

**TOWN OF SALEM
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, MAY 25, 2021 – 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 Commission will be following the suspension of in-person open meeting requirements. Please click the link below to join the webinar:

<https://zoom.us/j/91925795634?pwd=SjILcldUaFRhSGNBdjBObXJrQTNSZz09>

Password: 574290

Or Via Telephone:

(312) 626-6799, (646) 558-8656, (346) 248-7799, (669) 900-9128,
(253) 215-8782, or (301) 715-8592

Webinar ID: 919 2579 5634 | **Password:** 574290

PRESENT

Vernon Smith, Chair
John Gadbois, Vice Chairman
Margaret Caron, Secretary
Carl S. Fontneau
Diba Khan-Bureau
Walter Volberg
Jennifer Lindo, Alternate (*seated*)

ABSENT

Thomas Reith
Michael Flugrad, Alternate

ALSO PRESENT

Town Planner Justin LaFountain

1. CALL TO ORDER

Chairman Smith called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Alternate Commissioner Lindo was seated for Full Member Commissioner Reith..

AMENDMENTS TO THE AGENDA:

M/S/C: Smith/Volberg, to move Item 8, New Business, to precede Item 7, Old Business.

Discussion: None. Voice vote, 5-0, all in favor.

3. PUBLIC COMMENT: *none*

4. PUBLIC HEARING:

a. ZRA 21-03: Shane P. Shilosky, 260 Church Road, Lebanon, CT. Application to amend

the Salem Zoning Regulations to permit storage warehouses in the General Business Zone.

**M/S/C: Fontneau/Khan-Bureau, to open the Public Hearing for ZRA 21-03:
Shane P. Shilosky, 260 Church Road, Lebanon, CT. Application to amend
the Salem Zoning Regulations to permit storage warehouses in the
General Business Zone. Discussion: None. Voice vote, 7-0, all in favor.**

Town Planner LaFountain stated that the application is for a text amendment to the Salem Zoning Regulations to allow storage warehouses in the General Business Zone as a permitted use. He noted that the application is not site-specific. A brief staff memo was provided to the Commission regarding the proposal.

Ian Shilosky, representing Shane Shilosky, stated that they are seeking an amendment to the Zoning Regulations for the purpose of establishing a storage unit facility at the old Salem Feed & Grain store, located on Route 82.

Though the application is not site-specific, Commissioner Gadbois recused himself from the Public Hearing as he resides near the proposed location to which the application would apply.

Number of Storage Units (Commissioner Khan-Bureau) – Mr. Shilosky estimated that, depending upon the size of the lot, either one or two 80' or 100' unit buildings comprised of approximately 45-10' x 10' units each would be placed on the property.

Staff Memo Correction – The following line was removed from the introductory paragraph of the memo:

The added use would be 'Storage Warehouses.' ~~for the production, packaging, and storage of food products.~~ It is important to note...

Inclusion of Cold Storage Locker Plants (Commissioner Fontneau) – Town Planner LaFountain stated that, because other parts of the Regulations refer to both Storage Warehouses and/or Cold Storage Locker Plants as one unit/phrase, it was included in the proposed text amendment for consistency.

Site Plan Review vs. Special Exception (Commissioner Fontneau) – The proposed text amendment to the Regulation would allow the use as a permitted use, requiring only a site plan review, while an application for a Special Exception would require a Public Hearing and allow the Commission to have additional discretion to deal with any potential issues. Discussion ensued regarding the two types of applications and the associated processes. A Special Exception application would allow the Commission to either approve or deny the application based on the fulfillment of the Findings stated in Section 11.4 of the Zoning Regulations.

The Applicant and Commissioners agreed to keep the Public Hearing open to allow

the Applicants to further discuss the two options.

Mr. Shilosky thanked the Commissioners for their time and consideration.

M/S/C: Lindo/Khan-Bureau, to continue the Public Hearing for ZRA 21-03: Shane P. Shilosky, 260 Church Road, Lebanon, CT. Application to amend the Salem Zoning Regulations to permit storage warehouses in the General Business Zone, to the Planning & Zoning Commission's next regular meeting. Discussion: None. Voice vote, 7-0, all in favor.

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

a. Meeting Minutes: May 18, 2021 – tabled

Commissioner Gadbois re-entered the meeting at 7:32 p.m.

6. NEW BUSINESS

a. Plan of Conservation and Development (POCD)

Commissioner Fontneau expressed his concerns regarding the timeline and reminded the Commissioner-Liaisons to include the goals, place priorities (one to two years, three to five years, or six to nine years) on each of the implementation/action steps, and note the Board/Commission that is to execute those goals. He also recommended that the Commissioner-Liaisons determine which goals have been met. He will present his draft of the goals/implementation section for Chapter 6, Economic Development, and Chapter 8, Housing, as well as possible goals/implementations for other sections within the POCD in the near future.

He reported that the Tax Assessor has provided him with the information he requested and stated that there are 90 PA-490 parcels and one 10-mil land. The information will be sent to SECCOG (Southeastern Connecticut Council of Governments) GIS (Geographic Information Systems) Specialist. He will be reviewing and categorizing the data regarding the town's various housing stocks, which will be helpful as they begin considering other possible affordable housing alternatives.

Commissioner Fontneau also noted that the POCD would be driven by the results of the Survey, which ends on May 31. Chairman Smith stated the possibility of extending the end date. Town Planner LaFountain reported that 216 responses have been received to date.

Commissioner Khan-Bureau reported that she would ensure the item is placed on the Agenda for the June 7 Inland Wetlands & Conservation Commission Regular Meeting.

Commissioner Gadbois suggested that a schedule be established for each of the sections. Town Planner LaFountain concurred, suggesting the possibility of discussing two to three sections each meeting. Chairman Smith concurred.

b. Sign Regulation Discussion

Commissioner Fontneau questioned what in the Regulations regulates the content of a sign. He felt that permanent, temporary, identification, directional, or advertising signs are types of signs that are regulated differently and are not regulating the message of the sign. Town Planner LaFountain stated that, per Case Law, the content or message of a sign cannot be regulated, no matter the type. For further clarification and confirmation, the Town Attorney would need to be consulted. Town Planner LaFountain will investigate whether other small rural towns have updated their sign regulations.

c. Letter Regarding Zoning and Affordable Housing

Chairman Smith reported that the proposed bill was passed by the House of Representatives and is now being sent to the Senate for review and approval. Former Commissioner and Selectwoman Sullivan's revised draft of the letter was reviewed and discussed. The following suggestions were made:

First paragraph, second sentence:

The Plan of Conservation and ~~Developed~~ *Development* (POCD)...

Add to the beginning of the letter:

Re: Senate Bill 1045 and 804

Add the signature line:

Vernon Smith

Chairman, Planning & Zoning Commission

Final paragraph:

In summary, we echo the sentiments of the neighboring ~~rural or neighboring rural~~ towns ~~such as Old Lyme, East Haddam, and East Lyme~~ striving to... The Town of Salem Planning and Zoning Commission ~~strongly unanimously~~ believes...

The letter will be mailed on the Town of Salem letterhead.

M/S/C: Fontneau/Khan-Bureau, to approve and authorize Chairman Smith to send the letter regarding zoning and affordable housing to the State Legislators, including Governor Ned Lamont, Senators Paul Formica, Bob Duff, and Martin Looney, as amended. Discussion: None. Voice vote, 7-0, all in favor.

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

Town Planner LaFountain explained that the Commission is required to renew the permits for the town's Campgrounds and Quarries. As such, the Zoning Enforcement Officer has reviewed and recommends the approval of the excavation permit renewal applications for Renz Quarry, G's Ruff Stuff Quarry, Getty Granite, and Henrici Excavating and the

campground permit renewal applications for Witch Meadow, Indianfield, Sna-Z Spot, Salem Farms Campgrounds. The item will be placed on the Commission's next agenda for approval.

9. TOWN PLANNER REPORT

In response to Chairman Smith, Commissioner Khan-Bureau reported that the Eightmile River Watershed Overlay District Regulation violation on Shingle Mill Road continues to be under the jurisdiction of the Army Corps of Engineers.

10. CORRESPONDENCE: *none*

11. PUBLIC COMMENT:

Sue Spang, Hartford Road, responded to Commissioner Fontneau's comments, stating that the 2012 POCD Committee included priorities for the goals on a spreadsheet included in the document. After it was adopted by the Commission and approved by the town, the document became the Commission's responsibility to gauge its progress. She also stated that a Vision Committee was established to draft the Vision Statement portion of the POCD and questioned the status of her request to appoint a Liaison to the Board of Education.

Commissioner Fontneau added that there are also other sections that the Commission has yet to appoint a liaison.

12. PLUS DELTAS:

Chairman Smith thanked the Commission for a nice meeting, citing the positive handling of the Public Hearing, which would consider the needs of both the applicant and neighboring properties.

Commissioner Caron welcomed Commissioner Lindo, who she felt would be an asset to the Commission; thanked Commissioner Fontneau for his hard work, and; agreed that a schedule should be established for the POCD. She also felt that the survey should not be extended and the information be reviewed as soon as possible. Commissioner Khan-Bureau agreed.

13. ADJOURNMENT

**M/S/C: Lindo/Khan-Bureau, to adjourn the meeting at 8:21 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