



Town of Lebanon
PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, March 21, 2022
7:00 p.m.

Lebanon Town Hall (579 Exeter Road) and via Zoom

MINUTES

Members Present: Francis Malozzi (Chair), Robin Chesmer (Secretary), Tom Meyer, Todd Pannone, Karl Weinstein, Julie Chalifoux (Alternate), Allyn Miller (Alternate), Ethan Stearns (Alternate)

Members Absent: Thomas Benoit, Wayne Budney

Also present: Philip Chester (Town Planner), Kevin Cwikla (First Selectman), Catherine McCall (minutes)

I. CALL TO ORDER

The meeting was called to order by Chairman Francis Malozzi at 7:00 p.m. who appointed alternate members Ethan Stearns and Julie Chalifoux as voting members.

II. PUBLIC HEARINGS

- a. PZ-22-8: Lebanon Planning and Zoning Commission. Opt out of provisions of Public Act 21-29 that allow detached accessory apartments on lots with single-family dwellings as-of-right.

Tom Meyer presented the application and described some of the Commission's reasons for considering opting out of this provision.

- Overrides local Zoning Regulations.
- Impacts neighboring properties and their value.
- Impacts town and neighborhood character.
- Is inconsistent with Lebanon's Plan of Conservation and Development.

Chairman Malozzi acknowledged receipt of letter received today from AARP Connecticut in support of PZ-22-8 and opened the Hearing for public comment. No public comment was received.

- b. PZ-22-9: Lebanon Planning and Zoning Commission. Opt out of provisions of Public Act 21-29 that limit parking to one space for each studio or one-bedroom dwelling unit and two spaces for two-bedroom or more dwelling units.

Tom Meyer presented the application and described some of the Commission's reasons for considering opting out of this provision.

- Overrides local Zoning Regulations.
- Lebanon households have an average of over 3 vehicles.
- Lebanon parking standards do not impede development.

Chairman Malozzi opened the Hearing for public comment. No public comment was received.

Motion made by Tom Meyer and seconded by Ethan Stearns to close Public Hearing for PZ-22-8 and PZ-22-9. Motion passed unanimously.

Motion made by Tom Meyer and seconded by Todd Pannone to discuss and act on PZ-22-8 and PZ-22-9. Motion passed unanimously.

Robin Chesmer recused himself and Allyn Miller was appointed a voting member.

Motion made by Todd Pannone and seconded by Ethan Stearns to approve PZ-22-8 and PZ-22-9. Ethan Stearns noted that preserving local zoning regulations was important. Tom Meyer noted that protecting neighboring property rights and values was also important. **Motion carried unanimously.**

Robin Chesmer came back onto the Commission and Allyn Miller was deactivated as a voting member.

- c. PZ-22-6: Lebanon Planning and Zoning Commission. Proposed amendments to Zoning Map to change the following properties currently zoned Rural Agricultural Residence District containing an agricultural conservation easement to the Agricultural District: Assessors Map 245, Lot 25; Map 267, Lots 36 and 37.004; a 30-acre portion of Map 215, Lot 20; Map 247, Lot 10; Map 250, Lot 1; Map 245, Lot 17; Map 252, Lot 14.001; Map 237, Lot 10; Map 234, Lots 19 and 20; and Map 235, Lot 60.

Town Planner Philip Chester presented this application and noted that Lebanon's Plan of Conservation and Development recommends that the Commission rezone farmland that has been permanently preserved to the Agricultural Zone.

Chairman Francis Malozzi opened the Hearing on PZ-22-6 for public comment. No public comment was received.

Motion to close the Public Hearing on PZ-22-6 was made by Todd Pannone and seconded by Robin Chesmer. Motion carried unanimously.

Motion made by Tom Meyer and seconded by Todd Pannone to discuss and act upon PZ-22-6. Motion carried unanimously.

Motion made by Tom Meyer and seconded by Robin Chesmer to approve PZ-22-6. Motion carried unanimously.

- d. PZ-22-7: Lebanon Planning and Zoning Commission. Proposed text amendments to the following Zoning Regulation Sections: 1.1 Purpose, 2.2 Definitions, 3.1a. Use Districts, 4.1.1a. Prohibited Uses, 4.2 Use Table, 4.3b.8), 4.3b.10), 4.3b.14), 4.3b.21), 4.3.1(c)3 Rural Agricultural Residence District Special Permit Uses, 4.4e. Village Green District Design Review Board, 4.5c. Village Business District Design Review Board, 4.7b.3), 4.7c.4) Business District, 4.8b. Agricultural District, 4.9b. Light Industry District, 4.12 Agricultural Tourist Village District, 5.2 Height, Area and Yard Requirements, 5.3c. Construction in Required Yards, 7.1 Temporary Uses, 7.5 Home Occupation, 7.6 Special Permits, 8.1 Trailer Regulations, 8.2 Accessory Living Unit, 8.4e.1), 8.4i. Parking Standards, 8.7a. Hospitals, 8.8 Apartment Houses and Multi-Family Dwellings, and 9.1 Zoning Officer.

Tom Meyer presented this application and noted that some of the proposed changes to the Zoning Regulations are required by CT Public Act 21–29 which the town cannot opt out of. Others proposed changes are for clarification purposes, to delete uses deemed obsolete or in need of further study, to further define uses such as golf courses, to allow for wineries and breweries on 20 acres, to add protections to neighboring land uses, and to reduce the size of the Design Review Advisory Board from 7 to 5 members.

Chairman Malozzi opened Hearing on PZ-22-7 for public comment.

Rick Cane, Goshen Hill Road requested clarification that the change to the Design Review Board were only regarding quorum size. Tom Meyer said yes.

Motion to close public hearing on PZ-22-7 made by Ethan Stearns and seconded by Todd Pannone. Motion carried unanimously.

Motion to discuss and act on PZ-22-7 made by Karl Weinstein and seconded by Todd Pannone. Motion carried unanimously.

Motion to approve PZ-22-7 made by Karl Weinstein and seconded by Todd Pannone. Karl Weinstein asked if under the new State mandate are we not allowed to limit the minimum size of dwelling units. Town Planner Philip Chester said the Commission was not able to restrict dwelling unit size; however, State Building Code required minimums. **Motion carried unanimously.**

III. NEW BUSINESS

- a. PZ-22-10: Daniel & Margaret Morin, Goshen Heights Rd., Assessors Map 260, Lot 49. One-lot subdivision.

Mark Reynolds, Reynolds Engineering Services, presented a history of the eight (8) acres parcel. Access is from Goshen Heights Road. UNCAS has approved a septic system in the area the house would be built in. From a storm water management perspective, runoff from the site would not be a problem; there will be no driveway sightline issues; and snow removal from the street will not be negatively impacted.

Tom Meyer asked for specifics on the possible need for a road extension and was told by Mr. Reynolds that it would not be necessary. Town Planner Philip Chester said that he had spoken with the Fire Chief and Public Works Director and was told that no improvements to the end of the road were necessary. Allyn Miller asked if there would be access to Bartlett Road from this property and Mr. Reynolds said this was not proposed or expected. Robin Chesmer asked if the building area requirements were met and Mr. Reynolds said yes.

Motion to approve PZ-22-10 was made by Todd Pannone and seconded by Karl Weinstein. Motion carried unanimously.

- b. PZ-22-3: Lebanon Historical Society, 856 Trumbull Hwy., Assessors Map 235, Lot 43. Site plan modification for 2,370 square foot museum addition.

Tom Meyer recused himself and Allyn Miller was appointed a voting member.

Rick Cane, President of Lebanon Historical Society, explained that the museum has a large collection and requires additional room for storage and workspace. Brandon Handfield, Yantic River Consultants, presented details regarding the site plan including discussion of yard drains to take care of water filtering and runoff. Only one light will be installed on the rear of the building that will not be visible from the street. Bill Brewster, Brewster Architects, presented the building floor plans and elevations. Town Planner Philip Chester noted that the Village Green Design Review Board reviewed the building plans and voted to recommend the plan to the Commission.

Robin Chesmer and Allyn Miller asked about the reasons for an exterior wall not being at a 90 degree angle the existing building. Bill Brewster and Rick Cane explained that it is to satisfy the fire code, gain additional storage, and for esthetic reasons. Karl Weinsteiger asked for specifics on the proposed drainage system and potential impacts to the rear neighbor. Brandon Handfield said that there would be no drainage impacts to the neighbor and that all drainage flowed across the Historical Society property to the rear of their property and wetlands.

Motion made by Allyn Miller to approve PZ-22-3. Todd Pannone seconded. Motion carried 6-1-0 with Robin Chesmer against.

Tom Meyer returned as voting member and Allyn Miller moved to alternate.

IV. OLD BUSINESS

V. MEETING MINUTES

a. February 14, 2022

Motion made by Karl Weinsteiger, seconded by Todd Pannone, to approve the February 14, 2022 Planning and Zoning Commission meeting minutes. Motion carried unanimously

VI. EXECUTIVE SESSION – Pending Litigation

Motion made by Karl Weinsteiger to go into executive session with the Town Planner. Ethan Stearns seconded. Motion carried unanimously at 8:15 p.m.

Discussion of pending litigation for 249 Lake Williams Drive, 232 Lakeside Drive, and 387 Oliver Road. The Commission came out of Executive Session at 8:25 p.m. with no action taken.

VII. TOWN PLANNER REPORT – None.

VIII. CORRESPONDENCE

IX. ADJOURNMENT

Motion by Karl Weinsteiger, seconded by Todd Pannone, to adjourn at 8:33 p.m. Motion unanimously approved.

Catherine McCall, minutes