

**TOWN OF SALEM
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, AUGUST 22, 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
James Jorgensen, Alternate (*seated*)

ABSENT

Martin Stoken
Walter Volberg
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

3. PUBLIC COMMENT:

First Selectman Ed Chmielewski commended the Commissioners for their hard work during the last several months as they worked through some complex issues. He confirmed the receipt of a letter, dated August 1, 2023, from Chairperson Smith, on behalf of the Commission, to the Board of Selectmen regarding the Cease & Desist Orders issued to 343 Old Colchester Road. The letter was introduced to the Board under Correspondence; he anticipates that the Board will take the necessary action.

Sue Coffee, owner of 365 Old Colchester Road, 10 Saunders Hollow Lane, recited a letter she provided to the Commissioners regarding the unpermitted activity and her hopes that the issue(s) will be addressed in the applicant's plans. She also hopes that the Commission will address any additional potential issues that may arise from the proposed commercial development. She provided photographs reflecting the failures of the Erosion & Sediment (E&S) Controls that were placed at the rear of the property. She also felt that the control measures were merely a "band-aid" and urged the Commission to address the main issues. She urged the town to contact CT DEEP (Connecticut Department of Energy & Environmental Protection) and the Army Corps of Engineers to investigate the matter and

was informed by ZEO/WEO Matt Allen that the town would not be contacting either party and, rather, encouraged her to do so. She expressed her appreciation to the Commission for their attention

Alternate Commissioner Jorgensen was seated for the vacant position.

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

a. Regular Meeting Minutes of Tuesday, July 25, 2023

M/S/C: Khan-Bureau/Lindo, to approve the Tuesday, July 25, 2023 Planning & Zoning Commission Regular Meeting Minutes. Discussion: None. Voice vote, 4-0-1. Voting in Favor: Commissioners Khan-Bureau, Jorgensen, Lindo, and Smith. Voting in Opposition: None. Voting in Abstention: Commissioner Gadbois.

5. PUBLIC HEARING: none

6. OLD BUSINESS: none

7. NEW BUSINESS:

a. SD 23-04 American Property Group – Subdivision application for 496 New London Road for the creation of three lots. (*Acceptance of application*)

M/S/C: Khan-Bureau/Jorgensen, to accept Application SD 23-04 American Property Group – Subdivision application for 496 New London Road for the creation of three lots. Discussion: None. Voice vote, 5-0, all in favor.

b. SE 23-03 American Property Group – 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. (*Acceptance of application and scheduling of public hearing for 9/26/2023*)

M/S/C: Gadbois/Khan-Bureau, to accept Application SE 23-03 – American Property Group – 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. –and schedule the Public Hearing date of Tuesday, September 26, 2023, at 7:00 p.m., at Salem Town Hall. Discussion: None. Voice vote, 5-0, all in favor.

c. SP 23-06 Colchester Construction – Site plan application for a commercial development at 343 Old Colchester Road (to be known as 349 Old Colchester Road). (*Acceptance of application*)

M/S/C: Jorgensen/Gadbois, to accept Application SP 23-06 Colchester Construction – Site plan application for a commercial development at 343

Old Colchester Road (to be known as 349 Old Colchester Road).

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

7. ZONING ENFORCEMENT OFFICER'S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT

Town Planner Haggerty recited an e-mail from ZEO/WEO Allen, dated August 14, 2023, regarding the results of his inspection of the Erosion & Sedimentation Controls at the properties located at 343-R and 349 Old Colchester Road. The e-mail states that the "silt fence of chips, canvas, and stone has been completely and correctly installed along the easterly and northerly bounds of the subject property in such a manner that no silt of any significance will run off the property onto any other property nor any wetlands/watercourses." Photographic documentation was provided.

ZEO/WEO Allen also reported that the properties were inspected on August 21, 2023, following a rain event. The report states that the "chips/canvas/stone fence is indeed properly and completely installed and there is no indication of any failure or washout."

Town Planner Haggerty reported that, while she is aware that the Property Owner visited the property following the rain event, an inspection report has not yet been received, per one of the Conditions of Approval. She will follow up with the Property Owners regarding the status of the report.

In reviewing the photographs, Commissioner Lindo noted those areas, which show evidence of breaches in the E&S Controls. The breaches appear to be located at the rear of the property. The Town Planner will inform the Property Owners of the breaches. The notice will be cc'd to the ZEO/WEO.

9. TOWN PLANNER REPORT

Town Planner Haggerty reported on her memo, dated August 17, 2023, which includes the following items:

- a) A request for a Volunteer to represent the town on the Regional Planning Commission. The next meeting will be held in October; all meetings are hybrid
- b) Upcoming Land Use Commissioner Training Opportunities

She requested that the Commissioners inform her after the completing a training session. Commissioners are required to have completed four (4) hours of training by December 31, 2023 and must complete the training every four (4) years. One of the training sessions must include Affordable Housing or similar.

10. CORRESPONDENCE

- a. East Lyme Subdivision Regulations Amendment – Town Planner Haggerty is in the process of reviewing East Lyme's Subdivision Regulations Amendment, which is quite

comprehensive. She will inform the Commission of any item(s) that might be of concern. Copies of the document are available, upon request.

11. PUBLIC COMMENT

Sue Coffee, owner of 365 Old Colchester Road, 10 Saunders Hollow Lane, reviewed the photographs she submitted for the record. The photographs depict the breaches of the E&S Controls along the rear of the property. She also expressed her confusion with the location of the 500' area that the Commission agreed would require a woodchip berm only. Chairman Smith recommended she speak with the ZEO/WEO to clarify the location.

12. PLUS DELTAS – *none*

13. ADJOURNMENT

M/S/C: Lindo/Jorgensen to adjourn the meeting at 7:30 p.m. Discussion: None. Voice vote, 5-0, 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**