

Unapproved

Salem Planning and Zoning Commission
March 24, 2009

Present: Abetti, F.
Bingham, D.
Buckley, K.
Dalkowski, R.
Fogarty, G.
McKenney, H.
Savalle, R.
Winakor, A., Alt.

Absent: Chinatti, M. - Town Planner/ZEO
Vacancy, Alt.
Vacancy, Alt.

Guests: see attached.

CALL TO ORDER:

H. McKenney, chairman:

- Called the meeting to order at 7:05 pm, and
- Introduced all members and staff present.

PUBLIC HEARINGS:

The chairman reviewed the Salem Planning and Zoning Commission's Public Hearing Procedures.

Legal Notices for both public hearings were read.

- 1) **Proposed amendments to Section 2 DEFINITIONS of the Salem Zoning Regulations to add "Pervious" and "Impervious" and revision of Section 26A.5 DEVELOPMENT STANDARDS in regard to Section 26A.5I.3) Impervious Surface Coverage Requirements**

There were no responses from the Regional Planning Agencies (RPA) in regard to these proposed amendments.

It was the Commission's consensus to resend them to the RPAs and continue this public hearing to April 21, 2009 following the Carvalho Brothers Realty, LLC public hearing scheduled for that evening.

There were no public comments.

Commission concerns:

- In Section 26A.5I.3)b) - what are the criteria for *To the satisfaction of the Commission, ?*
- Management of these proposed amendments must be addressed.

M/S/C (Bingham/Fogarty) to continue the public hearing in regard to *proposed amendments to Section 2 DEFINITIONS of the Salem Zoning Regulations to add "Pervious" and "Impervious" and revision of Section 26A.5 DEVELOPMENT STANDARDS in regard to Section 26A.5I.3* to the April 21, 2009 Regular Meeting of the Salem Planning and Zoning Commission following the Carvalho Brothers Realty, LLC public hearing scheduled for that evening. Vote: approved unanimously.

- 2) **Proposed text amendments to the Salem Zoning Regulations (amendment of Section 3.14.6; amendment of Section 3.25E to add new Subsection 3.25F and revise alphabetization of the remainder of the subsection; and amendment of realphabetized Subsection 3.25M [formerly 3.25L]) and the Salem Subdivision Regulations (amendments to Sections 4.4, 4.11b, 4.11e, and 4.11i and the deletion of Section 4.11j in its entirety.)**

The following correspondence from the Regional Planning Agencies, in regard to these proposed amendments, was read into the record:

- CRERPA - it is likely that there will be no significant intermunicipal impacts or impacts to the ecosystem and habitat of Long Island Sound.
- SCCOG - would not have any adverse intermunicipal impact.
- MRPA - not of regional significance.
- WINCOG - not anticipated to create negative intermunicipal impacts.

These proposed amendments were drafted in order to bring the Salem Zoning Regulations and the Salem Subdivision Regulations into consistency.

Public comment:

- S. Reith, 61 Witter Road - wanted to know if the amendments would be retroactive.
(No, they would only pertain to new construction.)

The Commission reviewed the proposed draft of amendments to the Zoning and Subdivision Regulations as pertains to this hearing (see attached to the filed copy of these minutes).

M/S/C (Abetti/Fogarty) to close the public hearing in regard to proposed text amendments to the Salem Zoning Regulations (amendment of Section 3.14.6; amendment of Section 3.25E to add new Subsection 3.25F and revise alphabetization of the remainder of the subsection; and amendment of realphabetized Subsection 3.25M [formerly 3.25L]) and the Salem Subdivision Regulations (amendments to Sections 4.4, 4.11b, 4.11e, and 4.11i and the deletion of Section 4.11j in its entirety.) Vote: approved unanimously.

M/S/C (Fogarty/Abetti) to amend tonight's agenda to add "Possible action on public hearing item" to this place on the agenda. Vote: approved unanimously.

Possible action on public hearing item

M/S/C (Bingham/Fogarty) to approve the proposed text amendments to the Salem Zoning Regulations (amendment of Section 3.14.6; amendment of Section 3.25E to add new Subsection 3.25F and revise alphabetization of the remainder of the subsection; and amendment of realphabetized Subsection 3.25M [formerly 3.25L]) and the Salem Subdivision Regulations (amendments to Sections 4.4, 4.11b, 4.11e, and 4.11i and the deletion of Section 4.11j in its entirety.) Effective Date: May 1, 2009. Vote: approved unanimously

PETITIONERS:

There were no *PETITIONERS* this evening.

PUBLIC COMMENTS:

There were no *PUBLIC COMMENTS* this evening.

OLD BUSINESS:

- 1) **PZC/Town Center Committee - discussion with PZC of the proposed Village District Regulations**

The Town Center Committee had requested additional time in which to have this discussion with the PZC.

The Commission took the following action:

M/S/C (McKenney/Abetti) to table the *PZC/Town Center Committee discussion of the proposed Village District Regulations* to the April 21, 2009 PZC Regular Meeting agenda. Vote: approved unanimously.

- 2) **POC&D priorities**

Due to the absence of the Town Planner/ZEO, the Commission did not discuss this matter this evening.

All members were requested to email their priorities list to M. Chinatti, Town Planner/ZEO, with any additions they would like to see on the present list and any deletions they feel could be made, for discussion at either the 4/21/09 or 4/28/09 PZC Regular Meeting.

NEW BUSINESS:

- 1) **Recognition of David Bingham for his Lifetime Achievement Award in Land Use from the CT Federation of Planning and Zoning Agencies**

The Board recognized D. Bingham for receiving this award and thanked him for his efforts concerning land use in the Town of Salem.

2) Status of older bonds in vault

Due to the absence of M. Chinatti, Town Planner/ZEO, who is researching this matter, the Board took the following action:

M/S/C (McKenney/Buckley) to table discussion of the *Status of older bonds in vault* to the April 21, 2009 PZC Regular Meeting agenda. Vote: approved unanimously.

ENFORCEMENT OFFICER'S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT N/A

APPROVAL OF MINUTES OF PREVIOUS MEETINGS: N/A

EXECUTIVE SESSION: (if needed)

- 1) Pending litigation - 160 Old Colchester Road
- 2) Pending litigation - Kobyluck

There was no need for an *EXECUTIVE SESSION* this evening .

PLUS DELTAS:

Commission review of the positive aspects and areas for improvement in regard to the conduct of tonight's meeting.

CORRESPONDENCE:

1. First Selectman R. Ross - copy of A. Winakor's letter of appointment by the Board of Selectmen as a PZC Alternate Member.
2. D. Gernhard - formal written notice of appeal in regard to the classification of 99 Forest Drive Extension as "seasonal".

ADJOURNMENT:

M/S/C (Bingham/Fogarty) to adjourn the meeting at 8:20 pm. Vote: approved unanimously.

Doris McTigue, Administrative Assistant/ Recording Secretary