

Town of Lebanon
PLANNING AND ZONING COMMISSION
Regular Meeting & Public Hearings
August 20, 2018, 7:00 p.m.
Lebanon Town Hall, 579 Exeter Road

Members Present: Chair James Jahoda, Secretary Kathleen Smith Wayne Budney, Robin Chesmer, Keith LaPorte, Francis Malozzi, Thomas J. Benoit (Alternate) and Ethan Stearns (Alternate)

Members Absent: Tom Meyer and Allyn Miller (Alternate)

Others Present: Town Planner Philip Chester, Brandon Handfield, PE, Civil Engineer (Yantic River Consultants), Mark Reynolds PE (Reynolds Engineering Services LLC), Tricia Headwall, David Gesiak, Seth Cody and Recording Secretary Linda McDonald

- I. The meeting was called to order at 7:00 p.m. by J. Jahoda. Alternate E. Stearns was seated as a voting member.
- II. Public Hearing
 - a. PZ-18-7170 (continued from 7/16/18): SCM Holdings LLC, owner, 216 Norwich Avenue, Assessors Map 275, Lot 40 for a request for a special permit for a contractor's office and storage of equipment and materials per Zoning Regulation Section 4.7.b.:

The following documents were entered into the record:

- Correspondence from Brandon Handfield, PE, Civil Engineer, Yantic River Consultants LLC to Philip Chester, Town Planner dated August 20, 2018
- Revised plan set entitled "Site Plan Development, 216 Norwich Avenue, Lebanon, CT 06249", prepared for SCM Holdings LLC, by Reynolds Engineering Services, LLC, dated 12/5/17 as revised through 8/14/18, sheets 1 through 3.
- Drainage Report summary dated 8/15/18 prepared by Reynolds Engineering Services, LLC with supporting figures and calculations.
- Correspondence from David Coughlin, R.S., Environmental Sanitarian to Philip Chester, Town Planner regarding Gesiak Property, 216 Norwich Avenue dated August 20, 2018.

M. Reynolds, PE, representing the applicant, responded to calculation questions from the Town Engineer relative to drainage at the property and addressed the changes made to the site plan. The revised site plan has been reviewed by the CT Department of Transportation (DOT) and the Uncas Health District Sanitarian. Questions followed from the commission members regarding the salt storage area.

M. Reynolds clarified a statement he made at the July meeting that, although there would be no subletting of space for equipment and no recreational vehicles or boats stored on the property, the owner may wish to store his personal vehicle/boat.

M. Reynolds stated the site plan will be amended to show plantings of 3-foot high white pines and hours of operation will be 6:00 a.m. through 6:00 p.m. Monday-Saturday, with occasional additional hours during inclement winter storm events.

Tricia Headwall of 363 Randall Road, abutter to the property, stated she is here to listen to the discussion.

F. Malozzi MOVED to close the public hearing for PZ-18-7170: SCM Holdings LLC, owner, 216 Norwich Avenue, Assessors Map 275, lot 40 for a request for a special permit for a contractor's office and storage of equipment and materials per Zoning Regulation Section 4.7.b. K. Smith SECONDED.

MOTION CARRIED 7:0:0.

III. New Business:

- a. PZ-18-7305: Scott Hoyt, owner, 222 Bascom Road, Assessors Map 239, lot 71 for a request for site plan modification for accessory living unit per Zoning Regulation Section 8.2:

P. Chester said this site plan modification was reviewed favorably by the Health Department. He said the plan shows an accessory living unit in an existing basement of a house and he has no objection to approval. The unit will be integrated into the house (not detached) and be heated. The commission members reviewed the plan.

F. Malozzi MOVED to approve the site plan modification application for PZ-18-7305: Scott Hoyt, owner, 222 Bascom Road, Assessors Map 239, lot 71 for accessory living unit per Zoning Regulation Section 8.2. with the condition that the building has the appropriate windows per building code specifications. K. Smith SECONDED.

MOTION CARRIED 7:0:0.

b. Other New Business:

Seth Cody addressed the Commission and explained he is in the process of purchasing a three-acre lot at 412 Norwich Avenue in the industrial zone and includes a three-thousand square foot cinderblock building. He explained he owns an existing swimming pool company that constructs, repairs and services swimming pools offsite (no retail store) operating out of 22 Reservoir Road in Lebanon. His proposal is to use the site at 412 Norwich Avenue to store supplies, tools, parts, and equipment for his business and to house three company vehicles and trailer.

Plans of the proposed use were distributed to the members, which includes clearing some topsoil and placing gravel, two vinyl garages and two metal storage containers.

P. Chester commented that Mr. Cody has applied for wetlands approval.

The consensus of the Commission is that this is not a change of use and to have staff work with applicant for compliance and approval. P. Chester said he will require that the existing vegetation along the road be maintained or replaced as needed as a condition of approval.

IV. Old Business:

Discuss and act upon public hearing item:

a. PZ-18-7170 (continued from 7/16/18): SCM Holdings LLC, owner, 216 Norwich Avenue, Assessors Map 275, Lot 40 for a request for a special permit for a contractor's office and storage of equipment and materials per Zoning Regulation Section 4.7.b.:

Commission discussion followed on the request of the applicant to waive the submission of a lighting plan under Zoning Sec. 7.9a, with the Commission in agreement to require the plan.

*W. Bundy MOVED to **approve** the special permit application PZ-18-7170 of SCM Holdings LLC, owner, 216 Norwich Avenue, Assessors Map 275, Lot 40 for a contractor's office and storage of equipment and materials per Zoning Regulation Section 4.7.b. **with the following conditions**:*

1. Soil testing shall be conducted by a third-party testing laboratory within the limits of the proposed detention basins to determine hydraulic conductivity and confirm values used in calculations provided prior to issuance of Zoning Permit.

2. A lighting plan shall be provided in conformance with Zoning Sec. 7.9.a. prior to issuance of a Zoning Permit.

3. Site plans shall be amended to show that:

a. Only storage of mulch is permitted in storage bin adjacent to detention basin embankment and additional erosion and sedimentation control measures will be installed around mulch stockpile to prevent migration into basin.

b. CT DOT #8 stone shall be used in the basin drain.

c. The site plan and details shall be revised to show a second stage-discharge consisting of a 12" x 6" high orifice and the lowering the basin top by 12" to match the calculations.

d. Additional measures are taken during construction to ensure that the existing soils within the limits of the detention basins are not compromised.

e. White pines shall be a minimum of three (3) feet in height.

4. Hours of operation shall be 6am-6pm Monday-Saturday, with additional hours during inclement winter weather events.

5. A foundation as-built survey shall be required as part of the Zoning Permit and shall be submitted and approved prior to erection of the building.

F. Malozzi SECONDED.

MOTION CARRIED 7:0:0.

V. Regulation Review Subcommittee Report:

The Commission continued discussion on proposed regulations to preserve and showcase agriculture in Lebanon by creating a new Agricultural Tourist Village (ATV) Zone for properties 30 acres or more.

P. Chester said the proposed regulation was reviewed by town counsel and indicated additional recommendations from counsel. Lengthy discussion followed including whether forested land is

considered an agricultural use within the proposed district eligibility in the ATV zone requirements in the regulation. Consensus of the Commission was to change the acronym (ATV) for the Agricultural Tourist Village zone to AgTV.

The Commission also reviewed fifteen (15) additional proposed Zoning Regulation text amendments.

P. Chester said, if the proposed zoning text amendments were accepted at this meeting, the earliest date for a public hearing would be October 15, 2018. He also noted that should the Commission adopt the AgTV the PZC Land Use Fee Ordinance would need to be amended.

*Kathleen Smith MOVED to accept application **PZ-18-7323** - Lebanon Planning and Zoning Commission for proposed text amendments to Zoning Regulation Sections 2.2, 4.1, 4.2, 4.3, 6.1, 7.6, 7.7, 7.9, 8.10, and Appendix 1, and to adopt new Section 4.12 Agriculture Tourist Village District Zone and to set a public hearing for October 15, 2018 at 7:00 p.m. K. LaPorte SECONDED.*

MOTION CARRIED 7:0:0.

- VI. Town Planner's Report: New greenhouse at Middle School coming along nicely. A grant from the Dept. of Ag. paid for the structure. Summer Farmers Market still in full swing. Four (4) Winter Market dates have been selected. State Property Review Board visited Wolf Farm. Town will commence with farmland preservation survey. Working with Recreation Commission on updating their five (5) year strategic plan.

- VII. Approval of Minutes:

- a. Approval of July 16, 2018 regular meeting minutes:

K. LaPorte MOVED to approve the July 16, 2018 regular meeting minutes as presented. W. Budney SECONDED.

MOTION CARRIED 5:0:2 with J. Jahoda and K. Smith abstaining.

- VIII. Correspondence: CT Federation of Planning and Zoning Agencies Quarterly Newsletter – Summer 2018.

- IX. Adjournment:

F. Malozzi MOVED to adjourn the meeting at 10:18 p.m. W. Budney SECONDED.

MOTION CARRIED 7:0:0.

Respectfully submitted by Linda H. McDonald

Linda H. McDonald

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