

Town of Lebanon  
**PLANNING AND ZONING COMMISSION**  
Regular Meeting  
Lebanon Town Hall, 579 Exeter Road  
Monday, September 18, 2017 – 7:00 PM

**MINUTES**

Members Present: James Jahoda, Chair  
Kathleen Smith, Secretary  
Keith LaPorte  
Francis Malozzi  
Robin Chesmer  
Tom Meyer, Alt.

Members Absent: Oliver Manning  
Wayne Budney, Alt.  
Lanny Clouser, Alt.  
Joyce Okonuk, Alt.

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. Meyer was activated as a voting member. Mrs. Smith read the public hearing legal notice.

II. Public Hearings:

- a. **PZ-17-6494:** Anita & Maurice Gamache, owners, 62 Gates Farm Road, Assessors Map 208, Lot 22 & 23. Request Resubdivision and Special Permit to create single rear lot per Zoning Sec. 8.11.

The following items have been entered into the record:

- 1) Site Plan dated 6/27/13, prepared by Wentworth Civil Engineers and Rob Hellstrom Land Surveying LLC.
- 2) Letter dated 7/29/13 to Mr. Chester, Town Planner, from Brandon Handfield P.E., Anchor Engineering, containing plan review comments.
- 3) Quit Claim Deed, dated 5/11/15, conveying portion of Ellis property, 90 Gates Farm Road.
- 4) Revised Site Plan dated 9/6/17, prepared by Wentworth Civil Engineers and Rob Hellstrom Land Surveying LLC.
- 5) Letter dated 9/11/17, to Brandon Handfield, Yantic River Consultants LLC, from Wesley Wentworth P.E., Soil Scientist, Wentworth Civil Engineering, addressing plan review comments.
- 6) Letter dated 9/13/17, to Mr. Chester, Town Planner, from Brandon Handfield, Yantic River Consultants, containing plan review comments.
- 7) Certified mail receipts and return receipt cards (collectively).

Wesley Wentworth, Wentworth Civil Engineering, and Mr. & Mrs. Gamache were present. Mr. Wentworth noted that all soil testing was previously conducted and plan approved by the Health Department. Also, that a small portion of the Ellis property had been conveyed to the Gamache's for both lots to meet frontage requirements.

All plan review comments have been addressed with exception of deed language regarding Rights to Grade and Maintain for each lot. This item will be added as condition of approval.

Mr. & Mrs. Colin Rice, owners, 59 Gates Farm Road, were present and spoke in favor of the application. There was no one else in the audience to speak either in favor or opposed to the application.

**Mr. LaPorte made a motion, seconded by Mr. Malozzi, to close the public hearing for PZ-17-6494. Motion unanimously approved and the public hearing was closed at 7:11 p.m.**

At this time, the Commission agreed to discuss and act on the application. There was no further discussion.

**Mrs. Smith made a motion to approve application PZ-17-6494 for a Special Permit for a rear lot and Resubdivision with the following conditions:**

#### **CONDITIONS OF APPROVAL**

- 1) The applicant agrees to pay a \$2,500.00 fee in lieu of open space at time of property sale or transfer.**
- 2) Rights to Grade and Maintain will be documented in the deeds as shown on sheet 3 of the engineer's plan.**

**The motion was seconded by Mr. Malozzi and unanimously approved.**

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

Mr. Chesmer recused himself from this application and left the meeting room. Wesley Wentworth, Wentworth Civil Engineering and Dawn Whitcher, owner, were present to discuss the application. Mrs. Whitcher requested correction of the record property owner from 894 Exeter Road LLC to 894 LLC.

The following items have been entered into the record:

- 1) Site plan dated 8/15/17, prepared by Wentworth Civil Engineers, LLC.
- 2) Letter dated 8/17/17, to Mr. Chester, from Wesley Wentworth P.E., Soil Scientist, regarding proposed site.

- 3) Revised site plan dated 9/11/17, prepared by Wentworth Civil Engineers LLC, addressing town staff comments.
- 4) Letter dated 9/13/17, to Mr. Chester, from Brandon Handfield P.E., containing plan review comments.
- 5) Certified mail slip, return receipt card and meeting notice to adjacent owner.

A zone change application for this parcel was previously submitted by the applicant and approved by the Commission, changing the zone to Village Business District to allow commercial use which permits restaurants. The applicant and engineer are working with the Department of Health for a well exception approval. Revised plans are also needed for approval per Brandon Handfield's letter.

Mrs. Whitcher submitted a written request to the Commission to continue the public hearing for this application.

**Mr. LaPorte made a motion to continue the public hearing for PZ-17-6502, to October 16, 2017, seconded by Mr. Malozzi. The motion was unanimously approved.**

III. New Business: None.

IV. Old Business: Public hearing items were discussed/acted upon earlier this evening.

V. Executive Session:

- a. Tabor v. Planning and Zoning Commission, Town of Lebanon

The Commission entered executive session with the Town Planner at 7:25 p.m. and closed executive session at 7:29 p.m. No action taken.

Mr. Chesmer was reactivated.

VI. Town Planner's Report:

Mr. Chester updated the Commission on conservation, development and enforcement matters, including but not limited to the advent of a Winter Farmers Market to be held at the Senior Center; current farmland preservation applications; upcoming article on Lebanon's farmland preservation program in fall edition of *CT Food and Farm Magazine*; enforcement matters at 47 Williams Crossing Road and 177 Lake Shore Drive; solar array at 1 Williams Crossing Road update; Renaissance Fair update; and, approval of PZ-17-6538, Phillips Landscaping, 688 Goshen Hill Road as a home occupation under Zoning Sec. 7.5.a.

Mr. Chester also discussed home occupation applications PZ-17-6600, 824 Beaumont Highway for an antique shop and PZ-17-6539, 159 Goshen Hill Road for a hair salon. The Commission requested that a site walk take place on September 26, 2017 at 4:00 p.m. at 159 Goshen Hill Road.

VII. Approval of Minutes:

**Mr. LaPorte made a motion to approve the August 21, 2017 Regular Meeting Minutes, seconded by Mrs. Smith as presented. Motion approved. In favor (5), Abstained (1) Meyer.**

VIII. Correspondence: None.

IX. **Mrs. Smith made a motion to adjourn the meeting, seconded by Mr. Malozzi. Motion unanimously approved and the meeting adjourned at 8:55 p.m.**

Respectfully Submitted,  
Holli Pianka, Land Use Secretary  
September 19, 2017

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