

**TOWN OF SALEM  
PLANNING & ZONING COMMISSION  
REGULAR MEETING MINUTES  
TUESDAY, FEBRUARY 28, 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  
Diba Khan-Bureau  
Jennifer Lindo  
Walter Volberg  
Gary Closius, Alternate (*seated*)  
Steven Shelley, Alternate (*seated*)

**ABSENT**

Carl S. Fontneau  
Thomas Reith  
Dave Knopf, Alternate

**ALSO PRESENT**

Town Planner Nicole Haggerty

**1. CALL TO ORDER**

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

**2. PLEDGE OF ALLEGIANCE**

*Alternate Commissioners Closius and Shelley were seated for Full Commissioners Reith and Fontneau, respectively.*

**3. PUBLIC COMMENT:** *none*

**4. PUBLIC HEARING:** *none*

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

**a. Regular Meeting Minutes February 14, 2023**

**M/S/C: Khan-Bureau/Volberg, to approve the February 14, 2023 Regular Meeting Minutes, with the following amendment:**

**Item 7(a), New Business, Executive Session:**

**M/S/C: Smith/Khan-Bureau, to enter into Executive Session...**

**Discussion: Commissioner Lindo recused herself from the Executive Session *and departed from the meeting....***

**Discussion: None. Voice vote, 5-0-2. Voting in Favor: Commissioners**

**Closius, Khan-Bureau, Shelley, Volberg, and Smith. Voting in  
Opposition: None. Voting in Abstention: Commissioners Gadbois and  
Lindo.**

**6. OLD BUSINESS:** *none*

**7. NEW BUSINESS:**

- a. SE 23-02: Sean Smith.** Application for a Special Exception and Associated Site Plan for firewood materials processing at 630 West Road. *Acceptance of application and Scheduling of Public Hearing.*

Town Planner Haggerty informed the Commission that the Application and fee for the Special Exception were promptly received; the fee for the Public Hearing remains outstanding. She recommended accepting the Application and scheduling the Public Hearing while they await the receipt of the remaining fee.

**M/S/C: Gadbois/Khan-Bureau, to accept Application SE 23-02: Sean Smith.  
Application for a Special Exception and Associated Site Plan for firewood  
materials processing at 630 West Road and set the Public Hearing date of  
March 16, 2023. Discussion: None. Voice vote, 7-0, all in favor.**

- b. Election of Officers**

**M/S/C: Smith/Volberg, to nominate and re-elect Commissioner John Gadbois as  
the Vice Chairman of the Planning & Zoning Commission. Discussion:  
None. Voice vote, 7-0, all in favor.**

**M/S/C: Smith/Khan-Bureau, to nominate and re-elect Commissioner Walter  
Volberg as the Secretary of the Planning & Zoning Commission.  
Discussion: None. Voice vote, 7-0, all in favor.**

**M/S/C: Volberg/Lindo, to nominate and re-elect Commissioner Vernon Smith as  
the Chairman of the Planning & Zoning Commission. Discussion: None.  
Voice vote, 7-0, all in favor.**

- c. Appointment of New Members for Vacant Seats**

Chairman Smith reported that Full Commissioner Thomas Reith and Alternate Commissioner Dave Knopf submitted their resignations. He introduced and proposed appointing Martin Stoken and James Jorgenson to fill the vacancies.

Mr. Stoken stated that he has been a Connecticut Resident since 1994 and moved to Salem with his family in 2005. He has been working as a Mechanical Engineer for Electric Boat for approximately 30 years and is happy to have the opportunity to serve the town and looks forward to working with the Commission.

**M/S/C: Smith/Shelley, to appoint Martin Stoken to fill a vacancy as a Full  
Member of the Planning & Zoning Commission. Discussion: Chairman**

**Smith stated that the term for all new appointees expires at the next election. Voice vote, 7-0, all in favor.**

Mr. Jorgenson stated that he moved to Connecticut with his family in 2021 and also works as a Mechanical Engineer for Electric Boat. He is excited to utilize his experience and learn how the town works.

**M/S/C: Smith/Shelley, to appoint James Jorgenson to fill a vacancy as an Alternate Member of the Planning & Zoning Commission. Discussion: None. Voice vote, 7-0, all in favor.**

In response to Commissioner Khan-Bureau, both of the candidates stated that they do not have any experience serving on a town Board or Commission. The newly appointed members were directed to visit the Town Clerk's office to be sworn in.

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

**9. TOWN PLANNER REPORT**

Town Planner Haggerty reported on the following items:

Annual Report – She is currently working on the Commission's submission for the town's FY2021/22 Annual Report. Commissioner Closius reminded her to include the Commission's completion of the Plan of Conservation and Development (POCD).

House Bill No. 6633 – The Public Hearing for House Bill No. 6633 titled, "An Act concerning a needs assessment and Fair Share Plans for Municipalities to increase Affordable Housing" was heard this morning. A legislative update will be provided to the towns by the Connecticut Council of Governments should the Bill pass. Per the Bill, OPM (Office of Policy and Management) is to "establish a methodology for each municipality's fair share allocation" by July 1, 2024. It also sets the date of July 1, 2025, and every ten years thereafter, for each municipality to "prepare and adopt a municipal fair share plan". In addition, by 2028, each municipality shall deliver 5% of the target units; by 2030, 30%; by 2032, 60%, and; by 2038, 100%. A Fair Share Plan differs from an Affordable Housing Plan in that towns would be required to produce a percentage of the housing to meet the required target. Should towns not meet the required number of units by the private sector, litigation could ensue and/or municipalities would be forced to construct affordable housing at the public's expense. Though language is included to accommodate municipalities without sewer and septic systems, the Bill would, nonetheless, significantly affect smaller towns like Salem. Similar to Connecticut State Statutes Section 830(g), the Bill could also allow an appeals procedure to override local zoning denials of affordable housing projects without just cause. Chairman Smith reminded the Commission of their previous letter to the Governor regarding the state's definition of affordable housing and their opposition to transferring some of the local

Zoning Official's power to the state. He also reminded them that, according to Question 35 on the POCD Survey, an "overwhelming majority of the respondents (82%) felt Salem zoning issues including density, town character, and housing stock types, should be in the hands of local elected zoning officials." Commissioner Shelley added that such state mandates could pose an issue for towns in terms of its available space, citing Commissioner Fontneau's previous observations regarding the towns' minimum requirement for green space. Chairman Smith concurred.

POCD – Town Planner Haggerty reported that the POCD was completed and submitted to the state. The document will be printed and distributed.

**10. CORRESPONDENCE**

- a. **Pullman & Comley** Letter RE: Solar Energy Project, 524 NLR LLC Project, 524 New London Road, Colchester, Connecticut

The letter was sent to Salem as the neighboring town of the proposed solar energy project. The application will be submitted to the state Citing Council for review and approval before any permits are sent to the relevant town.

**11. PUBLIC COMMENT – *none***

**12. PLUS DELTAS**

Commissioner Closius proposed they draft a list of priorities of the regulations to review and revise. Chairman Smith concurred, adding that both the Cannabis and Sign Regulations should be reviewed.

Commissioner Khan-Bureau wished to ensure that the Commission will arrange for flowers to be delivered to Commissioner Fontneau who is currently hospitalized.

Chairman Smith informed the Commissioners that he would be meeting the Town Attorney at the Norwich Courthouse for further deliberations regarding 45 Forest Drive.

**13. ADJOURNMENT**

**M/S/C: Lindo/Khan-Bureau, to adjourn the meeting at 7:29 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**