

Town of Lebanon

PLANNING AND ZONING COMMISSION

Regular Meeting
Lebanon Town Hall
Lower Level Conference Room

Monday, November 15, 2010 – 7:00 PM

MINUTES

Members Present: David Fields, Secretary
Eric Bender
Robin Chesmer (arrived 7:45 p.m.)
Susan Brett Davis
Keith LaPorte
Francis Malozzi
Mark Bancroft, Alt.
Wayne Budney, Alt.

Members Absent: James Jahoda, Chairman
Matthew Johnson, Alt.

Also Present: Philip Chester, Town Planner
Brandon Handfield, Town Engineer
Holli Pianka, Land Use Secretary

I. The meeting was called to order at 7:10 p.m. by Mr. Fields, Acting Chairman.

II. Public Hearings

- a. **#PZ-10-09: Hyponex Corporation, 20 Industrial Park Road, Map 233, Lot 12, 13 and 14. Request for Special Exception per Zoning Sec. 4.8.b.2. for construction of 100,000 sq. ft. storage warehouse. (Continued from 10/18/10).** Mr. Fields appointed Mr. Bancroft and Mr. Budney as voting alternates.

Wes Wentworth, P.E. and Mark Cooper were present on behalf of the applicant. Mr. Wentworth submitted a revised site plan and drainage calculations. The plan was revised to address the concerns from the Commission, neighbors and Town Engineer regarding landscaping, setbacks, truck traffic and noise. He stated that the plans were revised to have trucks enter only the front of the warehouse and signs were to be posted around the building with the wording “no through truck traffic” and “maintenance and emergency access only”. He stated that CGS prohibit diesel trucks from idling longer than three (3) minutes and there will be 17 signs posted at the site with the wording “idling prohibited” which will be strictly enforce by the owner. On the Briggs Road side, the berm will be expanded and raised to include plantings. Lighting around the warehouse will consist of minimal low-level lighting attached to the building, eight (8) feet in height on the west and south sides. A traffic study was submitted by VHD, Traffic Engineers, Middletown. VHD will apply for a State Traffic Commission permit once local approval is received. Adjacent property owners will submit letters in order to grant site line agreements

allowing improvements/widening of the Industrial Park Road and Route 207 intersection. This will eliminate trucks swinging into opposite travel lanes when entering and exiting Industrial Park Road.

Mr. Handfield reviewed his comments in his letter dated November 15, 2010, regarding storm drainage study and calculations plan submitted by Mr. Wentworth dated September 1, 2010. This plan was entered in the hearing record. He stated the plan does minimize stormwater runoff and retains most of the runoff on the Hyponex property and all concerns were addressed adequately.

Mr. Handfield reviewed his comments in letter dated November 15, 2010, regarding the site plan for warehouse, outdoor storage areas, traffic flow and landscaping and discussed the following:

- The need for the proposed building meeting zoning regulations. Mr. Wentworth stated the proposed metal building with a low pitch roof is typical of an industrial zone warehouse. Highest peak is 28 feet above grade. Efforts are being made for screening, berming, plantings, etc.
- Mr. Handfield stated the plan was designed by an independent company and should be signed and stamped by a professional engineer. Mr. Wentworth signed/stamped the plan dated October 28, 2010, and entered into the record.
- The conceptual traffic plan submitted shows that anticipated traffic increase due to the expansion will not have a significant impact on the Industrial Park Road and Route 207 intersection.
- It is up to the discretion of the Commission to approve the conceptual plan and process without a final traffic plan being approved by the STC. The traffic study counts were done in September and may not completely reflect the truck traffic during the peak season. Mr. Cooper has submitted a monthly analysis (graph) of current truck traffic and expected traffic through 2012 which shows a decrease in peak traffic time during 2011 due to increased outdoor storage. An increase of 20-25% would take place during 2012 and the STC will require improvements made before the increase in truck traffic. The plan stating there will be no impact of existing utility systems, septic and well should be signed and stamped by a professional engineer. Mr. Wentworth signed/stamped the Internal Traffic Plan and Utility Impact Statement dated October 28, 2010, and entered into the hearing record.

Public Comment:

Art Duhaime, Briggs Road. Concern of trucks idling in predawn hours and who will take care of traffic enforcement. Concern of landscaping and maintenance of plantings, also dust from the site. Can the berm be raised and extended?

Mr. Cooper displayed one of the signs that will be posted prohibiting truck idling and encourages residents to call him directly with concerns or complaints in order for him to address any problem personally. Mr. Chester noted the ability of the Commission to require that a landscaping bond be posted to assure the plants remain or are replaced for at least one year. He noted that the landscaping needs to be completed in order for compliance for issuance of a Certificate of Occupancy.

Mr. Handfield recommended that Hyponex incorporate dust control into its operation and maintenance program. Mr. Wentworth agreed that the berm can be raised two or three feet and extended to the front edge of the building as a condition of approval, and would not encroach on the fire lane.

With no further comments, Ms. Davis made a motion, seconded by Mr. Malozzi to close the public hearing. Vote: Approved unanimously.

Mr. Chesmer joined the meeting.

- b. **#PZ-10-10: Maureen Couchon, 1429 Exeter Road, Assessors Map 254, Lot 15.002. Request for Special Permit for Accessory Living Unit per Zoning Sec. 8.2.** This application was withdrawn upon written request by the owner dated 11/15/10.

III. New Business

- a. **#PZ-10-11: Holly B. Cole, owner/applicant, 61 Bush Hill Road, Assessors Map 208, Lot 70. Request for Special Exception for Residential Business Use (parent/child developmental therapy) per Zoning Sec. 4.2.b.13.**

A motion was made by Ms. Davis, seconded by Mr. Chesmer to accept this application and set a December 20, 2010 public hearing date.

Vote: Approved unanimously.

- b. **#PZ-10-12: Joan S. Coley, 1760 Exeter Road, Assessors Map 242, Lot 20. Request for Special Permit for Accessory Building per Zoning Sec. 7.3(b).** It was the consensus of the Commission that this application should be amended and submitted as a home occupation application. Mr. Chester will notify the applicant. **A motion was made by Ms. Davis, seconded by Mr. LaPorte, to accept this application and set a December 20, 2010 public hearing date.**

Vote: Approved unanimously.

- c. **CGS Sec. 8-24 Report: Demolition of Goshen Hearse House at Goshen Cemetery.** First Selectman Okonuk stated there is very little of the original building left and the Cemetery Commission has decided it would be too costly to restore it and has made a recommendation to the Board of Selectman for removal of the building. **Mr. LaPorte made a motion, seconded by Mr. Malozzi, to approve removal of the Goshen Hearse House. Vote: Approved unanimously.**

IV. Old Business

- a. **#PZ-10-08: Hyponex Corporation, 20 Industrial Park Road, Assessors Map 233, Lots 11 & 15. Site plan approval for construction of outdoor storage areas.** Mr. Chesmer recused himself as he is an abutter and left the meeting table. Mr. Wentworth submitted a revised plan and discussed the limited lighting plan, traffic flow plan and landscaping. Mr. Wentworth signed/stamped the Internal Traffic Plan and Utility Impact Statement dated October 28, 2010, and entered into the hearing record. Mr. Handfield stated the isometric lighting plan submitted satisfies the comments.

Ms. Davis made a motion, seconded by Mr. Malozzi, to approve application #PZ-10-08 for site plan approval with the following modifications:

- 1) The signage in the right of way be removed as per Mr. Handfield's letter dated October 15, 2010.**

Vote: Approved unanimously.

- b. #PZ-10-09: Hyponex Corporation, 20 Industrial Park Road, Map 233, Lots 12, 13 and 14. Request for Special Exception per Zoning Sec. 4.8.b.2, for construction of 100,000 sq. ft. storage warehouse.**

Mr. Malozzi made a motion, seconded by Mr. Budney, to approve application #PZ-10-09 with the following conditions:

- 1) The berm and plantings will be extended 250 feet across the easterly and southerly edge of the building.**
- 2) The signage in the right of way be removed as per Mr. Handfield's letter dated October 15, 2010.**

Vote: Approved unanimously.

V. Town Planner's Report

- a) It was the consensus of the Commission to approve the 2011 meeting dates.
- b) Final draft of POCD was approved and the final copy is being distributed.
- c) Farm Preservation: Cyr Farm closed, other properties in works.
- d) Clarification of kennel special permits. The Commission reviewed a letter from the Town Clerk. It was the consensus of the Commission that only kennels in which dogs are bred for show, sport or sale required a special permit.

VI. Correspondence

- a) A motion was made by Mr. Malozzi, seconded by Mr. Bancroft, and unanimously approved to pay Waller, Smith and Palmer for outstanding bills in amount of \$4,701.
- b) Letter received from Atty. for Lebanon Lakes, Inc. requesting specific language be added to Draft POCD and to schedule meeting or workshop with Commission or representative. It was noted that the public hearing had been closed in October and that Mr. Chester is available to meet as the Commission's representative.

VII. Approval of Minutes

- a) Ms. Davis made a motion, seconded by Mr. Malozzi to approve the October 18, 2010 Regular Meeting Minutes, with the following correction: Page 4, Item VII. The September 20, 2010 regular meeting minutes were approved with Mr. Bancroft abstaining. Vote: Unanimously approved.
- b) Mr. LaPorte made a motion, seconded by Mr. Malozzi to approve the October 28, 2010, Special Meeting Minutes as presented (Mr. Bancroft abstained).
Vote: Unanimously approved.

- VIII. Ms. Bancroft made a motion, seconded by Mr. Malozzi to adjourn the meeting at 8:50 p.m.**
Vote: Approved unanimously.

Respectfully Submitted,
Holli E. Pianka, Land Use Secretary
November 18, 2010

(Minutes are unapproved as of transcription date.)