

Town of Lebanon  
**PLANNING AND ZONING COMMISSION**  
Regular Meeting  
Lebanon Town Hall, 579 Exeter Road  
Monday, October 16, 2017

**MINUTES**

Members Present: James Jahoda, Chair  
Wayne Budney  
Keith LaPorte  
Francis Malozzi  
Tom Meyer, Alt.  
Members Absent: Robin Chesmer  
Oliver Manning  
Lanny Clouser, Alt.  
Joyce Okonuk, Alt.  
Kathleen Smith, Secretary  
Also Present: Philip Chester, Town Planner

I. The meeting was called to order at 7:00 p.m. by Mr. Jahoda. Mr. Meyer was appointed a voting member.

II. **CONTINUATION OF PUBLIC HEARING**

- a. **PZ-17-6502:** Dawn & Kevin Whitcher, applicants, 894 Exeter Road LLC, owner, 894 Exeter Road, Assessors Map 245, Lot 18. Request Special Permit for restaurant per Zoning Sec. 4.5.d.2).

Mr. Chester noted the applicant had requested that an extension of the public hearing.

**Motion made by Mr. Malozzi, seconded by Mr. Budney, to extend the public hearing to November 20, 2017. Motion unanimously approved.**

III. **PUBLIC HEARING**

- a. CGS Sec. 8-2: In accordance with Public Act 17-155 and CGS Sec. 8-7d, consideration of Town of Lebanon to opt out of Subsection (a) of CGS Sec. 8-2 concerning Temporary Health Care Structures.

Mr. Chester read the legal notice into the record and referenced his September 25, 2017 memo noting that the Commission permitted attached accessory living units by right and that PA 17-155 would be very difficult to enforce.

Mr. Jahoda opened the public hearing at 7:03 p.m., and no one from the public was present.

**Motion made by Mr. Malozzi, seconded by Mr. Meyer, to close the public hearing. Motion unanimously approved.**

#### IV. OLD BUSINESS

- a. CGS Sec. 8-2: In accordance with Public Act 17-155 and CGS Sec. 8-7d, consideration of Town of Lebanon to opt out of Subsection (a) of CGS Sec. 8-2 concerning Temporary Health Care Structures.

**Motion made by Mr. Malozzi, seconded by Mr. LaPorte, to recommend to the Board of Selectmen that the Town of Lebanon opt out of PA 17-155 Temporary Health Care Structures based on issues raised in Mr. Chester's 9/25/17 memo. Motion approved 4-1-0, Mr. Budney opposed.**

#### V. NEW BUSINESS

- a. Brian Kolar, 9015 Beaumont Highway, Assessors Map 229, Lot 42. Renovation of ell of house as garage.

Mr. Jahoda noted that the Design Review Board had met on September 26, 2017 and recommended approval of the application with the caveat that the garage doors be vertical panel with square windows.

**Motion made by Mr. Malozzi, seconded by Mr. Meyer, to approve the application as amended. Motion unanimously approved.**

- b. PZ-17-6: Lebanon Planning and Zoning Commission, proposed changes to Zoning Map to incorporate the following lots into the Agriculture zoning district for properties that have been permanently preserved through conservation easement for agricultural use. Accept application and set public hearing date.

**Motion made by Mr. Malozzi, seconded by Mr. Budney, to set a public hearing for PZ-17-6667 on November 20, 2017 at 6:30 p.m. Motion unanimously approved.**

- c. PZ-17-6: Lebanon Planning and Zoning Commission, proposed changes to Zoning Regulations Section 2.2, 3.1.a, 4.2, 4.3, 4.6.a.4), 4.7, 4.9.b, 5.2, 6.1, 7.3.(b), 8.1.b.3), 8.4, 8.5, 8.8, and 8.10.1. Accept application and set public hearing date.

**Motion made by Mr. Malozzi, seconded by Mr. Budney, to set a public hearing for PZ-17-6668 on November 20, 2017 at 6:30 p.m. Motion unanimously approved.**

#### VI. EXECUTIVE SESSION – None.

#### VII. TOWN PLANNER

Neighbors of Lebanon Tap Room, 385 Beaumont Highway were present to state that over the past 2 weekends the restaurant hours of operation had exceeded those permitted by the Commission's permit, restaurant doors were being left open and music could be heard in

their homes, that noise from the parking lot could be heard in their homes at or near closing time after 1:00 a.m., and that liter was a daily event along the street and on their property.

Mr. Chester noted that he had been in contact with the new owner of Lebanon Tap Room to go over the special permit conditions and past violation issues, and would be monitoring the situation. He has also been in regular discussion with the First Selectman over these issues and met with the Resident State Trooper.

#### VIII. MINUTES

- a. **Motion made by Mr. Malozzi, seconded by Mr. Budney, to approve the September 18, 2017 regular meeting minutes with the correction that Mr. Budney is not an “alternate” member. Motion unanimously approved.**
- b. **Motion made by Mr. Malozzi, seconded by Mr. Budney, to approve the September 26, 2017 special meeting minutes with the corrections that the meeting was a “special”, not “regular” meeting and that Mr. Budney was not present. Motion unanimously approved.**

#### IX. CORRESPONDENCE – none.

#### X. The Commission adjourned at 8:35 p.m.

Respectfully Submitted,  
Philip S. Chester, AICP  
October 17, 2017

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