

Town of Lebanon
PLANNING AND ZONING COMMISSION
Regular Meeting & Public Hearing
Lebanon Town Hall, 579 Exeter Road
Monday, June 18, 2018 – 7:00 PM

MINUTES

Members Present: James Jahoda, Chair
Kathleen Smith, Secretary
Wayne Budney
Robin Chesmer
Tom Meyer
Ethan Stearns, Alternate

Members Absent: Keith LaPorte
Francis Malozzi
Allyn Miller, Alternate

Also Present: Philip Chester, Town Planner
Holli Pianka, Land Use Secretary

I. The meeting was called to order at 7:00 p.m. by Mr. Jahoda. Mr. Stearns was seated as voting member.

II. Appointment of Alternate PZC Member

Mr. Chesmer made a motion, seconded by Ms. Smith, to approve appointment of Thomas J. Benoit to fill the alternate vacancy position for the Planning and Zoning Commission. Vote: In favor: (6) Jahoda, Smith, Budney, Chesmer, Meyer, Stearns Opposed: (0) Abstained: (0) Motion approved.

III. Reappointment of the Village Business District Design Review Committee Members

Mr. Chesmer made a motion, seconded by Ms. Smith, to approve re-appointment of the Village Business District Design Review Committee members Dr. Steven Zickman and Ellen McCauley for 3-year terms. Vote: In favor: (6) Jahoda, Smith, Budney, Chesmer, Meyer, Stearns. Opposed: (0) Abstained: (0) Motion approved.

IV. Public Hearing:

- a. **PZ-18-7040:** Lebanon Properties LLC (owner), Robert D’Eliseo (applicant) 383 Trumbull Highway, Assessors Map 228, Lot 30. Request Special Permit for restaurant outdoor seating area and improvements to driveway entrance, parking lot and outdoor lighting per Zoning Sec. 4.8.b.18.

The following items have been entered into the record:

- 1) Three-page application.
- 2) Legal notice.
- 3) Abutters list and map 228, Lot 30.
- 4) Certified mail receipts & return receipt cards.
- 5) Site plan dated 4/26/18, prepared by Reynolds Engineering Services LLC.

- 6) Lighting plan dated 4/26/18, prepared by Reynolds Engineering Services LLC.
- 7) Statement of use letter dated 4/26/18 from Reynolds Engineering to Robert D'Eliseo.
- 8) Plan review comments letter dated 1/19/18, from State of Connecticut, Department of Transportation to Mark Reynolds.
- 9) Plan review comments letter dated 5/15/18, from State of Connecticut, Department of Transportation to Mark Reynolds.
- 10) Copy of approved variance effective 10/12/17.
- 11) Drainage statement letter dated 4/26/18 from Reynolds Engineering to Robert D'Eliseo.
- 12) Two-page sign plan.
- 13) Plan review comments memo, dated 8/8/18, from Uncas Health District
- 14) Plan review comments letter, dated 6/11/18, from Yantic River Consultants
- 15) Plan review comments memo, dated 6/18/18, from Lebanon Fire Marshal

Mark Reynolds, Reynolds Engineering Services, LLC, reviewed the plan. Also present was Robert D'Eliseo, property owner. A variance of the setbacks has been approved by the Zoning Board of Appeals. The outdoor seating area will be accessed either through the lounge or through the sidewalk that wraps around the building. The seating capacity is 44 seats. He reviewed the proposed modifications of the driveway entrance, parking lot, lighting and sign. Plan review letters of approval were received from the Fire Marshal's Office and the Uncas Health District. No live or recorded music will be played in the outdoor seating area. Food and beverages will be served in the outdoor seating area. Proposed hours of operation of the outdoor seating area will be Monday through Thursday 12:00 p.m. to 9:00 p.m., Friday 12:00 p.m. to 10:00 p.m., Saturday 11:00 a.m. to 10:00 p.m. and Sunday 11:00 a.m. to 9:00 p.m.

Based on comments received by Town Engineer Brandon Handfield (Yantic River Consultants), Mr. Reynolds will submit a final set of plans for the July 16, 2018 meeting and requested that the public hearing be continued. There were no comments from the audience, either in favor or against the application.

Ms. Smith made a motion, seconded by Mr. Budney, to continue the public hearing for application PZ-18-7040 to the July 16, 2018 meeting. Vote: In favor: (6) Jahoda, Smith, Budney, Chesmer, Meyer, Stearns Opposed: (0) Abstained: (0) Motion approved.

V. Old Business: Discuss and act on public hearing items:

- a. **PZ-18-6906:** SCM Holdings LLC, 216 Norwich Avenue, Assessors Map 275, Lot 40. Request Special Permit for contractor's office and storage of equipment and materials per Zoning Sec. 4.7.b. *(continued from 5/21/18)*

The Commission received a written statement withdrawing the application from owner Mr. Gesiak, dated 6/18/18.

- b. **PZ-18-7040:** Lebanon Properties LLC (owner), Robert D'Eliseo (applicant) 383 Trumbull Highway, Assessors Map 228, Lot 30. Request Special Permit for restaurant outdoor seating area and improvements to driveway entrance, parking lot and outdoor lighting per Zoning Sec. 4.8.b.18.

The public hearing was opened earlier this evening and continued to the next regular meeting, Monday, July 16, 2018, 7:00 p.m.

VI. New Business:

- a. **PZ-18-7170:** SCM Holdings LLC, owner, 216 Norwich Avenue, Assessors Map 275, Lot 40. Request Special Permit for contractor's office and storage of equipment and materials per Zoning Sec. 4.7b.

Mr. Meyer made a motion, seconded by Ms. Smith, to add application PZ-18-7170 under New Business, accept the application and set a public hearing date for July 16, 2018, 7:00 p.m. Vote: In favor: (6) Jahoda, Smith, Budney, Chesmer, Meyer, Stearns Opposed: (0) Abstained: (0) Motion approved.

VII. Regulation Review Subcommittee Report

Subcommittee Chair Mr. Meyer distributed draft proposed zoning regulations to be discussed at the next Commission meeting. The proposal calls for establishment of an Agricultural Tourist Village District zone with design and noise controls to allow agritourism and event venues, and farm winery, brewery and distillery regulations.

VIII. Town Planner's Report:

Debbie and Gary Martin, 605 Exeter Road, abutters of Lebanon Green Vineyard were present to discuss excessive noise and expanded hours of operation regarding use of the wine garden on June 9, 2018. Mr. Chester noted that he had spoken with Vineyard Manager Don Joy June 11, 2018 about this issue and that Mr. Joy submitted a letter stating that he would notify the Martin's in advance of upcoming events at the wine garden and that he would assure operations concluded by 7:00 p.m. The Commission asked Mr. Chester to write a letter to the Vineyard reiterating the compliance issues and note that the Vineyard's application stated that it would provide noise mitigation and close at 7:00 p.m.

David Vertifuelle, President of Murdercycles, was present to discuss his temporary use permit to sell beer at Lions Club property July 14, 2018 and the Commission's requirement that police officers be present throughout the event. The Commission stated that this condition would stand.

IX. Approval of Minutes:

Mr. Budney made a motion, seconded by Mr. Meyer to approve the May 21, 2018 Regular Meeting Minutes as presented. Motion approved. 5-0-1 (Chesmer abstained)

X. Correspondence: None.

XI. **Ms. Smith made a motion to adjourn the meeting at 9:17 p.m., seconded by Mr. Budney. Motion approved. 6-0-0**

Respectfully Submitted,
Holli Pianka, Land Use Secretary
June 22, 2018

(Minutes are unapproved as of transcription date.)