

**TOWN OF SALEM  
PLANNING & ZONING COMMISSION  
REGULAR MEETING MINUTES  
TUESDAY, JULY 12, 2022 – 7:00 P.M.  
SALEM TOWN HALL – CONFERENCE ROOM 1**

**PRESENT**

Vernon Smith, Chair  
John Gadbois, Vice Chairman  
Carl S. Fontneau  
Diba Khan-Bureau  
Walter Volberg  
Gary Closius, Alternate (*seated*)  
Dave Knopf, Alternate (*seated*)

**ABSENT**

Jennifer Lindo  
Thomas Reith  
Steven Shelley, 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 Commissioners Closius and Knopf were seated for Full Member Commissioners Lindo and Reith, respectively.*

**3. PUBLIC COMMENT:** *None*

**4. PUBLIC HEARING**

**b. ZMA 22-01 – 45 Forest Drive, LLC:** Application to apply the Special Agriculture Overlay Zone to 45 Forest Drive (currently zoned Rural A), for the purpose of operating a special event facility, with associated overnight lodging. *Continued from June 28, 2022*

**M/S/C: Fontneau/Volberg, to open the continued Public Hearing for ZMA 22-01 – 45 Forest Drive, LLC: Application to apply the Special Agriculture Overlay Zone to 45 Forest Drive (currently zoned Rural A), for the purpose of operating a special event facility. Discussion: None. Voice vote, 7-0, all in favor.**

Chairman Smith reminded the public regarding the need to maintain order and the Commission's primary goal to remain fair and objective to both the Applicant and the public.

**Applicant's Presentation**

Attorney Michael Carey, Suisman-Shapiro, Wool, Brennan, Gray & Greenberg PC, representing 45 Forest Drive, LLC, presented the application. Project Engineer Philip

Katz, Stantec; Traffic Engineer Christopher Mojica, and; Bill Deacon and Jon Plaut, the principals of 45 Forest Drive, LLC, were also present. A packet, including the following items, was submitted:

- a copy of a letter dated July 12, 2022
- a packet of ten (10) photographs of the property
- a copy of a memorandum in response to residents' comments
- a copy of the Neighborhood Impact Study
- photographs of artifacts found on the property

Traffic Engineer Mojica thanked the Commission for continuing the Public Hearing and presented a brief overview of the key findings included in the written report. The report includes data that was accumulated in October 2021, which coincides with the lifting of an CTDOT's (Connecticut Department of Transportation) April 2020 COVID-19 edict restricting the collection of traffic data. CTDOT's historical traffic data of three (3) intersections – Rattlesnake Ledge & Colchester Roads, Forest Drive & Old Colchester Road, and Norwich and Old Colchester Roads – were also reviewed. It was determined that all of the intersections, including the proposed driveway, would operate at an acceptable level of service. A crash analysis indicated that approximately 23 traffic crashes have occurred at the intersections, 3 at the intersection of Forest Drive and Old Colchester Road and 12 at the intersection of Norwich Road and Old Colchester Road. The historical traffic data indicates that, between the months of October and September, there is an approximately 300 vehicle difference on a daily basis or 30 to 50 vehicle difference during peak hours. Upon instituting a seasonal adjustment factor, it was found that their conclusions would not differ from the findings indicated in the final report.

Daily Traffic Average (Chairman Smith) – The daily traffic average in October 2021 was approximately 3,100 vehicles per day and in May 2021, there was an average of 2,700 vehicles per day. The highest daily traffic on Old Colchester Road was in 2009 with approximately 3,300 vehicles/day.

Atty. Carey provided highlights of the Neighborhood Impact Study prepared by CT Licensed Appraiser Howard Russ. The study indicates that the existing density of the development on the property is far less than that which is permitted in the existing zone. Should the property be residually developed to its maximum permitted density, a large tract of wooded acreage, currently protecting the lake, would be lost and result in a greater impact on the noise and traffic. During a comparable property analysis, it was found that a property abutting *The Salem Herb Farm* was sold for \$15,000.00 above its asking price, indicating that a property located within the immediate proximity of an event facility, regulated by Town ordinances, would not adversely affect the property values.

Atty. Carey reviewed the brief memorandum that was submitted in response to some of the issues that were raised during the last meeting and reviewed the findings the application must meet for approval. The legislative intent and the regulations are governed by the same statutes and referred to a 1992 CT Appellate Court decision. The preservation and maintenance of the rural character of the town is a theme that runs throughout the regulation and the town's Plan of Conservation and Development (POCD). The finding does not state that the intent can *only* be met by applications proposing the use of existing agricultural buildings. It does state, however, that the intent *can* be accomplished by approving agricultural uses or promoting the adaptive reuse of agricultural buildings. The application demonstrates that the proposed use would maintain the rural character of the property which is sufficient enough to fulfill the intent of the regulation. The buildings on the property also appear to have an agricultural appearance and the property, as a whole, is heavily wooded and rural by nature. The history of the property is embedded in the rural character of the town and should be maintained as such. Should the application be denied, the Applicant would have no choice but to sell the property to a developer.

He reminded the Commission that the activities on the property that disturbed the residents' peace occurred pre-Covid. If approved, certain conditions, limitations, and assurances designed to ensure that any off-site impacts would be kept at an absolute minimum would be established. The previously submitted Application Narrative includes a list of the conditions the Applicant has expressed his willingness to abide by. These conditions include:

1. No outdoor music after 9:00 p.m. on weeknights and after 10:00 p.m. on weekends  
*After speaking with the Owner/Operator of The Salem Herb Farm, who does not allow live music, Owner Deacon acquired a list of the DJs who have agreed to comply with all of the Town's requirements, including shut off time and volume levels.*
2. No more than an average of two (2) events per week
3. Ingress and egress will be via Old Colchester Road only to eliminate the concerns expressed regarding the traffic issues
4. No more overnight guests than there are beds on the property
5. All events will be supervised by either Security personnel and/or the professional Event Planner
6. Two security personnel will be present
7. Engage the services of a State Trooper or Resident State Trooper to regulate the traffic at Old Colchester Road during events
8. Sound meters that will report back to Owner have been installed. Should the

sound level exceed the allowable amount, immediate steps will be taken to rectify the matter.

9. No more than 100 event guests for any one event
10. A 7' fence has been installed along Forest Drive
11. Proposed shuttle service from a designated site to the event area
12. Outside staff will include the two (2) retired State Troopers, Maintenance Man, and Event Planner
13. Set up for all events will take place in the afternoon and will break down during the following day
14. A meeting with the Fire Marshal to ensure event safety
15. The Applicant will comply with any reasonable requests to alleviate any concerns regarding events occurring outside the Zoning Enforcement Officer's regular hours.

In conclusion, Atty. Carey expressed his belief that the application complies with the findings in Section 30.15 and is appropriate for the use. He also reiterated the alternative consequences.

Rebut of Previous Meeting's Public Comments (Chairman Smith) – Atty. Carey felt that would not be helpful to the Commission to debate any instances that occurred two to three years ago. The application demonstrates that it meets the requirements of the regulation. Its proposed use would be the best way to preserve, maintain, and enhance the property's rural character while accommodating and addressing the needs and desires of its neighbors. He reminded the Commission that it is not allowed to take into account any prior alleged zoning violations during its deliberations. Zoning involves the regulation of the land and its use, not that of an individual. As such, the activities, he felt, would be irrelevant.

Owner Jon Plaut provided a brief background as a former resident of the State of Connecticut. He expressed love for the property, which he purchased with two other individuals, including Mr. Deacon. He stated his wish to maintain the nature of the property and apologized to the neighbors for their inconveniences and concurred with their dismay. He expressed their willingness to place and follow reasonable and realistic measures to help alleviate their concerns. He agreed that there should be consequences for any violations.

Place of Residence (Chairman Smith) – Owner Plaut currently resides in Boston, Massachusetts. He will not be residing on the property.

Decibel Level (Commissioners Fontneau and Khan-Bureau) – 51 decibels for the evening hours are consistent with CT DEEP's (Connecticut Department of Energy and Environmental Protection) noise requirements. Live music and congregations are

regularly held around the lake. The Applicant has also expressed his willingness to plant plantings as a buffer along the boundary lines, particularly along the neighboring properties.

Policing of Activities (Commissioner Khan-Bureau) – Owner Deacon currently resides on the property in one of the cabins and the Event Planner will also be present during events.

Commissioner Fontneau commented that, in comparison with *The Salem Herb Farm*, the property does not have a resident-owner who resides on the property and does not host overnight guests. The level of activity and the hosting of overnight guests might not have been conceived of at the time the regulation was established. In response, Atty. Carey noted that the underlying zone allows for overnight guests.

Owner Deacon stated that he resides in one of the cabins during the summer months and can oversee the property which he maintains with his father. He is also able to monitor the property remotely via cameras that are strategically placed throughout the property and viewable in real-time through his cell phone. As earlier stated, two (2) retired Police Officers will be hired for all events. He stated the many historical features of the home from its days as a boy scout camp, including engraved quotations, dedications, and an Arrowhead from the Mohegan Tribe. In 2020, Atty. Harry Heller provided the sound guideline of fewer than 51 decibels to conclude before 10:00 p.m. He added that many of the camps in the area emit noise/sound until 11:00 p.m. The complaints voiced by the neighboring properties regarding the continuance of noise after 9:00 p.m. at a June 4 event, he felt, must have derived from one of the campgrounds.

Monitoring of Guidelines (Commissioner Volberg) – The two retired Troopers would ensure that the DJ is staying within the guidelines. Owner/Applicant Deacon recalled two occasions during which a party was shut down.

Total Number of “Post-Covid” Events (Chairman Smith) – During the last year, Owner/Applicant Deacon estimated that approximately 15 large events were held on the property. Other events include Airbnb rentals.

Track Record & Past Experiences (Chairman Smith) – Owner/Applicant Deacon stated that they have made efforts to work with the community and its organizations, including hosting events for the First Responders, children’s birthday parties, sleepovers, and swim parties, graduations, and the like. In addition, he has also allowed the use of his property to dog walkers and opened the dock and boat launch area to members of the community. Furthermore, at the request of the neighboring properties, over 1,200 linear square feet of fencing have been installed along the property line. He added that the surveillance cameras also allow him to communicate with the attendees.

Armed Police Officers (Commissioner Khan-Bureau) – The Police Officers will not be armed.

Coming to the Nuisance (Commissioner Khan-Bureau) – The other properties that were approved for the overlay zone originally operated as farms and all of the campgrounds apply for and are permitted annually. Those who reside on the campgrounds are aware of the situation they are entering into, i.e., of Coming to the Nuisance. Atty. Carey stated that, legally, there is no such doctrine as Coming to the Nuisance. The property operated as a boy scout camp from 1903 to 2003 and the neighborhood might not have considered that the property would not operate from intense use. He added that approximately ten or more letters were submitted in favor of the application. He did not feel that the Applicant did anything *to* any of the neighbors or behaved negatively to the neighboring properties. The Applicant is arguing that the proposed use can accommodate and fit in with the neighboring properties and the Lake. The institution of such self-imposed limitations and restrictions as the DJ list, the departure of the guests following the event, and adjusting the ingress and egress, addresses the residents' main concerns. The Commission's task is to review the regulations and what the Applicant is willing to do, the town's POCD, and the property in its current and possible future state.

Town Planner LaFountain reiterated the importance of maintaining their neutrality. He reminded the Commissioners that the application pertains to the property; the behavior of the owner(s) is irrelevant to their decision and their task is to review the application, itself. He also corrected Atty. Carey's statement, states that the property is not located in the underlying zone and the establishment of a bed and breakfast is considered a special exception and requires a specific (and different) process. The application is to apply a floating zone to the property. In addition, he noted that, contrary to a Special Exception, the Commission is not required to approve the application if it meets all of the criteria. As such, while the application might meet all of the findings listed in Section 30.15, the Commission, acting in its legislative capacity, is not required to approve the application based on the findings alone. He also advised the Commission to not make any decisions based on hypotheticals, including what the property could become should the application be denied.

Chairman Smith stated that, due to the sensitivity of the application and pending legal issues, the Commission may opt to close the Public Hearing, but not deliberate on the application this evening.

**Public Comments** (with a three-minute limit; new comments only)

James Miller, 19 Morgan Road, recalled a decision that was made by the Town to purchase Open Space land that now includes the Salem Community Park Pavilion. Similar to the current application, an alternative option would have been the sale of the property to a developer who would construct a housing development, which would have resulted in the hiring of new teachers and possible addition to the school. A similar possibility exists for the property in question. While it might be considered a hypothetical

scenario, he viewed it more as thinking forward and considering what is best for the town. He stated the importance of maintaining some control over the future of the property.

Diane Sullivan, 57 Forest Drive, questioned the Inland Wetlands and Conservation Commission's (IWCC) determination that the wetlands would not be affected by the utilization of a roadway that traverses over an existing culvert with wetlands flags to shuttle the guests from the parking area to the event area. She also noted that the signature of a Certified Soil Scientist is missing on the map. Concerning the Traffic Study, she questioned the estimated difference in the volume of 30 vehicles when they are anticipating approximately 10 vendors and 100 guests. She is pleased that the Commission's decision would not be based on hypothetical situations. She also corrected Mr. Russ' determination that, based on its density, the property could support many more residential homes than are currently housed on the property, stating that other factors are involved, e.g., the terrain, wetlands, etc., when considering the amount available buildable land on a given property.

*Traffic Engineer Christopher Mojica clarified that the information included in Table 8 indicates the difference of 30 vehicles while Table 7 shows that an average of 30 vehicles are traveling from both Old Colchester (north) and Norwich (south) Roads.*

Jane Coffee, 150 Old Colchester Road, stated that there are no properties located around Gardner Lake with a history of agricultural use, and the Applicant's claim as such appears to be an attempt to circumvent the town's zoning laws. Those properties that have been approved for the Special Agriculture Overlay Zone had agricultural ties. Should the application be approved, a precedent would be set deeming any property, regardless of the existence of any agricultural ties, as agricultural. She also expressed her concern for the Lake and its residents. Establishing the property as an event venue would result in a high-impact use resulting in high traffic, high water usage, high sewage production, and increased noise. She questioned the enforcement of the noise.

Mike Chiloyan, 6 Tamarack Place, commented on the vague comments and statements and lack of specific information presented by the Applicant. He questioned the relationship between the Owner/Applicant and the neighbors who support the Application. He felt that the submitted Traffic Study, which includes data collected in October 2021, was irrelevant since the proposed activity would primarily be occurring during the summer months. He also questioned the environmental impact of the new road/driveway and the activities on the Lake. He urged the Commissioners to investigate their statements and obtain concrete answers from the Applicant.

*Chairman Smith stated that the Commission cannot investigate their statements. He also questioned how he concluded that those neighbors who support the Application might have been compromised. It was noted by one of the members of the public that some of*

*the supporters are employed by the Owner/Applicant. Atty. Carey noted that such insinuations might be considered "beyond the pale".*

Carmen Sands, 20 Forest Drive, reminded the Commissioners of her previous comment regarding the hit and run accident in front of their home which resulted in the totaling of her son's vehicle and damage to their mailbox. She reported that, since their previous meeting, the Owner/Applicant Deacon visited her and alluded that the information she was providing was inaccurate or untrue. She also discovered that he visited and questioned one of her neighbors regarding the accident. In addition, Atty. Carey referred that the Applicant had information that would cast aspersions on the incident. She commented on the inappropriateness of his statements questioning the integrity of her and her son's character. There should be no question regarding the veracity of the accident – the details of which are included in the police report and insurance documents.

*Applicant/Owner Deacon confirmed that he obtained the police report and photographs of the damage to the vehicle and also spoke with the witness. The documents are available should the Commissioners like to view the documentation.*

Ellen Cohn, 14 Tamarack Place, questioned why the 15 illegal events reported by the Applicant/Owner held during the last year have not been addressed. She noted that they are not following the rules and wondered how, based on their past behavior, they could be ensured that they would begin following the rules should the Application be approved. She also questioned what the town would gain from approving the application. She did not feel that the support the local businesses would gain from the guests would equate to the level of damage the approval would cause. Family parties and campground noise are not an issue along the lakeside properties. It is the mayhem caused by the guests who frequent the property that the community is opposed to and results in the loss of their neighborhood. She also expressed her concerns regarding the precedence an approval would result in.

Scott Cohn, 14 Tamarack Place, commented on the importance of recognizing the possibility setting of precedence. He stated that there are 462 lakeside properties in Salem with over 5 acres that could, potentially, be approved for the same placing the residents at risk of the same type of activity.

Victoria Valenti, 53 Forest Drive, stated that the Owners/Applicant have been operating their business for the past five years and, to the best of her knowledge, have not provided any information regarding how the business would benefit the Town of Salem. She also does not condone the filming and recording of her three children in her backyard or her three-season porch by the Owner/Applicant Deacon or any parties related to 45 Forest Drive, LLC.

*A five-minute recess was taken at 8:44 p.m.; the meeting resumed at 8:52 p.m.*

James Miller, 19 Morgan Road, spoke in response to the previous comments. He reminded the Commission of the existence of an amusement park by the boat launch during the 1980s that was open until 8:00 or 9:00 p.m. and generated much noise. He also stated that he is a member of the IWCC to whom the application was presented. The IWCC found no concerns with the application. Whether as a (Resident) State Trooper or citizen of the town, his goal has been and will always be to do what is best for the town.

*Project Engineer Philip Katz showed the Commission the wetlands area(s) on the site plan, stating that there are no wetlands located along the gravel road. He confirmed that the application was presented to the IWCC and no adverse wetlands implications were found. He also stated that the Soil Scientist will sign the plan.*

Chris Halpin, 157 Doyle Road, Montville, who serves as a member of the Zoning Board of Appeals in Windsor Locks, commented on his confusion and difficulty following the Public Hearing, which is filled with such issues as the wetlands, a vehicle accident, he said/she said comments, and the history and future of the property. He reminded the Commission that the meeting is a land use meeting.

Diane Sullivan, 57 Forest Drive, stated that she, too, served as a member of the Planning & Zoning Commission, Wetlands Commission, Zoning Board of Appeals, and as a Zoning/Wetlands Officer in North Branford and stated that such matters can be “messy” at times. She stated that the noise meters utilized to determine the decibel levels should be regularly calibrated and utilized by an individual who is certified. She also relayed an experience in which she went to the property to complain about the noise at 11:40 p.m. one evening after contacting the State Police three times to no avail. One week later, the Resident State Trooper contacted and informed her that she would be arrested should she enter the property again. She stated her fear of allowing her dog to walk on their property after having witnessed the individual constructing the fence wearing a gun holster. She also agreed with Owner Plaut’s statement that there should be rules and consequences. Lastly, she questioned whether the Town’s financial benefit should the application be approved has been investigated.

### **Commissioner Questions/Comments**

Driveway Upgrades (Commissioner Khan-Bureau) – There are no plans to upgrade the existing driveway, with the exception of top dressing, as necessary.

Structural Integrity of Culvert(s) (Commissioner Closius) – Individuals will be shuttled from the parking area to the event area via golf carts or large vehicles rather than a shuttle bus. The structural integrity of the driveway can be investigated.

Inland Wetlands & Conservation Commission (IWCC) Review Report (Commissioner Fontneau) – No formal report from the IWCC has been submitted to the Commission. Documentation regarding their discussion is included in the meeting minutes.

Atty. Carey thanked the Commission and Town Planner for their time, patience, and consideration and the neighbors for their comments and level of discussion and issues raised. The project narrative cites that residential properties result in a net revenue loss in comparison to commercial properties. The property is essentially unspoiled with beautiful views and structures. Its picturesque quality is inviting for events with minimal intrusions into the neighborhood. The Applicant is willing to instill reasonable rules of conduct of operation to ensure the peace of the area. The CT DEEP Regulations detail the policies and procedures of sound measurements to ensure their accuracy. He stated that the application is an opportunity for the Commission to ensure the long-term good of the entire town. He agreed that the concerns of the nearby neighbors should also be taken into consideration, but stated that they are not determinative. The Commission's duty is to consider the entire town and the future of the property. If the application is denied, the Owners would be forced to consider the inquiries they have received by developers. It is not a matter of hypotheticals, but probabilities. He reiterated his appreciation and expressed their openness to applying reasonable conditions and modifications to make the use as accommodating to the neighbors as possible.

**Additional Public Comments** (with a three-minute limit; new comments only)

Cindy Thomas, 18 Tamarack Place, stated that the property was purchased and is still a single-family residence and, hypothetically, could also remain as such. She trusts that the Commission will consider the appropriateness of any future proposals for the property. She wished to address the adverse effect the approval of the application would have on their "health, welfare, and safety". She reiterated that they moved to the area, not for the monetary value of their properties, but for the rural character, its peace and quiet, and sounds of nature, not to listen to loud music from, sometimes, noon to 11:00 p.m. To date, the noise has not been enforced and, as such, there are no assurances that they would be enforced. Their phone calls, texts, and calls to the owner and police have come to no avail. She continued to play a video of a recent event that occurred following the erection of the fence, adding that most of the events that have taken place were during the onset of the pandemic. The videos (with time stamps) have been submitted to the Zoning/Wetlands Officer.

Owner/Applicant Deacon corrected a comment made by Mr. Brian Thomas during the last meeting regarding the purchasing of the Thomas' property once Mr. Deacon has successfully depreciated its value. He stated that he has no interest in purchasing their property and that the conversation revolved around the best uses of the (45 Forest Drive) property. He informed them that the previous owners had hired the services of CLA Engineers, Inc., to investigate the possibility of establishing an opioid hospital or constructing a 75-unit condominium complex with a marina, and a clubhouse – both options would have surely depreciated the value of their home. A seasonal wedding venue with rules and restrictions would be less impactful and more beneficial for the town. He

had also offered to pay for an evening(s) or weekend(s) away during their events. Furthermore, he noted that the Thomas' are financially benefitting from the events as, on many occasions, the guests will order numerous pizzas from *The Plum Tomato* restaurant.

William Schultz, 19 Forest Drive, informed the Commission that the proposed location of the parking lot is the location of the old ballfield. He believed that they are being asked to take a leap of faith, stating that the Owner/Applicant has been continuously violating the Cease-and-Desist Order since its issuance. He stated that a 75' buffer from the wetlands would reduce much of the housing that could be constructed on the property. As such, in accordance with the regulations, the property would, most likely, remain a family compound and, if subdivided, the buildings on the property would be separated.

**M/S/C: Knopf/Closius, to close the Public Hearing for ZMA 22-01 – 45 Forest Drive, LLC: Application to apply the Special Agriculture Overlay Zone to 45 Forest Drive (currently zoned Rural A), for the purpose of operating a special event facility. Discussion: None. Voice vote, 7-0, all in favor.**

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

**a. Regular Meeting Minutes of June 28, 2022**

**M/S/C: Fontneau/Khan-Bureau, to approve the Planning & Zoning Commission Regular Meeting Minutes of June 28, 2022. Discussion: Chairman Smith recommended the Commission review the Public Hearing minutes prior to their next meeting when they will be deliberating on Application ZMA 22-01 – Forest Drive, LLC. Voice vote, 7-0, all in favor.**

**6. OLD BUSINESS:**

**a. SP 22-01 Statewide Pawn, LLC: Application to amend the existing site plan at 1 New London Road to allow outdoor display of merchandise. The Property is zoned General Business. *Continued from June 28, 2022***

**M/S/C: Khan-Bureau/Volberg, to table Application SP 22-01 Statewide Pawn, LLC: Application to amend the existing site plan at 1 New London Road to allow outdoor display of merchandise to July 26, 2022. Discussion: Town Planner LaFountain informed the Commission that the Applicant was unable to attend this evening's meeting due to an injury. Voice vote, 7-0, all in favor.**

**b. ZMA 22-01 – 45 Forest Drive, LLC: Application to apply the Special Agriculture Overlay Zone to 45 Forest Drive (currently zoned Rural A), for the purpose of operating a special event facility, with associated overnight lodging.**

**M/S/C: Khan-Bureau/Volberg, to table the decision for ZMA 22-01 – 45 Forest Drive, LLC: Application to apply the Special Agriculture Overlay Zone to**

**45 Forest Drive (currently zoned Rural A), for the purpose of operating a special event facility to July 26, 2022. Discussion: None. Voice vote, 7-0, all in favor.**

**7. NEW BUSINESS – none**

**8. ZONING ENFORCEMENT OFFICER’S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT – none**

**9. TOWN PLANNER REPORT**

Town Planner LaFountain informed the Commission of a possible future application for a multi-family housing project on Woodchuck Road.

**10. CORRESPONDENCE – none**

**11. PUBLIC COMMENT – none**

**12. PLUS DELTAS**

Chairman Smith expressed his appreciation to the Commission and reminded them to sign and submit the Ethics Policy.

Commissioner Closius stated that the first draft of the Chapter 2 of the POCD is included in their packet for review and comment. Commissioner Fontneau suggested the following edit:

Page 1, 1<sup>st</sup> sentence:

The Salem Plan of Conservation and Development (POCD ~~which we will refer to as “The PLAN”~~) is revised....The overall purpose of ~~The PLAN~~ POCD is to....It is important to note that while ~~The PLAN~~ POCD....

He also suggested the inclusion of the housing figures and survey results that were included in the previous draft.

A Moment of Silence for the passing of the town’s previous Town Planner Richard Serra. His professional and gentleman demeanor will be sorely missed.

**13. ADJOURNMENT**

**M/S/C: Fontneau/Khan-Bureau, to adjourn the meeting 9:40 p.m. Discussion: None. Voice vote, 7-0, all in favor.**

Respectfully Submitted by:

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