

**TOWN OF SALEM  
PLANNING & ZONING COMMISSION  
REGULAR MEETING MINUTES  
TUESDAY, APRIL 11, 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*)  
James Jorgensen, Alternate (*seated*)

**ABSENT**

Martin Stoken  
Steven Shelley, 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 Jorgensen were seated for the vacant Full Commissioner position and Commissioner Stoken, respectively.*

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

**4. PUBLIC HEARING:**

- a. SE 23-01: American Property Group Salem, Inc.** Application for a special exception and associated site plan at 496 New London Road for a multi-family residential development proposing 24 – two-bedroom, residential units. Each unit has one garage. (*Application has been withdrawn by the applicant*)

Town Planner Haggerty recited the letter of withdrawal, dated April 5, 2023, from Ellen M. Bartlett, PE, SPSWQ, CLA Engineers, Inc., representing the Applicant, for the Site Plan, Special Exception, and 3-Lot Subdivision applications for the property located at 496 New London Road. The applications were withdrawn due to the cancellation of the meeting due to inclement weather and noticing issues for the following meeting. The Applicant is requesting that the application fees be waived for the newly submitted applications.

Chairman Smith credited and thanked Resident Melissa Bezanson who brought the matter to their attention.

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

**a. Regular Meeting Minutes March 28, 2023**

**M/S/C: Closius/Volberg, to approve the March 28, 2023 Regular Meeting Minutes. Discussion: None. Voice vote, 7-0, all in favor.**

**6. OLD BUSINESS:**

**a. SD 23-01 American Property Group Salem, Inc.** Subdivision application for 496 New London Road for the creation of three lots. (*Application has been withdrawn by the applicant*)

**b. SE 23-01 American Property Group Salem, Inc.** Application for a special exception and associate site plan at 496 New London Road for a multi-family residential development proposing 24 – two-bedroom, residential units. Each unit has one garage. (*Application has been withdrawn by the applicant*)

**7. NEW BUSINESS:**

**a. SD 23-02 American Property Group Salem, Inc.** Subdivision application for 496 New London Road for the creation of three lots. (*Acceptance of application*)

Town Planner Haggerty stated that, as previously recited and per her memo to the Commission, the Application was withdrawn by the Applicant and a new application was submitted on April 5, 2023. Per state statute, the Commission is required to receive the application during their next regularly scheduled meeting. The Applicant is also requesting that their application fees be waived due to the meeting cancellation and subsequent noticing issues. The plans were reviewed by the Town staff. It was noted that a balance of \$380.00 remains for the fee amount. The deposit for the Public Notice sign was received.

**M/S/C: Lindo/Khan-Bureau, to request the Applicant to submit the remaining balance of \$380.00 for Application 23-02 American Property Group Salem, Inc. Subdivision application for 496 New London Road for the creation of three lots. Once received, the fees for the new application will be waived. Discussion: The Public Hearing for the Application will be re-noticed to the public. Voice vote, 7-0, all in favor.**

The Commissioners discussed the incorporation of the record from the withdrawn application for the Special Exception Application, which would allow the previously submitted written testimony to be incorporated into the new application, as recommended by the Town Attorney.

- b. **SE 23-02 American Property Group Salem, Inc. Application for a special exception and associate site plan at 496 New London Road for a multi-family residential development proposing 24 – two-bedroom, residential units. Each unit has one garage.** (*Acceptance of application and scheduling of public hearing*)

**M/S/C: Jorgensen/Khan-Bureau, to accept Application SE 23-03 American Property Group Salem, Inc. Application for a Special Exception and Associated Site Plan at 496 New London Road for a proposed multi-family residential development comprised of 24 – two-bedroom, residential units. Discussion: The Application number was corrected from SE 23-02 to 23-03. Voice vote, 7-0, all in favor.**

**M/S/C: Khan-Bureau/Closius, to approve the incorporation of the record from the withdrawn Application SE 23-01 American Property Group Salem, Inc. into Application SE 23-03 Application for a Special Exception and Associated Site Plan at 496 New London Road for a proposed multi-family residential development comprised of 24 – two-bedroom, residential units. Discussion: None. Voice vote, 7-0, all in favor.**

**M/S/C: Lindo/Khan-Bureau, to set the Public Hearing date of Tuesday, May 23, 2023, at 7:00 p.m. at Salem Town Hall for Application SE 23-03 Application for a Special Exception and Associated Site Plan at 496 New London Road for a proposed multi-family residential development comprised of 24 – two-bedroom, residential units. Discussion: None. Voice vote, 7-0, all in favor.**

Town Planner Haggerty informed the Commission that the new application and its supporting documents have been sent to the Fire Marshal for review and comment. Similarly, the Applicant has contacted the New London Water Authority regarding the project. A copy of the architectural and elevation plans will be requested from the Applicant. The new application addresses both her and the Town Engineer's comments as well as the addition of a cul-de-sac, as requested by the Fire Marsha.

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

**9. TOWN PLANNER REPORT**

Cannabis Establishments & Regulations – Town Planner Haggerty reviewed her memo regarding Cannabis Establishments and Regulations. The memo includes the types of permits that are available and the current status of neighboring towns. Towns may opt to either legalize, prohibit, legalize with certain restrictions, or place a moratorium – all of which would require a text amendment to their regulations and a Public Hearing. Chairman Smith

requested that the Commissioners review the information in preparation for a discussion during their next regularly scheduled meeting.

Training Opportunities – Any available training opportunities for the Commissioners to meet the four-hour training requirement will be forwarded to the Commissioners. She requested they inform her of any training they complete for her records.

Grading of Property on Route 354/Old Colchester Road (Commissioner Lindo) – The Zoning Enforcement Officer (ZEO) was informed by the Property Owner regarding their plan to clear the property. The Owner was informed that a permit is not required as long as no ground is moved, i.e., excavating. An incomplete application was submitted in the fall of 2022. No additional applications have been received to date.

**10. CORRESPONDENCE – none**

**11. PUBLIC COMMENT**

Norm Rabe, Valley Drive, questioned the necessity of the application withdrawal and resubmission for the Application regarding the multi-family residential development and whether the withdrawal and resubmission involved the original plans that were submitted for the project. He also questioned whether the changes would require the Applicant to return to the Inland Wetlands & Conservation Commission.

*Town Planner Haggerty informed him that the plans were in order and the issue revolved around the meeting cancellation and resulting noticing requirements. Whether the changes that were made to the site plan would require the Applicant to return to the Inland Wetlands & Conservation Commission would be under the discretion of the Wetlands Officer. The new plans will be uploaded to the town website for the public.*

**12. PLUS DELTAS**

Chairman Smith expressed his appreciation to the Commissioners.

Commissioner Khan-Bureau expressed her dismay with the consistent lack of a report from the Zoning/Wetlands Officer.

**13. ADJOURNMENT**

**M/S/C: Lindo/Volberg, to adjourn the meeting at 7:37 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**