

**TOWN OF SALEM
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, AUGUST 24, 2021 – 7:00 P.M.
SALEM TOWN HALL – CONFERENCE ROOM 1**

PRESENT

Vernon Smith, Chair
John Gadbois, Vice Chairman
Margaret Caron, Secretary
Carl S. Fontneau
Jennifer Lindo, Alternate

ABSENT

Diba Khan-Bureau
Thomas Reith
Walter Volberg
Michael Flugrad, Alternate

ALSO PRESENT

Town Planner Justin LaFountain

1. CALL TO ORDER

Vice Chairman Gadbois called the meeting to order at 7:0 p.m.

Alternate Member Commissioner Lindo was seated for Commissioners Khan-Bureau.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENT: *none*

4. PUBLIC HEARING: *none*

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

a. Meeting Minutes: August 17, 2021

**M/S/C: Gadbois/Lindo, to approve the August 17, 2021 Planning & Zoning
Commission Regular Meeting Minutes, with the following amendment:**

Page 3, Item 6(a), Chapter 9:

Goal: Encourage the Board of Selectmen to work with the Connecticut
Department of Transportation (CT DOT) to complete the Route
85 improvements *south of the roundabout.*

**Discussion: None. Voice vote, 4-0-1. Voting in Favor: Commissioners
Fontneau, Gadbois, Lindo, and Smith. Voting in Opposition: None.
Voting in Abstention: Commissioner Caron.**

6. OLD BUSINESS:

a. Plan of Conservation and Development (POCD)

Chapter 2 – Vision Statement/Goals & Objectives (Commissioners Caron & Fontneau)

The Commissioners reviewed an example of the proposed format for the table, which
they found to be simpler, more concise, and easy to read with larger text and easily

identifiable goals for each of the boards/commissions. Town Planner LaFountain will complete the table with the goals that have been discussed to date for the Commission's next regularly scheduled meeting.

Commissioner Caron proposed adding a sentence to the Vision Statement to encourage the town to make a more conscious effort to specifically engage and actively recruit the younger members of the community to volunteer to serve on the town's boards and commissions. Doing so would help increase diversity and generate new ideas. Commissioners Smith and Fontneau agreed, stating the importance of having the participation of the younger generations while still maintaining those who are seasoned and willing to continue to serve the town.

Chapter 7 – Municipal Facilities/Services (Commissioner Flugrad)

The Commissioners discussed the Zoning Enforcement Officer's (ZEO) memo regarding the proposed goal for the town's POCD to encourage the Board of Selectmen to examine the feasibility of imposing a Zoning Fine Ordinance. The memo states his opposition to adopting such an Ordinance, citing that the imposition of zoning violation fines is under the jurisdiction of the Superior Court and the town's lack of resources to administer such fines.

Having worked as a Zoning Officer in several towns, Commissioner Fontneau disagreed, stating that the Ordinance would provide the town with additional leverage and could be utilized in cases where the standard process has not yielded any results, e.g. the Kobyluck case. He also felt that imposing a fine(s) would help the town recoup some of the funds expended on the enforcement action(s). He agreed that the institution of ordinances must be proposed to the Board of Selectmen, who would vote to send the item to a Town Meeting, and that such cases would be under the jurisdiction of the Superior Court. Commissioner Lindo concurred, stating that the Town of East Lyme has adopted such an ordinance and successfully utilized it, when necessary. Chairman Smith expressed his appreciation to the Zoning Officer for his opinion, which will be forwarded to the Board of Selectman along with their recommendation.

b. Affordable Housing Plan

The Commission reviewed and discussed the proposed Affordable Housing Plan, including the following Action Plan Options (page 10):

Expand the capacity of the municipality to support ongoing housing initiatives

A Standing Affordable Housing Committee/Subcommittee would seek out opportunities and review and propose amendments to the regulations that would help promote affordable housing. The item could also be included as a goal in Chapter 7 – Municipal Facilities/Services – of the POCD.

Information regarding the number of collaborations the Southeastern Connecticut Land Trust has had with surrounding towns could be gathered.

Increase Opportunities for Multi-family Development

The Standing Affordable Housing Committee/Subcommittee could also be charged with reviewing any possible modifications to the zoning regulations that would enable low-density, low-impact multifamily developments and identify sites that could accommodate multifamily housing, including municipally-owned sites.

The Commission has discussed changing their regulations to allow duplexes/two-family homes in any zone that allows single-family homes.

Support First-Time Home-Ownership and Aging-In-Place

Town Planner LaFountain noted that the CHFA (Connecticut Housing Finance Authority) loan qualifications were recently updated, changing the point scale in such a manner that does not favor Eastern Connecticut, which is predominantly rural.

An application to receive funding from the State of Connecticut Small Cities Grant for the rehabilitation of existing housing occupied by low-income residents, first-time homebuyers, etc. is primarily an incentive program for the homeowners to make any necessary improvements to their home.

Expand availability of lower-cost housing

Though not required by law, Town Planner LaFountain proposed modifying the Accessory Dwelling Unit provision, requiring an owner of a property to reside in one of the dwelling units, in conjunction with the other required amendments to the regulation. Commissioner Fontneau added that, having spoken to both the Assessor and Building Official, it is very difficult to determine the number of accessory dwelling units in the town.

Increase availability of deed-restricted affordable housing

A provision could be included in the regulations stating that a portion of a new development must be deed-restricted affordable. The provision would benefit the town by adding the unit(s) to their affordable housing list and should not significantly negatively impact the development.

The recommendation to work with housing land trusts or other non-profits to acquire and rehabilitate existing housing for deed-restricted affordable housing could be combined with the previous recommendation regarding working with the Southeastern Connecticut Land Trust.

In response to Commissioner Fontneau, Town Planner LaFountain believed that homes constructed and/or rehabilitated by Habitat for Humanity are not considered affordable housing as they are not deed-restricted.

M/S/C: Fontneau/Lindo, to accept and schedule the Public Hearing for the proposed Affordable Housing Plan for September 21, 2021, at 7:00 p.m., with the following amendment:

Action Plan Options (page 10)

Expand the capacity of municipality to support ongoing housing initiatives

- ~~Consider creating~~ **Create** a standing affordable housing committee/subcommittee to advance actions supporting housing.

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

c. Discussion regarding potential cannabis regulations

In response to Commissioner Caron who questioned one of the provisions in the regulation regarding the number of allowable retail stores per population, Town Planner LaFountain clarified that the regulation allows for one (1) retail store per a population of *up to* 25,000. In response to Commissioner Lindo, he stated that Commissions are able to institute a moratorium for the regulation for a specific time frame during which time the Commission would not accept any relevant applications during that period.

6. NEW BUSINESS

a. Salem Land Trust – Acquisition of 460 Old New London Road

The request has been postponed and will be presented to the Commission during the next round of grants in the winter season.

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

9. TOWN PLANNER REPORT

Town Planner LaFountain reported that a referral was received from the Town of Bozrah regarding a zoning regulation amendment to allow site-specific Technology Park Districts for the establishment of a data center(s). The amendment should not have any negative impact(s) on the Town of Salem.

10. CORRESPONDENCE: *none*

11. PUBLIC COMMENT: *none*

12. PLUS DELTAS:

Chairman Smith commented on a good, brief meeting.

13. ADJOURNMENT

M/S/C: Lindo/Caron, to adjourn the meeting at 7:56 p.m. Discussion: None. Voice vote, 5-0, all in favor. Meeting adjourned.