

Town of Lebanon
PLANNING AND ZONING COMMISSION
Regular Meeting
Lebanon Town Hall, 579 Exeter Road
Monday, May 15, 2017 – 7:00 PM

MINUTES

Members Present: James Jahoda, Chair
Kathleen Smith, Secretary
Wayne Budney
Keith LaPorte
Francis Malozzi
Oliver Manning
Tom Meyer, Alt.

Members Absent: Robin Chesmer
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 seated as voting member.

II. Old Business:

Discuss and act on public hearing application:

- a. **PZ-17-6047:** Walter A. Tabor, 64 Beaumont Highway, Assessors Map 206, Lot 8. Request special permit for multi-family dwelling containing three dwelling units per Zoning Sec. 8.8.

Mr. Jahoda noted that a site walk of the property had taken place March 28, 2017. The public hearing was closed at the last regular meeting April 17, 2017 and the discussion/action was tabled to tonight's meeting.

Mr. Meyer does not agree with the application and feels that the site and building were clearly designed as a two-family and does not represent an orderly use of a three-family dwelling. Mr. Budney is in support of the application. He feels that the town has a need for affordable housing and the third dwelling unit fits the zoning requirements. There was no further discussion.

Mr. Meyer made a motion, seconded by Mr. Oliver, that the Commission finds that the application does not meet the requirements of the Town of Lebanon Zoning Regulations Section 7.6.b. Vote: In favor (5); Meyer, Malozzi, LaPorte, Jahoda, Manning. Opposed (2); Smith, Budney. Motion approved.

Mr. Meyer made a motion to deny the application for the following reasons: In addition to the requirements of the Town of Lebanon Zoning Regulations Section 7.6.b not being met, the application does not conform to the following sections of the regulations:

A) Section 1.1 Purpose, in that

- 1. it does not encourage the most appropriate use of land;**
- 2. it does not conserve and stabilize the value of the property;**
- 3. it does not promote health, safety and general welfare;**
- 4. it does not prevent undue concentration of population.**

B) Section 7.7 SITE DEVELOPMENT PLAN AND STANDARDS, in that

- 1. it does not facilitate and promote the most harmonious relationships between land uses;**
- 2. the plan does not show existing and proposed grades, exterior lighting, storm water drainage or landscaping;**
- 3. the application does not demonstrate the plan meets the standards to maximize solar heat gain, minimize heat loss and provide thermal storage within buildings during the heating season or made provisions for natural ventilation during the cooling season.**

C) Section 8.8 MULTI-FAMILY DWELLINGS, in that the application is for a studio dwelling unit and not a one or two-bedroom dwelling as required, and that the proposed use is not in harmony with the general purposes and intent of the zoning regulations.

D) Section 2.2 DEFINITIONS, Dwelling, Multi-Family in that the building has not been adequately designed as a three-family residence.

Mr. LaPorte seconded the motion. Vote: In favor (5); Meyer, Malozzi, LaPorte, Jahoda, Manning. Opposed (2); Smith, Budney. Motion approved to deny the application.

III. New Business:

- a. PZ-17-6229:** Shawn & Nicole McGillicuddy, 1068 Trumbull Highway, Assessors Map 248, Lot 5. Temporary Use permit for proposed ice cream trailer per Zoning Sec. 7.1

A pre-application discussion took place at the April meeting. Nichol McGillicuddy, applicant, submitted a proposed site plan, dated 5/8/17, prepared by Wentworth Civil Engineers. She amended the site plan to add signage (maximum 15 square feet) at the south side entrance and a buried conduit to provide utilities to the trailer. If approved, they have a projected opening date of late July or early August. Ten parking spaces, including handicapped parking are proposed with room for expansion for additional spaces if necessary. Barricades and fencing are planned to keep the farm entrance separate from the customer traffic. The applicant needs to seek other approvals,

including State DOT and Uncas Health District, prior to opening. The permit would be in effect for the 2017 summer and fall season and would need to be renewed next spring.

Ms. Smith made a motion to approve application PZ-17-6229 for temporary use, with the following conditions:

- 1) Temporary Use Permit valid for 2017 summer and fall season.**
- 2) Hours of operation shall be no earlier than 10:00 a.m., and no later than sunset.**
- 3) No outside lighting permitted.**

Mr. Budney seconded the motion, and the motion was unanimously approved.

IV. Town Planner's Report

V. Approval of Minutes:

Mr. LaPorte made a motion to approve the April 17, 2017 Regular Meeting Minutes, seconded by Mr. Malozzi, with the following corrections: Page 2, Item III. Old Business, paragraph 3, change 'caretaker' to 'caregiver' and paragraph 4, change 'Mr.' to 'Ms.'. Motion unanimously approved.

VI. Correspondence

VII. Ms. Smith made a motion to adjourn the meeting, seconded by Mr. LaPorte. Motion unanimously approved and the meeting adjourned at 8:38 p.m.

Respectfully Submitted,
Holli Pianka, Land Use Secretary
May 22, 2017

(Minutes are unapproved as of transcription date.)