



Town of Lebanon
PLANNING AND ZONING COMMISSION
Regular Meeting

Monday, October 18, 2021
7:00 p.m.

Lebanon Town Hall, Downstairs Meeting Room

MINUTES

Members Present: James Jahoda (Chair), Thomas Benoit, Wayne Budney, Robin Chesmer, Francis Malozzi, Thomas Meyer, Julie Chalifoux (Alternate), Allyn Miller (Alternate), Ethan Stearns (Alternate)

Members Absent: Keith LaPorte

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

I. CALL TO ORDER

- a. The meeting was called to order by J. Jahoda at 7:00 p.m. A. Miller was made a voting member.

Motion made by F. Malozzi to add PZ-21-32 to the agenda as item c. under New Business. Motion seconded by W. Budney. Motion carried unanimously.

II. NEW BUSINESS

- a. PZ-21-31: Linda Smith, 99 Camp Mooween Road, Assessors Map 279, Lot 27. Home Occupation permit for cottage food license (no retail) per Zoning Sec. 7.5a.

L. Smith presented. She is planning to prepare fudge, chocolates, cake, and cookies for sale at Craft Fairs, etc. Will not have retail sales out of her home and will not have signage installed. P. Chester told the Board that he and Ms. Smith spoke to UNCAS health about what requirements need to be met and that she will need to obtain approval from the Department of Consumer Protection.

Motion made by A. Miller to approve PZ-21-31 with the following limitations: no retail sales, and no signs to be installed on the property. Motion seconded by W. Budney. Motion carried unanimously.

- b. Pre-Application Review: Julie and Richard Chalifoux, Lost Oak Vineyards LLC, 78 Bender Road, Assessors Map 208, Lot 61. Wine production.

J. Chalifoux recused herself as a Commission member for this item.

It was the consensus of the Commission that P. Chester could sign off on the State and Federal farm winery forms after issuing a Home Occupation permit with the caveat that no wine tasting or sales be permitted on the property – just the production of wine.

- c. PZ-21-32: Michael Donofrio, 417 Waterman Road, Assessors Map 262, Lot 11.001. Home occupation permit for internet firearm sales per Zoning Sec 7.5a. to operate Monday through Friday 10:00 am to 6:00 pm and Saturdays and Sundays 10:00 am to 6:00 pm. No outdoor activities, signage, or customers will come to the address.

M. Donofrio presented and said that all sales will be done online, with UPS, FedEx, and USPS used for shipping, and that no customers will come to the house. A. Miller asked if ammunition would be stored and if so, would it be secured and would the Fire department be made aware. M. Donofrio said that he is not considering that now, but if it were to be done later all rules would be followed.

Motion made by F. Malozzi to approve PZ-21-32 with the stipulation that there would be no outdoor activities, signage or customers coming to the property. Motion was seconded by A. Miller. Motion carried unanimously.

P. Chester said he would notify the Fire Department of this use.

III. OLD BUSINESS

IV. MEETING MINUTES

- a. September 20, 2021

Motion made by F. Malozzi to approve the minutes of the September 20, 2021 meeting. Motion was seconded by A. Miller. Motion carried unanimously.

V. REGULATION REVIEW SUBCOMMITTEE REPORT

Subcommittee Chair T. Meyer said that the Subcommittee has met several times since the summer and have reviewed at least 10 items and have several more to go. He explained that it is time consuming as there is much to consider. Currently there are several items that the Subcommittee wants clarification on:

- Gravel Driveways. Does the Commission consider them impervious surfaces? This is being discussed as at the lakes only allows 20% of the property to be covered with impervious surfaces. With the lots typically small this makes a difference as to what the homeowner is allowed to do. T. Benoit does not believe gravel driveways can be considered in the same category as bituminous driveways or pavers. There was much discussion on this item, and it will be taken up again later.
- Subdivision Regulations. Does the Commission want the town engineer to review the Subdivision Regulations? The Commission believes this would be a good idea.
- Cannabis Sales. Legal counsel has been consulted and questions remain. Further discussion and investigation are required.
- Airbnb Regulations. Legal counsel has been consulted. At this time Lebanon is silent to it and therefore it is prohibited.
- Allowance of camp or RV parks. At a previous meeting there was discussion about allowing it in the RA or Agricultural Tourist Village District zones. There was discussion about limiting stays and sites. The Commission requested the Subcommittee come back to them with suggestions.

VI. TOWN PLANNER REPORT

- a. Green Store will soon be open with new owners and called the Market on the Green.
- b. Summer Farmers Market ended last weekend and was a successful season. The Winter Market will occur on November 20th and December 18th at the Senior Center.
- c. Discussions have occurred with Mitlitsky Eggs about their interest in future expansion. P. Chester will recommend that the owner come before the Commission.
- d. The Selectman are planning to replace the current Christmas Tree in front of the Jonathan Trumbull Library with a Norway Spruce to the rear of the Library on the Green. A site plan was distributed and reviewed. J. Jahoda suggested that a Norway Spruce is not a traditional Christmas Tree or a native species. K. Cwikla indicated that the Norway Spruce was chosen as this is what is being replaced. He will forward the suggestion to the Tree Committee. A. Miller noted that the proposed location is very close to the proposed septic system. T. Meyer suggested that the proposed tree location would impact the view from the library. It was the consensus of the Commission that a wide-open view from the Library to the Green should be maintained and that a revised plan should be submit for site plan approval showing the type of tree and measurements from the tree to the leach field and septic system.
- e. New two-family house being considered on East Hebron Turnpike.
- f. Currently there eight (8) farmland preservation projects being pursued in town.
- g. Discussion of possible 2022 Commission regular meeting dates.

Motion made by T. Meyers to approve the proposed 2022 Commission meeting schedule. Motion seconded by W. Budney and unanimously approved.

VII. EXECUTIVE SESSION – None.

VIII. ADJOURNMENT

Motion made by T. Meyer to adjourn the meeting at 8:37 pm. Motion seconded by F. Malozzi and unanimously carried.

Respectfully submitted,
Cathe McCall