

Unapproved

Salem Planning and Zoning Commission
April 28, 2009

Present: Abetti, F.
Buckley, K.
Chinatti, M - Town Planner/ZEO
Dalkowski, R.
McKenney, H.
Savalle, R.
Winakor, A., Alt.

Absent: Bingham, D.
Fogarty, G.
Vacancy, Alt.
Vacancy, Alt.

Guests: see attached.

CALL TO ORDER:

H. McKenney, chairman:

- Called the meeting to order at 7:31 pm,
- Introduced all members and staff present, and
- With the Commission's consent, seated A. Winakor for G. Fogarty.

M/S/C (McKenney/Abetti) to revise this evening's agenda as follows:

- Under *PETITIONERS*, add:
 - "1) Salem Recreation Commission (S. Spang) - application (SPM#09-04-02A) to add lighting to tennis courts and basketball court and addition of an underdrain on west and south sides of the tennis courts at 270 Hartford Road (Round Hill Road Recreation Fields), and
 - "2) Nutmeg Sand & Gravel - waiver request regarding excavation permit renewal existing conditions site plan requirement";
- Under *NEW BUSINESS*:
 - "2) Schedule site walk for RS#09-03-01, Buckley Estates resubdivision - 50 Buckley Road; and
- Under *OLD BUSINESS*:
 - "3) Bonds and Deposits

Vote: approved unanimously.

PUBLIC HEARINGS:

None Scheduled

PETITIONERS:

- 1) Salem Recreation Commission (S. Spang) - application (SPM#09-04-02A) to add lighting to tennis courts and basketball court and addition of an

underdrain on west and south sides of the tennis courts at 270 Hartford Road (Round Hill Road Recreation Fields)

M. Chinatti, Town Planner/ZEO:

The site plan for this modification request was approved last year, but without the lighting.

A Buffer Permit for the drainage has been issued by the ZEO.

W. Thomas, Nathan Jacobsen & Associates, Town Engineers:

There will be eight (8) lights shedding light downwards for the courts.

Explanation of the drainage work to be accomplished.

D. Bourdeau, Jr., PW Director, has reviewed the plan and has no comments.

L. Lessard, M & M Tennis Court Construction, appeared:

Lighting directed to the courts on 22 ft. poles with very little lost light will be provided.

Lighting will be on a push button timer of one (1) hour.

W. Thomas:

A waiver request is for the height of the light pole (Section 11A.4.16 of the Salem Zoning Regulations).

M. Chinatti stated that she had not seen a waiver request.

H. McKenney stated that the request was a part of W. Thomas's letter of 4/27/09.

After Commission discussion, the ZEO recommended that the waiver request and the site plan application should be approved.

M/S/C (McKenney/Buckley) to grant the request of the Salem Recreation Commission for a waiver of Section 11A.4.16 for the height of light poles of 22 ft. (maximum of 18 ft. allowed) on site plan application (SPM#09-04-02A) on property located at 270 Hartford (at the Round Hill Road Recreation Fields). Vote: approved unanimously.

M/S/C (Abetti/Winakor) to approve application #09-04-02A of the Salem Recreation Commission (S. Spang) - to add lighting to the tennis courts and basketball court and the addition of an underdrain on the west and south sides of the tennis courts at 270 Hartford Road (Round Hill Road Recreation Fields). Vote: approved unanimously.

M/S/C (McKenney/ Abetti) to move item 1) PZC/Town Center Committee - discussion with PZC in regard to the proposed Village District Regulations under OLD BUSINESS to this place on tonight's agenda. Vote: approved unanimously.

OLD BUSINESS:

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

R. Traylor, Committee chair, appeared before the Commission:

This is the Committee's third draft of the *Zoning Regulations for the Development of a Village District* (see attached to the filed copy of these minutes).

Introduced D. Abetti, Town Center Committee member, who will present this draft to the Commission.

D. Abetti answered questions and took comments from the Commission:

- Discussion of Section 7.C.6 5.a.
- Discussion of Section 7.C.6 2.a. in regard to signage.

The Commission commended the Town Center Committee for the fine job that they have done in drafting these proposed regulations and took the following actions:

M/S/C (McKenney/Abetti) to accept the Salem Town Center Committee's draft of proposed regulations for the *Development of a Village District* ~~to be further discussed at the May 26, 2009 Regular Meeting and, at which time a public hearing for said proposed regulations will be set.~~

After discussion, the Commission amended the motion as follows:

[amended] (McKenney/Abetti) to delete *to be further discussed at the May 26, 2009 Regular Meeting and, at which time a public hearing for said proposed regulations will be set* and replace with: " and set a public hearing for proposed amendments for the *Development of a Village District* for Tuesday, June 16, 7:00 pm at the Salem Town Office Building, 270 Hartford Road. Vote: approved unanimously

PETITIONERS:

2) **Nutmeg Sand & Gravel - waiver request regarding excavation permit renewal existing conditions site plan requirement**

M. Chinatti, Town Planner/ZEO/WEO:

Nutmeg Sand & Gravel has submitted a waiver request of Section 14.6d) and Section 14.6g) as per Section 14.6k) of the Zoning Regulations.

After inspection of the site (it is in compliance) and review of their spreadsheet (states less than 5,000 cu. yds. has been taken out), recommends that the Commission approve the waiver request.

A. Winakor:

Stated that he has witnessed numerous pieces of equipment (2 excavators, 2 - 3 big loaders, a screener, a crusher) and a deep hole on the site. The site was inactive for a time, but activity started again about two (2) years ago.

M. Chinatti stated that the equipment was not there when she inspected the excavation.

The chairman referred the matter back to the ZEO for re-inspection.

M/S/C (Buckley/Winakor) to table the Nutmeg Sand & Gravel waiver request to the May 19, 2009 Salem Planning and Zoning Commission Regular Meeting. Vote: approved unanimously.

PUBLIC COMMENTS:

There were no *PUBLIC COMMENTS* this evening.

OLD BUSINESS:

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

This item was moved to and heard after item 1) *Salem Recreation Commission* , under *PETITIONERS* on tonight's agenda.

2) **POC&D Priorities**

The Commission discussed the 4/28/09 draft of the *PLANNING & ZONING COMMISSION PRIORITIES LIST, ESTABLISHED DECEMBER 16, 2003, Rev. Dates: 9-28-04, 1-25-05, 2-22-06, 6-27-06, 2/19-08* (see attached to the filed copy of these minutes).

Discussions included:

- What could be deleted from the eleven (11) original priorities:
 - *Seasonal vs. Year-Round Issue* (new regs effective 1/01/09)
 - *ARD/Impervious Surface* (new regs effective 6/01/09)
- Discussion of the suggestions received from the members:
 - *Pub. Ed. of Septic Maintenance*
Possibility of producing a pamphlet for handout.
 - *Revise MLUP (Municipal Land Use Plan)* - needs to be revised, protection of stone walls.
 - *Dev. Database - housing starts*
Consensus was that this could be added to *Workforce Housing* under the original priorities.
 - *Add Wind Generators*
Wind Generators are an up and coming form of energy.
Revised regulations needed.
 - *Add LIDS (Low Impact Development)*

Many new ideas and designs that work have been developed.

Revised regulations needed; LIDS as part of Best Management Practices for volume and water runoff.

- *Encourage prot. of Historic/Archaeological resources and ensure that improvements do not detract from rural character of roads*

Ensure that improvements do not detract from rural character of roads could be deleted, as it could be included in this suggestion.

Ensure that land use apps. make every feasible effort to retain rural features along proposed roads such as stone walls, mature trees, rock outcroppings could also be included here.

- *Facilitate pedestrian and vehicular circulation*

Add "consistent with state management principles" to this suggestion.

- Any new suggestions members had:
 - *RCOZ for Gardner Lake*, and
- Choosing the new priorities for the list:

The Commission consensus was to include the starred items as shown on the *Priorities List* that is attached to the filed copy of these minutes.

The list will be updated as per this evening's discussion and sent to the First Selectman and all Commission members for comment and discussion at the 5/19/09 PZC meeting.

3) **Bonds & Deposits**

M. Chinatti, Town Planner/ZEO:

Stated that she is in the process of calling banks and surety companies.

Surety Bonds have expired; checks usually have a shelf life of 3 - 6 months.

The Commission requested a report for the May 19, 2009 PZC meeting.

NEW BUSINESS:

1) **Consistent starting time for PZC meetings**

After discussion, the Commission took the following action:

M/S/C (McKenney Abetti) to revise the Salem Planning and Zoning Commission's starting time for meetings to a consistent time of 7:00 pm beginning with the May 19, 2009 Regular PZC Meeting. Vote: approved unanimously.

A revised schedule of meeting dates will be filed with the Town Clerk and made available to all members.

2) Schedule site walk for RS#09-03-01 - Buckley Estates resubdivision - 50 Buckley Road

M. Chinatti, Town Planner/ZEO:

Stated that she feels it would be a good idea for the Commission to take a site walk of the Buckley Estates resubdivision, since there has been so much discussion in regard to it.

The Commission agreed and took the following action:

M/S/C (Abetti/Winakor) to set a site walk of the Buckley Estates resubdivision site at 50 Buckley Road for ~~Monday, May 11, 2009 at 5:30 pm.~~

[amended] (Abetti/Winakor) to change the date to "Tuesday, May 12, 2009 at 5:30 pm."

Vote: approved unanimously.

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

M. Chinatti, Town Planner/ZEO/WEO, reported:

She had attended a seminar concerning pervious concrete pavement and was very excited about the new ideas.

She is organizing a seminar on the subject for June 30, 2009 here in Salem.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS: N/A

EXECUTIVE SESSION: (if needed)

M/S/C (McKenney/Abetti) to go into Executive Session at 9:45 pm to discuss *Pending litigation - 160 Old Colchester Road*, and add as "2) Pending litigation - Kobyluck", and include M. Chinatti, Town Planner/ZEO/WEO and D. McTigue, PZC Administrative Assistant. Vote: approved unanimously.

Present at Executive Session:

F. Abetti, K. Buckley, R. Dalkowski, H. McKenney, R. Savalle, and A. Winakor.

Present at the Commission's pleasure:

M. Chinatti, Town Planner/ZEO/WEO and D. McTigue, PZC
Administrative Assistant.

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

M/S/C (McKenney/Winakor) to come out of Executive Session at 9:49 pm. Vote: approved
unanimously

NO ACTION TAKEN.

PLUS DELTAS:

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

CORRESPONDENCE:

There was no *CORRESPONDENCE* this evening.

ADJOURNMENT:

M/S/C (McKenney/Buckley) to adjourn the meeting at 9:50 pm. Vote: approved unanimously.

Doris McTigue, Administrative Assistant/ Recording Secretary