

**TOWN OF SALEM
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, JANUARY 10, 2023 – 7:00 P.M.
SALEM TOWN HALL – CONFERENCE ROOM 1**

**The minutes submitted below have been filed in accordance with
Section 1-225 of the CT General Statutes. They are subject to final approval
with or without amendments by a vote of the Planning & Zoning Commission.
Approval and any such amendments will be detailed in subsequent minutes.**

PRESENT

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

ABSENT

Thomas Reith
Dave Knopf, Alternate
Steven Shelley, Alternate

ALSO PRESENT

Town Planner Nicole Haggerty

1. CALL TO ORDER

Chairman Smith called the meeting to order at 7:03 p.m.

2. PLEDGE OF ALLEGIANCE

Alternate Commissioner Closius was seated for Full Commissioner Reith.

3. PUBLIC COMMENT: *none*

4. PUBLIC HEARING:

- a. Plan of Conservation and Development.** The Salem Planning and Zoning Commission has drafted an updated 2022 Plan of Conservation and Development. This is a 10-year plan, required by the State, which provides guidance for the Town.

M/S/C: Lindo/Khan-Bureau, to open the Public Hearing regarding the Salem 2022 Plan of Conservation and Development. Discussion: None. Voice vote, 7-0, all in favor.

Diane Weston, 47 Meadow Lane, recited a statement submitted to the Commission from Resident Sue Spang, 129 Hartford Road, regarding the proposed 2022 Plan of Conservation and Development (POCD). The statement addresses numerous comments and concerns, including its repetitiveness, difficulty to follow, the inclusion of previously completed goals/recommendations, and irrelevant information.

The Commissioners began addressing and discussing Ms. Spang's comments. Chairman Smith expressed his appreciation for the time she took to review the document and submit her comments. However, he also felt that some of the comments may be uninformed or misunderstood.

Number of Survey Responses – *While appreciating the comment, Chairman Smith expressed his satisfaction with the number of residents who responded to the survey, given the state of affairs at the time. The distribution of the survey was inhibited by the pandemic and several of the locations that were available in previous years were not available. As a result, the Commission agreed to conduct a survey that was primarily available online. A promotional postcard with a link to the survey was mailed to each household. In addition, the survey was posted on Facebook numerous times. Commissioner Closius noted that, in 2012, 404 or 9.6% of the residents responded to the survey. In comparison, the 2022 survey received 277 or 6.6% responses. Chairman Smith added that only 172 residents voted in the last budget referendum, which has a direct effect on each household. Commissioner Fontneau proposed the possibility of including an appendix item explaining how the survey was conducted and the efforts that were made to promote the survey. Town Planner Haggerty agreed, stating that she has drafted such explanations regarding the types of outreach that were conducted for other towns. The explanation would also be beneficial for those unaware of the process or new residents.*

Other Survey Concerns – *It would be difficult to determine whether the survey was completed "numerous times by a single individual (and was)". It was unclear as to which questions Ms. Spang considered irrelevant to the POCD. Chairman Smith disagreed that question 34 regarding volunteerism was misleading. Chairman Smith stated that he also received criticisms regarding the possible lack of anonymity of the surveys. While the surveys did not request the individual's names, he admitted that it could be possible to determine the respondent based on their responses.*

Housing Plan – *Commissioner Fontneau reminded the Commission to include the Affordable Housing Plan as an appendix item, as previously discussed.*

Demographic Questions – *It was clarified that the demographic questions were related to those who responded to the survey and not that of the town as a whole.*

Equipping Town Buildings with Emergency Power Sources – *Town Planner Haggerty stated that the item is usually included in POCDs to maintain consistency with both the Regional and Town Housing Mitigation Plans. Its inclusion also supports any future FEMA (Federal Emergency Management Agency)-related funding requests.*

Public Outreach for Traffic Safety Issues – *Similarly, such items as road widening or turn lanes are identified in the Regional Transportation Safety Plan, which includes a*

chapter specifically related to the Town of Salem. The information included in the Plan is based on data from the UCONN Crash Data Repository and not public opinion. Projects pertaining to Routes 82 and 85 are under the jurisdiction of the state and the state would conduct its public outreach programs.

First Selectman Chmielewski wished the Commissioners a Happy New Year and expressed his appreciation to them for their hard work and efforts in completing the POCD during challenging times. He stated that he had granted an extension to provide the Commission with the additional time necessary to draft a quality product for the town which, he felt, was accomplished. Their efforts reflect the town's bipartisan ability to work together. He also extended his assistance for any future needs the Commission might have.

Patricia Young, Program Director, Eightmile River Wild & Scenic Watershed Coordinating Committee (ERWSCC), stated that the Committee found the Plan to be clear, concise, and easy to read, in comparison to those of other towns. She proceeded to review the following comments included in the letter:

Open Space Mapping – In contrast to the POCD, which indicates that the town's open space is 31%, the ERWSCC shows that approximately 25.8% of the land in the Town of Salem is designated as permanently protected open space. The difference is, most likely, due to the difference in the ERWSCC's definition of open space as "land that has a permanent legal development restriction on the property."

Eightmile River Watershed Management Plan – She expressed their appreciation for including the Plan within the POCD and their combined effort on the Overlay Protection Zone language. She welcomed any future opportunities to further engage with the town to review and update its watershed management goals.

Ecotourism – She stated the importance of highlighting local businesses in conjunction with the town's outdoor recreation opportunities.

Commissioner Fontneau noted that the Eightmile River Overlay Zone, i.e., 50' and 100' corridors located along the Eightmile River tributaries, accounts for approximately 6% of the town in comparison to the 4% of the town that is zoned Commercial.

A copy of a letter from Nicole Haggerty, Southeastern Connecticut Council of Governments (SCCOG), who reviewed the Plan prior to her appointment as the Town Planner. The Plan was found to be consistent with the State, Regional, and neighboring towns' Plans for Conservation and Development. A table indicating similarities between the town State and Regional POCDs is included as part of the letter.

Chairman Smith reported that an additional comment was received by one of the Selectmen, who felt that the survey questions were properly worded as evidenced by the fact that none of the questions were answered by each of the respondents.

M/S/C: Khan-Bureau/Volberg, to close the Public Hearing regarding the Salem 2022 Plan of Conservation and Development. Discussion: None. Voice vote, 7-0, all in favor.

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

a. Special Meeting Minutes December 7, 2022

M/S/C: Lindo/Closius, to approve the Planning & Zoning Commission Regular Meeting Minutes for December 7, 2022. Discussion: None. Voice vote, 7-0, all in favor.

b. Regular Meeting Minutes December 13, 2022

M/S/C: Gadbois/Closius, to approve the Planning & Zoning Commission Regular Meeting Minutes for December 13, 2022. Discussion: None. Voice vote, 7-0, all in favor.

6. OLD BUSINESS:

- a. Plan of Conservation and Development.** The Salem Planning and Zoning Commission has drafted an updated 2022 Plan of Conservation and Development. This is a 10-year plan, required by the State, which provides guidance for the Town. Commissioner Fontneau stated that the Commission has not yet received any written comments from the Board of Selectmen. It was agreed that should there have been any significant comments, a letter would have been promptly received. Chairman Smith believed that their concerns were previously addressed. Additionally, it was noted that the document may be revised in the future, if necessary.

The Commissioners revived their discussion regarding Ms. Spang's comments. Chairman Smith reiterated his appreciation to Ms. Spang for her constructive comments. The Commissioners agreed that the Town Planner may review and correct the typos and duplications noted by Ms. Spang, as necessary. In response to her comments, Commissioner Closius spoke in support of the document's format and the number of survey responses that were received, adding that the POCD is a living document that can be and is amended over time and any substantive comments can be considered at a future date. He also explained that select survey questions and related pie charts are included in the document's Executive Summary to highlight its pertinent items. The Commissioners were unsure about her comments regarding the Historic and Archaeological Resources chapter.

The Commissioners agreed on the following changes:

- Changing references to the "Gadbois property" to either *Salem Community Park (formerly known as the "Gadbois property")* or *Volunteer Park (formerly known as the "Gadbois property")*
- Add the photo credits

- Confirm that the full results of the survey are included in an appendix
- The older population numbers will be added in the Executive Summary with a footnote reference as to wherefrom the number was derived. Town Planner Haggerty will ensure that the numbers indicated in the charts coincide with the written information.
- Reference to Salem Valley Veterinary Clinic as a new business will be removed from the third paragraph (page 47).
- The status of the Salem Trail System map will be investigated. In addition, Town Planner Haggerty will ensure that the list of website links to all of the town's trails and the list of the town's recreation facilities is included in the appendix.

Town Planner Haggerty announced that the SCCOG is working with the towns in the region to gather data regarding open space and recreational facilities for a revised Regional Open Space Plan.

M/S/C: Closius/Volberg, to approve the Salem 2022 Plan of Conservation and Development, with minor amendments, as discussed. Discussion: Chairman Smith expressed his appreciation to all of the Commissioners, past and present, for all of their hard work and efforts in drafting the updated POCD. Voice vote, 7-0, all in favor.

7. NEW BUSINESS:

- a. FY2023/24 Proposed Budget.** The proposed budget is due to the Finance Office and the First Selectman by January 20, 2023.

The Commissioners discussed and agreed upon the following changes for their proposed FY2023/24 Budget:

Line Item	FY2022/23	FY2023/24
5-630-224, Legal Services	\$ 20,000.00	\$ 20,000.00
5-630-325, ZEO Mileage	\$ 1,000.00	\$ 500.00

Discussion ensued regarding the ZEO's lack of mileage.

5-630-425, Other Expenses	\$ 1,500.00	\$ 1,800.00
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The expenses include the state-required mandatory training and copies of the newest edition of Michael Zizka's book, What's Legally Required?: A Guide to the Legal Rules for Making Local Land-use Decisions in the State of Connecticut for the Commissioners. It was noted that there is a possibility that the training will be offered free of charge.

5-630-430, Plan of Conservation & Development	\$ 3,000.00	\$ 1,700.00
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It was agreed to produce 10 (ten) three-hole punched copies of the POCD for the Commissioners and 25 (twenty-five) spiral-bound copies for the public.

It was noted that both an updated Housing Study and Municipal Land Use Plan should be drafted in the near future.

A request will be made to change the Description from Plan of Conservation & Development to Long-Range Planning and add ongoing reports/plans to the Explanation of Services/Expenses

5-630-924, Engineering	\$ 1,600.00	\$ 1,600.00
TOTAL	\$ 27,100.00	\$ 25,600.00

M/S/C: Lindo/Khan-Bureau, to approve the proposed FY2022/23 Budget, with a total of \$25,600.00. Discussion: None. Voice vote, 7-0, all in favor.

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

9. TOWN PLANNER REPORT – none

10. CORRESPONDENCE

- a. A greeting card from Nathan L Jacobson & Associates
- b. CT Land Use Saturday, March 11 Virtual Zoom Training Session Announcement
- c. An invoice for legal services from Byrne & Byrne, LLC

11. PUBLIC COMMENT – none

12. PLUS DELTAS

Chairman Smith reiterated his appreciation to the Commissioners for all of the hard work and efforts on the POCD.

Commissioner Fontneau commented positively on their budget and anticipation of their future needs as a collective body.

13. ADJOURNMENT

M/S/C: Khan-Bureau/Volberg, to adjourn the meeting 8:27 p.m. Discussion: None. Voice vote, 7-0, all in favor.

Respectfully Submitted by:

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

A VIDEO RECORD OF THE MEETING CAN BE FOUND ON THE TOWN'S WEBSITE UNDER BOARDS & COMMISSIONS – PLANNING & ZONING COMMISSION – MEETING VIDEOS