

**TOWN OF SALEM
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, JULY 19, 2016 – 7:00 P.M.
SALEM TOWN OFFICE BUILDING**

PRESENT

Joseph Duncan, Vice-Chair
Vernon Smith, Secretary
Eric Wenzel (7:01 p.m.)
John Gadbois, Alternate
Jennifer Lindo-Dashnaw, Alternate
David Miller, Alternate

ABSENT

Ron Bouchard
Ron Labonte
Ruth Savalle

ALSO PRESENT

Town Planner Richard Serra
Board of Selectman Liaison David Kennedy

CALL TO ORDER:

Vice-Chair Duncan called the meeting to order at 7:00 p.m.

Alternate Member Lindo-Dashnaw was seated for Commissioner Fogarty and Alternate Members Gadbois and Miller were seated for Commissioners Bouchard and Labonte, respectfully.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING: *None*

PETITIONERS: (Public Comment)

Selectman Kennedy noted that proper flag etiquette dictates that, from the standpoint of the observer, the American Flag should be placed to the speaker's left and the State Flag to the right.

APPROVAL OF MINUTES OF PREVIOUS MEETING(S):

Regular Meeting Minutes: June 28, 2016

M/S/C: Lindo-Dashnaw/Gadbois, to approve the Regular Meeting Minutes of June 28, 2016. Discussion: None. Voice vote, 5-0-1. Voting in Favor: Commissioners Duncan, Gadbois, Lindo-Dashnaw, Miller, and Wenzel. Voting in Opposition: None. Voting in Abstention: Commissioner Smith.

Vice Chair Duncan proposed and the Commission agreed to change the order of the Agenda to the following:

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- 1) Avery Quarry
- 2) Fox Farms Brewery
- 3) East Haddam Zoning Regulation Referral
- 4) Age-Restricted/Elderly Forms of Housing
- 5) Commission Vacancy

OLD BUSINESS:

- 1) **Avery Quarry**, Michael Avery, 190 Round Hill Road. Excavation Renewal.

The Excavation Renewal for Avery Quarry is continuing to be reviewed and there are no recommendations at this time. The item will remain on the Agenda.

- 2) Discuss age restricted /elderly forms of housing as allowed by the zoning regulations. (Item Tabled at April meeting)

The Commission reviewed a brief comparison summary of Multi-Family, Senior, and Age-Restricted Types of Housing produced by Town Planner Serra. Currently, the Town does not have any Senior or Age-Restricted Housing, but does have Multi-Family units. Due to the receipt of a number of inquiries, the First Selectman is considering the selling of Town property located in the vicinity of the rotary area for the purpose of developing such housing. Town Planner Serra reminded the Commission of the importance of determining not only the intent of the regulation(s), but also what they would like to see in the Town, i.e., the end result.

Currently, the regulations for Senior Housing and Age-Restricted Housing are not uniform, the former having fewer restrictions. One of the primary differences between the two regulations is the age requirement. To qualify for Senior Housing, all occupants must be 55 years of age or older while for Age-Restricted Housing, only one occupant must be age 55 or older and no occupant shall be under 21 years of age. Discussion ensued regarding the ability to enforce the age restrictions. The Commission agreed that the Homeowners Association should be held responsible for ensuring and enforcing the regulation, which would be clearly stipulated in the deed and, as is typical in such situations, the Town would be tasked with overseeing and governing the developments. Another difference is that, though not required by law, the Age-Restricted Housing Regulation requires that a certain percentage of the units be affordable, as defined in the CT General Statutes Section 8-30(g). It was noted that limitations to the size and layout of the units could be included in an attempt to address issues of affordability. It was felt that a number of items included in the current regulations related to the layout, size, and the like, should be decided by the developer, rather than the Town. The importance for the Commission to determine the intent of the regulation was reiterated and the need to craft the regulation(s) in a manner in which certain limitations are placed so as to avoid any loopholes that can be taken advantage of was noted.

Following the construction and selling of the units, the development would be turned over to the individual owners, i.e., the Homeowners Association. Commissioner Dashnaw-Lindo added that she is aware of one development in which each homeowner also owns a small

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percentage of the land or common property in addition to the unit, itself, providing them with a further sense of ownership and encouraging involvement in the Association.

Discussion ensued regarding necessary revisions to Section 26 – Senior Housing Developments. Issues regarding sub-letting, ensuring that all occupants meet the age restriction, limiting the length of stay of any guest under the required age restriction, the inclusion of Section 8-30(g) regarding affordable housing, and the enforcement of violations were discussed.

Selectman Kennedy added that two of the intents of developing Senior and/or Age-Restricted Housing is to (1) encourage seniors to continue to reside in Town and (2) provide a low impact on the budget by increasing the Town's tax base.

Vice-Chair Duncan felt that the primary issue of the current regulation is the issue of density and the need for a more logical and rational approach. Town Planner Serra agreed, adding that an appropriate density would, in itself, preserve open space. The Commission will review the sections regarding minimum lot size and density, in general, for further discussion at their next meeting.

NEW BUSINESS:

1) East Haddam Zoning Regulation Referral

Town Planner Serra stated that the proposed revisions to East Haddam's Zoning Regulation (*attached*) deals, primarily, with (1) the addition of hotels as an allowable use in the East Haddam Village District and (2) the addition of stormwater management to various related sections. Having carefully reviewed the document, he sees no impact of the proposed changes on the Town of Salem.

2) Fox Farm Brewery, Music Vale Road. Review and act on proposed signs.

Town Planner Serra stated that upon the approval of the application for the Brewery, the Applicant agreed to return to the Commission to present and discuss the proposed signage for the Brewery. Two main concerns included the installation of traffic control signs along Music Vale Road and the compatibility of the proposed signage for the business with the area. The traffic control signs are currently being discussed and should be finalized in the near future. The project will, most likely, involve additional chevrons, located at the curve, and additional or new "Curve Ahead" signs. Visuals of the proposed signage for the business and their respective locations were distributed and reviewed by the Commission. The Road Side Signage will be located at least 10' from the travel lane, as required, and will utilize the standards and regulations for residential districts with special exception as a special agricultural zone.

Applicant Zack Adams thanked the Commission for allowing him to present the proposed signage (*see attached*):

Road Side Signage – The proposed signage will be comprised of a 2'h x 32"w freestanding sign made of salvaged wood, which will be whitewashed and painted with a green border

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and green lettering. Hanging from the main sign will be an 8”h x 32”w Open/Closed sign. The signage will be hanging from a bracket that was found in the barn that will be sandblasted and painted and held by an 8’ wooden post, which will be painted white. The signage will total 7.11 sq. ft., well within the 12 sq. ft. limit permitted in the underlying zone. The sign will be located to the right of the driveway as one exits the property and placed at least 10’ back from the road’s travel lane, as required.

Silo Signage – In the tradition of many old farms, the Applicant is proposing to paint a faded and distressed white logo on the existing silo, which measures 20’ diameter, 60’ circumference. The signage will measure 10’w x 5’h.

In response to Secretary Smith, Town Planner Serra felt that the signage should be located at least 10’ from the sign, rather than the pole, for site clearance. The Applicant ensured the Commission that they will also adhere to the original site lines presented on the Engineering Plan.

M/S/C: Smith/Gadbois, to approve the proposed signage for Fox Farm Brewery.

Discussion: None. Voice vote, 6-0, all in favor.

3) Commission Vacancy, Discussion and action as per Commission Bylaws

Secretary Smith recited a letter received by Commissioner Fogarty regarding her resignation due to health reasons, effective July 16, 2016.

M/S/C: Smith/Wenzel, to appoint Alternate Member Democrat Jennifer Lindo-Dashnaw to fulfill the vacancy of Full Member Gloria Fogarty. Discussion: None. Voice vote, 6-0, all in favor.

Commissioner Lindo-Dashnaw will hand in a written resignation from her position as an Alternate Member to the Town Clerk and her term as a Full Member will expire at the next election year (2017). The Commission will request a recommendation from the Democratic Town Committee to fulfill the vacancy for an Alternate Member. The Commission has 30 (thirty) days to fulfill the vacancy. Thereafter, the Board of Selectmen is authorized to appoint a candidate for the position. An Election of Officers will take place during their next meeting.

ENFORCEMENT OFFICER’S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT:

ZEO Report – *no report*

Town Planner Report

Town Planner Serra reported that he is in the process of reviewing a preliminary plan for a property located on Old Colchester Road, just north of Witter Road, for an office building and equipment storage of a contracting business. The application will be introduced to both the Planning & Zoning and Inland Wetlands Commissions in the near future.

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CORRESPONDENCE:

Letter received from Chairman Gloria Fogarty, regarding her resignation (*see above*)

Letter received from Town Attorney Steven Byrne stating that the Department of Motor Vehicles has inspected and approved the fencing installed by Sid's Auto, allowing the business to retain its junkyard license.

PLUS DELTAS:

Vice-Chairman Duncan, in response to the members of the public who attended last month's meeting and were not provided with the opportunity to comment, proposed adding an item allowing for Public Comment to both the beginning and end (following Correspondence) of all future meeting agendas. Secretary Smith concurred, adding that, in the interest of transparency and their role as elected members of the Town, the Commission should be encouraging and listening to the public's comments and concerns.

Secretary Smith reported that he attended this month's Board of Selectmen meeting, during which the proposed Blight Ordinance was briefly and formally discussed. As a member of the public, he suggested the Board send the Ordinance to the Planning & Zoning Commission for review prior to its introduction and vote by the public at a Town Meeting. The Ordinance, which is in the process of being revised, is not yet available to the public. Selectman Kennedy stated that the Ordinance, once completed, will be publicly available for review via the Town's website.

ADJOURNMENT:

Motion made by Secretary Smith to adjourn the meeting at 8:55 p.m. Meeting Adjourned.

Respectfully Submitted by:

Agnes Miyuki, Recording Secretary for the Town of Salem