorized changes will be subject to enforcement actions by the Commission.

C41: Light pollution – will lights be turned off at a certain time? We need a light spillage review that the Town should be managing and look at things from across the lake and all around

R41: As has been illustrated in its application and presentation, Aradev strongly believes in sustainability and environmentally friendly site and building design. It is their priority to limit any environmental impacts including light, noise, and energy consumption. However, there is a need to

keep exterior and interior lights on to make sure all guests are safe to enter, exit, and get around the property. The exterior lights proposed are dark sky compliant and the photometric design for the property provides for a 0.0 foot candle value at all property lines (refer to Photometric Plan).

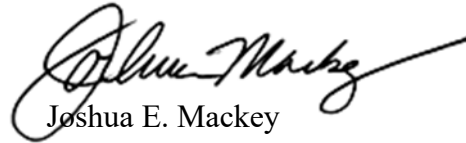
C42: Town has dark sky rules. Isn't there a way we can ask that there be limitation to lighting?

R42: All proposed lights on the property will be dark sky compliant and the Photometric Plan uploaded and included in our application documents illustrates a 0.0-foot candle spillage at all property lines.

Should you have any questions, please feel free to contact me at jmackey@mbwlawyers.com.

Sincerely,

MACKAY BUTTS & WHALEN, LLP



Joshua E. Mackey

cc: ARADEV LLC

Current vs. Proposed vs. Maximum Allowable Building & Landscaping - Zoning Table

#2025 – 0287: Wake Robin Inn Redevelopment

8/12/2025

	Current Properties	Original Application (Aug 2024)	Withdrawn Application (Dec 2024)	NEW Application (Apr 2025)	Maximum Allowed Per Current Zoning Regulations	Notes
Number of Guestrooms	40	57	53	53	86	Used the same ratio as "New Application"
Number of Cottages	2	14	12	4	7	Used the same ratio as "New Application"
Total Keys (total hotel rooms)	42	71	65	57	93	Used the same ratio as "New Application"
Total Buildings Square Footage (sf)	36,065 sf	75,306 sf	74,294 sf	67,950 sf	240,352 sf	Assumed all structures are 4 floors at maximum 35' building height
Maximum Occupancy (guestrooms)	106	246	212	166	271	Used the same ratio as "New Application"
Anticipated Occupancy	106	186	158	130	212	Used the same ratio as "New Application"
Peak Traffic Count (# of cars) <i>With Event / No Event</i>	150 / 175	171 / 197	171 / 197	150 / 175	225/200	Estimate
Event Space Square Footage (sf)	1,500 sf	12,029 sf	5,712 sf	5,430 sf	9,013 sf	Current (sf) does not include outdoor tented events square footage
Building Coverage (sf)	24,490 sf	45,667 sf	40,859 sf	36,653 sf	60,088 sf	"New Application" is 40% below the maximum allowed
Building Coverage (% of total lot)	4.10%	7.60%	6.80%	6.10%	10.00%	"New Application" is 40% below the maximum allowed
Landscaping & Vegetation	Invasives present; No landscaping plan	Invasive Removal & Landscaping Plan Proposed	Invasive Removal & Landscaping Plan Proposed	Invasive Removal & Landscaping Plan Proposed	Not Required	New Application includes removal of invasive species (trees, shrubs & vines) and proposed detailed property restoration landscaping plan (native plant material) to promote naturalized landscaping and visual screening from neighboring properties

Current vs. Proposed vs. Maximum Allowable Use - Zoning Table

#2025 – 0287: Wake Robin Inn Redevelopment

8/12/2025

	Current Properties	Original Application (Aug 2024)	Withdrawn Application (Dec 2024)	NEW Application (Apr 2025)	Maximum Allowed Per Current Zoning Regulations	Notes
Outdoor Events Until 10pm Amplified Music	Allowed	Not included in application - NOT ALLOWED	Not included in application - NOT ALLOWED	Not included in application - NOT ALLOWED	Allowed	See below re Sound & Noise Limitations
Hours of Operation (Events) OUTSIDE	9am - 10pm	9am - 8pm	9am - 8pm	9am - 8pm	No formal end time	
Hours of Operation (Events) INSIDE	7am - 2am	9am - 2am	9am - 12am	9am - 12am	7am - 2am	
Sound & Noise Limitations	No ordinance or restrictions	Included	Included	Included	Not Required; no sound ordinance	Current events are held outdoors with live music until 10pm; proposal includes limited outdoor live music no later than 8pm
Traffic Study & Report	N/A	Included	Included	Included	Required	
Appropriate Site Line (enter + exit)	No engineered plan on file	Included	Included	Included	Required	
Entrance & Exit on Wells Hill Rd	Permitted	Not Allowed	Not Allowed	Not Allowed	Allowed	
Sanitary Sewer	No. Above ground exposed pipe	Engineered	Engineered	Engineered WPCA Approval	Required	Includes an above ground exposed sewage pipe
Engineered Stormwater Mgmt/Quality	None	Included	Included	Included	Required	Includes untreated stormwater discharge flowing into Sharon Rd and neighboring properties
Property Line Foot Candle Value	Not known. No engineered plan on file	0.00	0.00	0.00	0.00	