

**TOWN OF SALEM
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, FEBRUARY 27, 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
James Jorgensen, Vice Chairman
Walter Volberg, Secretary
Gary Closius
John Gadbois
Diba Khan-Bureau
Pat Donovan, Alternate (*seated*)

ABSENT

Martin Stoken
Mark Medrzychowski, Alternate

ALSO PRESENT

Town Planner Liz Burdick

2024 MAR -4 A 9:11
RECEIVED
TOWN OF SALEM, CT


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 Donovan was seated for Commissioner Stoken.

4. PUBLIC COMMENT – *none*

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

a. Regular Meeting Minutes of Tuesday, January 23, 2024

M/S/C: Gadbois/Khan-Bureau, to approve the Tuesday, January 23, 2024

Planning & Zoning Commission Regular Meeting Minutes. Discussion:

None. Voice vote, 7-0, all in favor.

6. OLD BUSINESS

a. Application #SD 23-04 – 496 New London Road – Applicant/Property Owner:

American Property Group Salem Inc. – Agent: Ellen Bartlett, P.E., CLA

Engineers for a two-lot subdivision. (*Approved with Conditions on 11/14/23 – NOD*)

***Publication Date 11/20/23 – Original deadline to file mylars 2/17/24*) REQUEST**

FOR 90-DAY EXTENSION OF TIME TO FILE MYLARS.

Town Planner Burdick stated that the Applicant requested an extension to file the mylars before the February 17, 2024, deadline. Because the Commission's February 12

Regular Meeting was canceled due to inclement weather, the Commission was unable to approve the extension in a timely manner. Per previous case law and in consultation with the Town Attorney, it is acceptable for the extension to be granted this evening. The bonding for the project has been completed and the mylars were signed this evening by the Chairman.

M/S/C: Jorgensen/Volberg, to approve a 90-day Extension of Application #SD 23-04 – 496 New London Road – Applicant/Property Owner: American Property Group Salem Inc. – Agent: Ellen Bartlett, P.E., CLA Engineers for a two-lot subdivision to file the mylars. Discussion: None. Voice vote, 7-0, all in favor.

7. NEW BUSINESS

- a. Application #ZRA 24-1- Zoning Regulation Text Amendment to Amend Section 3.26.2 (Temporary & Limited Moratorium on Cannabis Establishments – Effective Date/Term) – Applicant, Town of Salem Planning & Zoning Commission. (Date of Receipt 02/13/24 – PH set for 3/12/24)**

Town Planner Burdick stated that an application to amend the Salem Zoning Regulations was submitted and automatically received on February 13. The Commissioners acknowledged the receipt of the regulation amendment application to extend the moratorium on cannabis establishments for 180 days.

M/S/C: Khan-Bureau/Closius, to set the Public Hearing date of Tuesday, March 12, 2024, for Application #ZRA 24-1- Zoning Regulation Text Amendment to Amend Section 3.26.2 (Temporary & Limited Moratorium on Cannabis Establishments – Effective Date/Term) – Applicant, Town of Salem Planning & Zoning Commission. Discussion: The effective dates will be determined following the approval of the application. Voice vote, 7-0, all in favor.

- b. Discussion of Regulation of Cannabis Establishments**

Town Planner Burdick provided the Cannabis Regulations of surrounding towns, the January 9, 2024 Planning & Zoning Commission Special Meeting Minutes for the Town of Montville which includes their discussion regarding their proposed cannabis regulations, and former Town Planner Nicole Haggerty's analysis.

8. ZONING ENFORCEMENT OFFICER'S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT

The Commissioners reviewed the ZWEO's Report, dated Monday, February 26, 2024, which includes the number of zoning permits issued, the issuance of a Notice of Violation for a property located on Buckley Road, and the status of the Erosion & Sedimentation (E&S) Controls for the property located on Old Colchester Road.

Witter Road Chickens (Chairman Smith) – Per the Zoning Officer’s previous report, a 60-day extension was granted to the owners of the property located on Witter Road to comply with the town’s Zoning Regulations.

9. TOWN PLANNER REPORT

343-R Old Colchester Road – As requested by the First Selectman, Town Planner Burdick, who is also a Certified Wetlands Agent with extensive wetlands experience, is working with the Property Owner and CLA Engineers’ Soil Scientist/Environmental Scientist Bob Russo, C.S.S., to resolve the E&S Control issues at 343-R Old Colchester Road. The Property Owner was given one (1) week to repair the failed E&S Controls; she will follow up with the Property Owner and inspect the site to ensure that the Controls have been repaired and are functioning properly. To resolve the issues for the long term, the Property Owner has agreed to hire an Engineer to devise a plan to stabilize the area. More frequent inspections will be conducted of the E&S Control Measures in the meantime. CLA Engineers’ Soil Scientist/Environmental Scientist Russo is drafting a report which will be forwarded to the Planning & Zoning and Inland Wetlands & Conservation Commission Chairpersons. She also met with Sue Coffee and John Hummel to keep them apprised of the progress.

Affordable Housing Plan & Plan of Conservation & Development (POCD) Updates – Former Town Planner Haggerty is working on the town’s Affordable Housing Plan and POCD updates.

Chairman Smith reported that he met with the Judge, Attorneys, and Property Owner to discuss the ongoing litigation for the property located at 45 Forest Drive.

10. CORRESPONDENCE

- a. Notice of Exempt Modification – Verizon Wireless Site SALEM SOUTH CT – Verizon Wireless Telecommunications Facility @ 153 East Haddam Road, Salem, CT – Dated 01/22/24.**

11. PUBLIC COMMENT – *none*

13. ADJOURNMENT

M/S/C: Closius/Volberg, to adjourn the meeting at 7:35 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