

Town of Lebanon
PLANNING AND ZONING COMMISSION
Regular Meeting & Public Hearings
July 16, 2018, 7:00 p.m.
Lebanon Town Hall, 579 Exeter Road

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

Members Absent: Chair James Jahoda and Secretary Kathleen Smith

Others Present: Town Planner Philip Chester, Recording Secretary Linda McDonald, Mark Reynolds (Reynolds Engineering Services LLC), Robert D'Eliseo, and Tricia Headwall

I. The meeting was called to order at 7:00 p.m. by R. Chesmer. Alternates E. Stearns and A. Miller were seated as voting members. R. Chesmer welcomed T. Benoit as a new Alternate member.

II. Public Hearings

a. Continue (from 6/18/18) Public Hearing for PZ-18-7040: Lebanon Properties LLC (owner), Robert D'Eliseo (applicant), 383 Trumbull Highway, Assessors Map 228, Lot 30 for a request for a special permit for restaurant outdoor seating area and improvements to driveway entrance, parking lot and outdoor lighting per Zoning Regulations Section 4.8.b.18:

T. Benoit recused himself from the discussion on this public hearing and left the meeting table.

The following items were entered into the record:

1. Revised Statement of Use dated July 11, 2018 from Reynolds Engineering Services LLC to Robert D'Eliseo.
2. Revised Plans Sheets 1 through 4 and Lighting Plan revised through July 16, 2018, prepared for BGR Group LLC by Reynolds Engineering Services LLC, Lebanon, CT.

M. Reynolds presented the changes made to the plans. As per recommendation of the Town Engineer, the proposed island strip in the parking lot will now have a widening taper to keep aisle width consistent; ADA compliant sidewalk and ramp has been added; and lighting has been revised to comply with Commission standards.

P. Chester reviewed his letter to the Commission dated 7/12/18 recommending six (6) conditions of approval – all of which M. Reynolds stated the applicant accepted.

M. Reynolds responded to questions from the members on the revisions to the plan.

There was no public comment on this application.

K. LaPorte MOVED to **close** the Public Hearing for PZ-18-7040: Lebanon Properties LLC (owner), Robert D'Eliseo (applicant), 383 Trumbull Highway, Assessors Map 228, lot 30 for a request for a special permit for restaurant outdoor seating area and improvements to driveway entrance, parking lot and outdoor lighting per Zoning Regulations Section 4.8.b.18. W. Budney SECONDED. MOTION CARRIED 7:0:0.

b. 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.:

T. Benoit returned to the discussion.

M. Reynolds spoke representing the applicant and submitted into the record correspondence dated 7/16/18 from SCM Holdings LLC requesting an extension of the public hearing to the August 20, 2018 meeting to allow time to work out calculation questions from the Town Engineer relative to drainage.

Tricia Headwall of 363 Randall Road, abutter to the property, asked if the proposed spotlights would remain on continuously or be motion sensor or timed. She said she has concern with the amount and type of proposed equipment storage for two buildings.

M. Reynolds responded to her concerns. He explained, since the building with the spotlights will be turned 90 degrees, the proposed lighting will now face the street. He said the applicant will comply with all DEEP standards for the salt building and no petroleum products will be stored on site. M. Reynolds said the Statement of Use is specific as to what types of vehicles can be stored on the property. He said there can be no sub-letting of spaces for equipment and no recreational vehicles or boats stored as well.

M. Reynolds said he would address the issue of run-off from cleaning trucks on site in the revised statement of use.

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. was **continued** to August 20, 2018.

III. New Business: There was no new business.

IV. Old Business

Discuss and act upon public hearing items:

a. PZ-18-7040: Lebanon Properties LLC (owner), Robert D'Eliseo (applicant), 383 Trumbull Highway, Assessors Map 228, lot 30 for a request for a special permit for restaurant outdoor seating area and improvements to driveway entrance, parking lot and outdoor lighting per Zoning Regulations Section 4.8.b.18:

Commission discussion followed. Members commented on receiving no negative comments from the public and the reasonable hours of operation for the outdoor seating area.

K. LaPorte MOVED to **approve** the special permit application of Lebanon Properties LLC (owner), Robert D'Eliseo (applicant), 383 Trumbull Highway, Assessors Map 228, lot 30 for restaurant outdoor seating area and improvements to driveway entrance, parking lot and outdoor lighting **with the following six conditions:**

1. Outdoor seating area hours of operation shall be limited to 11:00 a.m. to 9:00 p.m. Sunday through Thursday and 11:00 a.m. to 10:00 p.m. Friday and Saturday.

2. A minimum 10" x 8" sign shall be posted inside adjacent to the door leading to the outdoor seating area to read:

Outdoor Seating Area Closes
9:00 p.m. Sunday – Thursday
10:00 p.m. Friday - Saturday

3. A landscaped buffer shall be maintained between the outdoor seating area and Tobacco Street which produces a partial year-round screening effect from the road and abutting residential zoning district to consist of planted materials.
4. No live or recorded music shall be played outside of restaurant or at outdoor seating area.
5. Sound systems used for indoor events shall comply with CT DEEP noise standards with regard to maximum decibel output or 55 dbA daytime/45 dbA night time measured at least one (1) foot beyond the property line of the property on which the emitter is located.
6. Recommendations identified in 7/11/18 letter from Brandon Handfield, P.E. of Yantic River Consultants, Lebanon, CT.

F. Malozzi SECONDED. MOTION CARRIED 7:0:0.

b. 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. with the following conditions:

There was no action on this agenda item as the public hearing for this application has been continued to August 20, 2018.

V. Regulation Review Subcommittee Report:

T. Meyer explained one intent in the proposed regulations is to preserve and showcase agriculture in Lebanon by creating a new Agricultural Tourist Village (ATV) Zone for properties 30 acres or more. This new zone would require approval of a design review board.

Another major regulation change would modify the existing RA zone to allow breweries and farm distilleries that still must meet the requirements of the ATV Zone except no change in zone would be needed.

Commission discussion and review followed on the proposed district eligibility requirements to change a property to the ATV Zone designation. Any buildings devoted to agricultural use would be excluded from these requirements.

Some minor revisions were made by the members during extensive discussion on several other zoning regulation amendments proposed by the Subcommittee. The members thanked the Subcommittee for their hard work.

F. Malozzi MOVED to accept the draft report of the Regulation Review Subcommittee with minor revisions made at the meeting and to authorize the Town Planner to send the draft

regulation changes to Town Counsel for review. W. Budney SECONDED. MOTION CARRIED 7:0:0. P. Chester said he would ask counsel if the zoning map would need to be amended to include the proposed ATV zone.

VI. Town Planner's Report:

- The Farmers Market is in its 8th week with local omelet samples this Saturday.
- Development at Amston Lake is rigorous with house replacements, additions, and a new home under construction.
- Met today with CT Green Burial Association along with Cemetery Commission members K. LaPorte and T. Meyer. The Association wants to establish a state-wide Green Burial site.
- Met with Amy Himmelstein and offered assistance regarding the State purchasing her land that abuts Bartlett Brook WMA.
- The Town is commencing with a survey of the Wolf Property for farmland preservation purposes.
- Met with Geer family and DOAG to review State offer to purchase development rights.
- The Town is finalizing the Charles & Ron Bender easement for USDA. Closing should take place this year.
- Scott and Cathy McCall are reviewing their property easement.
- July 14th Murdercycle event did not have beer sales.

VII. Approval of Minutes

a. Approval of June 18, 2018 regular meeting minutes: T. Meyer MOVED to approve the June 18, 2018 regular meeting minutes as presented. E. Stearns SECONDED. MOTION CARRIED 4:0:3 with K. LaPorte, A. Miller and F. Malozzi abstaining.

VIII. Correspondence: P. Chester received the agenda for the SECCOG Regional Planning Commission quarterly meeting scheduled for July 23, 2018 at 7:00 p.m.

IX. Adjournment: F. Malozzi MOVED to adjourn the meeting at 9:20 p.m. A. Miller 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.