

Town of Lebanon
PLANNING AND ZONING COMMISSION
Special Meeting
May 28, 2019, 7:00 p.m.
Lebanon Town Hall, 579 Exeter Road

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

Others Present: Town Planner Philip Chester, First Selectman Betsy Petrie, Resident State Trooper Collin Konow, Highway Foreman Jay Tuttle, Lions Club President Melissa Hofmann, Steve Salisbury, David Vertefeuille, Jody Walsh, and Recording Secretary Linda McDonald

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

II. **OLD BUSINESS**

a. Lebanon Lions Club (owner), David Vertefeuille (applicant), 122 Mack Road, Assessors Map 236, Lot 57 for request for Temporary Use Permit for July 5-7, 2019 Murdercycles event per Zoning Regulations Section 7.1:

J. Jahoda appointed E. Stearns as a voting alternate in place of W. Budney.

P. Chester had applicant D. Vertefeuille sign the application and add the proposed hours of operation.

D. Vertefeuille explained Friday night is set-up night. Saturday is the actual event from 10:00 a.m. to midnight with a DJ playing music during the day and a band (Dirty Deeds) playing from 7:30 p.m. to no later than 10:00 p.m. From 11:00 p.m. to midnight would be quiet time. The event is broken down on Sunday. About 20 people would be camping at the Fair Grounds. He anticipates 400 attendees and would like to include beer sales at the event.

Resident State Trooper C. Konow read a prepared statement which stated that The Murdercycles organization is affiliated with outlaw motorcycle gangs and recommended the Commission deny the application. He said law enforcement was not permitted on the property by the owners last year and this year the town has no additional manpower to cover this event as it is on the same night as Lebanon's Summer Dancefest.

P. Chester stated that the applicant would have to hire two (2) State Troopers for law enforcement coverage should the Commission deem this a condition of approval.

D. Vertefeuille said his organization is a brotherhood, not a gang. He said Murdercycles are associated with The Hell's Angels, but do not do things with them, and that his organization is family oriented, citing school and family events his organization has sponsored.

K. Smith inquired if Lions Club members would be at the site and emphasized the fact that police were not allowed on the property by the owner does not reflect on the applicant.

E. Stearns said the Commission's focus should be on public safety.

F. Malozzi said the Commission must think about the residents of the town who depend on their decisions and noted that Lions Club members were not qualified as public safety officials.

B. Petrie said the Town could provide two constables from noon to 4:00 p.m. on July 6 to do patrol check at the event if they are available, but that they would not be available after 4:00 p.m. due to their attendance at Summerfest.

Discussion followed on having a condition of the permit that there be police presence at the event.

D. Vertefeuille asked the commission not to decide tonight on his application. J. Jahoda said the next PZC meeting is June 17.

The members said a more detailed application is needed for this meeting, including deciding if there will be beer sales and addressing who would pay for police coverage and what hours there would be police coverage at the event.

M. Hofmann asked the Commission for guidance for the Lions Club moving forward. J. Jahoda responded the Lions Club has the responsibility and must decide on how to move forward after hearing concerns on oversight and public safety.

Jody Walsh of 227 McCall Road and member of the Lebanon Lions Club, commented he has been to every one of the groups' functions at the fairgrounds and several other events the group has sponsored, and the organization works with community and has been a great guest of the Lions Club. He said he has never witnessed any issues with other motorcycle groups at these events.

F. Malozzi MOVED to table discussion and decision to June 17, 2019 on the application of the Lebanon Lions Club (owner), David Vertefeuille (applicant), 122 Mack Road, Assessors Map 236, Lot 57 for Temporary Use Permit for July 5-7, 2019 Murdercycles event per Zoning Regulations Section 7.1. K. Smith SECONDED. MOTION CARRIED 7:0:0.

W. Budney was re-seated.

III. **NEW BUSINESS:**

- a. CGS Section 8-24 Report: Construction of additional parking at Fire Safety Complex, 23 Goshen Hill Road, Assessors map 246, lot 18:

P. Chester provided the Commission with a proposed repaving plan for the Fire Safety Complex that included 16 added parking spaces. He noted that the project has not yet been approved by the Board of Selectmen but members are being asked to weigh in at this time. Members reviewed the plan and voiced no objection.

F. Malozzi MOVED to issue a favorable 8-24 report for the construction of additional parking at Fire Safety Complex, 23 Goshen Hill Road, Assessors map 246, lot 18. K. LaPorte SECONDED. MOTION CARRIED 7:0:0.

b. Berkshire Bank, 554 Exeter Road, Assessors map 235, lot 53 for sign replacement:

P. Chester said the proposed was provided the Village Business District Design Review Board and that the only comments he has received was that the sign design, specifically the "X" logo was too large. Discussion followed.

F. Malozzi MOVED to approve the sign replacement of Berkshire Bank, 554 Exeter Road. W. Budney SECONDED. Discussion followed on the size of the "X" on the sign logo. F. Malozzi amended his motion to include a condition of approval that the "X" on the sign logo be reduced by 25%. W. Budney withdrew his second. K. Smith SECONDED the amended motion. MOTION CARRIED 6:1:0 with W. Budney opposed.

K. Laporte MOVED to enter Executive Session at 8:25 p.m., inviting Town Planner Philip Chester and First Selectman Betsy Petrie. K. Smith SECONDED. MOTION CARRIED 7:0:0.

IV. EXECUTIVE SESSION:

a. Enforcement Action, Mitlitsky Eggs LLC, 74 Card Street:

Executive Session concluded at 8:38 p.m. with no action taken.

V. MINUTES

a. Approval of May 20, 2019 Regular Meeting Minutes: F. Malozzi MOVED to approve the May 20, 2019 regular meeting minutes as presented. K. LaPorte SECONDED. MOTION CARRIED 6:0:1 with K. Smith abstaining.

VI. 2020 PLAN OF CONSERVATION AND DEVELOPMENT (POCD)

a. Status of 2010 POCD Recommendations: Discussion tabled to future meeting.

VII. TOWN PLANNERS REPORT

P. Chester reported that the POCD Open Space Subcommittee met today and that Bob Bernstein, Executive Director of New England Farm access will be meeting with the Subcommittee on June 7th to discuss its development of five (5) agricultural centers in the northeast.

VIII. COMMUNICATION:

IX. ADJOURNMENT: K. Smith MOVED to adjourn the meeting at 8:43 p.m. F. Malozzi SECONDED. MOTION CARRIED 7:0:0.

Respectfully submitted by Linda H. McDonald

Linda H. McDonald

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