

Town of Lebanon
PLANNING AND ZONING COMMISSION
Regular Meeting
April 15, 2019, 7:00 p.m.
Lebanon Town Hall, 579 Exeter Road

Members Present: Secretary Kathleen Smith, Robin Chesmer, Francis Malozzi, Tom Meyer, Thomas J. Benoit (Alternate), and Ethan Stearns (Alternate), Allyn Miller (arrived 7:07 p.m.)

Members Absent: Chair James Jahoda, Keith LaPorte, and Wayne Budney

Others Present: Town Planner Philip Chester, Jillian Nichols, Curtiss Nichols, Amanda Spada, Bryan Wunsch, Scot Bailey, Heidi Bailey and Recording Secretary Linda McDonald

- I. **CALL TO ORDER:** The meeting was called to order at 7:00 p.m. by K. Smith. E. Stearns and Thomas Benoit were seated as voting members.

II. **PUBLIC HEARING**

F. Malozzi MOVED to open the public hearing for PZ-19-7761: Jeff and Suzanne Cote (Owners), Jillian and Curtiss Nichols (applicants), 366 Norwich Avenue, Assessors Map 276, Lot 11 for Special Permit for Retail and Wholesale Business in Business Zone, per Zoning Regulations Section 4.7b.16. T. Meyer SECONDED. MOTION CARRIED 6:0:0.

Jillian and Curtiss Nichols explained their business is the retail sales of exotic animals (reptiles, pythons, geckos, guinea pigs, rodents, rats, mice, and rabbits) and would be primarily online sales. Their plan is to use the house as a private breeding facility for animals and as a by-appointment only pick up location for their customers. The applicants do not live on the property.

Discussion followed. The applicants were informed they will have to comply with State Health Department regulations. C. Nichols responded to question from the commission that no State license is required for this type of business.

Hearing no other comments or questions, F. Malozzi MOVED to close the public hearing at 7:08 p.m. T. Meyer SECONDED. MOTION CARRIED 6:0:0.

A. Miller was seated as a voting member.

III. **NEW BUSINESS**

a. Design Review Application: Amanda Spada and Bryan Wunsch (owners), David Gardner (applicant), 915 Beaumont Highway, Assessors Map 229, Lot 42, for a 20' x 20' addition:

P. Chester said the Village Green District Design Review Board met April 10th at the site and recommends the building be offset a minimum of 18" from the existing south face of the patio off the west side. A. Spada said a stone patio will be later built facing the fence of the neighbors. P. Chester responded that if railings were added the patio construction would have to go to design review.

R. Chesmer moved to approve the design review application of Amanda Spada and Bryan Wunsch (owners), David Gardner (applicant), 915 Beaumont Highway, Assessors Map 229, Lot 42, for a 20' x 20' addition with the condition that it be a minimum 18 inches offset from the existing south face of the patio off the west side. F. Malozzi SECONDED. MOTION CARRIED 6:0:1 with K. Smith abstaining.

b. Design Review Application: Scot and Heidi Bailey (owners), 59 West Town Street, Assessors Map 235, lot 19, for a 12' x 20' storage shed:

P. Chester said the Village Green District Design Review Board viewed the site April 10th and recommends approval of the application.

Heidi Bailey described the proposed buffer plantings as arborvitae (Thuja) to be staggered in zig zag pattern. These plantings would match those in front of the catholic church. She explained the proposed shed doors will face the side yard, not the street. P. Chester noted that once planted they needed to remain in good condition and the applicants said yes.

T. Meyer MOVED to approve the Design Review Application: Scot and Heidi Bailey (owners), 59 West Town Street, Assessors Map 235, lot 19, for a 12' x 20' storage shed. F. Malozzi SECONDED. MOTION CARRIED 7:0:0.

IV. **OLD BUSINESS**

Discuss and Act Upon:

a. PZ-19-7761: Jeff and Suzanne Cote (Owners), Jillian and Curtiss Nichols (applicants), 366 Norwich Avenue, Assessors Map 276, Lot 11 for Special Permit for Retail and Wholesale Business in Business Zone, per Zoning Regulations Section 4.7b.16:

I Stearns commented the property is zoned business and the nature of the business is suited to the area. R. Chesmer spoke in favor of the application.

T. Meyer MOVED to approve PZ-19-7761: Special permit application of Jeff and Suzanne Cote (Owners), Jillian and Curtiss Nichols (applicants), 366 Norwich Avenue, Assessors Map 276, Lot 11 for Retail and Wholesale Business in Business Zone, per Zoning Regulations Section 4.7b.16 with the following two conditions:

- Hours of operation shall be limited to 8:00 a.m. to 8:00 p.m. Monday – Sunday.
- This is for a retail internet pets store sales use only.

F. Malozzi SECONDED. MOTION CARRIED 6:0:0.

P. Chester reported the entrance to walking path across from 15 West Town Street has been compromised by vehicles and the Selectmen would like to place removable bollards at this location. Design Review Board reviewed the proposal and takes no issue. Consensus of the Commission was that the bollards were acceptable and asked to assure ADA access.

V. **MINUTES**

- a. Approval of March 18, 2019 Regular Meeting Minutes: F. Malozzi MOVED to approve the March 18, 2019 regular meeting minutes as presented. T. Meyer SECONDED. MOTION CARRIED 7:0:0.

VI. **TOWN PLANNER'S REPORT**

- SCCOG is presenting free PZC Training Opportunity sessions on 4/30 and 5/23.

- Bruce Goldstein of the Paradise Agency came before the EDC to discuss possible tax abatement for construction of Phase II Gan Aden off Dr. Manning Drive. He noted there are significant amounts of ledge present at site which would require additional expense. In order to move construction forward the EDC has recommended to the Selectmen that Phase II be granted a 75% tax abatement for the first year, 50% for the second year, and 25% for the third year. The EDC's proposed commercial tax incentive plan will go before the Board of Finance tomorrow night for consideration. Any tax incentive would have to go to Town Meeting.
- March 28 hemp/mushroom/grain education session was a success with 150 in attendance. K. Smith complimented P. Chester on setting up the presentation.
- 95 West Town St. has interest from potential buyer to make garage B&B and/or farm store.
- Update - Enforcement order issued to David Gesiak regarding special permit application PZ-18-7170 of SCM Holdings LLC, 216 Norwich Avenue for contractor's office and storage of equipment and materials.
- Lebanon Green Winery compliant re: umbrellas with signage on the property.

VII. **2020 PLAN OF CONSERVATION AND DEVELOPMENT (POCD):**

P. Chester said several resident survey questions have been re-tooled by Sienna College who has begun phone survey, calling 3,600 phone numbers. Results from the survey are expected in May.

P. Chester distributed recommended actions from 2010 POCD. Commission members briefly reviewed and discussed some of the 2010 POCD recommended actions for determination of whether to include in 2020 POCD. Discussion will continue at future meetings

P. Chester has begun a list of town and land use changes since 2010 that will go in the 2020 Plan.

R. Chesmer left the meeting at 8:20 p.m.

VIII. **CORRESPONDENCE:** None.

IX. **ADJOURNMENT:** T. Meyer MOVED to adjourn the meeting at 8:33 p.m. F. Malozzi SECONDED. MOTION CARRIED 6:0:0.

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.