

**TOWN OF SALEM
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, FEBRUARY 20, 2018 – 7:00 P.M.
SALEM TOWN OFFICE BUILDING**

PRESENT

Joseph Duncan, Chair
John Gadbois, Secretary (7:01 p.m.)
Margaret Caron
Ruth Savalle
Eric Wenzel
David Miller, Alternate (*seated*)
Terri Salas, Alternate (*seated*)
Diba Khan-Bureau, Alternate (7:05 p.m.)

ABSENT

Ron LaBonte
Vernon Smith, Vice Chair

ALSO PRESENT

Town Planner Kate Rattan
Zoning Enforcement Officer Liz Burdick

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Commissioners Salas and Miller were seated for Commissioners Smith and LaBonte.

New Business was moved to precede Old Business on the Agenda.

PETITIONERS/PUBLIC COMMENT: *none*

PUBLIC HEARING: *none*

APPROVAL OF MINUTES OF PREVIOUS MEETING(S):

Regular Meeting Minutes: January 23, 2018

M/S/C: Savalle/Caron, to approve the Regular Meeting Minutes of January 23, 2018.

Discussion: None. Voice vote, 6-0-1. Voting in Favor: Commissioners Caron, Duncan, Gadbois, Savalle, Miller, and Salas. Voting in Opposition: None. Voting in Abstention: Commissioner Wenzel.

NEW BUSINESS:

A. 428 Hartford Road – Aman Singh (owner) to discuss potential redevelopment

Aman Singh, 3 Fernwood Lane, Clinton, wished to engage in an informal discussion and receive the feedback of the Commissioners for his vision of the property located at 428 Hartford Road. He has engaged in similar conversations with the First Selectman, Town Planner, Zoning Enforcement Officer, Fire Marshal, Building Official, and Salem Volunteer Fire Company. He

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provided a brief history of himself and the gas station/convenience store, stating that he originally purchased the property in 2006 and conducted major renovations, including installing two new pumps, bringing them up to code, and a canopy. In addition to selling gas, the business served as the Town's Post Office and convenience store and houses two apartments and one efficiency apartment. After selling the business in 2012, he re-purchased it in 2017 after the new owners went out of business and the property was foreclosed upon. The property is neighbored by a 54-acre property to the north and the Salem Volunteer Fire Company to the south — both of which are partially located in both business and residential zones. As a previous member of the Salem community, he is aware and respectful of the Town's rural environment and POCD (Planning of Conservation and Development) and, after exploring a number of various uses for the property, felt that the area would best benefit from a multi-family housing unit. The property would include seven (7) units and occupy the same footprint. The canopy, tanks, and pumps would be removed and the siding, roofing, electrical, plumbing, HVAC and septic systems will be updated. No remediation of the property is necessary. Currently, the property accommodates over 15 parking spaces, which is more than sufficient to accommodate the required 14 (fourteen) parking spaces for the proposed number of units. He is planning to contact the Uncas Health District to have soil samples conducted on the property to confirm that the area is sufficient enough to accommodate any septic/well requirements. He is hoping to have the project completed and ready by late Summer/early Fall.

Issues surrounding the proposed plan include: (1) the property is located in the business zone, which does not allow for residential units and; (2) the lack of the required acreage to accommodate the number of desired units, i.e., four (4) acres per four (4) units. A text amendment(s) and/or addition(s) would have to be made to the existing regulations to accommodate the proposed re-development. Town Planner Rattan felt that the Commission should carefully weigh modifying the regulations to accommodate one property as it would open up this same type of development to be constructed within the business zone, noting that the business zone in Salem is already very limited. She also felt that the size of the apartments should be considered in terms of maintaining the character of the Town. Discussion ensued regarding the possible options, including proposing a text amendment to their regulations to allow multi-family units within a business district by providing a special exception; the addition of a special exception clause within the multi-family dwellings regulation; the addition of a special exception under a new business-residential, or similar, category, and/or; contacting the owner(s) of the neighboring 54-acre property to gauge their possible interest and willingness to be involved in an amendment to the zone map that would allow the re-zoning of a portion of their property from business to residential. Because the neighboring properties are both zoned for business (as well as residential), the property in question cannot be re-zoned as that would result in spot zoning.

Town Planner Rattan stated that former Town Planner Richard Serra felt that the permitted uses outlined in their regulations for the business district, being somewhat restrictive, could be

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revised. She suggested adding verbiage to Sections 7.1.26 – Business Zone, General – and 7.1A – Business Zone, Special Exceptions – of the Zoning Regulations, which would ensure that any future applications involving similar requests be presented to the Commission for review and approval. While he is open to a zone map amendment, Mr. Singh felt that adding verbiage that would allow him to redevelop the property as a multi-family residence and require future applicants to come before the Commission for review and approval might be the best option for both himself and the Town. He will review and discuss the proposed language for the text amendment(s)/addition(s) with his Attorney and return to the Commission for further discussion.

OLD BUSINESS

A. Temporary Health Care Structures

M/S/C: Savalle/Caron, to set the Public Hearing date of Tuesday, March 27, 2018 at 7:00 p.m. at Salem Town Hall to discuss Opting Out of Public Act 17-155 regarding Temporary Health Care Structures. Voice vote, 7-0, all in favor.

B. POCD Implementation

Chairman Duncan reported that he received correspondence from their Liaison Selectman David Kennedy regarding the following items that the Board of Selectmen would like to task the Commission with:

1.6.4 – Adopt Aquifer Protection Ordinance guided by CT DEEP Model

The Commission created and instituted Section 25B – Aquifer Protection Overlay Zones in May 2015, which should accommodate this item.

3.1.3 – Develop Forest Management Plan for Town-owned forestland

Town Planner Rattan will contact the Connecticut Forest & Park Association for assistance. In response to Commissioner Wenzel, who stated that item 3.1.4 regarding Adopt Forestry Regulations was tasked to the Inland Wetlands and Conservation Commission (IWCC), ZEO Burdick stated that, per CT General Statutes, forestry is considered agriculture and is a permitted use as-of-right that is determined as such by the IWCC, with the exception of any permanent changes being made to watercourses. She questioned the reasoning behind developing a Forest Management Plan. The item will be sent back to the Board of Selectmen for clarification.

Town Planner Rattan reported that she has reviewed the POCD with the former Town Planner, who recommended:

- Developing or revising the Conservation Development Regulations
- Revisions to Business and Commercial Zones
- Reviewing and adding additional uses to the Non-Residential Zoning Regulations
- Possible expansion of the Business Zones
- Conducting a Business Survey

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

ZWEO Report

ZWEO Burdick reported that a meeting was held with the new owners of the former Boy Scout Camp located on Forest Drive to discuss possible uses for the property.

Town Planner Report

A. EM-Sprint – 121-180131 153 East Haddam Road (modification)

A notification was received from the Siting Council regarding a modification to the existing tower located at 153 East Haddam Road. The Siting Council has, subsequently, sent a letter to the owner (Sprint) regarding the submission of an incomplete analysis; their application will need to be resubmitted.

B. CFPZA Annual Conference, 3/22/18 Aquaturf

The Connecticut Federation of Planning & Zoning Agencies (CFPZA) will be holding their 70th Annual Conference on March 22, 2018 at the Aqua Turf Country Club in Plantsville. The reservation deadline is March 20, 2018.

C. SCCOG Training Offered

The Southeastern Connecticut Council of Governments (SCCOG) will be sponsoring a Land Use Academy Basic Training on April 11 and 25, 2018 from 6:30 to 8:30 p.m. at SCCOG in Norwich. The curriculum, which was developed by UCONN's CLEAR (University of Connecticut Center for Land Use Education and Research), will cover *Legal Requirements & Procedures; Rules & Responsibilities* and *Fundamentals of Reading Plans*.

Commissioner Savalle who has attended both the CFPZA Annual Conference and SCCOG Training in the past stated that both are very informative and excellent programs.

ADJOURNMENT:

M/C: Duncan, to adjourn the meeting at 8:30 p.m. Discussion: None. Voice vote, 7-0, all in favor. Meeting adjourned.

Respectfully Submitted by:

Agnes Miyuki, Recording Secretary for the Town of Salem