

**TOWN OF SALEM
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, MARCH 26, 2024 – 7:00 P.M.
SALEM TOWN HALL – CONFERENCE ROOM 1**

The minutes submitted below have been filed in accordance with Section 1-225 of the CT General Statutes. They are subject to final approval with or without amendments by a vote of the Planning & Zoning Commission. Approval and any such amendments will be detailed in subsequent minutes.

PRESENT

Vernon Smith, Chair
Walter Volberg, Secretary
Gary Closius
John Gadbois
Diba Khan-Bureau
Martin Stoken
Pat Donovan, Alternate
Mark Medrzychowski, Alternate (*seated*)

ABSENT

James Jorgensen, Vice Chairman

ALSO PRESENT

Town Planner Liz Burdick

1. CALL TO ORDER

Chairman Smith called the meeting to order at 7:04 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL/SEATING OF ALTERNATES

Alternate Commissioner Medrzychowski was seated for Commissioner Gadbois.

4. PUBLIC COMMENT – *none*

5. APPROVAL OF MINUTES OF PREVIOUS MEETING(S):

a. Regular Meeting Minutes of Tuesday, February 27, 2024

M/S/C: Khan-Bureau/Closius, to approve the Tuesday, February 27, 2024

Planning & Zoning Commission Regular Meeting Minutes. Discussion:

None. Voice vote, 6-0-1. Voting in Favor: Commissioners Closius, Khan-Bureau, Medrzychowski, Stoken, Volberg, and Smith. Voting in

Opposition: None. Voting in Abstention: Commissioner Gadbois.

6. **EXECUTIVE SESSION:** Pending Litigation: Town of Salem Planning & Zoning Commission, et al v. 45 Forest Drive, LLC, et al – Docket No. HHD-CV21-6148990-S
M/S/C: Smith/Volberg, to enter into Executive Session for the purpose of discussing the pending litigation of the Town of Salem Planning & Zoning Commission, et al, v. 45 Forest Drive, LLC, et al. Docket No. HHD-CV21-6148990-S, at 7:08 p.m. Discussions to include members of the Planning & Zoning Commission, Town Planner Liz Burdick, and Town Attorney Steven Byrne. Discussion: None. Voice vote, 7-0, all in favor. Chairman Smith resumed the meeting at 8:50 p.m. No votes were taken during Executive Session.

7. **CONSIDERATION & POSSIBLE VOTE ON PROPOSED SETTLEMENT LANGUAGE.** Pending Litigation: Town of Salem Planning & Zoning Commission, et al v. 45 Forest Drive, LLC, et al – Docket No. HHD-CV21-6148990-S
No consideration/vote

8. **PUBLIC HEARING/DISCUSSION & DECISION:** *None*

9. **OLD BUSINESS**
 - a. **Discussion of Regulation of Cannabis Establishments**
Tabled to May 14, 2024 Regular Meeting

10. **NEW BUSINESS** – *none*

11. **ZONING ENFORCEMENT OFFICER’S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT**
630 West Road Firewood Materials Processing Permit – A request to extend the Permit was received. The extension will provide the Town Planner/Interim Zoning/Wetlands Officer with time to review the permit application, view the site, and speak with the neighboring property owner(s). The business may continue to operate their business while the permit is being reviewed.
M/S/C: Smith/Khan-Bureau, to extend the Special Exception for Firewood Materials Processing for a period of one (1) month to April 28, 2024 for 630 West Road, Salem, CT. Discussion: None. Voice vote, 7-0, all in favor.
343-R Old Colchester Road – CLA Engineers, Inc., has discontinued inspecting the property following major rainstorms. While the Property Owner, John Diamantini, had repaired the existing Erosion & Sedimentation Controls, as requested, the controls failed due to the continuing heavy rainstorms and resulting saturation of the earth. Mr. Diamantini has since hired a Surveyor and an update is expected. A bond was received and, should the issue(s) remain unresolved, the bond may need to be used to help fund the remediation of

the property. The bond, unfortunately, may be insufficient to accommodate the full cost of the remediation. She has re-emphasized the importance of not utilizing the property for dirt biking until the site is stabilized by the owner. The issues have also seeped into the neighboring property, located at 349 Old Colchester Road, which is now experiencing erosion issues due to the runoff which is overloading the property's stormwater system.

12. TOWN PLANNER REPORT

13. CORRESPONDENCE – none

14. PUBLIC COMMENT – none

Commissioner Khan-Bureau invited her fellow Commissioners to attend the April Inland Wetlands & Conservation Commission Regular Meeting during which Land Use Attorney Mike Ziska, author of *What's Legally Required? A Guide to the Legal Rules for Making Local Land Use Decisions in the State of Connecticut*, will be providing a training session to the Commission. The meeting will be held on Monday, April 1, at 7:00 p.m., in the Salem Free Public Library Meeting Room.

15. ADJOURNMENT

**M/S/C: Khan-Bureau/Volberg, to adjourn the meeting at 9:03 p.m. Discussion:
None. Voice vote, 7-0, all in favor.**

Respectfully Submitted by:

Agnes T. Miyuki, Recording Secretary for the Town of Salem

**A VIDEO RECORD OF THE MEETING CAN BE FOUND ON THE TOWN'S
WEBSITE UNDER BOARDS & COMMISSIONS – PLANNING & ZONING
COMMISSION – MEETING VIDEOS**