

Town of Lebanon

PLANNING AND ZONING COMMISSION

Regular Meeting

Lebanon Town Hall
Lower Level Conference Room

Monday, August 16, 2010 – 7:00 PM

MINUTES

Members Present: David Fields, Secretary
Eric Bender
Robin Chesmer
Susan Brett Davis
Keith LaPorte
Francis Malozzi
Mark Bancroft, Alt.
Wayne Budney, Alt. (7:30 p.m.)
Members Absent: James Jahoda, Chairman
Matthew Johnson, 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. Fields, Acting Chairman. Mr. Bancroft was activated voting member for this meeting. Mr. Fields read the legal notice.

II. Public Hearings

- a. **#PZ-10-04: Prides Corner Farm, owner/applicant, 122 Waterman Road, for property at 48 Browning Road, Assessor's Map 251, Lot 16 & 16.001. Request for Special Exception for Excavation Permit per Zoning Sec. 8.6. (continued from 7/19/10)**

The Commission reviewed the plan comments submitted by Brandon Handfield, Town Engineer dated 8/11/10. Mr. Chester noted that this application was being reviewed under the old Earth Excavation regulations as it was submitted prior to May 13th.

Christian Joseph is present on behalf of the owner. He stated that current activity is taking place in less than five acres and approximately two acres have been excavated. He said the plan submitted is the same as the previously approved plan except that much of the stockpile area is now being utilized for a growing area. Instead of stockpiling and using for a barrier, they are currently using this area for a growing bin and if needed, he can modify the plan to reflect this.

Public Comment:

Rob Miles, adjoining property owner. Question on how much of the stockpile is currently being removed and how long will this operation continue. Mr. Christian responded that approximately 3,000 yards have been removed with about two acres left and the operation should be completed in approximately three weeks.

Mr. Bancroft made a motion to close the public hearing for application #PZ-10-04, and Ms Davis seconded. Vote: Approved unanimously.

- b) **#PZ-10-05: Matthew R. Williams, 234 Goshen Hill Road, applicant, Williams Properties, LLC, owner, for property at Goshen Hill Road, Assessor's Map 252, Lot 1. Request for Special Exception for Earth Excavation Permit per Zoning Sec. 8.6**

A revised site plan was submitted, dated 6/28/10 by Richard F. Mihok, P.E., 18 Laurel Lane, Marlborough, CT, 06447. Mr. Mihok was present on behalf of the applicant. He stated this is an ongoing gravel bank operation which encompasses approximately 10 acres. Many recent improvements have been made to the site including regrading of the swales, erosion control, and an improved access road. There are approximately 20,000 yards stockpiled on site and most have been final graded. Most topsoil areas have been vegetated. Mr. Williams was present and inquired about requirements for processing stone and Mr. Chester responded that a detailed plan would be required along with Commission approval. Mr. Mihok stated a portion of the area is almost ready for restoration and the Commission agreed that a scheduled site walk would be in order. No one from the public was present.

The Commission decided to table the public hearing for this application until August 26, 2010 at 6:15 p.m. at which time a site walk will be conducted of the Williams Property.

III. New Business – None.

IV. Old Business

- a) **#PZ-10-04: Prides Corner Farm, owner/applicant, 122 Waterman Road, for property at 48 Browning Road, Assessor's Map 251, Lot 16 & 16.001. Request for Special Exception for Excavation Permit per Zoning Sec. 8.6. (continued from 7/19/10)**

Mr. Bancroft made a motion, seconded by Mr. LaPorte to approve application #PZ-10-04 with the following conditions as per Mr. Handfield's recommendations in his letter dated August 11, 2010. Plans shall be amended as follows:

- a) **Location and size of stockpiles shall be shown on the plan and locations of other stockpiles shall be shown removed to keep an accurate record of approved/existing conditions. (page 1, #2a)**
- b) **A note as to the acreage of the active excavation area, which shall be less than 5 acres. (page 2, #2)**

- c) **Sediment levels within the basin shall be monitored on a regular basis to maintain adequate retention volume. (page 1, #3)**

Vote: Approved unanimously.

V. Executive Session

- a) Lebanon v. Rychling. Ms. Davis made a motion to enter into executive session, seconded by Mr. Malozzi. Vote: Unanimously approved.
Ms. Davis made a motion to close the executive session, Mr. Malozzi seconded. Vote: Unanimously approved.

VI. Town Planner's Report

- a) Selectmen approved installation of solar panels at Senior Center and Town Garage. They chose not to install panels on Town Hall and Community Center after receiving PZC input.
- b) PZC to hold public meeting to inform property owners who may be affected by proposed FEMA changes to Flood Plain Mapping on September 20th at 7:30 p.m. at the Fire Safety Complex. Anchor Engineering will assist with presentation.
- c) Mr. Chester will try to secure funds so that a postcard can be mailed to each property owner inviting them to the 7:00 p.m. October 12, 2010 Public Hearing on the 2010 *Plan of Conservation and Development* to be held in the High School Auditorium.
- d) Mr. Chester provided the new School Superintendent with the draft 2010 POCD and will be attending the August 24th Board of Ed. meeting to discuss school food services.
- e) Mr. Chester and Mr. Handfield visited the Olenick property last week and determined that more work needed to be done before the bond could be released.

VII. Correspondence

- A) Bill ~ Mr. Malozzi made a motion to pay a billing invoice for Anchor Engineering Services in the amount of \$855.50, Ms. Davis seconded. Vote: Approved unanimously.

VIII. Approval of Minutes

- a) July 19, 2010, Regular Meeting Minutes.
Motion made by Mr. Bancroft and seconded by Mr. Malozzi to approve the minutes as presented. Vote: Approved unanimously. (Ms. Davis abstained.)
- b) July 29, 2010, Special Meeting Minutes.
Motion made by Mr. LaPorte and seconded by Ms. Davis to approve the minutes as presented. Vote: Approved unanimously. (Mr. Bancroft abstained).

- IX. Ms. Davis made a motion, seconded by Mr. LaPorte to adjourn the meeting at 8:30 p.m.
Vote: Approved unanimously.

Respectfully Submitted,
Holli E. Pianka, Land Use Secretary
August 17, 2010

(Minutes are unapproved as of transcription date.)