

**TOWN OF SALEM
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, MARCH 19, 2019 – 7:00 P.M.
SALEM TOWN HALL – CONFERENCE ROOM 1**

PRESENT

Ruth Savalle, Chair
Vernon Smith, Vice Chair
John Gadbois, Secretary
Joseph Duncan
David Miller
Diba Khan-Bureau, Alternate (*seated*)
Terri Salas, Alternate (*seated*)

ABSENT

Margaret Caron
Eric Wenzel
Ray Gionet, Alternate

ALSO PRESENT

Town Planner Justin LaFountain
Selectman Liaison David Kennedy
First Selectman Kevin Lyden

1. CALL TO ORDER

Chairperson Savalle called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

SEATING OF ALTERNATE(S):

Alternate Members Khan-Bureau and Salas were seated for Commissioners Caron and Wenzel.

ALTERATIONS TO THE AGENDA:

Item 7 (New Business) was moved to precede Item 6 (Old Business) on the Agenda.

3. PUBLIC COMMENT: *none*

4. PUBLIC HEARING: *none*

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

a) Regular Meeting Minutes: February 26, 2019

M/S/C: Smith/Miller, to approve the Regular Meeting Minutes of February 26, 2019.
Discussion: None. **Voice vote, 5-0-2. Voting in Favor:** Commissioners Duncan, Gadbois, Miller, Savalle, and Smith. **Voting in Opposition:** None. **Voting in Abstention:** Commissioners Khan-Bureau and Salas.

6. NEW BUSINESS

a) Southeastern CT Housing Alliance Presentation

Eastern Connecticut Association of Realtors Chief Executive Officer and Southeastern Connecticut Housing Alliance (SECHA) Board Member Susy Hurlbert stated the purpose of the Association and introduced Southeastern Connecticut Council of Governments (SCCOG) Assistant Director Amanda Kennedy, AICP, and Retired Residential Developer Robert Fusari. Mr. Fusari, who previously provided a presentation regarding The Hope Partnership, offered his availability to answer any questions they might have. Assistant Director Kennedy stated that the SCCOG works in tandem with SECHA and, in 2018, they conducted a Regional Housing Needs Assessment, which discusses the region's demographic and economic changes and trends. Since publishing the report, they have been visiting towns in the region to not only broadcast the study's findings, but also to learn more about each of the towns. She reviewed the highlights of a PowerPoint presentation regarding the region's affordable housing crisis. Approximately 40% of the region's population meets the low income requirement and, since 2000, the number of residents currently living in housing that is not affordable has risen from 25% to 37%. The area's housing has not met their needs, in part, due to those with higher incomes residing in the affordable housing units. It is predicted that the region will serve a more elderly population, more than half of which will be considered lower income households. In addition, just over 50% of the households will be more likely to want to rent or will not be able to afford a home, further expanding the demand for affordable housing. In comparison to past generations, the report also reflects the increasing need for affordable, village-centered housing. A general review of the region's 22 municipalities revealed that nearly all of the communities have, at least, some opportunities for the development of multi-family residential, age-restricted, and/or mixed use properties. As such, they are encouraging municipalities to conduct a more detailed analysis of the available opportunities in their respective areas. The data reflects that the share of households with affordability issues in the Town of Salem is lower than that of the region and rents have increased 23%, while the average household income has increased only 6%. It also reflects a declining population, most likely due to smaller households, rather than departing households, indicating a decreasing need for shops and services. The housing study will be updated in the near future to include the 10,000 to 15,000 additional households that will be moving into the region to fill the available positions to be offered by Electric Boat. She also reviewed the possibility of obtaining a moratorium for CT State Statutes §8-30g developments.

In response to Commissioner Smith, she stated that housing costs, including utilities and real estate taxes, that are below 30% or less of the gross household income is considered affordable. Due to the share of those unable to acquire affordable housing, discussions are taking place regarding the possibility of raising the amount to 35%. §8-30g relates to a State Law, which states that a developer may propose a plan to construct affordable housing units that do not conform to the local zoning regulations, within reason, to communities that have less than 10% of their housing inventory deemed as deed restricted affordable.

In response to Commissioner Khan-Bureau who questioned the need for public sewer and water for such developments, Retired Developer Fusari reflected upon successful projects in which there were no public water and/or sewer availabilities and stated that with enough land to accommodate a community septic system, it is possible to construct a development accommodating up to 50 bedrooms. He agreed with the need for low impact and energy efficient housing units.

The representatives were thanked for their presentation.

b) §8-24 Referral: Potential Sale of Town-owned Land (12.124 acres at 89 Norwich Road)

First Selectman Lyden reviewed a PowerPoint presentation regarding the proposed sale of 12.124-acres of a 142-acre property located at 89 Norwich Road, also known as the Gadbois Property, for the purpose of constructing a 12-unit age-restricted development. He is requesting a §8-24 referral for the sale of the property. Should the Commission provide a favorable review, the sale will be sent back to the Board of Selectmen who will schedule a Public Hearing to discuss the sale, then back to the Board of Selectmen who will send it to a Town Meeting for a final decision. The property, which is located in the lower lot, has been appraised with a value of \$96,992.00. Photographs of a similar development that is currently in construction by the interested developer were reviewed. The proposal is in accordance with the town's Plan of Conservation and Development (POCD) and would be an asset to and fulfill a need in the town as well as increase the town's grand list. He commended the Commission on the rewriting of the regulation.

In response to Commissioner Miller, the First Selectman stated that there will be no performance bond and sidewalks are not included in the proposal. In response to Commissioner Khan-Bureau, there is no guarantee that the development will appear as presented and the units would, most likely, utilize energy efficient features and be low environmental impact units. In response to Commissioner Smith, the developer would be unable to increase the number of units as, should the units accommodate more than 25 individuals, the developer would need to obtain State approvals, which could be cumbersome.

Town Planner LaFountain explained the §8-24 referral process and clarified that, by providing a favorable review, the Commission is not approving the actual development.

The Commissioners briefly discussed the item and the need for such housing and the location of the proposed development.

M/S/C: Smith/Salas to send a favorable review to the Board of Selectmen for the §8-24 Review of the sale of a 12.124-acre town-owned property located at 89 Norwich Road. Discussion: None. Voice vote, 7-0, all in favor.

7. OLD BUSINESS:

a) Regulation Re-write Discussion: Section 25-A – Riparian Corridor Overlay Zone (RCOZ)

Town Planner LaFountain reported that the Inland Wetlands and Conservation Commission (IWCC) tabled the item during their last meeting. In response to one of the questions asked during their last meeting, he stated that there are 43 lots that would be affected by the RCOZ regulation, and not the wetlands. The amount of RCOZ on each of these lots could be very minimal or very significant. Commissioner Duncan reported that he recently reviewed Lyme's regulation and found that it is almost identical to Salem's. Commissioner Smith expressed his dismay with the IWCC regarding their lack of response to the previously proposed draft outline. Commissioner Khan-Bureau stated that the IWCC has been very busy with another issue and reiterated her recommendation for the Commission to meet with Eightmile River Wild & Scenic Watershed Program Director Pat Young and for the members of the Commissioners to meet with the members of the IWCC Commission to discuss the regulation. Commissioners Duncan and Smith stated that a specific proposal was presented to the IWCC and they should respond to their proposal with specific comments. Chairperson Savalle, in reviewing their regulation and the proposed draft outline, felt that there were a number of items which should be included in their regulation that have been omitted or changed in the draft, including the changing of the title of the regulation. While important, Commissioners Smith and Salas felt that there were other items in the regulations which should be first be addressed. Discussion ensued regarding the proposed reduction of the buffer zone. Commissioner Gadbois stated that the Commission's discussions regarding the proposal is moot without the cooperation of the IWCC. Commissioner Salas felt, and Commissioner Smith agreed, that a written response to their proposed outline prior to meeting with the members of the IWCC would be result in a more fruitful discussion. Chairperson Savalle stated that she would speak with IWCC Chairperson regarding the receipt of a response and also arrange for Eightmile River Wild & Scenic Watershed Program Director Young to attend their meeting and provide some feedback and determine the reasons why the regulation was crafted as it was in an effort to gain a better understand.

M/S/C: Duncan/Gadbois, to request Planning & Zoning Commission Chairperson Ruth Savalle to request a specific response as to whether they support or oppose the proposed outline for the Riparian Corridor Overlay Zone (RCOZ) regulation (Section 25-A) from the Inland Wetlands & Conservation Commission Chairperson Ed Natoli. Discussion: Discussion ensued regarding whether their response should only be whether they support or oppose the proposed outline or if comments and suggestions would also be necessary. Voice vote, 5-0-2. Voting in Favor: Commissioners Duncan, Gadbois, Miller, Salas, and Savalle. Voting in Opposition: None. Voting in Abstention: Commissioners Khan-Bureau and Smith.

b) Plan of Conservation and Development Discussion – no discussion

8. ZONING ENFORCEMENT OFFICER'S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT – *none*

9. TOWN PLANNER REPORT

Town Planner LaFountain informed the Commission that he is planning to leave for a flight the morning following their next meeting. As such, unless an urgent issue(s) arises, the Commissioners agreed to cancel their next regularly scheduled meeting on Tuesday, March 26..

10. CORRESPONDENCE

An invoice for \$647.00 from the Town Attorney regarding the issues in which the First Selectman and Zoning Enforcement Officer is currently handling.

11. PUBLIC COMMENT – *none*

12. PLUS DELTAS – *none*

13. ADJOURNMENT

M/S/C: Smith/Miller, to adjourn the meeting at 8:36 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