

**TOWN OF SALEM
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, AUGUST 21, 2018 – 7:00 P.M.
SALEM TOWN HALL – CONFERENCE ROOM 1**

PRESENT

Joseph Duncan, Chair
Vernon Smith, Vice Chair
John Gadbois, Secretary
Ruth Savalle
Ray Gionet, Alternate (*seated*)
Diba Khan-Bureau, Alternate (*seated*)
Teri Salas, Alternate (*seated*)

ABSENT

Margaret Caron
David Miller
Eric Wenzel

ALSO PRESENT

Town Planner Justin LaFountain

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Alternate Members Salas, Gionet, and Khan-Bureau were seated for Caron, Wenzel, and Miller.

3. PUBLIC COMMENT

Aaron Syman, 279 Buckley Road, spoke with regards to the possibility of constructing an additional structure on his property to establish a small, unique craft brewery similar to that of the *Fat Orange Cat Brew Company* in East Hampton or *Black Pond Brews* in Danielson. While the property meets the minimum lot size requirement of five (5) acres, it is located within 500' Floating Zone Offset for an agricultural floating zone.

Town Planner LaFountain stated that the regulation in question is Section 30.2 of the Special Agricultural Floating Zone, which states that "The lot must not be located in whole or in part within five hundred (500) feet of the municipal boundary." He recommended that the applicants present their idea to the Commission and gauge the possibility of applying for a text change amendment for the zone to alter the 500' requirement and, possibly, build in conditions as well as a map amendment. The property is located across the street from the town of Colchester.

Chairman Duncan thanked them for attending their meeting and recommended that they, with the help of the Town Planner, craft a proposal for the Commission.

4. PUBLIC HEARING: *none*

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

- a. Regular Meeting Minutes: May 22, 2018

M/S/C: Smith/Savalle, to approve the Regular Meeting Minutes of May 22, 2018.

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

6. PRESENTATION BY PATRICIA YOUNG regarding the Eightmile River Wild & Scenic Coordinating Committee

Commissioner Khan-Bureau introduced Eightmile River Wild & Scenic Coordinating Committee Program Director Patricia Young. Commissioner Khan-Bureau has worked with her on several occasions, including conducting research work with her students in the River, which flows through Colchester, Salem, East Haddam, East Lyme, and Lyme. Program Director Young provided a brief background on her experience and the organization, which works with the National Park Service reviewing all federally permitted or financed projects that might affect the Outstanding Resource Values as well as local projects, by request. She reviewed the Wild and Scenic Rivers Act, which was originally established to prevent the construction of dams and protect rivers with certain values, and the definition of a wild and scenic river. Currently, there are over 200 wild and scenic rivers in the country, 13 of which are partnership rivers and most of which are located on Federal land in the Western U.S.; additional rivers are currently under study. Due to the landscape and lack of Federal land ownership, properties located in the eastern U.S. are based on partnerships. As such, they are federally financed under the National Park Service. Rivers may be designated as either wild, scenic, or recreational; the Eightmile River is designated as a scenic river with six Outstanding Resource Values (ORV), including its natural watershed hydrology; water quality; unique species and natural communities, with approximately 160 identified rare, threatened, or endangered species; unique geology; watershed ecosystem, and; cultural landscape. Approximately 30% of the River resides in Salem. The Board reviews State policies and plans and work with a number of organizations to achieve their goals. They also focus their energies on outreach and education, most especially water quality and land and resource protection, as stated in their Watershed Management Plan, which discusses the ORVs, its threats, and the goals and tools that have been established to protect those values. These goals and tools are broken down into tiers by implementing authority as designated in the Town's Plan of Conservation and Development (POCD). She discussed the recommended tools, including the Riparian Corridor Protection; Habitat Fragmentation, Increases in Impervious Surfaces, and Stormwater Management, Watercourse Crossings, and Mapping. She informed the Commission that funding is available for any items that fit in with the Organization's Management Plan, including professional development training sessions and programs, surveyors, and appraisal fees.

In an effort to not only protect the land, but also allow the property to serve the community, the Board recently worked with the Town of East Lyme to connect the Richard H. Goodwin Trail System from Darrow Pond to Route 82. The Trail will, eventually, connect with the Airline

Trail. Other current and future projects include the creation of a comprehensive and cohesive Interactive Outdoor Recreation Map highlighting different areas, marrying local businesses with outdoor spaces for birding, horseback riding, and the like for the towns of East Lyme, East Haddam, Salem, Colchester, Lyme, and Old Lyme; Baseline Water Quality Monitoring/ Sampling at eight (8) sights; Stream Temperature Loggers, and; Conductivity Loggers to determine the effects of road salt on the streams and groundwater. Informational brochures regarding the Eightmile River Watershed and the Goodwin Trail Map were distributed. She reiterated the availability of grant funds for proposals related to their Management Plan for non-profits or municipalities.

The Commissioners thanked her for attending the meeting and providing the presentation.

7. OLD BUSINESS

a. Regulation Re-write Discussion:

1) Section 25-A – Riparian Corridor Overlay Zone

2) List of Definitions

Chairman Duncan stated that they have discussed reviewing and streamlining their regulations, in general, for the purpose of clarity and brevity. Commissioner Salas agreed that the regulations are somewhat repetitive and would benefit from a revision to create a more cohesive document. Eightmile River Wild & Scenic Coordinating Committee Program Director Young extended their services and assistance in reviewing and revising the section.

8. NEW BUSINESS

a. Avery Gravel Excavation Permit Renewal

Town Planner LaFountain reported that ZWEO Liz Burdick has completed her inspection of Avery Quarry and has recommended their permit be approved.

M/S/C: Smith/Savalle, to approve the Excavation Permit Renewal for Avery Quarry.

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

b. Discussion regarding Section 11A.2.1 of the Zoning Regulations – Approvals by ZEO

The discussion arose regarding the ability of the ZEO to approve the zoning applications received for the Regulation included in Section 11A.2.1. The Commissioners recalled and felt that this or a similar such issue might have been previously discussed; Town Planner LaFountain will further investigate the matter.

9. ZONING ENFORCEMENT OFFICER'S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT: *no report*

10. TOWN PLANNER REPORT

Town Planner LaFountain reported that the Board of Selectmen voted to opt out of Public Act No. 17-155, An Act concerting Temporary Health Care Structures, as recommended by the Commission, at their June 5 Regular Meeting.

11. CORRESPONDENCE

a. Montville Zoning Regulation Update

The town of Montville is conducting an extensive overhaul of their Regulations and a Public Hearing has been scheduled for September 11 to discuss the updates. The SCCOG (Southeastern CT Council of Government) staff has conducted a thorough review of the updates and have determined that there would be no negative inter-municipality impact. Changes include additional definitions, classifications, and special permit uses — all of which provide more clarity to their regulations.

12. PUBLIC COMMENT – *none*

13. PLUS DELTAS

Chairman Duncan commented on a great presentation and Commissioner Smith commented on a positive meeting. Commissioner Khan-Bureau reported that she recently attended a Forestry Soils Wetlands Workshop at UConn with Tom Worthley, who provided a presentation to the Commission at the March Regular Meeting; she would be happy to provide any information should any of the Commissioners be interested.

Chairman Duncan recommended that the Commissioners review the Riparian Corridor Overlay Zone as well as the list of definitions within the context of the regulations, as a whole, to determine whether the terms should be included within each relevant section or defined in a separate section. In response to Commissioner Gadbois who questioned whether they should also review Section 25, Groundwater Protection Regulations, based on today's presentation, Chairman Duncan felt that concentrating on the Riparian Corridor for the time being would be sufficient for the time being.

Commissioner Khan-Bureau questioned the Commission's interest in applying for a Grant through the Eightmile River Wild & Scenic Watershed for educational resources, e.g. creating and distributing brochures and other informational items or inviting the Land Use Attorney to provide an update to the Commission, possibly in conjunction with the Inland Wetlands & Watercourses Commission (IWWC). Commissioner Smith agreed that inviting the Town Attorney to discuss and update the Commission would be beneficial, especially for the new members, but felt that it would be best to concentrate on the Planning & Zoning regulations.

14. ADJOURNMENT

M/S/C: Smith, to adjourn the meeting at 8:44 p.m. Discussion: None. Voice vote, 7-0, all in favor. Meeting adjourned.

Respectfully Submitted by:

Agnes T. Miyuki, Recording Secretary for the Town of Salem