

Town of Lebanon

PLANNING AND ZONING COMMISSION

Regular Meeting

Lebanon Town Hall
Lower Level Conference Room

Monday, March 15, 2010 – 7:00 PM

MINUTES

Members Present: James Jahoda, Chairman
Eric Bender
Robin Chesmer
Susan Brett Davis
Keith LaPorte
Francis Malozzi
Wayne Budney, Alt.
Matthew Johnson, Alt.

Members Absent: David Fields, Secretary
Mark Bancroft, Alt.

Also Present: Philip Chester, Town Planner
Brandon Handfield, Town Engineer/WPCA
Jason Hofmann, WPCA Chairman
Holli Pianka, Land Use Secretary

I. Call to Order

The meeting was called to order at 7:04 p.m. by Chairman Jahoda. Mr. LaPorte read the legal notice.

At this time, the Commission took up Item # IV.

IV. Old Business

a. Water Pollution Control Authority Request for CGS Sec. 8-24 Report.

Jason Hofmann, WPCA Chairman, is present this evening requesting the required CGS Sec. 8-24 Report for the Amston Lake sewer project. The Bond Resolution was presented by Mr. Hofmann and read into the minute's record by Chairman Jahoda as follows:

RESOLUTION OF PLANNING AND ZONING COMMISSION

Item :

RESOLVED, that the Planning and Zoning Commission of the Town of Lebanon approves the following project pursuant to Section 8-24 of the General Statutes of Connecticut:

Construction of the Amston Lake Area Sewer Project, including a low-pressure sanitary sewer system with individual property pump systems to serve the Amston Lake area and connect to the existing Town of Hebron sanitary sewer collection system to address identified potential pollution problems in a manner consistent with Consent Order No. WC0005663 entered into between the Connecticut Department of Environmental Protection and the Town of Lebanon and issued on December 28, 2009, including the extension of a sewer main through a portion of the Town of Colchester and the Town of Hebron to connect with the existing Hebron sanitary sewer system at a sewer manhole on Deepwood Drive in the Town of Hebron, and related work and improvements including roadway restoration. The project is contemplated to be completed substantially in accordance with the recommendations with respect to such a system included in the study prepared by Wright-Pierce, dated November 2007, and entitled "Amston Lake Wastewater Management Study for the Town of Lebanon, Connecticut".

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After discussion, members agreed favorably that the Amston Lake sewer project was consistent with the Town of Lebanon Plan of Conservation and Development. Mr. Malozzi made a motion to accept the resolution, Mr. LaPorte seconded. Vote: Approved unanimously.

II. Public Hearings

- a. **File #10-10: Request of Planning and Zoning Commission to amend Article VIII Special Regulations of Lebanon's Zoning Regulations Sections 8.5 Billboards and Signs; 8.6 Earth Excavation and Filling; and 8.11 Rear Lots. Full text of the amendments is available in the Town Clerk's Office. (continued)**

The following exhibits were read into the record and labeled (J) Letter dated 03/05/10, comments from Atty. Edward O'Connell, Waller Smith and Palmer; (K) Proposed Zoning Regulation Amendments short version ; (L) Proposed Zoning Regulation Amendments longer version. Brandon Handfield, Town Engineer, reviewed the changes. Christian Joseph, Manager, Prides Corner Farm requested that the public hearing be left open so that they could review the revised language.

III. New Business

- a. **File #PZ-10-01: Robert H. Wentworth, applicant, Keith B. Wentworth, owner, 490A Exeter Road. Request for Special Exception for Home Occupation under Zoning Sec. 7.5.b.** Ms. Davis made a motion to accept application #PZ-10-01 and set the public hearing date for April 19, 2010 at 7:00 p.m., Mr. LaPorte seconded. Vote: Approved unanimously.

- V. Approval of Minutes~ February 8, 2010, Regular Meeting. Ms. Davis motioned, Mr. Budney seconded, and members voted unanimously to approve the minutes with the following corrections:
Page 3, third paragraph, Line 4, Change Mr. Budney to Mr. LaPorte.
Page 3, Section V, Line 9, change Mr. Budney to Mr. LaPorte.

VI. Correspondence

- a. Joshua's Tract Newsletter Spring 2010
- b. Working Lands Alliance 10-year Conference, Farmland Preservation 2010, Yale University on March 27, 2010

Mr. Chesmer recused himself and left the meeting room

VII. Old Business (continued):

- a. **File #10-12: Richard Mitlisky, owner/applicant, 74 Card Street, Assessor Map 202, Lot 43. Request for Site Plan Approval/Modification.**

Atty. Joe Williams spoke on behalf of the owner/applicant. The following additional items were submitted to the Commission:

Letter dated 03/08/10, from Atty. Ronald A. Goldstein, to PZC, listing concerns, truck transportation data.

Letter dated 03/15/10, from Richard Mitlisky, Mitlisky Eggs, to PCZ, addressing their existing operation and neighbor concerns.

Ms. Davis wrote and submitted a letter dated 3/15/10 recommending that the applicant apply under the Poultry provisions of Zoning Sec. 4.2.b.18 and that a public hearing be held.

Correspondence received: Letter dated 02/26/10 to PZC signed by neighboring property owners petitioning the application.

Atty. Edward O'Connell gave comments.

Mr. Mitlisky spoke on behalf of the application, discussing the history and the existing operation of this family owned business.

This application will appear on next month's agenda.

Mr. Chesmer returned to the meeting room and resumed his seat on the Commission.

VIII. Town Planner's Report

- a. Billing invoices received from Waller Smith & Palmer:

1)	Invoice #44519, dated 02/09/10, \$2,108.00
2)	Invoice #44524, dated 02/09/10, \$ 825.00
3)	Invoice #44525, dated 02/09/10, \$ 225.00
4)	Invoice #44523, dated 02/09/10, \$ 825.00
5)	Invoice #44520, dated 02/09/10, \$ 338.00
6)	<u>Invoice #44521, dated 02/09/10, \$ 375.00</u>
	Total: \$ 4,951.00

1)	Invoice #44696, dated 03/10/10 \$ 45.00
2)	Invoice #44695, dated 02/28/10 \$ 30.00
3)	<u>Invoice #44694, dated 03/10/10 \$ 1,920.00</u>
	Total: \$ 1,995.00

Mr. Malozzi motioned to pay Waller, Smith & Palmer billing invoices in the amount of \$4,951.00 and \$1,995.00, Mr. Bender seconded. Vote: Approved unanimously.

b. Billing invoices received from Anchor Engineering Services, Inc.:

1)	Invoice #0015585, dated 02/09/10	\$419.25
2)	<u>Invoice #0015570, dated 03/10/10</u>	<u>\$377.33</u>
	Total:	\$796.58

Ms. Davis motioned to pay Anchor Engineering billing invoices in the amount of \$419.25 and \$377.33, Mr. LaPorte seconded. Vote: Approved unanimously.

IX. Adjournment

Moved by Mr. Chesmer, seconded by Ms. Davis to adjourn the meeting at 9:03 p.m.

Vote: Approved unanimously.

Respectfully Submitted,

Holli E. Pianka, Land Use Secretary

March 21, 2010

(Minutes are unapproved as of transcription date.)