

Town of Lebanon
PLANNING AND ZONING COMMISSION
Regular Meeting & Public Hearings
October 15, 2018, 7:00 p.m.
Lebanon Town Hall, 579 Exeter Road

Members Present: Chair James Jahoda, Secretary Kathleen Smith, Wayne Budney, Robin Chesmer, Keith LaPorte, Francis Malozzi, Tom Meyer, Allyn Miller (Alt.), Thomas J. Benoit (Alt.) and Ethan Stearns (Alt.)

Others Present: Town Planner Philip Chester, Jason Nowosad, Karen Wayland, Chuck Wayland, Amy Chesmer, Lincoln Chesmer, and Recording Secretary Linda McDonald

The meeting was called to order at 7:00 p.m. by J. Jahoda.

I. Public Hearing

- a. **PZ-18-7323:** Lebanon Planning and Zoning Commission. Proposed text amendments to Zoning Regulation Section 2.2, 4.1, 4.2, 4.3, 6.1, 7.6, 7.7, 7.9, 8.10 and Appendix 1 and adopt a new Section 4.12 Agriculture Tourist Village District Zone.

P. Chester stated the legal notice was placed in the Hartford Courant on 10/3/18 and 10/10/18, and a copy of the proposed regulations was sent by certified mail to the Town Clerks of Hebron, Colchester, Bozrah, Franklin and Windham. Per state statute the proposed regulations were also sent for zoning referral to the Southeast Connecticut Council of Governments (SECCOG) and the Capitol Region Council of Governments (CRCOG).

CRCOG responded on October 9, 2018 and “found no apparent conflict with regional plans and policies of neighboring towns”. CRCOG also stated “for sites located on a municipal border, we recommend that the Town take into consideration the uses across municipal boundaries and that any more limiting/restrictive measures related to traffic management, hours of operation, parking, screening, noise, lighting or signage, particularly for sites bordering residential uses in neighboring towns, be applied so as to mitigate potential impacts across municipal borders”.

SECCOG responded on September 4, stating “the proposed amendments will not result in a negative inter-municipal impact. Further, the proposed amendments are supportive of the following goal and objectives in the Regional Plan of Conservation and Development: A thriving agricultural industry that provides employment and adds to the region’s sense of place while providing good stewardship of natural resources. Implement changes to local ordinances that expand allowed agricultural uses and develop agricultural tourism events and resources.”

P. Chester submitted into the record, a copy of the September 25, 2018 meeting minutes of the Economic Development Commission and noted that the Commission unanimously endorsed the proposed zone changes and moved that Sec. II.3 define the minimum “25%” requirement for farm wineries/breweries/distilleries to be “by volume or weight” and change “Town of Lebanon” to “State of Connecticut”.

T. Meyer presented an overview of the proposed Agricultural Tourist Village District Zone (AgTV).
P. Chester presented an overview of fourteen other proposed zoning regulation amendments.

J. Jahoda opened the floor to public comment.

Amy Chesmer, co-owner of property of 724 Exeter Road thanked the subcommittee and the commission for putting forth this important piece of regulation change to make farms more viable long-term and enhance the public's appreciation of agriculture. She questioned the requirement of a conservation easement as a condition of district eligibility and asked the commission to consider that when developing a site under this regulation a farmer may have to move the location of a temporary structure dependent on the type of event and weather conditions.

Karen Wayland (with Chuck Wayland) of 105 West Town Street said they attended the public hearing because they are interested in keeping their farm in the family.

J. Nowosad of 888 Trumbull Highway said this was a good step in enhancing the agricultural viability in town. He suggested there were other ways to create the separation distances without requiring the 25-acre minimum.

Lincoln Chesmer of Graywall Farms said he is not sure of the intent of the requirement for a conservation easement in the proposed regulation.

*K. Smith MOVED to close the public hearing for **PZ-18-7323: Planning and Zoning Commission. Proposed text amendments to Zoning Regulations. K. LaPorte SECONDED. MOTION CARRIED 7:0:0. Regulations to become effective 15 days after decision publication in newspaper.***

I. NEW BUSINESS: There was no new business for discussion or action.

II. OLD BUSINESS

Discuss and act on public hearing item:

- a. **PZ-18-7323:** Lebanon Planning and Zoning Commission. Proposed text amendments to Zoning Regulation Section 2.2, 4.1, 4.2, 4.3, 6.1, 7.6, 7.7, 7.9, 8.10 and Appendix 1 and adopt a new Section 4.12 Agriculture Tourist Village District Zone.

Commission discussion followed. Minor revisions were made to proposed Zoning Regulations I.4.12c.1., II.2. and II.3.

*K. Smith MOVED to approve **PZ-18-7323: Planning and Zoning Commission Proposed text amendments to Zoning Regulations as revised during commission discussion at the meeting tonight. W. Budney SECONDED. MOTION CARRIED 7:0:0.***

III. TOWN PLANNERS REPORT

- Major clean-up, repair and replacement efforts underway after the Sept. 25th rain event.
- Enforcement issues with Lebanon Tap Room and property on Lake Shore Drive.
- Working on Lebanon's Winter Market set for Nov. 17, Dec. 15., Jan. 19, and Feb. 23.
- Met with environmental folks at cell tower site at High School.

- Selectmen have made offer to purchase development rights to 168 acres at 65 Trumbull Hwy. Continuing work on Bender, Geer, McCall and Wolf farmland preservation projects.
- Completing this month the 5-year strategic recreation plan with Recreation Commission.
- Oct. 29th Special Town Meeting will revise PZC fee ordinance, discontinue Lebanon Ave. Extension, and send new public works facility proposal to a November referendum.
- Submitting DOA grant request for funds for Farmers Market advertising, Town-wide ConsAg newsletter, resident survey, and cost of community services update.
- Selectmen are activating a Charter Commission as recommended in the POCD.

IV. MINUTES

- a. Approval of September 17, 2018 Regular Meeting Minutes: *K. LaPorte MOVED to approve the September 17, 2018 regular meeting minutes as presented. F. Malozzi SECONDED. MOTION CARRIED 5:0:2 with W. Budney and K. Smith abstaining.*

V. CORRESPONDENCE:

- Solar farm received approval of an additional mega-watt from Siting Council.
- T. Benoit, R. Chesmer, F. Malozzi and T. Meyer will attend the land use academy advanced training on October 27th in Haddam.
- Referral from Town of Windham regarding proposed zoning regulation definition changes.

VI. ADJOURNMENT: *J. Jahoda MOVED to adjourn the meeting at 8:18 p.m. K. Smith SECONDED. MOTION CARRIED 7:0:0.*

Respectfully submitted by Linda H. McDonald

Linda H. McDonald

Please see the minutes of subsequent meetings for the approval of these minutes and any corrections hereto.