

**TOWN OF SALEM  
PLANNING & ZONING COMMISSION  
REGULAR MEETING MINUTES  
TUESDAY, OCTOBER 24, 2017 – 7:00 P.M.  
SALEM TOWN OFFICE BUILDING**

**PRESENT**

Joseph Duncan, Chair  
Vernon Smith, Vice-Chair  
John Gadbois, Secretary  
Ron LaBonte  
Jennifer Lindo-Dashnaw  
Ruth Savalle  
Eric Wenzel  
David Miller, Alternate  
Jim Mulholland, Alternate

**ABSENT**

*none*

**ALSO PRESENT**

Town Planner Richard Serra

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING(S):** *none*

**PETITIONERS/PUBLIC COMMENT:** *none*

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

Regular Meeting Minutes: October 17, 2017

**M/S/C: Smith/Savalle, to approve the Regular Meeting Minutes of October 17, 2017.**

**Discussion: None. Voice vote, 6-0-1. Voting in Favor: Commissioners Duncan, Gadbois, LaBonte, Savalle, Smith, and Wenzel. Voting in Opposition: None. Voting in Abstention: Commissioner Lindo-Dashnaw.**

**M/S/C: Lindo-Dashnaw/Smith, to move New Business, item 1, to precede Old Business.**

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

**NEW BUSINESS:**

- 1. SP 10-1-17, Salem Space Station LLC, 28 Cockle Hill Road, Salem, CT. Site plan to develop a Mini self-storage facility consisting of 13,300 s.f. of storage and 600 s.f. of Office at 89 New London Road. This property is zoned Highway Commercial.**

Town of Salem Planning & Zoning Commission Regular Meeting Minutes  
Tuesday, October 24, 2017

Town Planner Serra distributed the site plan and application packet for the proposed self-storage facility to be located on New London Road, south of *Academi* and across from Forsyth Road. Included in the packet were a copy of the Letter of Submittal to the Connecticut D.O.T. (Department of Transportation), District 2 and a copy of the letter and application submitted to the Uncas Health District for review. The application has been referred to the Fire Marshal, who will be reviewing the emergency vehicle access, and CLA Engineers, who will be reviewing the drainage calculations.

Brandon Handfield, P.E., Civil Engineer, Yantic River Consultants, LLC, representing the Applicant, provided a brief presentation of the proposed mini self-storage facility. The facility will accommodate approximately 100 pre-fabricated units, measuring 5' x 10' and/or 10' x 20'. The roofing will be steeply pitched with gabled end rooftops and the buildings will be gray or tan with green trim, roof, and doors so as to blend in with the aesthetics of the Town.

Wetlands – Per Richard Snarski, Soil and Wetlands Scientist, there are no wetlands on or within 100 feet of the site.

Access and Parking – The facility will have a 28' wide access drive – well beyond the required width – to allow for adequate space for the variety of vehicles that will be entering/exiting the premises. In addition, there will be more than sufficient site lines — over 445' to the north and over 550' lines to the south — for the existing speed limits. The interior roads will be 24' in width, exceeding Regulations and providing sufficient space for vehicles to pass while others are loading/unloading items. The width for the turning points will be 30' to accommodate larger and emergency vehicles. The facility will have a total of nine (9) formal parking spaces, five (5) of which will be located outside of the fenced area for patrons and four (4) within the facility. Vehicles may park in other, unmarked areas, as necessary. While approximately 15 (fifteen) parking spaces are required (one (1) space per 1,000 SF), Town Planner Serra felt that the nine (9) formal spaces would be adequate.

Drainage and Grading – The property has been graded as much as possible and a network of collection basins will be installed, directing the stormwater to the detention basin, which has been sized to accommodate a 100-year storm event and will ensure that the water will not deposited onto the road or the adjacent commercial site.

Utilities – The septic design, well, and overall site development have been submitted to the Uncas Health District, who is in the process of consulting with the Building Official regarding the necessary capacity for the septic system. Soil testing has been conducted and was found to be sufficient for the size of the facility. Power to the facility will be supplied by the existing pole.

Landscaping – The bulk of the landscaping will be located between the facility and the neighboring southern residence. A 50' vegetative buffer, as required, will be provided in the form of a double-row of staggered screening trees as well as a conservation mix, which will

Town of Salem Planning & Zoning Commission Regular Meeting Minutes  
Tuesday, October 24, 2017

not only match, but improve the current conditions, provide a smooth transition between the two properties, and provide adequate drainage and screening.

Lighting – All lighting will be mounted on the buildings, 10' high and in approximately 30' increments. The lighting, which will be shallow and narrow, will be cast directly downwards lighting the pavement below; it should not cast any glare on to the road or nearby neighbors.

Fencing – The entrance to the facility will be equipped with a gate, allowing for one-way traffic into and out of the facility. An additional chain link fence will be installed around the perimeter of the facility.

Erosion and Sedimentation Controls – A silt fence located around the perimeter of the property along with an anti-tracking apron at the entrance will be installed during construction. The catch basins will be protected with filter/silt sacks.

*The item was tabled, pending comments from CLA Engineers and Fire Marshal.*

## 2. Discuss Commission Budget

To date, funds that have been expended this fiscal year include engineering fees for the old Congdon's Garage and the proposed storage facility.

M/S/F: Savalle/Duncan, to return \$5,000.00 from Line 5-630-224, Legal Services, to the Town. Discussion: \$5,000.00 would constitute 25% of the Commission's budget. Because the Commission has spent only a fraction of their budgeted amount for Line item 5-630-924, Engineering, in the past, the possibility of also returning funds from this line item was discussed. Voice vote, 1-6. Voting in Favor: Commissioner Savalle. Voting in Opposition: Commissioners Duncan, Gadbois, Lindo-Dashnaw, LaBonte, Smith, and Wenzel.

**M/S/C: Smith/LaBonte, to return \$5,000.00 from Line item 5-630-224, Legal Services, and \$2,000.00 from Line item 5-630-924, Engineering, to the Town. Discussion: None. Voice vote, 7-0, all in favor.**

## OLD BUSINESS:

### 1. Continue discussion – Cluster Development

The Commissioners reviewed and agreed to move forward with Version 3 of the proposed draft regulation, which incorporates a 10% density bonus for affordable housing as discussed at their previous meeting.

### 2. Continue discussion – Possible Zoning Regulation Amendments

- a. Temporary Health Care Structures; non-conforming setbacks; Accessory Apartment approval; Other

Town Planner Serra provided a brief recap of the Commission's discussion regarding Temporary Health Care Structures. Concern regarding the handling of confidential medical records by Town employees who would lack the necessary training to handle

Town of Salem Planning & Zoning Commission Regular Meeting Minutes  
Tuesday, October 24, 2017

such information and the lack of any requirement to provide ADA accessibility or medical equipment within the unit was raised. Commissioner LaBonte, who works with the HIPAA (Health Insurance Portability and Accountability Act of 1996) Law daily, felt that the requirement “in writing by a physician licensed in this state, with two or more activities of daily living” would not constitute a HIPAA violation. Commissioner Lindo-Dashnaw, who researched the status of the Act throughout the State, reported that, to date, a total of eight (8) towns have opted out of the Act or are in the process of doing so, including East Lyme, who will be holding a Public Hearing on November 2, 2017. The reasons stated in East Lyme for opting out include the difficulty of enforcing the removal of the unit following its use and the lack of staff to approve and enforce the Act. Commissioner Wenzel felt that the Act would primarily accommodate those who are in immediate need to provide lodging and care for a loved one. Town Planner Serra stated that the Act does allow towns to add to their Regulations and referred to the previously distributed proposed addition addressing some of the items of concern. Of the three available options of either opting out, doing nothing, or adopting and adding to the Regulation, the majority of the Commissioners informally agreed upon the third option of adopting and adding to the Regulation.

**M/S/C: Smith/LaBonte, to schedule a Public Hearing to consider the following items on January 16, 2018:**

- Cluster Development Regulation
- Expansion of a building with non-conforming setbacks
- Accessory Apartment approval
- Clarification of Section 2.13(a) Regulation amendment
- Temporary Healthcare Structures

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

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

**ZWEO Report – none**

**Town Planner Report**

Town Planner Serra reported that he has obtained the 2009 POCD (Planning of Conservation & Development) Survey should any of the Commissioners be interested in reviewing its findings. He is in the process of scheduling a meeting between the EDC, Southeastern Connecticut Enterprise Region (seCTer), and himself regarding the revamping of seCTer’s website.

**CORRESPONDENCE:**

Commissioner Smith recited a letter received from the Southeastern Connecticut Council of Governments (SCCOG) informing them of a meeting to be scheduled to discuss the proposed

Town of Salem Planning & Zoning Commission Regular Meeting Minutes  
Tuesday, October 24, 2017

revisions to the 2017 Regional Plan of Conservation & Development. A Public Hearing will be held on November 2 at 7:30 p.m. and will be considered at the SCCOG's November 15 Regular Meeting, 8:30 a.m. The amendment has been posted on their website at [www.seccog.org](http://www.seccog.org).

**PETITIONERS/PUBLIC COMMENT:** *none*

**PLUS DELTAS:** *none*

**ADJOURNMENT:**

**M/S/C: Lindo-Dashnaw/Smith, to adjourn the meeting at 8:19 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