

**TOWN OF SALEM  
PLANNING & ZONING COMMISSION  
REGULAR MEETING MINUTES  
TUESDAY, APRIL 24, 2018 – 7:00 P.M.  
SALEM TOWN OFFICE BUILDING**

**PRESENT**

Joseph Duncan, Chair  
Vernon Smith, Vice Chair  
John Gadbois, Secretary  
David Miller  
Ruth Savalle  
Ray Gionet, Alternate (*seated*)  
Terri Salas, Alternate (*seated*)

**ABSENT**

Margaret Caron  
Eric Wenzel  
Diba Khan-Bureau, Alternate

**ALSO PRESENT**

Town Planner Kate Rattan  
Selectman Liaison David Kennedy

**1. CALL TO ORDER**

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

**2. PLEDGE OF ALLEGIANCE**

*Alternate Member Commissioner Gionet was seated for Commissioner Wenzel and Alternate Member Commissioner Salas was seated for Commissioner Caron.*

**2 PUBLIC COMMENT:** *none*

**3. PUBLIC HEARING:**

**Consideration of a resolution to opt out of CT Public Act 17-155, An Act Concerning Temporary Healthcare Structures**

Town Planner Rattan recited the Legal Notice as published in *The Day* newspaper on April 10 and 17, 2018. Though not required, notices were sent to the abutting towns as well as the RiverCOG (Lower Connecticut River Valley Council of Governments) and SCCOG (Southeastern CT Council of Governments). Correspondence was received from SCCOG who felt that the decision to opt out of the Public Act would not “result in a negative inter-municipal impact.”

Chairman Duncan stated that the Commission has discussed the Statute on several occasions and asked if there were any members from the public who would like to speak. There being none, he asked if any of the Commissioners would like to speak. Vice-Chairman Smith stated that, based upon their discussions, it was clear that the Commission agreed that the Statute does not provide any benefit to the Town and, as such, has voted in favor of opting out of the Public Act.

Vice-Chairman Smith recited and the Commissioners reviewed the proposed Resolution, making the following amendments:

At their regular meeting of *April 24, 2018* following a public hearing the Salem Planning & Zoning Commission rendered the following decisions:

Town of Salem Planning & Zoning Commission Regular Meeting Minutes  
Tuesday, April 24, 2018

**ZRA 4-18-01.** Town of Salem Planning & Zoning Commission. Application to: Opt out of CT Public Act 17-155, An Act Concerning Temporary Healthcare Structures (THCS). Application to Opt Out was **APPROVED**.

**RESOLUTION**

**WHEREAS**, Public Act 17-155 allows municipalities to “opt out” of the requirements of that Act; and

**WHEREAS**, the Planning and Zoning Commission voted to “opt out” on *April 24, 2018* indicating that it believes that it is appropriate for Connecticut municipalities to provide housing options for caregivers for persons requiring such assistance due to age, disability, or illness, however;

**WHEREAS**, the Act itself contains inconsistencies, such as the notice requirements (certified mail) which conflict with Connecticut General Statutes Section 8-7d(a), and the Act fails to specify the procedure by which approvals are to be granted, thereby creating ambiguities and potential appeals; and

**WHEREAS** the Town of Salem lacks sufficient volunteers or staff, to comply with many of the procedural requirements of the Act; and

**WHEREAS** the Town of Salem allows accessory apartments as of right in residential zones; and

**WHEREAS** the processing time for a zoning permit for an accessory apartment is minimal; and

**WHEREAS** Accessory Apartments better serve the housing needs of Salem residents by offering permanent units; and

**WHEREAS**, the Town of Salem relies upon septic systems a THCS would require an exception from Connecticut Department of Health in addition to Uncas Health District approval impairing the ability of the town to ensure the mandated approval timeline; and

**WHEREAS** bonding levels commensurate with the cost of removal of THCS units would be cost prohibitive to constituents,

**WHEREAS**, the Planning and Zoning Commission has advised the ~~Town Council~~ *Board of Selectmen* that the existing regulations pertaining to accessory apartments eliminate the need for this additional provision and the provision of Public Act 17-155 would result in procedural issues;

**NOW, THEREFORE, BE IT RESOLVED**, that, in accordance with the recommendation of the Planning and Zoning Commission, ~~the Town Council~~ does hereby affirmatively opt out of the provisions of Public Act 17-155;

Chairman Duncan asked if there was anyone who would like to speak regarding the Resolution. There being none, the Public Hearing was closed.

**M/S/C: Smith/Salas, to approve the proposed Resolution, as amended, to opt out of CT Public Act 17-155, Planning & Zoning Commission item ZRA 4-18-01. Discussion: None. Voice vote, 7-0, all in favor.**

Town of Salem Planning & Zoning Commission Regular Meeting Minutes  
Tuesday, April 24, 2018

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

Regular Meeting Minutes: March 27, 2018

**M/S/C: Smith/Savalle, to approve the Regular Meeting Minutes of March 27, 2018 with the following amendment:**

Page 2, Town Planner, last sentence:

The programs are known as 5310, which provides capital funds for mini and regular buses and vans, and a ~~50/50~~ Municipal ~~Matching~~ Grant Program.

**Discussion: None. Voice vote, 7-0, all in favor.**

**5. OLD BUSINESS**

**a. Regulation Re-write Discussion**

Discussion ensued regarding the re-writing of the Regulations and the need to ensure that all of the Commissioners have the most updated copy. Suggestions for reviewing the Regulations included reviewing the older Regulations first and/or reviewing them section-by-section. Town Planner Rattan suggested the possibility of engaging the SECCOG to host a live working document that would allow the Commissioners to comment, but not amend, the document; utilizing Dropbox or SharePoint, or; working with paper copies.

Vice-Chairman Smith suggested working on Section 25-A – Riparian Corridor Overlay Zone. It was noted that Commissioner Khan-Bureau is in the process of arranging a presentation regarding the topic in May. The Commissioners were asked to review the section in preparation for the presentation and discussion regarding the section.

Chairman Duncan also suggested working on the List of Definitions, either incorporating them within the document or including them in a separate section, in the near future.

**6. NEW BUSINESS: *none***

**7. ENFORCEMENT OFFICER'S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT: *none***

**8. TOWN PLANNER REPORT: *none***

**9. CORRESPONDENCE: *none***

**10. PUBLIC COMMENT: *none***

**11. PLUS DELTAS: *none***

**12. ADJOURNMENT:**

**M/S/C: Smith/Savalle, to adjourn the meeting at 7:30 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