

**TOWN OF LEBANON**  
**PLANNING & ZONING COMMISSION**  
Monday, June 15, 2009  
Town Hall Downstairs Meeting Room  
**REGULAR MEETING MINUTES**

**1. CALL TO ORDER**

Chairman James Jahoda called the June 15, 2009 regular meeting of the Planning & Zoning Commission to order at 7:03 p.m.

Present:	James Jahoda, Chairman	Susan Brett Davis
	David Fields, Secretary	Martin Barletta, Alt
	Alan Lamb	Wayne Budney, Alt.
	Mark Bancroft	Carol Morris-Scata, Alt.
	Robin Chesmer,	

Also present: Philip Chester, Town Planner; Jean Gilbert, Land Use Secretary; Brandon Handfield, Town Engineer.

Absent: Keith LaPorte

Mr. Barletta was designated acting alternate.

**2. PUBLIC HEARING**

Mr. Fields read the legal notice. Mr. Budney excused himself.

#09-17, Douglas Morton, 156 Church Rd., Assessor's Map #266, Parcel #34. Special Permit for Accessory Living Unit.

Mr. Morton is proposing a 616 sq. ft. accessory living unit for family members. It will replace the existing garage and will be attached to the den. They will be bringing it up to the current building code. The plans were reviewed.

Mr. Chester stated that it complies with the regulations. All abutting property owners have been notified and fees paid.

Mr. Fields moved, Ms. Davis seconded motion to close public hearing. Motion voted and passed unanimously.

Mr. Budney returned to meeting.

### **3. NEW BUSINESS**

a. #09-18 – Town of Lebanon, Height waiver for wind turbine at Lyman Memorial High School.

The Cadmus Group, Inc. is working with Alteris, Inc. to install a wind turbine at Lyman Memorial High School. This is part of a wider effort funded by the Connecticut Clean Energy Fund to install and test the performance of small wind turbines.

It will consist of one wind turbine, mounted atop a 100' tall tower. The total height of the tower will be approximately 110' to the uppermost tip of the blades at their highest point of rotation. The energy from this turbine will be used to partially offset the electrical energy consumed by the high school. During the first year Cadmus will collect data on wind speed, noise output, power output and other parameters via a tower-mounted sensor.

The tower will be secured with a fence. It will generate about \$5,000 a year and will cost about \$1,000 a year to maintain.

Mr. Lamb moved, Mr. Fields seconded motion to approve the height waiver. Motion voted and approved unanimously.

b. #10-01 - Prides Corner Farms, Excavation Permit Renewal, 48 Browning Rd.

A letter dated June 15, 2009 from Brandon Handfield of Anchor Engineering was reviewed. Phase II, Browning Rd. had minor excavation activities being performed at the time of the inspection in relation to creating planting beds for "living roofs". There was no sign of erosion or sedimentation in the area. Should excavation activities continue or increase in this area, appropriate erosion and sedimentation controls should be installed.

The application was amended to read Phase II.

Mr. Bancroft moved, Mr. Budney seconded motion to approve #10-01, Prides Corner Farms, excavation permit renewal, 48 Browning Rd. As of July 1, 2010 a new excavation permit and site plan will be required. Motion voted and passed unanimously.

c. #10-02 - Prides corner Farms, Excavation Permit Renewal, south side of Goshen Hill Rd.

A letter dated June 15, 2009 from Brandon Handfield of Anchor Engineering was reviewed. A topsoil stockpile continues to be screened within this area and hauled off-site. There were no signs of erosion or sedimentation in the vicinity of the active screening operation. Mr. Handfield recommended that erosion controls be placed down gradient of all activities and disturbed areas during excavation, screening and transport operations.

The application was amended to read Phase IV.

Mr. Bancroft moved, Ms. Davis seconded motion to approve #10-02, Prides Corner Farms, excavation permit renewal, south side of Goshen Hill Rd. Phase IV. As of July 1, 2010 a new excavation permit and site plan will be required. Motion voted and passed unanimously.

d. #10-03 &- Williams Properties, Excavation Permit, East of Goshen Hill Rd.

e. #10-04 - Lebanon Topsoil & Earth Products, east of Rte. 87.

Mr. Williams stated that there has been no excavation. Last year's renewal stated that he would need a new site plan and excavation permit. He is asking for a one year extension. Mr. Mihok, Mr. Williams' engineer stated in a letter dated June 15, 2009 an inspection of both excavation sites indicated that little activity has taken place since the previous site survey & plans prepared a year ago.

Ms. Davis moved, Mr. Lamb seconded motion to renew excavation permit for Williams Properties, east of Goshen Hill Rd. and grant a one year extension. As of July 1, 2010 a new excavation permit and site plan will be required. Motion voted and passed unanimously.

Ms. Davis moved, Mr. Barletta seconded motion to renew excavation permit for Lebanon Topsoil and Earth Products, east of Rte. 87 and grant a one year extension. As of July 1, 2010 a new excavation permit and site plan will be required. Motion voted and passed unanimously.

f.. #10-05 - Den's Sand & Gravel, Excavation Permit, Rte. 16 & Goshen Hill Rd. Not present.

g. #09-19 – Eric Swanson, 152 Geer Rd. Accessory Living Unit. Accept application and set a public hearing date.

Mr. Lamb moved, Mr. Barletta seconded motion to schedule a public hearing for July 20, 2009 at 7 p.m. for #09-19, Eric Swanson, 152 Geer Rd., Accessory Living Unit. Motion voted and passed unanimously.

#### **4. OLD BUSINESS**

#09-17, Douglas Morton, 156 Church Rd., Assessor's map #266, parcel #34. Special permit for Accessory Living Unit.

Mr. Budney excused himself.

The public hearing comments were reviewed.

Mr. Lamb moved, Mr. Fields seconded motion to approve #09-17, Douglas Morton, special permit for accessory living unit, for a period of two years. Motion voted and passed unanimously.

## **5. MINUTES**

Mr. Lamb moved, Mr. Barletta seconded motion to approve minutes of May 18, 2009 meeting. Motion voted and passed unanimously.

## **6. INVOICES**

Mr. Lamb moved, Ms. Davis seconded motion to approve Anchor Engineering bill in amount of \$41.08. Motion voted and passed unanimously.

## **7. TOWN PLANNER'S REPORT**

At last month's meeting Mr. Marquis, Industrial Park Rd., trucking facility, asked to amend his plan so as not to pave the entire parking. Town Engineer, Brandon Handfield reviewed the plan. He stated that there should be reinforcement of the gravel surface or alternative section to minimize potential rutting. Mr. Handfield's letter, dated June 15, 2009, is in the file.

Mr. Marquis's engineer will certify that the original section, less the pavement, is sufficient to accommodate the heavy truck traffic and drainage proposed so as not to damage the Town Road.

The Commission is requiring a bond to remain in place until the parking area is paved. Mr. Marquis' engineer will submit an estimate for the bond. This will be reviewed by Mr. Handfield. Mr. Marquis will return to next month's meeting.

Clive West owns land on Valinsky Rd. and plans on subdividing. He wants to know the interpretation of the cluster regulations. The cluster regulations were reviewed.

Bender Oil Service will be submitting an application for site plan modifications for a truck building behind the garage. He may need a variance.

The Conservation Commission has adopted a Right to Farm ordinance. This will go to the Selectmen for endorsement. This does not grant any new rights that farmers do not already have. It is just a policy statement for newcomers to town that farming is a right by state statute. The last line in the ordinance is important to the Commission, that nothing contained in this ordinance shall restrict the powers of Lebanon's Inland Wetlands Commission, Planning and Zoning Commission, Building or Health Departments under Connecticut General Statutes. They are not changing anything that is already in existence. They are just reaffirming it.

Agriculture plays a significant role in Lebanon's heritage and future. The Town recognizes the importance of farming to its rural quality of life, heritage, public health, scenic vistas, tax base, wetlands and wildlife, and local economy. The Right to Farm ordinance encourages the

pursuit of agriculture, and protects farmland within Lebanon by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies.

Mr. Bancroft moved, Mr. Fields seconded motion to endorse the Right to Farm Ordinance. Motion voted and passed unanimously.

The Log Cabin Restaurant will be applying for a site plan modification to construct an outdoor deck off their conference room, which is on the right as you walk in the front door. The Commission will require a site plan modification.

Ellen McCauley has property on Exeter Rd. with a pre-existing building that doesn't meet the setback lines. She wants to turn it into an antique shop. The regulations were reviewed.

The Regional Land Use plan was reviewed. Mr. Chester stated that nothing has really changed with regards to Lebanon. It has limited effect on anything. There is a public hearing July 1, 2009.

## **5. REGULATION REVIEW SUBCOMMITTEE**

There was nothing to report.

## **6. CORRESPONDENCE**

The CT Law Tribune was distributed to members.

## **7. ADJOURNMENT**

Ms. Davis moved, Mr. Bancroft seconded motion to adjourn meeting. Motion voted and passed unanimously.

Jean C. Gilbert, Land Use Secretary