

Town of Lebanon
PLANNING AND ZONING COMMISSION
Regular Meeting
May 20, 2019, 7:00 p.m.
Lebanon Town Hall, 579 Exeter Road

Members Present: Chair James Jahoda, Keith LaPorte, Wayne Budney, Robin Chesmer, Francis Malozzi, Tom Meyer, and Thomas J. Benoit (Alternate), Ethan Stearns (Alternate), Allyn Miller (Alternate)

Members Absent: Secretary Kathleen Smith

Others Present: Town Planner Philip Chester, Scot Bailey, Heidi Bailey, Paul Leduc, First Selectman Betsy Petrie, Attorney Edward O'Connell, Attorney Rachael Gaudio, Melissa Hofmann, Steve Salisbury, Brian Harvard, Todd Silber, and Recording Secretary Linda McDonald

I. Call to order: The meeting was called to order at 7:00 p.m. by J. Jahoda. T. Benoit was seated as a voting member. Agenda item IV. Executive Session was moved following agenda item II.b.

II. **NEW BUSINESS:**

a. Zoning Section 4.4.b Design Review Application: Scot and Heidi Bailey, 59 West Town Street, Assessors map 235, lot 19 for a new 24' x 30' garage and window replacement:

P. Chester said the Village Green District Design Review Board walked the site on May 10th and recommend approval of the application as submitted.

R. Chesmer MOVED to approve the Design Review Application: Scot and Heidi Bailey, 59 West Town Street, Assessors Map 235, Lot 19 for a new 24' x 30' garage and window replacement. K. LaPorte SECONDED. MOTION CARRIED 7:0:0.

b. PZ-19-7914: Paul Leduc, 673 Exeter Road, Assessors Map 246, Lot 69 for a home occupation application per Zoning Section 7.5.a to build firearms:

P. Leduc explained he plans to build long distance target firearms on a custom order basis for competitive shooting events. He said there will be no retail sales, manufacturing of parts on the premises, or signs or advertising installed or visible from the road. As required by Federal law, he will be applying for an FFL 07 "Manufacturer of Firearms other than Destructive Devices". The business will be in the basement of the existing house.

F. Malozzi MOVED to approve PZ-19-7914, application of Paul Leduc, 673 Exeter Road, Assessors map 246, lot 69 for a home occupation application per Zoning Section 7.5.a to build firearms. W. Budney SECONDED. MOTION CARRIED 7:0:0.

Addition of agenda item: W. Budney and A. Miller recused themselves from discussion on this application. E. Stearns was appointed as a voting member. K. LaPorte MOVED to add agenda item II.e: Application for Temporary Use Permit, Lebanon Lion's Club fairgrounds, Mack Road, for CT Renaissance Faire. E. Stearns SECONDED. MOTION CARRIED 7:0:0.

e. Application for Temporary Use Permit, Lebanon Lion's Club fairgrounds, Mack Road, for CT Renaissance Faire:

Brian Harvard, representing Stone Circle, 122 Mack Road, CT Renaissance Faire addressed the board about plans for this year's event to be held from August 31- October 14 on weekends. He said he expects a 10% growth in size of the event this year. There will be musical performers again this year as well as two days of extended hours to 9:00 p.m.: Saturday, September 28, 2019 and Saturday, October 12, 2019.

Todd Silber asked if the Commission would give a reprieve from the need for two troopers on site during the event. J. Jahoda responded this decision would be up to the State Trooper.

B. Harvard confirmed there would be quiet time observed starting at 11:00 p.m. for employees that stay on-site after each event and would be strictly enforced.

F. Malozzi MOVED to approve Temporary Use Permit, Lebanon Lion's Club fairgrounds, Mack Road, for CT Renaissance Faire with the following conditions:

- 1. No excessive noise or music after 11:00 p.m.**
- 2. Hours of operation when the public may visit the site fairgrounds will be weekends (Saturdays and Sundays) from August 31, 2019 through October 13, 2019; Monday, September 2, 2019 and Monday, October 12, 2019, 10:00 a.m. through 6:00 p.m.; Saturday, September 28, 2019 and October 12, 2019 from 10:00 a.m. through 9:00 p.m.**
- 3. Up to (3) three offsite signs shall be permitted with permission of the owner of the land which it is located or in front of, in accordance with Zoning Section 8.5.a.2.**
- 4. Individual food and health vending and building applications shall be submitted and approved by the Fire Marshal, the Building Official, and the Uncas Health District as applicable prior to operation.**
- 5. Emergency service needs for crimes alleged or otherwise. An ambulance assistance shall be reported immediately to the Connecticut State Police at 911.**
- 6. Outdoor lighting shall not be visible, nor any noise heard beyond the property boundary outside the hours of the fair when it is open to the public.**
- 7. Fireworks are prohibited.**
- 8. Fires are permitted per Fire Marshal approval with the exception of bonfires, which are prohibited.**
- 9. A member of the Lions Club shall visit the site during the duration of this permit when the property is open to the public and report any compliance issues to the Town.**
- 10. Two (2) State or Lebanon Police Officers will be on site during hours of operation or as recommended by the Resident State Trooper.**
- 11. Saturday, October 12, 2019 is the scheduled Halloween Extravaganza event.**

T. Meyer SECONDED. MOTION CARRIED 7:0:0.

Addition of agenda item: K. LaPorte MOVED to add agenda item II.f – Application for Temporary Use Permit, Steve Salisbury, Lebanon Lions Club, Mack Road for Murdercycles event on July 5, 6, and 7, 2019. F. Malozzi SECONDED. MOTION CARRIED 7:0:0.

- f. Lebanon Lions Club (owner), David Vertefeuille (applicant), 122 Mack Road, Assessors Map 236, Lot 57. Request for Temporary Use permit for July 5-7, 2019 Murdercycle event per Zoning Sec. 7.1.

B. Petrie commented police coverage will have to come from the State barracks, as this is the same weekend as Summerfest.

F. Malozzi MOVED to table discussion on this application to a special meeting on May 28, 2019 at 7:00 p.m. with the applicant present. T. Meyer SECONDED. MOTION CARRIED 7:0:0.

A. Miller and W. Budney re-joined the meeting table. W. Budney was re-seated as a voting member.

c. CGS Section 8-24 Report: 150' x 225' Multi-Use Field at Aspinall Recreation Complex, Exeter Road, Assessors map 235, lot 67:

P. Chester amended the application from a soccer field to multi-purpose recreation field and said this is a municipal improvement to Town land which is recommended in the POCD. The plan has been approved by the Inland Wetlands Commission, and he was informed that the Soccer Club may be paying for fencing.

K. LaPorte MOVED to issue a favorable CGS Section 8-24 Report for a 150' x 225' Multi-Use Field at Aspinall Recreation Complex, Exeter Road, Assessors Map 235, Lot 67. R. Chesmer SECONDED. MOTION CARRIED 7:0:0.

d. CGS Section 8-24 Report: DPW salt storage facility at Transfer Station, Assessors Map 234, Lot 25:

The Department of Energy and Environmental Protection (DEEP) has said the Town is not in compliance and needs a covered salt storage facility. The Selectmen are considering looking at either the current DPW facility or the Transfer Station and are looking for Commission input. The facility would be a hoop house.

It was the consensus of the Commission that the facility should be located at the Transfer Station as they did not want to see it at the current facility. The application was withdrawn by First Selectman B. Petrie as the exact location of the facility has not yet been determined.

K. LaPorte reported on the excessive number of advertising signs attached to telephone poles on Town roads and said it is the duty of the Tree Warden, per State statute, to "remove or cause to be removed all illegally erected signs or advertisements, place upon poles, trees, or other objects within any public road or place under his jurisdiction."

K. LaPorte MOVED that the PZC Chairman draft a letter to the Tree Warden to act on removing signage attached to poles and trees on public roads. W. Budney SECONDED. MOTION CARRIED 7:0:0.

III. OLD BUSINESS: None

IV. EXECUTIVE SESSION:

a. Enforcement Action, Mitlitsky Eggs LLC, 74 Card Street:

Members entered Executive Session at 7:10 p.m., inviting Town Planner Philip Chester, First Selectman Betsy Petrie, and Attorney Edward O'Connell and Attorney Rachael Gaudio from the law firm of Waller, Smith and Palmer.

Executive Session concluded at 8:07 p.m. with no action taken.

V. **MINUTES**

- a. Approval of April 15, 2019 Regular Meeting Minutes: F. Malozzi MOVED to approve the April 15, 2019 regular meeting minutes as presented. W. Budney SECONDED. MOTION CARRIED 5:0:2 with J. Jahoda and K. LaPorte abstaining.

VI. **2020 PLAN OF CONSERVATION AND DEVELOPMENT (POCD)**

- a. Open Space Subcommittee Update: P. Chester reported the subcommittee has met twice to discuss new farmer initiatives to provide opportunities for farmers looking to own small (10+/- acre) farms for vegetables.
- b. Natural Resources Subcommittee Update: The Conservation Commission will review the natural resources section of the POCD and come to a future meeting to give full report by the end of the year.
- c. Resident Survey Update: P. Chester distributed copies of the data survey results from the Siena College telephone survey.
- d. Status of 2010 POCD Recommendations: P. Chester said the commission should determine if 2010 POCD recommendations will be included with the 2020 POCD recommendations. Discussion on this will be added to the May 28, 2019 special meeting agenda.
- e. Project Timeline: P. Chester said a POCD draft is needed by July 2020 to be sent to the Board of Selectmen, and that the Commission should meet with departments and boards over the winter (January 2020) to gain their input.

VII. **TOWN PLANNERS REPORT**

- Copies of "Planning Healthy Rural Communities: A Comprehensive Plan Assessment Tool" by Lisa Charron were distributed.
- The Department of Agriculture census results should be available in June
- A resident living across the street from Lebanon Green winery expressed concern about excess signage. P. Chester said he reviewed the application approval and conditions for the winery and said the signage is within what was approved. Hearing comment from the commission, P. Chester will investigate compliance with plantings on the site.
- P. Chester will attend the CT Resource Conservation and Development Rural Lands conference in Columbia on June 13. Members were invited to attend.
- The Ag. Science Department is looking to place a Christmas tree farm below the Middle School.
- Berkshire Bank has applied to reface bank signage. P. Chester will bring the plan to the Village Business District Design Review Board for comment.

VIII. **CORRESPONDENCE:** CT Federation of Planning and Zoning Agencies – spring 2019.

IX. **ADJOURNMENT:** K. LaPorte MOVED to adjourn the meeting at 9:25 p.m. W. Budney SECONDED. MOTION CARRIED 7:0:0.

Respectfully submitted by Linda H. McDonald

Linda H. McDonald

Please see minutes of subsequent meetings for the approval of these minutes and any corrections hereto.