

**TOWN OF SALEM
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, JULY 26, 2016 – 7:00 P.M.
SALEM TOWN OFFICE BUILDING**

PRESENT

Joseph Duncan, Vice-Chair
Vernon Smith, Secretary
Ron Bouchard
Jennifer Lindo-Dashnaw
Ruth Savalle
Eric Wenzel (7:02 p.m.)
John Gadbois, Alternate (7:05 p.m.)

ABSENT

Ron Labonte
David Miller, Alternate

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.

Commissioner Lindo-Dashnaw was welcomed as a Full Member of the Commission.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING: *None*

PETITIONERS/PUBLIC COMMENT: *None*

APPROVAL OF MINUTES OF PREVIOUS MEETING(S):

Regular Meeting Minutes: July 19, 2016

**M/S/C: Smith/Lindo-Dashnaw, to approve the Regular Meeting Minutes of July 19, 2016.
Discussion: None. Voice vote, 5-0-1. Voting in Favor: Commissioners Duncan,
Lindo-Dashnaw, Savalle, Smith, and Wenzel. Voting in Opposition: None. Voting
in Abstention: Commissioner Bouchard.**

Alternate Member Gadbois was seated for Commissioner Labonte.

OLD BUSINESS:

1) Election of Commission Officers

M: Motion made by Commissioner Savalle to nominate Commissioner Lindo-Dashnaw as Chairperson of the Town of Salem Planning & Zoning

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Commission. Discussion: Commissioner Savalle noted that Commissioner Lindo-Dashnaw has more experience than any of the members on the Commission.

M/S/C: Motion made by Commissioner Smith, seconded by Commissioner Bouchard, to nominate Commissioner Duncan as Chairperson of the Town of Salem Planning & Zoning Commission. There being no additional nominations, the nominations were closed. Voice vote, 7-0, all in favor. Motion carried.

M/S/C: Motion made by Commissioner Bouchard, seconded by Commissioner Duncan, to nominate Commissioner Smith as Vice-Chairperson of the Town of Salem Planning & Zoning Commission. There being no additional nominations, the nominations were closed. Voice vote, 7-0, all in favor. Motion carried.

M: Motion made by Commissioner Duncan to nominate Commissioner Lindo-Dashnaw as Secretary of the Town of Salem Planning & Zoning Commission.

M/S/C: Motion made by Commissioner Smith, seconded by Commissioner Lindo-Dashnaw, to nominate Commissioner Bouchard as Secretary of the Town of Salem Planning & Zoning Commission. There being no additional nominations, the nominations were closed. Voice vote, 7-0, all in favor. Motion carried.

2) Avery Quarry, Michael Avery, 190 Round Hill Road. Excavation Renewal.

It was requested that the item be tabled to allow the Zoning/Wetlands Enforcement Officer to continue her review of the application.

M/S/C: Motion made by Commissioner Lindo-Dashnaw, seconded by Commissioner Bouchard, to table the application for the Excavation Renewal of the Avery Quarry. Discussion: None. Voice vote, 7-0, all in favor. Motion carried.

3) Discuss age restricted /elderly forms of housing as allowed by the zoning regulations.

Town Planner Serra offered to create a skeleton regulation, based on their discussions, from which the Commission may make any necessary revisions. With regards to density and lot size and the existing regulations, he suggested the Commission:

- (1) consider changing the minimum lot size depending upon the district. Currently, the standard minimum lot size is 10 acres for both residential and non-residential districts, which, he felt, may not be appropriate for the Town's business district.
- (2) consider determining the maximum number of units allowed per district or area. Placing such a limit would help address such issues as traffic, overall compatibility with and visual impact on the surrounding area, providing an adequate amount of separating distance between the activities, and the overall density.

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The Commission continued their discussion of the Regulations, concentrating primarily on the sections regarding minimum lot size and density. Chairman Duncan suggested the Commissioners address the regulations for Age-Restricted Housing Residential Development (ARD) for the time being and make any necessary adjustments for Senior Housing at a later time.

Minimum Lot Size

With regards to minimum lot size and density, the primary difference between Senior Housing and Age-Restricted Housing deals with the fact that Age-Restricted Housing, often called Active Adult Communities, are, typically, more active and require additional facilities to accommodate their activities.

The definition of density is based upon the Net Buildable Area (NBA). Discussion ensued regarding the need to allow for adequate area for not only housing, either single- or multi-level units, but also services and parking. Depending upon the demand, the requirement of a smaller minimum lot size may result in more developments located throughout the Town as opposed to having a larger minimum lot size requirement resulting in fewer, but larger such developments. Though economic considerations regarding building and maintenance costs and homeowner fees are unknown and would be under the purview of the developer, the need for the regulations to allow for as much flexibility as possible was discussed.

After reviewing the GIS map of areas along Routes 82 and 85, Commissioner Lindo-Dashnaw discovered that the majority of lot sizes were either small (under 10 acres) or very large (over 100 acres), leading her to conclude that, should the Commission designate the minimum lot size at 10 acres and a developer be interested in purchasing a property for the purpose of constructing a Senior/ARD, a large piece of property would, most likely, need to be subdivided for this purpose.

Also of consideration is the determination of the amount of required setback or buffer of the building from the property line. Currently, the setback for a single-family residence is 25' and 50' for businesses. It was felt that a 50' setback for Senior/Age-Restricted House would be reasonable and that a minimum lot size of 5 (five) acres would be reasonable to consider.

Density

Town Planner Serra reminded the Commission to consider the potential impact of the activity, both visually and with regards to any traffic issues, to the surrounding area. In addition, consideration should be given to the ability of the area to support the activity with a minimum amount of impact on the area's natural resources. He recommended the Commission base their density on the number of bedrooms, which would determine the direct impact of the development on the land, in terms of its septic and water system.

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Chairman Duncan noted that one of the primary purposes of the ARD Regulation is “to preserve to the greatest extent feasible Open Land in the Town of Salem.” (Section 26A.1) and questioned whether that purpose should be included in the new regulation.

Extensive discussion ensued regarding the density formulas in the Regulation, which is based upon the NBA, defined as follows in Section 26.3.10: “the minimum Net Buildable Area shall be 40,000 square feet for the first four (4) bedrooms, plus 5,000 square feet for each additional bedroom in the facility.” And, as defined in Section 2 of the Regulations, the NBA is a lot that excludes wetlands, 100-year flood “A” Zone area, land on which the natural slope is greater than 25%, land located within the Riparian Corridor Overlay Zone, and is contiguous. The Commission agreed to disregard and simplify the proposed formula provided in the Regulations for an ARD by determining the number of allowable bedrooms per given area.

The Commission agreed that six (6) bedrooms per acre, based on the NBA, would be reasonable to consider.

Town Planner Serra will draft a skeleton Regulation for the Commission to review at their next meeting. Chairman Duncan requested the Commissioners continue to review the two aspects of minimum lot size and density.

NEW BUSINESS:

1) Commission Vacancy, Possible Alternate Commissioner vacancy discussion and action as per Commission Bylaws

The appointment of Commissioner Lindo-Dashnaw as a Full Member of the Commission has left the Commission with a vacancy for an Alternate Member. Town Planner Serra reported that a request for a recommendation and a copy of Former Commissioner Fogarty and Commissioner Lindo-Dashnaw’s letters were sent to the Chairperson of the Democratic Town Committee. The Committee is scheduled to meet tomorrow evening.

2) Discuss possible Commission Bylaw changes

Town Planner Serra will review the Town Charter and the Commission By laws, which do not coincide with each other with respect to the term limits when a member is appointed to fulfill a vacancy. In addition, the section regarding the Election of Officers and explanation of the resignation process along with the inclusion of public comment on the agenda will be reviewed. He requested the Commission bring to his attention any other issues or necessary clarifications.

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

ZEO Report

The ZEO/WEO Report was reviewed by the Commission.

Town Planner Report

Town Planner Serra reported that the town of East Haddam is in the process of revising their regulations. The revisions were distributed for review and further discussion at their next meeting.

CORRESPONDENCE: *None*

PETITIONERS/PUBLIC COMMENT: *None*

PLUS DELTAS:

Vice-Chair Smith expressed his appreciation of former Chairperson Gloria Fogarty for her service as a member of the Commission and the Town. He found her to be extremely fair, have great judgment, and a sense of fairness both as a member of the Commission and a Chairperson. He added that he and many townspeople are praying for her, her family, her health, and are wishing her well. Chairman Duncan and the Commission concurred and hopes she will feel better soon.

ADJOURNMENT:

**M/S/C: Smith/Bouchard, to adjourn the meeting at 8:44 p.m. Voice vote, 7-0, all in favor.
Meeting Adjourned.**

Respectfully Submitted by:

Agnes Miyuki, Recording Secretary for the Town of Salem