

The Salem Planning and Zoning Commission will conduct a Public Hearing on Tuesday, August 25, 2020, which will begin at 7:00 p.m. via a ZOOM virtual meeting. The meeting is accessible through the following link: <https://zoom.us/j/99115599449?pwd=SURDUXhQYmJVY21xZ1hpWINvbiByUT09>. The following application will be heard.

ZRA 1-20-01. The Town of Salem Planning and Zoning Commission proposes to amend Section 30: Special Agriculture Overlay Zone, of the Salem Zoning Regulations, as follows:

- Section 30.2: General, is proposed to be amended in two ways. The restriction that a lot within 500 feet of the municipal boundary cannot apply for Special Agriculture Overlay Zone designation is proposed to be removed. In addition, a statement is proposed to be added which clarifies that the Special Agriculture Zone need not be applied for if a use is already permitted in the underlying zone, and that animal keeping limits in the overlay zone shall not apply where animal raising is permitted by right in the underlying zones.

Below, please find the proposed text of the entire section with strikethroughs denoting text to be removed, and underlining denoting text to be added.

SECTION 30 – SPECIAL AGRICULTURE ZONE (1/01/05)

30.1 INTENT

The Town of Salem recognizes that agricultural uses are an asset to the town’s rural character. It is the intent of these regulations to establish a floating zone to ensure that those uses continue and expand, and to promote adaptive re-use of existing agricultural buildings. (4/01/07)

30.2 GENERAL

The minimum lot size in this zone shall be five (5) acres, in addition to the minimum acreage requirement of the underlying zone. ~~The lot must not be located in whole or in part within five hundred (500) feet of the municipal boundary.~~ (4/01/07)

The intensity of all uses proposed within the Special Agriculture Zone shall be as deemed appropriate by the Commission.

The animal keeping limitations within this section shall not apply where animal raising is permitted by right in underlying zones. The application of this zone shall not be required when a Permitted Use listed in Section 30.4 is already a permitted use in the underlying zone.

30.3 DEFINITIONS

- a) Acre – 43,560 square feet
- b) Animal Unit – a measure for comparing livestock as follows:
 - i. Class A Livestock = One (1) animal per Animal Unit
 - ii. Class B Livestock = Three (3) animals per animal Unit
 - iii. Class C Livestock = Fifteen (15) animals per Animal Unit

- iv. Class D Livestock = One –half (0.5) animal per Animal Unit
- c) Class A Livestock – large animals whose mature weight is five hundred (500) pounds or more such as equine, bovine and other large animals. (See also definition of Livestock.)
- d) Class B Livestock – medium-sized animals whose mature weight falls within the range of thirty (30) to five hundred (500) pounds, such as sheep and goats, but excluding pigs. (See also definition of Livestock.)
- e) Class C Livestock – small animals with a mature weight of less than thirty (30) pounds such as poultry, fowl and rabbits. (See also definition of Livestock.)
- f) Class D Livestock – pigs subject to Section 19-13-B23 (a) of the Connecticut Public Health Code, as amended. (See also definition of Livestock.)
- g) Floating Zone – Zone established over an existing zone and may provide additional requirements or provide additional uses.
- h) Hoop House – a permanent structure with the following characteristics:
 - i. Supporting structure constructed of tubular metal, fiberglass or other similar structural tent-like supports affixed to the ground.
 - ii. Covered by a flexible poly or fabric-like material stretched over and secured to the supporting structure.
- i) Livestock – all domestic animals except those usually kept as a companion and housed with human occupants in a residential building.

30.4 PERMITTED USES

- a) Uses permitted in the underlying zone;
- b) Feed & grain store; tack shop;
- c) Storage and repair of farm vehicles and other similar equipment, not to include operation of a repair garage for the general public;
- d) Riding, carriage/wagon/sleigh rides, boarding and instructional activities involved with the keeping of horses;
- e) Farm store, products produced from farming not including manufacture of farm equipment;
- f) Greenhouse/nursery;
- g) Veterinary clinic;
- h) Keeping of livestock, which may include raising, breeding, instructing, training, sales, boarding, riding, driving and similar uses normally associated with the keeping of livestock;
- i) Construction and sale or rental of agricultural and livestock related products, including, but not limited to troughs, jumps and the like; (4/01/07)
- j) Wineries;
- k) Farm stands;
- l) Farm markets;
- m) Storage, packaging and bottling of local farm products.
- n) Special Event Facility. An establishment which hosts for-profit events such as weddings, business meetings, special or seasonal celebrations, and other non-profit community events under conditions stipulated by the Commission as appropriate for the proposed site and surrounding area. (10/18/16)

30.5 PERMITTED ANIMAL UNITS PER ACRE

A maximum of two (2) animal units (as defined in Section 30.3) per acre for the additional acreage of five (5) acres in addition to the underlying zone requirement shall be permitted for the first five (5) acres of a Special Agriculture Zone parcel.

30.6 ADDITIONAL ANIMALS ALLOWED PER LOT

After the first five (5) acres, additional animals may be kept as follows:

One (1) Class A animal per	21,780 square feet of land area;
One (1) Class B animal per	7,260 square feet of land area;
One (1) Class C animal per	1,452 square feet of land area; and
One (1) Class D animal per	43,560 square feet of land area.

30.7 Where applicable, offspring shall apply only to the number of animals per lot beyond the juvenile stage.

30.8 All manure piles shall be set back a minimum of fifty (50) feet from all property lines, shall be visually screened from dwellings on adjacent properties and shall not be placed within the minimum required side, rear and front yard setbacks of the underlying zone. Fully composted manure may be applied within said restricted area for soil restoration.

30.9 The raising of animals exclusively for their pelts is prohibited.

30.10 Shelter shall be provided for all livestock. Any new shelter, or any new agricultural building, shall be set back from all property lines a minimum distance of one hundred (100) feet.

30.11 Any existing non-conforming structure, originally constructed for agricultural purposes, may continue to be used, maintained or expanded subject to the requirements of Section 12 of these Regulations, or replaced for agricultural purposes.

30.12 Impervious coverage shall not exceed five percent (5%). This requirement may be waived by the Commission if a written request is presented by the applicant and just cause shown. Said waiver shall be subject to Inland Wetlands and Conservation Commission recommendation, if applicable, regarding any impacts within their jurisdiction.

30.13 Detached greenhouses, including hoop houses, shall be permitted provided they are located on the premises in accordance with Sections 30.10 and 30.11 of these Regulations.

30.14 APPLICATION REQUIREMENTS

Application for designation of a Special Agriculture Zone shall be filed in accordance with SECTION 18 – AMENDMENTS of these Regulations.

If the property which is the subject of said application contains wetlands and/or watercourses as defined in the Town of Salem Inland Wetlands and Watercourses Regulations, as amended, an

application shall be submitted to the Inland Wetlands and Conservation Commission no later than the same day as application to the Planning and Zoning Commission.

The following documentation shall be included with said application for designation of a Special Agriculture Zone:

- a) Site plan prepared in accordance with Section 11A of these Regulations. Section 11A.2.1 of these Regulations shall not apply.
- b) Narrative describing the proposal.
- c) Traffic Impact Study prepared by a professional Traffic Engineer.
- d) Lighting illumination plan and lighting product spec sheets.
- e) Any other information the Commission may deem necessary, which may include traffic control, lighting, noise, hours of operation, parking, and access.

The Commission may waive any and/or all of the above documentation requirements provided a written request is submitted by the applicant.

30.15 FINDINGS

A zone change to create a Special Agriculture Zone shall not be approved by the Commission until the Commission finds that the proposed zone change:

- a) Meets the intent of the Town of Salem Zoning Regulations by allowing development that encourages maintaining/preserving the rural character of the town;
- b) Is in keeping with the Town of Salem Plan of Conservation and Development;
- c) Is consistent with the comprehensive plan of zoning for the town; and
- d) Will not adversely affect public health, welfare, safety, and property values.

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