

**TOWN OF LEBANON
PLANNING AND ZONING COMMISSION**

September 21, 2009

917 Exeter Road

PUBLIC HEARING MINUTES

File #10-07 Proposed Amendment to Occupancy Seasonal definition

Present: Jim Jahoda, Chair
 David Fields, Secretary
 Mark Bancroft
 Robin Chesmer
 Susan Brett Davis
 Alan Lamb
 Keith LaPorte
 Martin Barletta, Alternate
 Wayne Budney, Alternate
Also present: Philip Chester, Town Planner

Mr. Jahoda opened the Public Hearing on File #10-07 at 7:05 p.m. in Lyman Memorial High School Auditorium. He explained the purpose of the hearing, the process that would be followed, and the choices the Commission had with regard to the proposal (approve, amend or do nothing).

Mr. Fields read aloud the legal notice which was published in the Norwich Bulletin on September 10th and 17th.

Mr. Chester reported that:

- there are 360+/- seasonal dwellings at the Lakes as well as a number of vacant properties which if built upon would become seasonal by virtue of having less than 2 acres per lot;
- 15 seasonal properties have been built on the Lakes since 2000;
- assessments are determined by the Assessor, with assessments on seasonal properties reflecting a twenty (20) percent reduction to both land and primary building values as indicated by sales analysis conducted during the last two (2) revaluations; and,
- Lebanon's *Plan of Conservation and Development* calls for preserving seasonal residential communities at the Lakes, even with sewers.

Commission Counsel Mr. O'Connell explained the current seasonal occupancy regulations and challenges with enforcement, the proposed regulations which propose eliminating the floating 30-day off-season occupancy, and the legal/valid non-conformity of the floating 30 days for those who have used their properties off-season in the past.

Mr. Chester read the names of those that had submitted letters or emails to the Commission, reported that the regional planning commissions had found no objection to the proposed zoning amendment, and noted that the proposal had been sent to the Town Clerks of abutting towns. Additional exhibits were submitted to the Commission during the public hearing.

The exhibit list includes:

EXHIBIT A: Letters

1. Capital Region Council of Governments, 8/5/09
2. Windham Region Council of Governments, 8/6/09
3. Southeastern Connecticut Council of Governments, 8/18/09
4. Penny Hermann, Lake Williams, 8/29/09
5. Nicole Levine McGrath, 140 Lakeside Drive, Red Cedar Lake, 8/31/09
6. Cathie Cretella, 108 Lakeside Drive, Red Cedar Lake, 9/3/09
7. Barbara McShane, Red Cedar Lake, 9/4/09
8. Michael Rubin, 7 Stacey Lane, Red Cedar Lake, 9/4/09
9. Rita Sullivan, 1 Ruth Lane, Red Cedar Lake, 9/7/09
10. Denis & Diane Freeman, 358 Lakeside Drive, Red Cedar Lake, 9/8/09
11. Doreen & William Breen, 312 Lakeside Drive, Red Cedar Lake, 9/8/09
12. Roy & Elizabeth Piper, 129 Lakeside Drive, Red Cedar Lake, 9/10/09
13. Harley Atkins, 17 Lake Shore Drive, Lake Williams, 9/14/09
14. Zane Mercier, 114 Lake Shore Drive, Lake Williams, 9/14/09
15. Tony Lupinacci, 6 Elyse, Red Cedar Lake, 9/15/09
16. Corinne & Larry Berglund, 156 Lakeside Drive, Red Cedar Lake, 9/15/09

EXHIBIT B: Letters

1. Michael Sidoti, 16 Lakeside Drive, Red Cedar Lake, 9/1/09
2. Rose DeCarlo, 24 Liz Road, Red Cedar Lake, 9/8/09
3. Lynn Griffin and Mary Bulat, 4 Ruth Lane, Red Cedar Lake, 9/17/09
4. Thomas Cartelli, Fox Island/Lake Shore Drive, Lake Williams, 9/17/09
5. Sidney & Phyllis Morochnik, 118 Lakeside Drive, Red Cedar Lake, 9/17/09
6. Priscella Clesowich, Camp Mooween Road, Red Cedar Lake, 9/18/09

EXHIBIT C: Petition to “Allow Seasonal Cottages to Convert to Year-round” Use

EXHIBIT D: Letter from Diane Marquis, 89 Lake Shore Drive, Lake Williams, 9/21/09

EXHIBIT E: Letter from Ann Marie Ragaglia, 1 Stacey Lane, Red Cedar Lake, 9/21/09

Mr. Jahoda opened up the hearing and the following individuals came to the podium to speak.

- Bruce Cagenello, 208 Lakeside Drive. Opposes proposal.
- Roy Piper, 129 Lakeside Drive. Supports alternative proposal made by Mr. Sidoti or enforcement of the current regulations.
- Atty. Theodore Phillips, representing 25+/- Red Cedar Lake residents. Proposal does not allow those who have not used 30 floating days to be grandfathered. Proposes change of seasonal occupancy to year-round occupancy.
- Monica Tarrie, Lake Shore Drive. Change seasonal occupancy to year-round.
- Jennifer Tait, 136 Lake Shore Dr. Change seasonal occupancy to year-round.
- Mike Sidoti, 16 Lakeside Drive. Proposal negatively affects property values. Recommends alternative to include holidays, weekends and school vacations between November and April.

- Beverly Florian, 56 Lakeside Drive. Keep current wording.
- Harvey Sunquest, 73 Lake Shore Drive. Change seasonal occupancy to year-round.
- James Florian, 56 Lakeside Drive. Keep current wording.
- Atty. Scott Jezeck. Prefers keeping current regulations. Change seasonal occupancy to year-round.
- Shawn Sullivan, 134 Lakeside Drive. Keep current wording.
- Connie Berglund, 152 & 156 Lakeside Drive. Opposes change in regulation. Supports allowing residents to convert to year-round use.
- Diana Marquis, 89 Lake Shore Drive. Allow conversion to year-round occupancy.
- Steve Neddleton, 109 Lakeside Drive. Keep current wording.
- John Okonuk, Levita Road. Allow conversion to year-round occupancy.
- Lenny Tubbs, Fox Island, Lake Williams. Keep current wording.
- Tony Lupinacci, 9 Elyse Road, Red Cedar Lake. Opposes proposed regulation.
- Rick Nelson, 3 Lake Shore Drive. Allow conversion to year-round occupancy.
- Mike Rubin, 7 Stacy Lane. Building seasonal dwelling, opposes proposed regulations.
- Gilbert Koss, 257 Lake Williams Drive. Opposes proposed regulation.
- Kathy Monnes, 11 Lake Shore Drive. Opposes proposed regulation.
- Ann Marie Ragaglia, 1 Stacey Lane. Allow conversion to year-round occupancy.

With no further public interested in speaking Mr. Fields made a motion, which was seconded by Ms. Davis, to close the public hearing at 8:20 p.m. The motion passed unanimously.

Respectfully Submitted,
Philip Chester, Town Planner

Approved by PZC on 10/19/09