

Town of Lebanon

**PLANNING AND ZONING COMMISSION**

Special Meeting

Lebanon Town Hall, Downstairs Conference Room

Thursday, June 24, 2010

7:00 PM

**MINUTES**

Members Present: James Jahoda, Chair  
David Fields, Secretary  
Eric Bender  
Robin Chesmer (arrived 7:15 p.m.)  
Keith LaPorte  
Sue Brett Davis  
Absent: Francis Malozzi  
Mark Bancroft, Alt.  
Wayne Budney, Alt.  
Matt Johnson, Alt.  
Also Present: Philip Chester, Town Planner

**I. ROLL CALL.** The meeting was called to order at 7:00 p.m. by Mr. Jahoda.

**II. PUBLIC HEARINGS.** None.

**III. NEW BUSINESS**

- a. Proposed Settlement Agreement. Walter Chmurynski, et al v. Lebanon Planning and Zoning Commission et al. New London Superior Court case no. KNL-CV-07-4007678-s, for property located on east side of Scott Hill Road, Assessors Map 283, Lot 2, based on Land Use Appeal of PZC File #07-19 Michael DiCocco application, 2-Lot Subdivision, Scott Hill Road.

Mr. DiCocco was present. The Commission reviewed Mr. Chester's 6/15/10 memo and the plans dated 2/28/07, revised through 3/31/10.

**A motion was made by Mr. LaPorte and seconded by Mr. Bender to approve the settlement agreement and plans dated 2/28/07, revised through 3/31/10 and waive the open space requirement. Motion unanimously approved.**

#### **IV. OLD BUSINESS**

- a. #PZ-10-02: Heidi & Joseph Adgalanis, owner/applicant, 133 East Hebron Turnpike, Assessor's Map 266, Lot 1, (1)-lot subdivision. Review and approve agricultural easement language. Ms. Davis recused herself and left the conference room.

The Commission reviewed the draft easement language relative to farming activities prohibited on the remaining land owned by Heidi and Joseph Adgalanis. It was agreed that "pasturing of animals, stockpiling of manure and growing of crops for animal food" would all be the prohibited farming practices on this property. It was also agreed that the easement needed to include the dimensions or bounds of the easement and needed to be in an acceptable form to be sent to Commission Counsel for review.

Ms. Davis resumed her seat on the Commission.

- V. EXECUTIVE SESSION.** No Executive Session took place.

- VI. REGULATION REVIEW SUBCOMMITTEE REPORT.** The next regular meeting of the Subcommittee will take place Thursday, July 29, 2010.

#### **VII. TOWN PLANNER'S REPORT**

Mr. Chester presented a concept plan from Bender Oil to construct an oil tanker storage building which would replace existing outside oil tank storage. It was the consensus of the Commission that the proposed use did not qualify as an expansion of a non-conforming use as the proposed building was no greater than existing oil tank storage. The Commission concluded that Bender Oil needed to submit a site plan application.

#### **VIII. CORRESPONDENCE**

- a. Waller Smith & Palmers Bills. Ms. Davis made a motion, seconded by Mr. Fields, to approve the April and May 2010 Commission Counsel bills for \$10,785.80. Motion unanimously approved.
- b. Anchor Engineering Bill. Mr. Fields made a motion, seconded by Ms. Davis, to approve the May 2010 Engineering bill for \$251.55. Motion unanimously approved.

- IX. MINUTES.** Mr. LaPorte made a motion, seconded by Mr. Bender, to approve the May 17, 2010 regular meeting minutes. Motion unanimously approved.

- X. ADJOURNMENT.** Ms. Davis made a motion, seconded by Mr. LaPorte, to adjourn. Motion unanimously approved.

Respectfully Submitted,  
Philip S. Chester, Town Planner