

Opening Remarks

August 5, 2025

#2025-0287 / Wake Robin LLC & Ms. Serena Granbery (ARADEV LLC) /
104 & 106 Sharon Road & 53 Wells Hill Road / Special Permit for Hotel,
Redevelopment of the Wake Robin Inn (Section 213.5) / Map 47/ Lot 2
& 2-1 /

Good evening:

This is the opening of the public hearing on the revised ARADEV application for the redevelopment of the Wake Robin Inn.

I am Michael Klemens, Chair of the PZC. With me tonight are Cathy Shyer Vice Chair, Martin Whelan, Secretary and Regular Members Allen Cockerline and Bob Riva. Our alternates Danella Schiffer and Beth Wells are also in attendance as are our hard-working staff LUD Conroy and LUTS Todaro. The PZC's attorney, Charles Andres, is also in attendance.

To be clear, the Planning and Zoning Commission regulates the USE not the USER as per Connecticut Land Use Statutes. If a project complies with the Regulations, in this case the Special Permit provisions under Section 800 and other relevant standards, we cannot legally withhold approval, no matter how many people are opposed to it.

The Applicant has decided to proceed with their Application despite the Cruger's appeal of the Regulations. I have included in the uploaded documents the Superior Court's schedule which anticipates that this case will be briefed and argued and possibly decided by the end of the year, but there is no guarantee when the judge will render that decision.

Therefore, the Applicant proceeds at their own risk that if the Cruger's are successful in their appeal, any approval rendered by the PZC will be

vacated. Once an Applicant has applied for a permit, the PZC has to process that application. We do not have the discretion to tell the Applicant that we won't accept and process their application until the court case is resolved. The Applicant has requested that the entire record from the previous application be incorporated into this new application. That record is posted on line as part of this new application.

While all members of the PZC may participate in the public hearing process, only five members of the PZC will participate in deliberation phase of this project. I anticipate that these will be the five elected regular members of the PZC, not the alternates. Once deliberations have concluded—the PZC will direct the Chair and the LUD assisted by counsel to prepare a written resolution that will either approve, approve with conditions, or deny this application. That resolution will be brought to a subsequent meeting of the PZC to be voted upon. The PZC has 65 days after the close of the public hearing to act on an application.

Qualifications of the Applicant to conduct a project cannot be a legal consideration for the Commission. The Commission can, through bonding and other requirements, ensure that if approved the project is completed in a satisfactory manner, protecting the Town's and the public's interests.

Likewise, speculation about future use of the property is just that--speculation. Speculation that the property could subsequently be converted to a religious use is not a factor the PZC can legally consider. Religious uses are protected by Federal and State statutes. Even speculation concerning religious use within the context of these proceedings could expose the Town to legal liability under The Religious Land Use and Institutionalized Persons Act. Any subsequent change of

use would be subject to the relevant Federal and State laws AT THAT TIME.

This evening the Applicant will present their application. I will ask the Applicant to try and limit their presentation to 45 minutes and to focus on the changes the Applicant has made to the project in response to the PZC's and public's expressed concerns.

Following the Applicant's presentation, I will ask each member of the Commission if they have questions of the Applicant. I would anticipate that this will take no more than an hour, and hopefully less. The PZC has retained (at the Applicant's expense) three independent third party reviewers with specialties in traffic, engineering, and acoustics. As the acoustical consultant has just completed his initial review, I anticipate that the following hearing on Tuesday August 12th will begin with a report from our consulting acoustical expert. Therefore, and I know this is asking a lot, I would ask both the PZC and the public to focus on the **non-acoustical** portions of the application tonight.

Following the PZC questions I will open up the floor for public commentary. Public comments will be limited to 3 minutes per person. If you have submitted a comment letter, try to briefly summarize its contents. Preference will be given to those people who have not yet spoken. Time permitting, those wishing to speak a second time may do so after everyone else has spoken.

All public commentators will be asked to clearly state their name for the record and to spell it to ensure that we have a complete and accurate transcript.

If you wish to speak, please use the raise hand function and keep your hand raised until you are recognized and brought into the Webinar. If

you are experiencing technical difficulties also raise your hand at any time to receive assistance from staff.

The chat function is **only** to be used to communicate with staff concerning technical difficulties and questions. Any comments made via chat are no different than a person shouting out disruptive comments at an in-person meeting. Staff and the Chair reserve the right to electronically remove disruptive or abusive people from the hearing.

Once the hearing is open you may submit written comments to the **Land Use Office** by mail or email landuse@salisburyct.us until the hearing closes. You may not engage in *ex-parte* communications with commissioners or staff. Commissioners receiving *ex-parte* communications must immediately inform the Land Use Office.

The following documents have been received and uploaded to the website. Comments received late in the day may not be uploaded until the following day. I will ask Mr. Todaro our Land Use Technical Specialist to read this list into the record.