

**TOWN OF SALEM  
PLANNING & ZONING COMMISSION  
REGULAR MEETING MINUTES  
TUESDAY, DECEMBER 15, 2020 – 7:00 P.M.  
SALEM TOWN HALL – VIRTUAL MEETING VIA ZOOM**

Per State of Connecticut, Governor Lamont Executive Order Number 7B, the Town of Salem Planning and Zoning Meeting on November 17, 2020 will be following the suspension of in-person open meeting requirements. Please click the link below to join the webinar:

<https://zoom.us/j/99147695190?pwd=UDdKbHNZNfvcDZTQ2hoaDF1ck1OQT09>

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**Webinar ID:** 991 4769 5190 | **Password:** 660388

**PRESENT**

Vernon Smith, Chair  
John Gadbois, Vice Chairman  
Carl S. Fontneau  
Walter Volberg  
Diba Khan-Bureau, Alternate (*seated*)  
Jon Walsh, Alternate (*seated*)  
Susan Sullivan, Alternate (*seated*)

**ABSENT**

Margaret Caron, Secretary  
Thomas Reith  
Ruth Savalle

**ALSO PRESENT**

Town Planner Justin LaFountain

**1. CALL TO ORDER**

Chairman Smith called the meeting to order at 7:02 p.m. and offered a short prayer.

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT:** *none*

**4. PUBLIC HEARING:** *none*

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

**a) Regular Meeting Minutes: November 24, 2020**

**M/S/C: Gadbois/Volberg, to approve the Regular Meeting Minutes of November 24, 2020, with the following amendment:**

**Page 9, Item 6(a), motion to approve Application ZRA 20-02, 2nd sentence:**

**8. ...The Commission would be involved in a purely administrative site plan approval process....**

**Commissioner Khan-Bureau...also expressed her concerns regarding water quality; ~~and~~ access and egress for emergency vehicles, which is both a health and safety issue, *and; the reported hit-and-run accident.***

**Discussion: None. Voice vote, 4-0, all in favor.**

## **SEATING OF ALTERNATE(S):**

Alternate Commissioners Walsh, Khan-Bureau, and Sullivan were seated for Commissioners Reith, Savalle, and Caron, respectively.

## **6. OLD BUSINESS**

### **a) Plan of Conservation and Development (POCD) Discussion**

The Commissioners reviewed and discussed the 32 questions devised by Commissioners Caron and Khan-Bureau for the town-wide POCD Survey designed to gauge the residents' thoughts and visions for the town.

The following questions were discussed and amended as follows:

#### Town Demographics

1. How long have you lived in Salem?
  - a. 0 – 5 years
  - b. 6 – 10 years
  - c. ~~11+~~ *11 – 19* years
  - d. *20+ years*
14. How long have you lived in Salem?
  - a. Self-Employed
  - b. Employed with or the owner of a small business (fewer than 10 employees)
  - c. Employed with or the owner of a larger business (10 or more employees)
  - d. Retired
  - e. *Unemployed*
15. How long is your average daily commute?
  - a. *Primarily work at home*
  - b. 30 minutes or less
  - c. 31 minutes – 1 hour
  - d. 1 hour +

#### Economic Development in Salem

Discussion ensued regarding Commissioner Walsh's question regarding whether the survey should include a question regarding the residents' traffic concerns within the town, in general. Commissioner Sullivan proposed asking what the residents feel would improve the safety of the town's busier roads, including sidewalks and/or bike trails. Commissioner Khan-Bureau noted that sidewalks is included as one of the responses for question 24.

Chairman Smith proposed rephrasing question 23 to better gauge whether the residents felt that there is enough or there should be more public open spaces in town as follows:

23. *Salem has always been a town that respects its natural resources. How important is the continued expansion of* ~~How important is~~ *the conservation and the protection of open (green/undeveloped/walking trails) space for public use to you?*

He also proposed including a list and map of the town's available trails and open spaces in an effort to promote town's recreational resources and the economic development.

#### Housing

Housing questions were kept to a minimum and are less inclusive to avoid any possible confusion with the Affordable Housing Plan Survey. The Affordable Housing Plan will be incorporated into the POCD as either a subset or appendix. The responses to question 27 were revised as follows:

27. What types of housing do you think should be allowed in Salem? (*select or circle all that apply*)
- a. Single family with large lots (2 acres)
  - b. Single family with smaller lots (-2 acres)
  - b. Accessory apartments in single-family homes
  - d. Two-family houses
  - e. Rental Apartments
    - 1) *up to 50 units*
    - 2) *50 or more units*
  - f. Condominiums
    - 1) *up to 50 units*
    - 2) *50 or more units*
  - g. Senior/Age-restricted housing
  - h. Affordable housing for all ages
  - i. *Other* \_\_\_\_\_

#### Diversity

Extensive discussion was held regarding the term, diversity, its meaning, and relevancy to the POCD. Town Planner LaFountain suggested rephrasing the first question in the section as follows, which would be more relevant to the purpose of the POCD:

29. Do you feel that ~~Salem encourages diversity~~ *Salem's Land Use Policies are welcoming to all individuals? If not, why not?*

Chairman Smith felt that questions focusing on the topic of diversity is a "slippery slope" that could incite controversy that may not belong in the survey. Commissioners Khan-Bureau and Volberg proposed the possibility of rephrasing the question to, "Do you feel that Salem is welcoming to all individuals?", creating a more open-ended question that would provide them with a wide range of responses depending upon the respondent's

interpretations. Chairman Smith felt that the problem with posing such a broad question is that it may not provide any definitive conclusions. Commissioner Walsh agreed that the topic of diversity is a “slippery slope” and results in categorizations that might not be appropriate for the survey and suggested the possibility of asking more specific questions. Commissioner Sullivan questioned the purpose of the question and suggested changing the heading to *Culture & Climate* and including additional questions regarding the town’s climate. In such case, Commissioner Khan-Bureau suggested rephrasing the question to include whether residents feel there is adequate cultural and demographic diversity. Commissioner Fontneau stated that, because the Commission has purview over the housing stock and land use diversity through the Zoning and Subdivision regulations and the POCD, the question(s) should be directed to that particular type of diversity. It was noted that the towns of Bozrah and East Haddam did not include any questions regarding diversity in their surveys.

In conjunction with questions 2, “How long do you plan to live in Salem?”, and 32 “What factors influenced your decision to live in Salem?”, the possibility of posing the additional question, “*What influences your decision to stay or leave Salem?*”, was raised. It was noted that a similar question was posed in the town’s 2012 POCD (page 61).

#### Distribution of Survey

The survey will be available digitally and physically. The following options were proposed:

- Social Media via Facebook (Official Salem CT Town Group and/or Salem CT Town Group pages) – due to the nature of social media campaigns and the possibility of inadvertently inviting non-residents to contribute to the survey, the Commission/Town will not be promoting the survey on social media.
- Snail Mail – due to the expense involved with mailing the survey to the residents, this option will not be utilized
- Town E-Blast
- *Our Town Salem* – with a cover blurb located on the front cover
- Town website

Respondents will be encouraged to complete the survey online.

#### Subcommittee or Appointment of Liaisons to Boards/Commissions

The Commissioners agreed to appoint liaisons to the pertinent boards and/or commissions.

The following appointments were made:

Board of Selectmen	Selectwoman Liaison Terri Salas
Economic Development Commission	Commissioner Fontneau
Eightmile River Wild & Scenic Watershed Committee	Commissioner Khan Bureau
Inland Wetlands & Conservation Commission	Commissioner Khan-Bureau
Recreation Commission	Commissioner Gadbois
Salem Congregational Church	Commissioner Sullivan

Salem Historical Society  
Salem Land Trust

Commissioner Volberg  
Commissioner Khan-Bureau

**b) Affordable Housing Plan Update**

Town Planner LaFountain provided a brief recap of the Plan, which is required by the State and must be adopted by the town by 2022. The town of Salem has acquired a Grant to work on the project and, as an employee of the Southeastern Connecticut Council of Governments, he is working on the Plan in collaboration with his colleagues who work in the towns of Bozrah, Franklin, Lebanon, and Sprague. Each Plan will be unique to the towns they represent. He reported that over 200 responses to the Affordable Housing Plan Survey have been received to date. The responses reflect that approximately 50% of the respondents are either in favor of or opposed to affordable housing. The Town Planners are continuing to conduct their research; he hopes to present a report to the Commission in January.

Chairman Smith stated that the availability of the survey was promoted on Facebook, inciting some interesting and heated conversations. One of the issues included the lack of understanding regarding the definitions of and difference between affordable housing and low-income housing. Town Planner LaFountain explained that Affordable Housing is defined as those who are making no more than 80% of the median income for the region and pay no more than 30% of their income towards housing. In accordance with CT State Statute 8-30G, a developer may apply to construct affordable housing units should the town have less than 10% of its housing stock be affordable without meeting the requirements within the Zoning Regulations. Once the town has reached the 10% benchmark, the town may apply for a moratorium. Currently, approximately 2% of the Salem's housing stock is considered affordable. In Salem, because there is no public sewer or water, large developers are less attracted to develop such a property in the town. In response to Commissioner Sullivan, older homes can become deed-restricted and incentives might be available for those interested in offering those homes as affordable housing units. Low-Income Housing provides homes for those with a lower income to housing ratio and, while related, it is not the same as Affordable Housing. It was clarified that, while there is no penalty for not adopting an Affordable Housing Plan by 2022, not adopting the plan might hinder the town's ability to apply for State funding, as is the case with the POCD.

**7. NEW BUSINESS**

**a) Approval of 2021 Meeting Dates**

**M/S/C: Fontneau/Gadbois, to approve the 2021 Planning & Zoning Commission Regular Meeting Dates. Meetings will be held on the third and fourth Tuesdays of every month, with the exception of the month of December, due to the holidays. Discussion: None. Roll Call vote, 7-0, all in Favor. Voting in Favor: Commissioners Fontneau, Gadbois, Khan-Bureau, Sullivan, Volberg, Walsh, and Smith. Voting in Opposition: None.**

**b) Election of 2021 Commission Officers**

Chairman Smith expressed his interest in continuing to serve as the Chairman.

**M/S/C: Gadbois/Volberg, to nominate and re-elect Commissioner Smith as the Chairman of the Planning & Zoning Commission. Discussion: None. Roll Call vote, 7-0, all in Favor. Voting in Favor: Commissioners Fontneau, Gadbois, Khan-Bureau, Sullivan, Volberg, Walsh, and Smith. Voting in Opposition: None.**

Vice-Chairman Gadbois expressed his interest in continuing to serve as the Vice-Chairman.

**M/S/C: Smith/Khan-Bureau, to nominate and re-elect Commissioner Gadbois as the Vice-Chairman of the Planning & Zoning Commission. Discussion: None. Roll Call vote, 7-0, all in Favor. Voting in Favor: Commissioners Fontneau, Gadbois, Khan-Bureau, Sullivan, Volberg, Walsh, and Smith. Voting in Opposition: None.**

**M/S/C: Khan-Bureau/Volberg, to nominate and re-elect Commissioner Caron as the Secretary of the Planning & Zoning Commission. Discussion: None. Roll Call vote, 7-0, all in Favor. Voting in Favor: Commissioners Fontneau, Gadbois, Khan-Bureau, Sullivan, Volberg, Walsh, and Smith. Voting in Opposition: None.**

**8. ZONING ENFORCEMENT OFFICER'S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT**

Chairman Smith requested monthly reports from the ZWEO regarding any actions that have been/are being taken.

**9. TOWN PLANNER REPORT**

Town Planner LaFountain stated that the appeal period expired yesterday, Monday, December 14, for the approval of the Age-Restricted Development and denial of the Text Amendment applications. The mylars for the Age-Restricted Development have been submitted and are awaiting the Chairman's signature at the Town Clerk's office.

An application from Aaron Symans for whom the Commission approved a text amendment for the Special Agriculture Zone is expected to come before the Commission in the very near future.

The Town Attorney reviewed and approved the Riparian Corridor Overlay Zone (RCOZ) Regulation and commended the Commission on reducing the length of the Regulation, making it more readily understandable for the public and should result in fewer compliance issues.

**10. CORRESPONDENCE:**

Chairman Smith reported that a request for the submission of their proposed FY2021/22 budget. *The item will be added to the Commission's January agenda.*

**11. PUBLIC COMMENT:**

Margot Witter, 349 West Road, questioned whether there were two surveys that were made available to the public, that which was posted on Facebook and that which received over 200 responses. She also posed the possibility of posting definitions and specific guidelines and items that are being proposed for discussion on the town's website.

In response, Chairman Smith stated that the surveys she is referring to is the same survey that is available on the town's website and was shared on Facebook. They are in the process of gathering definitions and, once completed, would be made available to the public. Town Planner LaFountain stated that information for Pending Applications is posted on the town's website on the Planning & Zoning page. The title of the section may be changed from Pending Applications to Current Topics with headings for the POCD and the Affordable Housing Plan, to provide further clarity.

**12. PLUS DELTAS:**

Town Planner LaFountain relayed Selectwoman and Liaison Salas' wish for everyone to have a Happy Holiday, Merry Christmas, and a Happy New Year.

Chairman Smith was appreciative of their very positive, mature, and frank discussions. He thanked the re-elected Officers for their willingness to serve on the Commission as such and expressed his enjoyment in serving as the Chairman and thanked them for their vote of confidence.

**13. ADJOURNMENT**

**M/S/C: Volberg/Khan-Bureau, to adjourn the meeting at 9:24 p.m. Discussion: None.  
Voice vote, 7-0, all in favor. Meeting adjourned.**

Respectfully Submitted by:

Agnes T. Miyuki, Recording Secretary for the Town of Salem