

**TOWN OF SALEM
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, JANUARY 21, 2020 – 7:00 P.M.
SALEM TOWN HALL – CONFERENCE ROOM 1**

PRESENT

Ruth Savalle, Chair
Vernon Smith, Vice Chair
John Gadbois, Secretary
Margaret Caron
Thomas Reith
Carl S. Fontneau, Alternate (*seated*)
Jon Walsh, Alternate (*seated*)

ABSENT

Eric Wenzel
Diba Khan-Bureau, Alternate

ALSO PRESENT

Town Planner Justin LaFountain
Selectwoman Liaison Terri Salas

1. CALL TO ORDER

Chairperson Savalle called the meeting to order at 7:01 p.m.

2. PLEDGE OF ALLEGIANCE

A short prayer by Secretary Gadbois was held in honor of Planning & Zoning Commissioner David Miller, who recently passed away.

SEATING OF ALTERNATE(S):

Alternate Commissioners Walsh and Fontneau were seated for Commissioners Wenzel and Miller, respectively.

3. PUBLIC COMMENT: *none*

4. PUBLIC HEARING: *none*

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

a) Regular Meeting Minutes: November 19, 2019

M/S/C: Smith/Caron, to approve the Regular Meeting Minutes of November 19, 2019.

Discussion: It was clarified that, while changing their meetings to the second and fourth Tuesdays of the month was discussed, the meetings will remain on the third and fourth Tuesdays of every month. In order to change the meeting dates, the Commission's by-laws would need to be amended. **Voice vote, 5-0-2. Voting in Favor: Commissioners Fontneau, Reith, Savalle, Smith, and Walsh. Voting in Opposition: None. Voting in Abstention: Commissioners Caron and Gadbois.**

6. OLD BUSINESS

a) Continued Riparian Corridor Overlay Zone (RCOZ) Discussion

Commissioner Fontneau, having reviewed the regulation and speaking from a Zoning Officer's point of view, questioned the enforceability of a fairly restrictive regulation and the Zoning

Enforcement Officer (ZEO)'s ability to determine such items as the age of a stump. He also questioned the benefit(s) of expanding the corridor beyond 25', depending upon the size of the river, and proposed the possibility of establishing permit procedures for obtaining the zoning permit or a special exception for proposed activities.

A brief discussion was held regarding a recent violation that occurred along the RCOZ, which is currently being reviewed by the Inland Wetlands and Conservation Commission and will be presented to the Commission as part of the RCOZ regulation violation in the near future. According to the Wetlands/Zoning Enforcement Officer's last update, a remediation plan is currently being developed in conjunction with a Certified Soil Scientist.

A copy of the draft created by former Chairman Joe Duncan and the Town Attorney's comments will be e-mailed to the Commissioners. Chairperson Savalle reminded the Commission that the Town's Plan of Conservation and Development (POCD) recommends that the originators of the regulation also be consulted with for any proposed amendments.

7. NEW BUSINESS

- a) Election of Commission Officers for 2020 (Chairperson, Vice-Chairperson, Secretary)
Chairperson Savalle opened the nominations for Chairperson for the Planning & Zoning Commission.

M/S/C: Reith/Walsh, to nominate and elect Commissioner Smith as the Chairperson of the Planning & Zoning Commission. There being no additional nominations, Chairperson Savalle closed the nominations. Discussion: None. Voice vote, 7-0, all in favor.

Chairperson Savalle opened the nominations for Vice Chairperson for the Planning & Zoning Commission.

M/S/C: Smith/Caron, to nominate and elect Commissioner Gadbois as the Vice Chairperson of the Planning & Zoning Commission. There being no additional nominations, Chairperson Savalle closed the nominations. Discussion: None. Voice vote, 7-0, all in favor.

Chairperson Savalle opened the nominations for Secretary for the Planning & Zoning Commission.

M/S/C: Smith/Reith, to nominate and elect Commissioner Caron as the Secretary of the Planning & Zoning Commission. There being no additional nominations, Chairperson Savalle closed the nominations. Discussion: None. Voice vote, 7-0, all in favor.

- b) Commissioner Vacancy to be filled

Chairperson Savalle stated that, per the Town Charter, the Commission has 30 calendar days to fill a vacancy and introduced and distributed a letter received by former Commissioner Jennifer Lindo. Vice Chairman Smith clarified that Commissioner Miller was a Republican and, as such,

the vacancy should be filled by a member of the same party. As the Chairman of the Republican Town Committee, he introduced and recommended Walter Volberg, who was present at the meeting, to fill the vacancy. Mr. Volberg, who previously served on the Commission, expressed his interest in filling the vacancy and serving on the Commission.

M/S/C: Smith/Savalle, to nominate and appoint Walter Volberg to fill a vacancy as a Full Member of the Planning & Zoning Commission with a term to expire at the next regular election in 2021. Discussion: None. Voice vote, 7-0, all in favor.

FY2020/21 Budget

Chairperson Savalle distributed copies of the Planning & Zoning Commission Budget for review. She informed newly elected Chairman Smith that the Chairperson is responsible for the budget and must sign off on all invoices/expenses. The budget is to be presented to the Board of Finance in February. In response to Commissioner Fontneau, department salaries are under the purview of the Board of Selectmen.

Attendance

Chairperson Savalle stated the importance of attending their meetings and, if they are not able to fulfill their obligations, should consider stepping down and speaking with the Chairperson of their Party to request a replacement. She also requested that any members who are unable to attend a meeting, inform the Town Planner and/or Chairperson.

8. ZONING ENFORCEMENT OFFICER'S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT – *no report*

9. TOWN PLANNER REPORT

a) Animal Keeping Regulations

Town Planner LaFountain reviewed a memo, which includes a brief explanation of the Town's Animal Keeping Regulations, some questions to consider, and relevant resources. Currently, the Zoning Regulations allow for 'poultry or animal raising' by right in the Rural A and Rural B zones with no specific limitations as to the number of animals which can be kept on their respective properties. The confusion arises in that the same use is permitted in the Special Agriculture Zone (Floating Overlay Zone) with specific limitations.

Commissioner Reith, who conducted some research on the issue, recommended the Commissioners review the Connecticut Resource Conservation and Development Area's *Zoning Regulations of Livestock: Best Practices* for municipalities, which recommends that no regulations be imposed regarding the number of allowable livestock on any given property. The resource is also cited in the Town Planner's memo.

Town Planner LaFountain added that he also researched the regulations of several other municipalities in the region and found that the majority do not place any such limitations. Should the Commission decide to eliminate the limitations, the question as to the necessity of the Special Agriculture Zone should also be discussed.

b) East Haddam Regulation Amendment Referral

A notice regarding a regulation amendment regarding accessory dwelling units was received from the Town of East Haddam. The amendment relaxes their current restrictions; the regulation amendment should have no impact on the Town of Salem.

c) 2022 Plan of Conservation and Development (POCD)

Town Planner LaFountain recommended the Commission begin thinking about updating the Town's POCD. The State requires municipalities to update their POCD every ten years and, for the Town of Salem, the POCD must be updated by June 2022. The document must also be reviewed and approved by the Board of Selectmen. Possible approaches include:

- 1) Creating Subcommittees made up of members from various Boards and Commissions – this was the method used in the drafting of the Town's 2012 POCD
- 2) Hiring a Consultant – should the Commission opt to hire a consultant, the funding should be included in their FY2021/22 budget proposal
- 3) Engaging student interns – Vice Chairman Smith was agreeable with hiring student interns to review and revise certain aspects of the document

He also stated the importance of involving the public, adding that the purpose of the document is to serve as a long-term vision for the Town and a guide to their decisions related to the growth, development, and conservation of the Town and its resources.

Chairperson Savalle recalled the use of group breakout sessions and a Town-wide survey during the drafting of the 2012 POCD. Commissioner Reith noted that several improvements noted in the 2012 POCD have already been completed. Commissioner Fontneau suggested that a goal-oriented section, e.g. matrix, be added to the Plan and that they meet with the various Boards and Commissions that have been assigned tasks at regular intervals to discuss their progress.

Town Planner LaFountain will investigate any grant funding that might be available for the project.

10. CORRESPONDENCE: *none*

11. PUBLIC COMMENT: *none*

12. PLUS DELTAS:

Vice Chairman Smith and Secretary Gadbois thanked Chairperson Savalle for serving as the Chairperson of the Commission.

13. ADJOURNMENT

M/S/C: Smith/Caron, to adjourn the meeting at 7:50 p.m. Discussion: None. Voice vote, 6-0, all in favor. Meeting adjourned.

Respectfully Submitted by: Agnes T. Miyuki, Recording Secretary for the Town of Salem