

**TOWN OF SALEM  
PLANNING & ZONING COMMISSION  
REGULAR MEETING MINUTES  
TUESDAY, APRIL 18, 2017 – 7:00 P.M.  
SALEM TOWN OFFICE BUILDING**

**PRESENT**

Joseph Duncan, Chair  
Vernon Smith, Vice-Chair  
Ron LaBonte  
Ruth Savalle  
John Gadbois, *Alternate* (seated)

**ABSENT**

Ron Bouchard, Secretary  
Jennifer Lindo-Dashnaw  
David Miller, *Alternate*  
Jim Mulholland, *Alternate*  
Eric Wenzel

**ALSO PRESENT**

Town Planner Richard Serra

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

*Alternate Member John Gadbois was seated for Full Member Ron Bouchard.*

**PUBLIC HEARING(S):** *none*

**PETITIONERS/PUBLIC COMMENT:** *none*

The Commissioners agreed to make the following adjustment to the Agenda:  
Move New Business immediately preceding the Approval of the Minutes.

**NEW BUSINESS:**

- 1. ZP 04-01.** Susan & Michael Sullivan, 553 Hartford Road. Accessory apartment in an existing garage. (Section 3.21)

Town Planner Serra presented the Application materials and stated that the Regulation permits accessory apartments following the approval of the Planning & Zoning Commission.

Applicant Susan Sullivan stated that they are requesting approval for the addition of a 780 square foot accessory apartment. The Uncas Health District has approved the addition, which will comprise of less than 40% of the floor area of the existing residence, per the Regulations. The application was also submitted and reviewed by the Building Department and any necessary revisions were made to the plan to comply with the list of comments provided by Assistant Building Official David Jensen. The accessory apartment will be located above half of the garage, which is attached, and will be extended approximately 16'.

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**M/S/C: Gadbois/LaBonte, to accept Application ZP 04-01, as presented. Voice vote, 5-0, all in favor.**

Chairman Duncan questioned the necessity of the Commission's approval for such simple and straightforward applications. While the Regulations state that "An accessory apartment may be permitted by the Commission when the following conditions are met..." (Section 3.21), Town Planner Serra stated that Zoning Enforcement Officer (ZEO) Liz Burdick is requesting that the ZEO have the authority to approve applications for *attached* accessory apartments. As such, he suggests presenting the item during a future Public Hearing when other Regulation amendments are being proposed. In response to Chairman Duncan, Town Planner Serra felt that a breezeway connection would be considered part of the existing structure. In addition, Chairman Duncan also introduced the possibility of clarifying Section 3.21.1(b), which states that "The floor area of an accessory apartment in an existing residence shall not exceed 40% of the total floor area of the building." by adding that the area also includes that of any detached structures.

**2. Town of Colchester – Zoning Regulation referral**

The Commission reviewed the Zoning Regulation referral provided by the Town of Colchester. Town Planner Serra stated that he sees no potential conflicts with the Town of Salem. The referral includes adjustments to the Town's minimum front side and rear yard setbacks, driveway grades, front and rear setbacks, and two-family dwellings.

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

Regular Meeting Minutes: February 28, 2017

**M/S/C: Savalle/Smith, to approve the Regular Meeting Minutes of February 28, 2017.**

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

**OLD BUSINESS:**

**1. Discuss Salem POCD implementation status**

The POCD (Plan of Conservation and Development) was adopted in 2012 and will need to be revised in 2022. Town Planner Serra reported that he is hoping to receive some feedback from the Economic Development Commission (EDC). Upon reviewing the previously distributed flowchart of the Commission's POCD progress, he recommended a review of the following items, especially in light of the multi-town grant application that is expected to come to fruition in the near future:

Item 8 – 2.1.1 Review Agri Floating Zone Regs to ensure support of agriculture

Item 33 – 13.2.2 Adding Conservation Development Options to the Subdivision Regulations

Item 35 – 13.2.4 Consider a Density Bonus for Conservation Design Subdivisions

Currently, the density requirements as stated under Sections 6A (Rural Cluster Development) of the Zoning Regulations does not support conservation subdivisions. He is not aware of any such developments in existence within the Town at this time. A map and the respective

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regulations of conservation subdivisions located in neighboring towns with examples of cluster housing was presented during one of their past discussions can also be reviewed.

Chairman Duncan proposed the Commission review Sections 6A and 30 (Special Agriculture Zone) for discussion at their first Regular Meeting in May. Town Planner Serra will check in with the EDC in the meantime.

**ENFORCEMENT OFFICER'S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT:**

**ZWEO Report**

The Commission reviewed the ZWEO Report for months of January to March 2017.

**Town Planner Report**

A meeting was held with the First Selectman, EDC Member Elbert Burr, Chairman Duncan, the Uncas Health District, and himself to discuss the health code requirements in relation to the recently amended Age-Restricted Residential Development Regulation (Section 26).

With respect to the Regulations regarding setbacks, the ZWEO and himself are recommending that additional wording be included regarding non-conforming uses to help clarify and formalize the requirements. A variance is required in order to place a structure within the setback area. The wording and item will be added to the list of future Regulation amendments.

*Mobility* has requested a meeting to discuss the installation of a tower on Witch Meadow Road. He plans to investigate the possibility of including the First Selectman, Public Works Director, Planning & Zoning Chairman Duncan, and Atty. Steven Byrne in the meeting. He noted that a possible bill is being proposed regarding the location of low powered transmitting towers; he will discuss keep the Commission apprised of any developments. Other towns are addressing the same issue.

**CORRESPONDENCE:** *none*

**PETITIONERS/PUBLIC COMMENT:** *none*

**PLUS DELTAS:** *none*

**ADJOURNMENT:**

**M/S/C: Smith/Savalle, to adjourn the meeting at 7:51 p.m. Discussion: None. Voice vote, 5-0, all in favor. Meeting adjourned.**

Respectfully Submitted by:

Agnes Miyuki, Recording Secretary for the Town of Salem