

Town of Lebanon

PLANNING AND ZONING COMMISSION

Regular Meeting

Lebanon Town Hall
Lower Level Conference Room

Monday, October 19, 2009 – 7:00 PM

MINUTES

Members Present: Chairman James Jahoda, Secretary David Fields, Susan Brett Davis, Alan Lamb, Robin Chesmer, Keith LaPorte, Mark Bancroft, Wayne Budney, Alt.

Absent: Carol Morris-Scata, Alt., Martin Barletta, 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 Chairman Jahoda

Additions to the Agenda

A motion was made by Ms. Davis, and seconded by Mr. LaPorte to add II. b. File #10-08, Ellen Macauley, to accept application and set public hearing date, to this evening's agenda. Vote: Approved unanimously.

- II. New Business

- a. File #10-06: Carole Gilbert, 38 Lynch Road, Assessors Map 280, Lot 46. Request for Special Permit for Accessory Living Unit per Zoning Sec. 8.2. Mr. Fields motioned, Ms. Davis seconded to set a public hearing date of November 16, 2009, for this application. Vote: Approved unanimously.
- b. File #10-08: Ellen Macauley, 1004 Exeter Road, Assessors Map 253, Lot 32. Request for Special Exception for Residential Business Use (antique shop). The Commission requests that it be noted in the applicant's hearing date letter that a more detailed site plan should be submitted. Mr. Fields motioned, Ms. Davis seconded to set the public hearing date of November 16, 2009, for this application. Vote: Approved unanimously.

- III. Old Business

- a. File #10-07: Planning & Zoning Commission, proposed zone text amendment Sec. 2.2 Seasonal Occupancy definition. The Commission acknowledged resident concerns heard at the public hearing. Members discussed the need for more effective enforcement of current regulations, including increasing budget for this issue in coming year(s). It was the Commission's consensus that rather than disrupt law-abiding seasonal lake residents by imposing new regulations, that it was better to enforce current regulations. Ms. Davis made a motion to withdraw the proposed text amendment to the Zoning Regulations under Sec. 2.2 Occupancy Seasonal, Mr. Bancroft seconded. Vote: Approved unanimously.

Chairman Jahoda noted the Commission will continue working with the Town Planner to better enforce the seasonal zoning regulations.

IV. Informal Discussion

a. 74 Card Street (Mitlitsky)

Mr. Chesmer and Mr. Bancroft recused themselves and left the meeting room.

The Commission held a nonbinding, information pre-application review under CGS Sec. 7-159b with Rich Mitlitsky and Attorney Ron Goldstein. The Mitlitsky property is zoned Residential Agricultural Residence and contains 42 acres. The Mitlitsky poultry farm morphed solely into a poultry-egg distribution facility around the year 2000, as no chickens exist on the site. The Mitlitsky's wish to erect an 18,000 SF distribution facility to help modernize their existing business. Discussion centered on the type of use being proposed, e.g., agricultural versus legal non-conforming use. The Mitlitsky's will return to the November 16, 2009 meeting to further discuss their proposal with the Commission and provide a detailed site plan.

Mr. Chesmer and Mr. Bancroft resumed their seats on the Commission.

V. Executive Session

a. Town of Lebanon v. Rychling

A motion was made by Mr. Fields to enter into executive session with Mr. Chester, Town Planner and Ms. Pianka, Land Use Secretary, seconded by Ms. Davis. Vote: Unanimously approved

VI. Town Planner's Report

- Enforcement update: 505 Tobacco Street, 367 Waterman Road
- On December 8, 2009, 7:00 p.m., POCD committee is holding a public hearing on draft of the plan. Members are encouraged to attend.
- Regulation Review Subcommittee meeting to be held Thursday, October 29, 2009
- 2010 Calendar of Meeting Dates ~ Mr. LaPorte motioned to approve the calendar, Mr. Fields seconded. Vote: approved unanimously.

VII. Approval of Minutes~ August 17, 2009 Regular Meeting. M. Bancroft motioned, A. Lamb seconded, to approve the minutes as amended: Page 1, delete Keith LaPorte's name from the list of members present and add Mark Bancroft.

Vote: Approved unanimously. Abstained: K. LaPorte

Approval of Minutes~ September 21, 2009 Public Hearing. M. Bancroft motioned, A. Lamb seconded, to approve the minutes as amended: Page 1, change the date of the public hearing (third line) to September 21, 2009.

Vote: Approved unanimously. Abstained: K. LaPorte

VIII. Moved by Mr. Budney, seconded by Mr. LaPorte to adjourn the meeting at 8:35 p.m.
Vote: Approved unanimously.

Respectfully Submitted,

Holli E. Pianka, Land Use Secretary
October 24, 2009

(Minutes are unapproved as of transcription date.)