



Town of Lebanon
PLANNING AND ZONING COMMISSION
Special Meeting
Thursday, May 26, 2011

MINUTES

Members Present: James Jahoda, Chair
Eric Bender
Robin Chesmer
Susan Brett Davis
David Fields
Keith LaPorte
Wayne Budney, Alt.
Absent: Frank Malozzi
Mark Bancroft, Alt.
Matthew Johnson, Alt.
Also Present: Philip Chester, Town Planner

- I. The meeting was called to order at 7:04 p.m. by Mr. Jahoda.
- II. Mr. Bender made a motion, seconded by Ms. Davis, to approve the May 16, 2011 Regular Meeting Minutes. Motion unanimously approved.
- III. Old Business.
 - a. **PZ-10-05:** Matthew R. Williams, 234 Goshen Hill Rd (applicant), Williams Properties, LLC, (owner), for property at Goshen Hill Road, Assessors Map 252, Lot 1. Request for special permit modification to earth excavation permit to allow stone crushing.

Motion made by Mr. Fields, seconded by Mr. Bender, to accept application and set public hearing date for June 20, 2011. Motion unanimously approved.
 - b. **PZ-10-04:** Lebanon Topsoil and Earth Products, LLC, for property at Trumbull Highway Assessors Map 246, Lot 6. Earth excavation performance bond release.

The Commission reviewed Anchor Engineer's May 26, 2011 letter stating that the former earth excavation site had been restored back to agricultural use.

Motion made by Mr. Fields, seconded by Mr. Budney, to release performance bond. Motion unanimously approved.
 - c. **PZ-10-12:** Mitlitsky Eggs, LLC, 74 Card Street. Mr. Chester reported that he and the Town Engineer inspected the site and determined that site activity was taking place beyond that approved by the Commission and that additional soil and erosion measures were necessary as was application to the Inland Wetlands Commission for a buffer permit.

Mark Tarbell PE from Tarbell & Heinz discussed a revised site plan showing the limits of site disturbance and wetlands flagging. Mr. Tarbell reports that he will make buffer permit application to Inland Wetlands Commission and site plan modification application to Planning and Zoning Commission next week in time for the Commissions June meetings.

Mr. LaPorte and Ms. Davis requested that the applicant revisit the adequacy of the driveway turning radiuses off Card Street as residents had complained that trucks needed to use their property to make turns, especially in winter.

- d. **PZ-11-380:** Planning & Zoning Commission proposed amendments to Zoning Regulations Sections 4.9, 7.3, 7.7, 7.8, 8.6, 8.8, 8.12 and 10.1. (Public Hearing held 5/16/11.)

Motion made by Mr. Fields, seconded by Mr. Bender, to approve PZ-11-380 with the following conditions:

- 1. Amend Item c. (Sec. 7.3. Accessory Buildings) to allow up to maximum "1,500 square feet of the livable area of the principal structure, except in the Lake Zone where a special permit shall be required when an accessory structure exceeds 50% of the livable area of the principal structure. For purposes of calculating accessory structure square footage all floor areas shall apply."*
- 2. Amend Item i. (Sec. 10.1. Board of Appeals) by adding the following after "floor elevation" in first paragraph: "up to amounts as high as \$24 for \$100 of insurance coverage. The Commission shall maintain the records of all appeal actions and report any variance to the Federal Emergency Management Agency in its biennial report."*

Motion unanimously approved and the Commission stated that the amendments are consistent with the Lebanon's Plan of Conservation and Development and will take effect 15 days after publication of notice.

- e. **PZ-11-381:** Planning and Zoning Commission proposed amendments to Subdivision Regulation Sections 3.7, 4.2, 6.3 and 6.5. (Public Hearing held 5/16/11.)

Motion made by Mr. Fields, seconded by Ms. Davis, to approve PZ-11-381 with the following condition:

- 1. Amend Item c. (Sec. 6.3.D. Streets) by deleting all words after "solar access" in second sentence.*

Motion unanimously approved and the Commission stated that the amendments are consistent with Lebanon's Plan of Conservation and Development and will take effect 15 days after publication of notice.

IV. Home Occupation and Residential Business Use Zoning Regulations. The Commission discussed the distinction between these items.

V. The Commission adjourned at 8:50 p.m.

Respectfully Submitted,
Philip S. Chester, AICP