

**TOWN OF SALEM  
PLANNING & ZONING COMMISSION  
REGULAR MEETING MINUTES  
TUESDAY, JUNE 18, 2019 – 7:00 P.M.  
SALEM TOWN HALL – CONFERENCE ROOM 1**

**PRESENT**

Ruth Savalle, Chair  
Vernon Smith, Vice Chair  
David Miller  
Diba Khan-Bureau, Alternate (*seated*)  
Terri Salas (*not yet sworn in as Full Member*)

**ABSENT**

Margaret Caron  
John Gadbois, Secretary  
Eric Wenzel  
Ray Gionet, Alternate

**ALSO PRESENT**

Town Planner Justin LaFountain  
Selectman Liaison David Kennedy

**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 Member Khan-Bureau was seated for Full Member Commissioner Caron.

**3. PUBLIC COMMENT:** *none*

**4. PUBLIC HEARING:** *none*

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

**a) Regular Meeting Minutes May 28, 2019**

**M/S/C: Smith/Miller, to approve the Regular Meeting Minutes of May 28, 2019.**

**Discussion: None. Voice vote, 4-0, all in favor.**

**6. OLD BUSINESS**

**a) Plan of Conservation and Development (POCD) Discussion**

*The item will be removed from future agendas as it is not scheduled to be updated in 2022.*

**b) Continued Discussion Regarding Potential Areas of Zoning Regulation Review/Revision**

**i. Section 11A: Site Plan Requirements-Historic/Archaeological Resources**

*Proposed revision was approved and moved to a Public Hearing at the Commission's May 28 Regular Meeting.*

**ii. Section 4 and Section 5: Two Family Home Lot Requirements**

*No additional revision(s) were found to be necessary.*

**iii. Section 12: Non-Conforming Uses**

*Proposed revision to coincide with State Statutes and Case Law was approved and moved to a Public Hearing at the Commission's May 28 Regular Meeting.*

**iv. Update references from Town Sanitarian to Uncas Health District**

*All references of the "Town Sanitarian" have been changed to the "Town's Agent" and the item was moved to a Public Hearing at the Commission's May 28 Regular Meeting.*

**v. Proposed Addition of a Zoning Bulk Table**

Town Planner LaFountain presented the revisions to the proposed Zoning Bulk Table, per their suggestions from the previous meeting as follows:

- 1) The Table will be inserted as Section 3 of the Regulations, immediately following the Section 2, Definitions. The subsequent sections will be re-numbered, accordingly. There will be two tables, Section 3.1, which will indicate the dimensional requirements for standard lots and Section 3.2, which will indicate the dimensional requirements for rear lots.
- 2) Of the four (4) possible titles for the table that were proposed (Tables of Dimensional Requirements, Lot Size and Setback Requirements, Bulk Table, and Zoning Table), the Commissioners agreed to title the table "Lot Size and Setback Requirements/Bulk Table".
- 3) The Dimensional Requirements for Rear Lots were added.
- 4) The relevant section numbers for each of the zones have been added to the chart.
- 5) Notes have been included at the bottom of both tables stating that the table is not all-inclusive and directing the reader to the specific relevant sections of the regulations, as indicated in the chart, for additional information.

In response to Selectman Liaison Kennedy, Town Planner LaFountain explained that the reasoning behind the additional setbacks for rear lots is to ensure that there is adequate space between all of its neighboring properties.

The Commissioners commended the Town Planner on creating a very simple and easy to understand table and thanked him for his hard work.

**M/S/C: Smith/Khan-Bureau, to move the Lot Size and Setback Requirements/ Bulk Table to a Public Hearing. Discussion: None. Voice vote, 4-0, all in favor.**

**M/S/C: Smith/Khan-Bureau, to set the date of Tuesday, September 17, 2019 at 7:00 p.m. at Salem Town Hall, Conference Room 1 for a Public Hearing regarding amendments to the Salem Zoning Regulations. Discussion: None. Voice vote, 4-0, all in favor.**

**c) Airbnb Discussion**

Town Planner LaFountain distributed a copy of the Stonington Department of Planning's 2017 Short-term Rentals Report. While parts of the Report are specific to the Town of

Stonington, the Report also discusses possible options, including retaining the status quo, not regulating Airbnb's, or regulating Airbnb's by either instituting either a Town Ordinance or including it in the Zoning Regulations. To date, no action has been taken by Stonington and complaints have been limited. With regards to the property in question in Salem, the Zoning Enforcement Officer informed him that there are several buildings on the respective property, and, it appears, that each of the units are being rented out separately, resulting in a resort hotel-like situation rather than an Airbnb. Discussion ensued regarding an incident that occurred at the property during which the emergency vehicles had difficulty accessing the property due to the vehicles being parked along the edges of the driveway. Whether their inability to access the property would be considered a code violation rather than a zoning violation was questioned. Commissioner Miller reported that he has spoken with the owners of one of the neighboring properties who stay at their property over the weekends and who stated that they have not witnessed any unusual activity. In response to Commissioner Khan-Bureau, Town Planner LaFountain stated that, because the issue is new, he is not aware of any Zoning Ordinance(s) within the region that have been passed. He will consult with the Fire Marshal regarding the driveway regulations and the item will remain on the agenda for updates. The Southeastern Connecticut Council of Government's Regional Planning Commission will be discussing the issue of Airbnbs during their next meeting in July. He recommended that the Commissioners review the Report.

## **7. NEW BUSINESS**

### **a) Presentation Regarding Existing Tree Conditions – Andrew Nyman**

Andrew Nyman will be providing the presentation at the Commission's August Meeting.

### **b) Annual Campground Permit Renewals**

### **c) Annual Excavation Permit Renewals**

The Zoning Enforcement Officer is continuing to inspect the Campground and Excavation Permit Renewals.

### **d) Alternate Commissioner Vacancy**

**M/S/C: Smith/Khan-Bureau, to nominate and appoint La Van Norwood to fill the vacancy left by Alternate Member Commissioner Terri Salas with a term to expire November 2019. Discussion: Commissioner Smith introduced Mr. Norwood to the Commission. Mr. Norwood stated that, prior to moving to Salem 20 years ago, he resided in the Town of Old Lyme where he served on the Zoning Board of Appeals. He is an Electrical/Mechanical Engineer with an extensive background in construction. Voice vote, 4-0, all in favor.**

Mr. Norwood was thanked for his willingness to serve as an Alternate Member of the Commission.

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

**9. TOWN PLANNER REPORT**

Town Planner LaFountain informed the Commission of a resident who is interested in starting a multi-faceted lifestyle business involving an indoor/outdoor venue offering food and drink, games, events, and, possibly, live music, similar to Sunset Landing in Waterford. One of the ideas she presented was to have food trucks at the venue. Discussion ensued concerning the Commission's discussion regarding Fox Farm Brewery's request to allow food trucks during their business hours. The concern with the Brewery centered around the possible disturbance and intrusiveness the food trucks might promote within the residential neighborhood. The Commission stated that they are open to allowing food trucks. The potential applicant is in the process of investigating and reviewing several ideas and properties. Should the application come before the Commission, it would require an amendment(s) to the Town's current regulations, possibly creating a different type of floating zone on the respective area for this particular use. As such, should the Commission allow food trucks on the property, it would not impact their decision regarding the Brewery's ability to do the same. She may come before the Commission for an informal pre-application discussion in the near future.

**10. CORRESPONDENCE**

a. East Haddam Regulation Update

Town Planner LaFountain reported that correspondence from the Town of East Haddam was received regarding a revision to their regulations regarding minor changes to their accessory dwelling units. He does not see any negative impact(s) on the Town of Salem resulting from the revision.

b. Invoices from the Attorneys for services incurred.

c. A letter from Transcend Wireless regarding the replacement of three existing (3) antennas located on a tower at 27 Maynard Road.

d. The Salem Unsung Heroes Nomination Form will be forwarded to the Commissioners. The deadline to submit the form is July 31.

**11. PUBLIC COMMENT: *none***

**12. PLUS DELTAS**

Commissioner Smith commented on a delightfully brief meeting.

**13. ADJOURNMENT**

**M/S/C: Smith/Khan-Bureau, to adjourn the meeting at 7:51 p.m. Discussion: None. Voice vote, 4-0, all in favor. Meeting adjourned.**

Respectfully Submitted by:

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