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September 9, 2025

Town of Salisbury
Planning & Zoning Commission
Attn: Michael Klemens, Chairman
27 Main Street, PO Box 548
Salisbury, CT 06068

**Application #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 /**

Re: Conroy's Comments in Minutes and Transcripts of March 18, 2024 and May 6, 2024

Dear Chairman Klemens and Members of the Commission:

By way of background, by changes adopted May 6, 2024 the Planning & Zoning Commission added new Section 213.5 to allow hotels in RR1 zones in residential zones. Previously hotels were not permitted in the RR1 zone. However, 213.5 provided that hotels are permitted in the RR1 zone subject to obtaining a special exception under Sections 802 and 803 of the Regulations.

The first change was the minimum lot size was set at ten (10) acres, the hotel must have 150' frontage on a state highway and must have water and sewer services.

The second change in the Amendment made on May 6, 2024 was to change the definition of hotel into "A facility offering transient lodging accommodations, that may include additional facilities and services, such as restaurants, banquet facilities, meeting rooms and event spaces, personal services, gift shop and convenience store, and recreational facilities." (emphasis added). In addition other changes were made to parking that would be required under the new definitions of hotel.

Collectively the changes made on May 6, 2024 to the Regulations are herein referred to as "the Amendments."

Combining the definition of Hotel in Section 213.5 allows expansion via a Special Permit of the uses that were not included in the prior definition of a hotel.



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September 9, 2025

Re: Conroy's Comments in Minutes and Transcripts of March 18, 2024 and May 6, 2024

While prior to the Amendments no hotel was allowed in the RR1 zone, Land Use Director (LUD) Abby Conroy during the process of considering and enacting the Amendments mischaracterized the purpose of the Amendments. Specifically those mischaracterizations occurred on March 18, 2024 and May 6, 2024 and are shown in both the Minutes and Transcripts of these dates.

I attach highlighted references in the March 18, 2024 and May 6, 2024 Minutes and Transcripts.

Abby Conroy's comments misstated the purpose of the Amendments. Rather than eliminating or reducing the non-conformity, the Amendments allow by a new definition of hotel the various new expanded uses of property. The Amendments do not change in any way Article V of the Regulations regarding non-conformities.

A summary of these comments follows:

When discussing the proposed Amendments to hotel and motel definitions, at a regular meeting of the PZC on March 18, 2024, LUD Conroy explained the regulation would assist with issues regarding nonconformities....” In the Transcript of that March 18, 2024 meeting LUD Conroy stated “... so we envision that this regulation would assist with any issues with regard to nonconformities.” This is incorrect. Rather the Amendments only offered the Developer an opportunity to apply for special exceptions and approval of plans.

At the conclusion of the March 18, 2024 meeting the commission voted to schedule a public hearing on the new Amendments regarding hotels and motels on May 6, 2024. At that meeting according to the minutes “LUD Conroy introduced the proposed Amendment and explained the objective was focused on two non-conforming hotels in town and changing the regulations to legitimize those uses.” (emphasis added). Later at the same meeting LUD Conroy explained that “this change will reduce non-conformities related to the two hotels in town, the Interlaken Inn and the Wake Robin Inn.”



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September 9, 2025

Re: Conroy's Comments in Minutes and Transcripts of March 18, 2024 and May 6, 2024

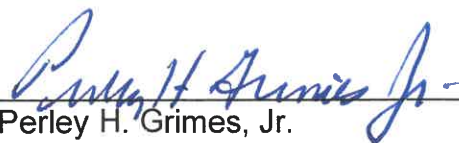
The foregoing statements on March 18, 2024 and May 6, 2024 are incorrect. The Amendments in fact are now being used not to reduce but to increase non-conformities relating to the Wake Robin Inn if special exceptions are granted.

Moreover, LUD Conroy's statement in the May 6, 2024 Transcript that the Amendments were looking at the two non-conforming hotels in town and changing the regulations "legitimize those uses" is also incorrect. No provision was made to legitimize these uses.

As a matter of fact, the Amendments contain no provision, which would in any way legitimize or affect non-conforming uses buildings and lots in Salisbury. Specifically all of the requirements of Article V of the regulations remain unchanged. Those regulations still apply to the property of the Wake Robin Inn. If the commission wished to reduce nonconformities or legitimize nonconformities, it would have said so in the Amendments. It did not. All that was set forth in the regulations was a special exception procedure for certain uses and nothing more.

LUD Conroy's comments misstated the purpose of the Amendments. Rather than eliminating or reducing the non-conformity, the Amendments allow by a new definition of hotel the various new expanded uses of property. The Amendments do not change in any way Article V of the Regulations regarding non-conformities.

Respectfully submitted,
On behalf of Angela and William Cruger
Cramer & Anderson, LLP, Their Attorneys


By: Perley H. Grimes, Jr.
PHG/lt

cc: Charles Andres, Esq., Barclay Damon (candres@barclaydamon.com)
Joshua E. Mackey, Esq., Mackey, Butts & Whalen LLP (jmackey@mbwlawyers.com)

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

March 18th, 2024 6:30PM

Remote Meeting by Live Internet Video Stream and Telephone

415 agreed the A-2 survey can be waived. Chair Klemens advised making approval contingent on the town
416 merging the adjoining parcels which comprise the Town Grove.

417

418 The Commission agreed to continue the application to the meeting on April 1st 2024.

419

420 8. Hotel/Motel Regulation Amendment / Town of Salisbury / *Schedule Public Hearing*

421

422 LUD Conroy presented a memo and draft letter for submission to the Northwest Hills Council of
423 Government (NWHCOG). LUD Conroy explained the letter outlines changes to the table of uses, revisions
424 of the "hotel"/"motel" definitions, and addition of a subsection for "Other uses in residential zones"
425 which included specific criteria for what would be allowed. LUD Conroy explained the amendment of the
426 "Table of Uses in Residential Zones" would allow hotels in the RR1 district by special permit only. LUD
427 Conroy explained the regulation would assist with issues regarding non-conformities, require a minimum
428 lot area of 10 acres, frontage with access from state highways, and require the properties be served by
429 public water and sewer. There are two hotels currently established in the RR1 zone, the Wake Robin and
430 Interlaken Inn. LUD Conroy mentioned both hotels meet all requirements.

431

432 LUD Conroy explained current parking regulations require one space per room. The proposed change
433 reflects modification of the hotel/motel definition while keeping the basis of both locations being
434 considered transient lodging accommodations. LUD Conroy explained the minimum parking requirement
435 would be one space per room, with additional parking spaces provided as needed for other uses.

436

437 **Motion:** To send the letter to NWHCOG and schedule a public hearing on May 6th 2024, at 6:45PM via
438 Zoom.

439 Made by Cockerline, seconded by Wells.

440 Vote: 5-0-0 in favor.

441

442 **Adjournment**

443

444 **Motion:** To adjourn meeting at 9:38PM.

445 Made by Whalen, seconded by Cockerline.

446 Vote: 5-0-0 in favor.

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448

449 Respectfully Submitted,

450 Erika Spino

451 Secretary of Minutes

**TOWN OF SALISBURY
PLANNING & ZONING COMMISSION
MARCH 18, 2024**

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Michael Klemens: [2:57:54] Let's go to number 8.

Female: [2:57:57] Okay.

Abby Conroy: [2:57:58] Hotel motel.

Michael Klemens: [2:57:59] Yes.

Male: [2:58:00] [Inaudible 2:58:00].

Male: [2:58:01] Hotel motel.

Male: [2:58:02] [Inaudible 2:58:02]...

Michael Klemens: [2:58:02] Hotel [motel 2:58:03].

Male: ...[inaudible 2:58:03].

Abby Conroy: [2:58:03] This is like – and you know that we've had this discussion before where you pull 1 thread and it unravels the rest of the regulations...

Michael Klemens: [2:58:13] Right.

Abby Conroy: ...so that's why it's hotel and motel. So essentially I've included the draft letter that will have to go to the Northwest Hills Council of Government. As you know, with regulation amendments, they have to go to the Council of Government 30 – at least 30 days prior to a hearing on them. This letter essentially outlines the changes, the changes being to the Table of Uses, a new subsection that – like for other uses in residential zones includes specific criteria for what would be allowed and then revisions to the hotel and motel definition. So with the changes to the Table of Uses, there's also a couple of things that we're looking at. So first, the amendment to the Table of Uses in residential zones would allow hotels in the RR-1 District by special permit only. **So the regulation itself that's proposed w-, is to allow hotels in the RR-1 Zones subject to a special permit. There's 2 hotels that are in the RR-1 Zone right now. Those are the Wake Robin and Interlaken, so we envision that this regulation would assist with any issues with regard to nonconformities.** It also requires a minimum lot area of 10 acres, frontage and access from a State highway and requires that the properties be served by public water and sewer. And that checks both the boxes – sorry. Both Interlaken and Wake Robin meet

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

May 6th, 2024 6:30PM

Remote Meeting by Live Internet Video Stream and Telephone

93 owners of a neighboring property and dwelling that closely abuts 249 Undermountain Road. Ms. Stein
94 asked if the studio structure will be located close to the property line where a small access road and
95 plantings are located. Engineer Johannesen replied the structure is thirty-seven feet from their property
96 line. Mr. Stein asked if the structure will have two stories, Engineer Johannesen replied no.

97
98 A letter of correspondence was presented from member of the public Schatzi Ludwig. LUD Conroy
99 explained that accessory apartments have an owner occupancy requirement. She explained the property
100 owner can reside in the residence or the accessory apartment and they are entitled to rent out one of
101 the two spaces if desired. Chair Klemens added that the other questions asked by Ms. Ludwig are not
102 relevant towards the Commission's approval of this application. There were no further comments or
103 questions from the Commission or Public.

104
105 **Motion:** To close the Public Hearing at 6:58PM.

106 Made by Whalen, seconded by Cockerline.

107 Vote: 5-0-0 in favor.

108
109 Chair Klemens asked if the Commission wished to take action on this application, all Commissioners
110 replied yes.

111
112 **Motion:** To approve application #2024-0243 / Ketcham (Allied Engineering) / 249 Undermountain Road /
113 Special Permit for Detached Apartment on Single Family Residential Lot (Section 208) / Map 19 / Lot 4 /
114 Made by Cockerline, seconded by Whalen.

115 Vote: 5-0-0 in favor.

116
117 6. Hotel/Motel Regulation Amendment / Town of Salisbury / *Open Public Hearing*

118
119 The public hearing opened at 7:05PM. Secretary Whalen read the legal notice. LUD Conroy introduced
120 the proposed amendment and explained the objective was focused on two non-conforming Hotels in
121 Town and changing the Regulations to legitimize those uses. LUD Conroy noted hotels in rural
122 communities often have cottages and outbuildings that do not meet the current Hotel definition, which
123 calls for a single lobby. LUD Conroy explained that the amendment will better clarify hotel and motel
124 uses and update the definitions to a more modern-day standard.

125
126 LUD Conroy presented the referral letter sent to Northwest Hills Council of Governments (NHCOG). This
127 letter identified the proposed changes to the Regulations. LUD Conroy provided an example in Section
128 205.1 in the Table of Uses for Residential Zones, Hotels would be allowed in the RR1 Zone by special
129 permit only. LUD Conroy explained that cleaning up the Table of Uses is also proposed, including
130 elimination of the RR1-V Zone, which no longer exists in Town. LUD Conroy also noted the LA Zone was
131 removed from the Table of Uses at an unknown point during the comprehensive Zoning Regulation
132 rewrites, and this amendment proposes adding it back. All LA Zone uses will have their permit types
133 carried over from the last version of the Regulations that included them. LUD Conroy explained that
134 Hotel and Motels will now be separated, but no changes are proposed to the Hotel or Motel permit
135 mechanism.

136
137 LUD Conroy explained proposed Section 213.5 introduces specific criteria so hotel use may be pursued in
138 Residential Zones with a special permit. This would not affect the Rural Enterprise, Commercial or

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

May 6th, 2024 6:30PM

Remote Meeting by Live Internet Video Stream and Telephone

139 Industrial Zones. LUD Conroy explained the Table of Parking Requirements was adjusted as well.

140

141 Chair Klemens asked LUD Conroy to elaborate on how hotels and motels will be permitted. LUD Conroy
142 reiterated changes are not proposed for Commercial Zones, but Hotels will be allowed with a special
143 permit in the RR-1 Zone. LUD Conroy explained the minimum requirements include a lot size of ten
144 acres, at least one-hundred-fifty feet of frontage on a Connecticut state highway, must be accessed from
145 a state highway, and must be serviced by the public water and sewer. **This change will reduce**
146 **nonconformities related to two hotels in Town, The Interlaken Inn and Wake Robin Inn.**

147

148 Alternate Member Schiffer asked for clarification on 9 Academy, a Hotel located on Academy Street.
149 Chair Klemens explained 9 Academy is located in a Commercial Zone, which is subject to different
150 regulations. Commissioner Cockerline asked if 9 Academy would become pre-existing, non-conforming
151 after the Regulation changes were adopted. LUD Conroy replied no, 9 Academy is located in the CG20
152 Zone and has a special permit that will not be changed. Commissioner Cockerline asked if this special
153 permit could be duplicated in future applications. LUD Conroy replied yes, the ten-acre minimum
154 requirement would only apply to Residential Zones.

155

156 Commissioner Cockerline mentioned the possibility of a boutique Hotel located at Lime Rock Park and
157 asked if an application in the Rural Enterprise Zone would be permitted. LUD Conroy replied yes, it could
158 be approved by special permit only under the Rural Enterprise Zone Regulations.

159

160 Chair Klemens opened the floor to the public for comments and questions.

161

162 Member of the public Emily Louise Elliot joined the meeting and mentioned three properties, each over
163 ten acres, located near her home in Lakeville. Ms. Elliot asked if Cory Hill Farm, Hotchkiss Farm, or Town
164 Hill Farm could apply for a special permit for a hotel. LUD Conroy answered that they do not meet the
165 minimum requirement of being connected to Town sewer and water. There were no further comments
166 or questions from the Commission or public.

167

168 **Motion: To close the Public Hearing at 7:23PM.**

169 Made by Cockerline, seconded by Whalen.

170 Vote: 5-0-0 in favor.

171

172 Chair Klemens asked if the Commission wished to take action on this application, all Commissioners
173 replied yes.

174

175 **Motion: To amend Section 205.1 "Table of Uses - Residential Zones" and Section 205.2 "Table of Uses -**
176 **Rural Enterprise: Commercial & Industrial Zones" add Section 213.5 "Hotels in Residential Zones" amend**
177 **Section 703.11 "Table of Parking Requirements" and revise definitions of "Hotel" and "Motel" effective**
178 **May 20, 2024.**

179 Made by Cockerline, seconded by Whalen.

180 Vote: 4-0-0 in favor. (Commissioner Riva was absent at the time and did not vote)

181

182 Commissioner Riva left the meeting at 7:25PM.

183

184 **New Business**

1 Abby Conroy: [36:47] So for the members of the public that aren't aware but I know this
2 Commission is fully aware, there are a lot of things in our regulations that are
3 outdated or multiple definitions of uses. Sometimes there's contradicting
4 terms. And they're all intertwined so that when you pull 1 thread to make a
5 simple change, you have to [laughter] unravel this letter and make more than
6 just 1 simple change. [background noise] So that's why there are so many
7 sections of the regulations [background noise] that are impacted by the
8 proposed change. **But ultimately the objective was looking at we have at least**
9 **2 nonconforming hotels in town and this change would help to legitimize**
10 **those uses.** It also aids in clarifying what constitutes an accessory use
11 [background noise] to a hotel or motel. [background noise] And therefore it
12 does somewhat impact the hotels and motels in our commercial districts. We
13 also somewhat recently had an application for a hotel in the Commercial
14 District and we discovered that essentially the hotel definition called for a
15 single lobby. We know that in a lot of more rural communities hotels
16 sometimes have cottages and outbuildings and so they didn't really need that
17 definition. Additionally, motel was characterized essentially by a long
18 building with single doors side by side where you pull a car up directly in
19 front.

20
21 So we wanted to clarify those uses to a more modern day standard. Attached
22 to our referral to the Northwest Hills Council of Government was the
23 following explanation, which I have up on the screen right now. It [nearly
24 38:55] identifies the changes that we're making. So for example, Section
25 205.1 in Table of Uses for Residential Zones, [tapping] we would allow hotels
26 in the RR-1 Zone by special permit only. Because we were making a change
27 to the Table of Uses, we were also proposing eliminating the RR-1-V Zone,
28 which no longer exists in town, so that's just a matter of cleaning up the table.
29 We also note that at some point during comprehensive rewrites over the years,
30 the LA Zone completely dropped off the Table of Uses. So again because we
31 were proposing changes to the Table of Uses, we've simply brought the uses
32 that were in the last adopted regulations that had LA Zone in the Table of
33 Uses and carried those permit types over. Let's see. We also separated hotel
34 and motel within the use tables. Currently they are on the same line. Because
35 they are defined as different uses, we separated those into their own row but
36 we did not propose any changes to the permit mechanism, that is site plan,
37 special permit, etc.

38
39 We also include a new section, Section 213.5, which introduces specific
40 criteria under which a special permit for hotel use may be pursued in
41 residential zones. There remain no specific use standards for hotels or motels
42 in the rural enterprise, commercial and industrial zones. We didn't feel like we
43 wanted to open up that can of worms, so we didn't. Table of Parking
44 Requirements, we also looked at because we recognize that a hotel that has its
45 own restaurant very likely some of those people who are staying within the
46 hotel are also going to be patrons at the restaurant. Therefore, we did not feel