

**TOWN OF LEBANON
PLANNING AND ZONING COMMISSION
REGULATION REVIEW SUBCOMMITTEE**

January 29, 2009

Town Hall Downstairs Meeting Room
REGULAR MEETING MINUTES

Present:	David Fields, Chair	Jim Jahoda
	Robin Chesmer	Alan Lamb
	Keith LaPorte	Wayne Budney, Alt.
Also present:	Philip Chester, Town Planner	Brandon Handfield, Town Engineer
	Ed O'Connell, PZC Counsel	Mark Zamarka, PZC Counsel

I. CALL TO ORDER

Mr. Fields called the meeting to order at 7:00 p.m.

II. NEW BUSINESS

a. Seasonal Occupancy. The Committee discussed problems with the current regulations and reviewed page 27 of the 2000 POCD which calls for retaining seasonal occupancy and density at Amston Lake with or without sewers. The Committee reviewed maps from the Wright Pierce study and the following issues were discussed related to zoning at Amston Lake.

- 30-day allowance enforceability issues.
- Eliminating the 30-day allowance provision and grandfathering.
- Extending seasonal timeline to include the 30 days.
- Eliminating seasonal use.
- Keeping seasonal use only for any new construction with sewers.
- Private versus public roads.
- Retaining the seasonal and year-round status.
- Seasonal versus year-round setback issues.
- Impacts associated with changing all properties to year round.
- Determining CT Water Company policies.
- Potential WPCA actions.

Mr. Chester distributed an outline entitled "Amston Lake Study – Phase II" and asked Counsel to (1) review Wright Pierce Study, (2) conduct site visit of Amston Lake, (3) review existing regulations, (4) determine potential legal issues to maintaining or changing regulations with sewerage, (5) contact and summarize CT Water Company policies, (6) review policies established in Coventry, Old Lyme and other seasonal occupancy communities; and (6) suggest zoning alternatives.

b. Cluster Regulations. The Committee discussed the Supreme Court decision involving the Town of Windsor. Mr. Chester will provide suggested amendments to be discussed at the February meeting.

Mr. Jahoda made a motion seconded by Mr. Lamb to approve the October 30, 2008 meeting minutes. Motion approved unanimously.

Mr. Chester distributed the December \$998 invoice from Waller Smith & Palmer and noted that he would authorize payment.

III. OLD BUSINESS

a. Earth Excavation Regulations. The Committee reviewed Mr. Handfield's 11/6/08 draft and the 1/28/09 comments from USDA/NRCS Kip Kolesinskas and Shawn McVey. The following changes were discussed.

1. Change word "loam" to "subsoil" in Sec. a.1)(a) and b.2)(d).
2. Require the separate stockpiling of topsoil and subsoil in Sec. b.2)(d).
3. Amend Sec. b.2)(f) according to Mr. Kolesinskas' recommendations.

Mr. Handfield will prepare a revised draft to be discussed at the February meeting.

IV. ADJOURNMENT

The Committee adjourned at 9:15 p.m.

Philip S. Chester, AICP
Town Planner