

Town of Lebanon  
**PLANNING AND ZONING COMMISSION**

Regular Meeting & Public Hearing  
Lebanon Town Hall, 579 Exeter Road  
Monday, April 16, 2018 – 7:00 PM

**MINUTES**

Members Present: James Jahoda, Chair  
Kathleen Smith, Secretary  
Wayne Budney  
Robin Chesmer  
Keith LaPorte  
Francis Malozzi  
Tom Meyer  
Allyn Miller, Alternate  
Joyce Okonuk, Alternate  
Ethan Stearns, 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.

II. Public Hearings:

- a. **PZ-18-6906:** 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. 4.7.b (*Continued from 3/19/18*)

The following items have been entered into the record:

- 1) Three-page application.
- 2) Legal notices.
- 3) Certificate of Zoning Compliance
- 4) Abutters list and Map 275, Lot 40
- 5) Certified mail receipts (collectively)
- 6) Site plan dated 12/5/17, prepared by Reynolds Engineering Services.
- 7) Elevation plans dated 3/10/18, prepared by Creative Designs & Drafting Services.
- 8) Email dated 3/12/18, to Mr. Chester, Ms. Petrie, from Patricia & Mark Hedwall, 363 Randall Road, Lebanon, abutting property owners, stating concerns of application.
- 9) Email dated 3/19/18, to Mr. Chester, from Brandon Handfield, Yantic River Consultants, including initial plan review comments.
- 10) Photographs submitted by Patricia Hedwall, received 4/6/18.
- 11) Letter dated 4/16/18, to PZC, from David Gesiak, SCM Holdings LLC, requesting extension of the public hearing to May 21, 2018 meeting.

Mark Reynolds, Reynolds Engineering Services, LLC, was present along with David Gesiak, applicant and managing member of SCM Holdings LLC. Mr. Reynolds submitted a revised plan dated 4/16/18, showing a reduction in the overall square footage of the proposed buildings, leaving a larger buffer area, greater reduced impervious surface area, and addressing drainage and storm water runoff as indicated in the town engineer's comments. The revised plan eliminates any activity in the wetlands upland review area. Department of Transportation driveway approval is pending. Mr. Reynolds submitted a written request to extend the public hearing to the next regularly scheduled meeting.

Chairman Jahoda opened the floor to public comment:

- Patricia Hedwall, Randall Road, abutting neighbor. Inquired about the town's POCD and if any action had been taken to change the zone to residential. The Commission clarified that the subject was discussed but no changes had been made.
- Mark Hedwall, Randall Road, abutting neighbor. Seeking clarification of a special permit, for which Mr. Chester gave an explanation according to the zoning regulations. Mr. Hedwall stated concerns of hours of operation, lighting, and noise level.
- David Gesiak, applicant, gave a description of the proposed daily business operations. No fertilizers or fuel will be stored on site. There will be a small salt storage area.

The commission requests Mr. Gesiak to provide additional information, including a complete list of materials to be stored on the site as part of the operation; maximum number of employees and trucks to be stored on the site along with parking spaces provided to accommodate each; hours of operation; and, that an isodiagram or photometric plan and other outdoor lighting requirements of Zoning Sec. 7.9 be met.

**Mr. Malozzi made a motion, seconded by Mr. Budney, to continue the public hearing to the May 21, 2018 meeting. Vote: 7-0-0. Motion approved.**

Ms. Smith left the meeting at 7:23 p.m. Mr. Miller was activated as voting member.

### III. New Business:

Pre-Application Discussion: 385 Beaumont Highway, Lebanon Tap Room, Extension of hours of operation.

Mr. Malozzi recused himself and left the meeting room.

Mr. Malozzi returned to the meeting room at 8:12 p.m.

### IV. Old Business: Discuss and act on public hearing items:

- a. **PZ-18-6912:** William & Sandra Landon, Lebanon Green Vineyards, owners, 589 Exeter Road, Assessors Map 246, Lot 58. Request Special Permit for farm winery per Zoning Sec. 4.5.c.6)

**Keith LaPorte made a motion, seconded by Francis Malozzi, to approve application, PZ-18-6912 with the following conditions:**

- 1) Commission waives the lighting requirements of Zoning Sec. 7.9.**
- 2) Porto toilets shall be screened with landscaping to be opaque from neighboring residential properties.**
- 3) Permit shall be limited to 43 cars and 90 people on site.**
- 4) Hours of operation shall be 11:00 a.m. to 7:00 p.m. (7 days a week).**
- 5) Signage shall be in compliance with PZ-15-4856 approved by the Design Review Board in accordance with Zoning Sec. 8.5.**
- 6) Applicant shall provide a sound-attenuating structure on three sides of the “outdoor music podium” and acoustic “clouds” or other attenuation directly above the performance area in order to minimize noise at neighboring residential property lines. The sound shall be oriented to the East.**
- 7) Special events are those beyond 90 participants and requires a Temporary Use Permit, in accordance with Zoning Section 7.1.**
- 8) The use of the proposed “Wine Garden” and its associated “outdoor seating area” is prohibited for public use.**

**Motion unanimously approved.**

- b. **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 3/19/18)*

The applicant requested and was granted a continuation of the public hearing to the May 21, 2018 meeting.

- c. **EXECUTIVE SESSION:** Tabor v. Planning & Zoning Commission, Town of Lebanon.

The Commission entered executive session with the Town Planner and Commission Counsel at 9:12 p.m. and closed executive session at 9:18 p.m.

- d. Discuss and act upon stipulated agreement, Tabor v. Planning & Zoning Commission, Town of Lebanon, Permit #PZ-17-6047.

Mr. Jahoda appointed Joyce Okonuk as voting member for this item.

**Motion made by Keith LaPorte, seconded by Francis Malozzi, to approve the stipulated agreement with the amendment under #3 that the year “2017” be amended to “2018”. Motion unanimously approved.**

V. Town Planner's Report:

Mr. Chester updated the Commission on conservation, development, and enforcement issues. He approved a home occupation for a bouncy house rentals at XXX Clubhouse Road; had conversation with others interested in home occupations; visited Hillandale Egg Farm in Bozrah to see the new facility/technology which they hope to bring to Lebanon; reached out to the Lions Club regarding an application for the upcoming Renaissance Fair; and met with potential users of the Mattern property at the Route 2 interchange and Grand Lake Spa.

The Commission discussed zoning for farm breweries and ag-tourism. Mr. Chester recommended the reestablishment of a Regulation Review Subcommittee.

**Motion made by Mr. Jahoda, seconded by Mr. LaPorte, to appoint Robin Chesmer, Wayne Budney, and Tom Meyer to form a Regulation Review Subcommittee. Motion unanimously approved.**

VI. Approval of Minutes:

**Mr. LaPorte made a motion, seconded by Mr. Malozzi to approve the March 19, 2018 Special Meeting Minutes as presented. Motion approved. 7-0-0**

**Mr. LaPorte made a motion, seconded by Mr. Malozzi to approve the March 19, 2018 Regular Meeting Minutes as presented. Motion approved. 7-0-0**

VII. Correspondence: None.

VIII. **Mr. LaPorte made a motion to adjourn the meeting at 9:40 p.m., seconded by Mr. Malozzi. Motion approved. 7-0-0**

Respectfully Submitted,  
Holli Pianka, Land Use Secretary  
April 23, 2018

*(Minutes are unapproved as of transcription date.)*