

# MACKEY BUTTS & WHALEN LLP

ATTORNEYS AT LAW

August 26, 2025

VIA EMAIL  
Planning and Zoning Commission  
Town of Salisbury, Connecticut  
PO Box 548  
27 Main Street  
Salisbury, CT 06068

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

We represent Aradev LLC. On their behalf, Aradev, LLC, offers the following responses to the questions and comments to the Special Hearing on August 19, 2025.

Ellen L. Baker  
Robert R. Butts  
Robert B. Dietz  
Richard R. DuVall  
Ian S. MacDonald  
Joshua E. Mackey  
Cara A. Whalen

Christina A. Mazzarella  
Alexander D. Salvato

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

Hon. Albert M. Rosenblatt

## Questions & Comments from Commission Members:

*C1: In your application documents you discussed the Consistency with POCD & Benefits to Salisbury. You mentioned that the projects amenities would address the current service gaps: What are the current service gaps that your proposal would be filling?*

R1: The Wake Robin Inn redevelopment project would be a benefit to the Town of Salisbury and its residents for many reasons, including the creation of new employment opportunities, year-round tourism, preservation of a historic building, sustainable building practices, improvements to stormwater management, traffic flows and offering various amenities open to the public. In addition, the project addresses several current service gaps in the town.

These gaps include limited places for residents to gather and host events, a shortage of hotel rooms, a lack of restaurants with available seating, and few fast-casual lunch options. The Wake Robin Inn proposal is designed to fill these gaps by providing high-quality accommodations, thoughtfully designed event spaces, on-site dining options, and recreational and wellness amenities. These enhancements will not only serve visitors but also provide new gathering opportunities and services for the local community.

Overall, the project aligns with Salisbury's Plan of Conservation and Development by strengthening the town's hospitality and event infrastructure, enhancing visitor experiences, and supporting the local economy. By addressing these service gaps, the proposal contributes to the long-term vitality and appeal of Salisbury while maintaining the character and scale appropriate for the town.

*C2: You mention that the project is in a walkable location, how are people going to cross the road as you have the issue of the blind curve?*

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R2: The applicants design team will continue to work with CT DOT to finalize the site-line improvements plans upon receipt of an approval from of the Planning & Zoning Commission. CTDOT will oversee the design or implementation of any required pedestrian or vehicular safety improvements. If the PZC application is denied, there will be no site line improvements along Sharon Road (in the vicinity of the Wake Robin Inn) and both site driveways to and from Sharon Road and to and from Wells Hill Road will be unimproved and remain active.

*C3: How are you going to manage the safety of the guests crossing the driveway during an event? How will you notify the residents when you close the fast casual restaurant or restaurant?*

R3: The ownership and management team of the Inn consider guest safety a top priority. During events, trained staff and valet personnel will be assigned to actively manage pedestrian crossings at the driveway. Operational measures may include temporarily holding vehicles and pausing valet operations to ensure that pedestrians have the right of way. The crossing period will be limited in duration and will be continuously monitored to maintain safe and orderly movement.

The Inn will maintain a dedicated website and official social media accounts to communicate with residents, guests, and the public. These platforms will be updated regularly to provide notice of any changes in hours of operation, temporary closures, or menu modifications. In the event of a closure, advance notice will be posted through these channels to ensure consistent and transparent communication.

*C4: Please clarify the dBA levels in your table from the presentation where it was stated the dBA levels would quadruple. Your design goal was 32 dBA but the receptors show an average of 60 dBA when doing tented events at the current Inn.*

R4: The following response is from Greg Tocci – Cavanaugh Tocci: A 32 dBA design goal has been recommended for music sound emitted from the enclosed event room through its wall/window assembly to the nine receptor study locations. The design goal is not a code limit. The 32 dBA design goal also does not apply to sound emitted from tented events to study locations.

For discussion purposes, Tent 1 sound levels are as high as 52 dBA at R9; Tent 2 sound levels are as high as 69 at R4. These, respectively, are 20 and 37 dB higher than the 32 dBA design goal for new enclosed event room sound

emissions. These arithmetic differences do not properly reflect the difference in perceived loudness between tented and enclosed event sound.

- Two sounds that differ by less than 3 dB are generally perceived as imperceptibly different in loudness.
- Of two sounds that differ by 5 dB, the sound with the higher level is generally perceived as clearly louder.
- Of two sounds that differ by 10 dB, the louder sound is generally perceived as a doubling in loudness.
- Though the statistical response of persons begins to vary widely, of two sounds that differ by 15 dB, the louder is often perceived as a quadrupling of perceived loudness.

These “rules of thumb” apply to broadband sounds but nevertheless are often used as a starting point to express the difference in perceived sound loudness between non-broadband sounds such as tonal, music, voice, and impact sounds, among others. Hence, the 20 and 37 dB differences between tented and enclosed event sounds exceed a quadrupling of perceived loudness.

*C5: Are the hours of operation included in your charts 7 days a week? People have different sleep patterns.*

R5: Yes. The hours of operation outlined in the narrative and accompanying application documents reflect seven days per week. Please note that certain hotel amenities may be closed on select holidays, for scheduled maintenance, or to accommodate private events.

*C6: Enforcement: the applicant has not addressed the issue and it is critical when it comes to safety, sound nuisance, etc.. Are you planning on having a full-time 24/7 enforcement personnel officer on the premises? Who does the public call when someone comes out of their cottage in the middle of the night and is playing loud music via a boom box? Clarify the term alleviate. Who will make the nuisance go away?*

R6: As described at the top of Page 4 in the Project Narrative document submitted with the original application (April 29, 2025), the applicant has undertaken procedures surpassing what is customarily required with a plan to minimize any potential nuisance to both hotel guests and neighbors. These measures include:

- Requiring private security for private events in the event space with more than 50 guests serving alcohol.
- Training hotel staff in ServSafe Alcohol compliance.
- Installing cameras throughout the property.

- Maintaining a full-time general manager and 24/7 on-site staff.
- Providing neighbors with a dedicated email and phone number for concerns or complaints.

The Wake Robin Inn is private property, and hotel staff have the right to remove any disorderly guests at their discretion. Guests booking guestrooms or private events will be informed of the property rules and policies, and management reserves the right to ask any non-compliant guests to leave.

The Inn will implement a comprehensive management and enforcement protocol to address safety, noise, and other potential nuisances promptly. Staff will be actively monitoring the property day and night to ensure that both guests and neighbors are not inconvenienced.

The term “*alleviate*” refers to this proactive management approach. Staff will respond immediately to any nuisance, such as loud music, and take the necessary steps to stop it. For example, if a guest plays loud music at night, staff will intervene immediately to stop the disturbance, ensuring it does not continue.

As discussed at the hearing on August 19, 2025, hotel guests are more directly affected by potential nuisances than neighbors, so the interests of the Inn and the community are aligned. Furthermore, the applicant is targeting a family-friendly, traveling clientele—the same type of guests that frequent nearby establishments like White Hart Inn and Little Fern—which further reduces the likelihood of disturbances.

When a town adopts zoning as a means of managing land use, it assumes the responsibility to enforce its regulations through methods set forth in Chapter 124 of the Connecticut General Statutes. When acting on certain types of applications, a commission as part of its approval may impose reasonable conditions that are within the applicant’s ability to achieve. Under Connecticut case law, an applicant is entitled to a presumption that it will comply with its site plan and any representations it makes as part of its application and conditions attached to the approval. The Wake Robin application before the Planning and Zoning Commission cannot be denied on the assertion that the Town does not have the ability to enforce its Regulations and conditions of approval.

*C7: Is Aradev’s plan to manage and own the Wake Robin property for the foreseeable future? How are we going to make sure that everything being proposed in terms of management and operations will be done? How can we hold the applicant accountable if the ownership or management changes hands?*

R7: Yes. First, the special permit will run with the land, meaning the conditions of approval will apply to any title holder of the property, now or in the future. Second, Aradev intends to own and manage both the Wake Robin Inn and the Granbery parcels. A full time manager along with a cadre of trained staff will be present on site at all times. The manager's phone number will be published for the public. A code of conduct for all guests will be implemented. Private events will have private security pursuant to contractual obligations. Third, to support accountability, the applicant has proposed conditions of approval that enhance enforceability and demonstrate a serious commitment to compliance. As noted during the August 19th public hearing, hotel guests would be impacted by potential nuisances just as much as the surrounding neighbors. As such, the applicant's interests are aligned with those of the community. Finally, because this application is for a special permit, the Commission retains authority to regulate activities on the property to a higher standard than would apply to a simple renovation or pre-existing nonconforming use. Should the applicant fail to comply with the conditions or requirements of the special permit, the Zoning Enforcement Officer has the authority to take appropriate action to enforce compliance with the approved plans and conditions of approval as well as handle public complaints.

*C8: Speculative comments on the traffic, acoustics, civil engineering, etc.*

R8: The Commission is required to give controlling weight to the professional reports and testimony submitted by qualified experts in the highly technical areas of traffic, acoustics, civil engineering, and related disciplines, as provided by both the applicant and the consultants retained by the Commission. In each instance, the Commission's own experts have confirmed the accuracy and reliability of the plans, engineering reports, and other data submitted by the applicant. Accordingly, the Commission cannot lawfully disregard this expert evidence in favor of speculative or unsubstantiated statements offered by members of the public.

*C9: What is the current level of activity? Please provide details on the number of events that have been hosted at the Wake Robin Inn over the last 30 years*

R9: The Wake Robin Inn has been an iconic fixture in Salisbury since its opening in 1913, long before zoning regulations were enacted in 1960. For over a century, it has operated as a premier year-round destination, offering a wide range of amenities across the property, including the Granbery parcel, and historically featuring lakefront access on Lake Wononskopomuc.

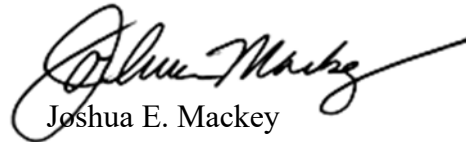
Over the years, the Inn has been a hub for the community and visitors alike, consistently hosting a variety of events, operating a full-service year-round restaurant and bar, and providing accommodations and recreational amenities that drew guests throughout all seasons. It has been, and remains, a cornerstone of the northwest Connecticut hospitality and tourism landscape.

Recent reductions in operations, due to factors such as the COVID-19 pandemic, the health of the owners, cell tower construction, and the pending acquisition of the property, have temporarily slowed activity. Nevertheless, the Inn's long-standing legacy as a fully booked, vibrant destination underscores its significance to the region and its capacity to continue serving as a premier venue for events and hospitality.

Should you have any questions, please feel free to contact me at [jmackey@mbwlawyers.com](mailto:jmackey@mbwlawyers.com).

Sincerely,

**MACKEY BUTTS & WHALEN, LLP**



Joshua E. Mackey

cc: ARADEV LLC