

September 2, 2025

To the Salisbury Planning and Zoning Commission:

We are residents at 117 Wells Hill Road living in close proximity to the Wake Robin Inn proposed expansion. We have been homeowners at this address for ten years.

Ultimately, the planning and zoning commission's decision with respect to the Wake Robin Inn application—both as a matter of law and as a matter of public policy—comes down to the question of whether the project constitutes a public nuisance.

As discussed by many participants in the public hearings, there is little debate that whether something constitutes a nuisance is both subjective and relative. Key to the question of subjectivity is the expectation of relief. Thus, the noise caused by the sound of a siren, a passing truck or an aircraft overhead doesn't meet the definition of a nuisance, as there is the expectation that the noise is merely transitory. However, the noise generated by a late-night party is a clear public nuisance, as there is no expectation that it will end quickly. The impact of the nuisance is also cumulative when it is repeated on consecutive occasions, as it would be in the case of the Wake Robin Inn. The concept of nuisance is also relative, in that noise in an urban environment and in a rural environment is not comparable. Noise generated by late night parties in Manhattan merely blend into the background of passing trucks that rumble and blare continuously. However, in a rural village such as Lakeville, where there is no other continuous low-decibel noise, repeated party noise constitutes a clear public nuisance.

While the planning and zoning commission has listened to and analyzed a vast trove of technical data and legal arguments in considering this project, ultimately their decision comes down to a judgement call that is affected by both subjective and relative issues. Like most of our neighbors, my wife and I moved out of Manhattan in search of a quieter living environment. There is little doubt in our minds that the Wake Robin project would greatly disturb this quiet rural setting, and therefore meets every definition of a public nuisance. Let us hope that the planning and zoning commission arrives at the same conclusion.

Respectfully submitted,

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