

**Salem Planning and Zoning Commission  
February 16, 2010**

**Present:** Amato, R. - arrived at 7:08 P.M.  
Bingham, D.  
Buckley, K.  
Chinatti, M. - Town Planner/ZEO  
Fogarty, G. - Alt.  
Smith, V. - Alt.

**Absent:** McKenney, H.  
Nikirk, G.  
Savalle, R.  
Vacancy, Alt.  
Walter, G.

**Guests:** see attached.

**CALL TO ORDER:**

Vice Chairman K. Buckley:

- Called the meeting to order at 7:06 P.M.
- Introduced all members and staff present
- Seated V. Smith for H. McKenney and G. Fogarty for G. Walter

**ADDITIONS TO THE AGENDA:**

- Add to each public hearing items 1), 2) and 3) "and possible action."
- Under *PETITIONERS* add:
- "1) Thomas - Resubdivision application (RS#10-02-02) for a proposed four (4) lot resubdivision at 81 Skyline Drive.
- "2) Thomas- Special Exception application (SE#10-02-01) for two (2) common driveways for a four (4) lot resubdivision at 81 Skyline Drive.

**PUBLIC HEARINGS:**

The Vice Chairman reviewed the Salem Planning and Zoning Commission Public Hearing Procedures.

**1) Salem Recreation Commission (Spang)- Site plan application (SP#09-11-01) for a portion (Forsyth Road site) of Map #8, Lot #21, commonly known as the Gadbois property, 89 Norwich Road**  
M. Chinatti, Town Planner/ZEO:

Spoke with applicant S. Spang, who has no problem clearing shrubbery at the Easterly side of the access road. A gate is shown on the plan. The Public Works Director will post additional road signs of a recreational/playground area.

S. Spang, Recreation Chair:

Will clear brush to the left as pulling out of the driveway. Has concerns about closing the gate. Vandalism at the Round Hill Road site made the gate have to be closed, but that deprives honest users of the property. The gate (at the Forsyth site) won't cover the original driveway, and it will be easy to go around. Traffic has gotten backed up in the apron and then into the road if parents arrive early.

The Commission discussed enacting a neighborhood watch group, speed bumps or grooves in the road (which the Commission could not regulate) because of excess speed on Forsyth Road, and adding lights in the future for security.

Public comments:

- B. Good, 57 Forsyth Road - Has lived here for approximately twenty years. The access driveway for the field is across the street from where his original driveway site was denied by Planning and Zoning eighteen years ago. There have also been two incidents at the site, 1) A car doing donuts that tore up the parking lot and 2) Drug use. Would like to see gates up. Does not want snack stands, pavilions, lights.
- L. Good, 57 Forsyth Road - Installing a gate is essential. Changes are being made with convenience to one sport. Suggests closing at sunset.

D. Bingham mentioned that having the park close at sunset would prevent scheduled evening events such as astronomy.

Should the Recreation Commission or Planning and Zoning Commission control the hours?

K. Buckley would not want the PZC to set limits over the Recreation Commission.

- D. Bourdeau, Public Works Director - The sight line at the 25 M.P.H. speed limit is okay. More signs will be put up on the road. Speed bumps are a hazard and could create more accidents. Gates don't work. Street lights will help with security. The biggest concern is people driving on the fields. A neighborhood watch group or increased police patrol will help.
- M. Frausini, 34 Cedar Hill Lane - Suggested signs that say the park closes at sunset.
- D. Bourdeau, Public Works Director - Need an ordinance that says when it's closed, and secure the whole area. You can still access the lower level at the left hand side of the field.
- S. Spang, Recreation Chair - A gate at the bottom part of the parking lot would be a safety issue. The Town does not have a recreation department to close gates at sunset, everything is volunteer.

M/S/C (Bingham/Fogarty) to close the public hearing on the Salem Recreation Commission (Spang) - Site plan application (SP#09-11-01) for a portion (Forsyth Road site) of Map #8, Lot #21, commonly known as the Gadbois property, 89 Norwich Road. Vote: Approved unanimously.

D. Bingham read through the sections included in the waiver request.

M/S/C (Bingham/Fogarty) to act on the waiver request as presented except that the waiver requirements for Section 11A.4.2 -Legend be added as 1) *A gray solid line/contour elevation = existing contour* and 2) *A gray dashed line/contour elevation = existing contour* for Salem Recreation Commission (Spang)- Site plan application (SP#09-11-01) for a portion (Forsyth Road site) of Map #8, Lot #21, commonly known as the Gadbois property, 89 Norwich Road. Vote: Approved unanimously.

M/S/C (Buckley/Fogarty) to approve SPM #09-11-01 - Town of Salem, owner, Recreation Commission (Sue Spang) applicant, for property at 89 Norwich Road. Site plan modification for parking lot, driveway, pavilion, concession stand, (2) volley ball courts, (2) horseshoe pits, and playscape on the portion of the property accessed off of Forsyth Road. Plans titled Forsyth Road Soccer Fields 89 Norwich Road Salem, Connecticut prepared by Nathan Jacobson and Associates consisting of three (3) sheets. Plan date August 8, 2009, revised to February 2, 2010 with the condition that final mylars submitted for signature by the Chairman of the Commission shall include the following revisions:

1. "Address" included in the NOTES section of the plan shall be changed to "Location,"
2. The title block shall be revised to read as follows: Forsyth Road Soccer Fields Gadbois Parcel 89 Norwich Road Salem, Connecticut  
Property Owner: Town of Salem Applicant: Town of Salem Recreation Commission,
3. Future signage shall require site plan modification approval by the Planning and Zoning Commission and;
4. Should pavilion and/or concession stand relocation be required to comply with State Health Code requirements for well/septic installation, site plan modification approval by the Planning and Zoning commission shall be required.

The Commission discussed the motion, and decided to amend it:

M/S/C (Buckley/Fogarty) to approve SPM #09-11-01 with item 3. revised to:  
3. Future signage shall require site plan modification approval by the Planning and Zoning Commission *with the exception of signs posting the regulations of the site consistent with the Town of Salem sign regulations.* Vote:  
Approved unanimously.

**2) Renz - Resubdivision application (RS#09-11-01) for a five (5) lot resubdivision at 615 Hartford Road and Renz - Special Exception application (SE#09-11-01) for a common driveway for the five (5) lot resubdivision proposed for 615 Hartford Road**

It was the consensus of the Commission to deal with both of Renz's public hearings at the same time.

G. Fogarty read the legal notice published in the The Day on January 5, 2010 and January 12, 2010.

All of M. Chinatti, Town Planner/ZEO's issues have been previously addressed. She did walk the site. A comment from the Town Sanitarian, N. Reed Gustafson, was that all septic systems are required to be engineered. She did not receive comments from the Wade Thomas, Town Engineer, until today, but all of his comments have been addressed.

Mike Bennett from Bennett & Smilas Engineering, Inc. introduced himself. Mr. Bennett discussed the details of the proposed five lot subdivision such as the lot sizes, road frontage, rain gardens, and common driveway width. The common driveway plans were submitted to the CT Department of Transportation in May 2009 and have since received approval.

Mr. Bennett submitted a letter requesting two waivers of the Town of Salem Subdivision Regulations. Paragraph *8.4.2 (Section 8-Open Space Requirements, Section 8.4- Amount of Land Required )* and paragraph *9.3.5 (Section 9-Waivers, Section 9.3 Waiver Limitations)* are the two waivers requested. His explanation included that the regulated 200' minimum separating distance between rear lot driveways will not work because there is only location where the common driveway can be placed for adequate safe sight lines, and that has already had been approved by the DOT.

The Commission took at five (5) minute recess.

Mr. Bennett explained conservation easements to the Commission. He proposed a compromise of one (1) acre of land in lot five (5) in a conservation easement.

Public comments:

- R. Stephenson, 609 Hartford Road - The driveway is in the best spot.

Mr. Bennett explained the easement would restrict the lot owner from clear cutting that portion of the property. Trees would only be cut for

maintenance or to control invasive species such as multi-flora roses, etc. The easement would run in the deed for lot five (5). The easement could be in favor of the Town to enforce provisions of it. Signs could be posted on trees at 50' intervals stating that it's a conservation easement in favor of the Town of Salem.

Mr. Bennett and his clients D. and R. Renz left momentarily to speak. The Commission moved forward with the meeting.

M/S/C (Bingham/Fogarty) to table the public hearing for Renz - Resubdivision application (RS#09-11-01) for a five (5) lot resubdivision at 615 Hartford Road *and* Renz - Special Exception application (SE#09-11-01) for a common driveway for the five (5) lot resubdivision proposed for 615 Hartford Road to hear other items until Mr. Bennett and D. and R. Renz return to the meeting. Vote: Approved unanimously.

**PETITIONERS:**

**1) J.R. Pfanner & Assoc. (Frausini) - Resubdivision application (RS#09-12-01) for a two (2) lot resubdivision at 200 Music Vale Road**

M. Chinatti, Town Planner/ZEO:

This is an application that was previously approved in September. The filing deadline elapsed, so the process had to be redone. Nothing on the plan has changed. The resubdivision fee should be waived. The legal notice fee will be paid by the applicant.

M/S/C (Bingham/Amato) to accept the application for J.R. Pfanner & Assoc. (Frausini) - Resubdivision application (RS#09-12-01) for a two (2) lot resubdivision at 200 Music Vale Road with a waiver of the application fee. The Public Hearing date will be set for March 16, 2010. Vote: Approved unanimously.

The tabled Public Hearing for Renz - Resubdivision application (RS#09-11-01) for a five (5) lot resubdivision at 615 Hartford Road *and* Renz - Special Exception application (SE#09-11-01) for a common driveway for the five (5) lot resubdivision proposed for 615 Hartford Road is back in session.

Mr. Bennett made a formal proposal to the Commission to waive the requirement of open space. In lieu of that, one (1) acre would be granted to the Town of Salem for a conservation easement along the entire frontage of Route 85 in lot five (5). This would be to protect clear cutting and disturbance of natural soil on the slope.

The Commission and Mr. Bennett discussed the size, layout, and possible uses of the proposed one (1) acre conservation easement in favor of the Town of Salem.

D. Bingham suggested continuing the Public Hearing and for the applicant to come back with a proposal.

M/S/C (Bingham/Fogarty) to continue the Public Hearing for Renz - Resubdivision application (RS#09-11-01) for a five (5) lot resubdivision at 615 Hartford Road *and* Renz - Special Exception application (SE#09-11-01) for a common driveway for the five (5) lot resubdivision proposed for 615 Hartford Road to March 16, 2010. Vote: Approved unanimously.

**PETITIONERS:**

- 1) Thomas - Resubdivision application (RS#10-02-02) for a proposed four (4) lot resubdivision at 81 Skyline Drive.
- 2) Thomas- Special Exception application (SE#10-02-01) for two (2) common driveways for a four (4) lot resubdivision at 81 Skyline Drive.

M. Chinatti, Town Planner/ZEO:

Recommended scheduling the Public Hearing for March 23, 2010.

M/S/C (Bingham/Fogarty) to receive Thomas - Resubdivision application (RS#10-02-02) for a proposed four (4) lot resubdivision at 81 Skyline Drive *and* Thomas- Special Exception application (SE#10-02-01) for two (2) common driveways for a four (4) lot resubdivision at 81 Skyline Drive and to schedule a Public Hearing for March 23, 2010. Vote: Approved unanimously.

**PUBLIC COMMENTS:**

There were no *PUBLIC COMMENTS*.

**OLD BUSINESS:**

- 1) **Mantis, LLC (Winalski) - Site plan modification application (SPM#09-12-01) to relocate two (2) previously approved 50'x30' cold frame greenhouses and add an 80'x45'x32' storage building at 595 Norwich Road (Route 82)**

Mr. Winalski asked for a sixty-five (65) day extension request that the Commission accepted.

Mr. Winalski went over comments from M. Chinatti, Town Planner/ZEO and Wade Thomas, Town Engineer. All other comments have been resolved, and a new comment was clarified.

M/S/C (Buckley/Fogarty) to grant the request of G. Winalski for Mantis, LLC (Winalski) - Site plan modification application (SPM#09-12-01) to relocate two (2) previously approved 50'x30' cold frame greenhouses and add an 80'x45'x32' storage building at 595 Norwich Road (Route 82) for a sixty-five (65) day extension to grant a decision. Vote: Approved unanimously.

**NEW BUSINESS:**

1) Discussion - written policy(ies): This item had previously been tabled to the February 23, 2010, not the February 16, 2010 meeting, so there will be no discussion on it.

2) Set public meeting date for revised FEMA maps: The Commission directed M. Chinatti, Town Planner/ZEO to coordinate with Diane Ikovic and FEMA.

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

**APPROVAL OF MINUTES OF PREVIOUS MEETING(S):**

M/S/C (Buckley/Bingham) to table the approval of minutes until the next meeting. Vote: Approved unanimously.

**EXECUTIVE SESSION (IF NEEDED):**

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

*EXECUTIVE SESSION* was not necessary.

**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*.

**ADJOURNMENT:**

M/S/C (Fogarty/Smith) to adjourn. Meeting adjourned at 10:27 P.M.  
Vote: Approved unanimously.

Respectfully submitted by:  
Lindsay K. Chester  
Recording Secretary Pro-Tem