

MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL
TUESDAY, NOVEMBER 12, 2019
7:00 P.M.

1. Call to Order

The regular meeting of the Planning and Zoning Commission was called to order by Chairman Robert Adams, at 7:00 P.M.

MEMBERS PRESENT: Robert Adams, Ronald Giroux, Kim Sperry, Sharon Gabiga, Trevor Danburg, Cheryl Blanchard, Gary Ritacco, John Dempsey, Timothy Minor (ALT), Jason Lebel (ALT)

MEMBERS ABSENT: Benjamin Hull, III

STAFF PRESENT: Michael J. Murphy, AICP, Consultant Planner-SCCOG, Lisbon Town Planner

Chairman Robert Adams seated Timothy Minor for Benjamin Hull, III.

2. Previous Minutes – Motion by S. Blanchard second by S. Gabiga to accept the October 1, 2019 minutes as presented. VOTE: UNANIMOUS, MOTION CARRIED

3. Correspondence

- a. Copy, Letter, from CT DOT to Boundaries, LLC dated 10/23/2019 re: Armstrong Chimney & Stoves. Mr. Murphy noted for the record that the items listed in the letter are addressed on the final mylars.
- b. Copy, 2020 Schedule of Meetings Calendar, re: discrepancy in September date. Motion by T. Danburg second by J. Dempsey to amend the calendar from September 8, 2020 to September 1, 2020.
- c. Memo, from Board of Selectmen re: Mandatory Sexual Harassment Training for Employees
- d. Copy, Letter, from Heller, Heller & McCoy dated 10/4/2019 re: Tucker Development \$3000.00 fee in lieu of open space payment, 43 Barber Farm (Lot 21)
- e. Copy, Letter, from Heller, Heller & McCoy dated 10/4/2019 re: Tucker Development \$3000.00 fee in lieu of open space payment, 3 Janette Court (Lot 12)
- f. Copy, Letter, from The Last Green Valley dated 10/2019 re: request for submissions regarding volunteer time, in-kind contributions, etc. for the National Heritage Corridor.
- g. Notice, from CCM re: Municipal Training, Cybersecurity on 10/24/2019
- h. Newsletter, CT Federation of Planning and Zoning Agencies Fall 2019

4. Bills and action thereon

- a. Halloran & Sage, \$180.00, inv#11309290, dated 11/7/2019. Motion by R. Giroux second by G. Ritacco to pay. VOTE: UNANIMOUS, MOTION CARRIED
- b. Halloran & Sage, \$1840.00, inv#11309291, dated 11/7/2019, re: Savin Gas litigation. Motion by G. Ritacco second R. Giroux to pay. VOTE: UNANIMOUS, MOTION CARRIED
- c. SECCoG, \$16,001.36 re: for services from July 1 through September 30, 2019. Motion by G. Ritacco second by R. Giroux to pay. VOTE: UNANIMOUS, MOTION CARRIED

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- d. The Bulletin, \$268.83, Inv#002674029, 10/9/2019 re: NoD. Motion by T. Danburg second by G. Ritacco to pay. VOTE: UNANIMOUS, MOTION CARRIED
- e. CLA Engineers, \$625.00, inv#1, dated 11/1/2019. Re: 180 Newent Road. Motion by R. Giroux second by K. Sperry to pay. VOTE: UNANIMOUS, MOTION CARRIED
- f. CLA Engineers, \$375.00, inv#13, dated 11/1/2019 re: Harvest Road inspection. Motion by R. Giroux second by G. Ritacco to pay. VOTE: UNANIMOUS, MOTION CARRIED

5. Reports

- a. ZEO – Brief report by Carl Brown, ZEO regarding Walmart, Home Depot and Lowes
- b. Regulations - NONE
 - 1. MS4 Storm Water Regulation/Ordinance Update – Brief update by Michael Murphy, Town Planner. The draft ordinance was sent to the Town Attorney for review, but she has not responded yet.
- c. Zoning Map Subcommittee –
 - 1. Update Regarding Route 12 Corridor Study and Zoning Amendments per POCD 2016 – Workshop scheduled for January 14, 2020 at 6:00 PM.

6. Old Business:

- a. Regional Planning Commission – Mr. Giroux gave a brief report about the October meeting, regarding Wastewater Treatment and Bike Paths.
- b. Determination Regarding Fee in Lieu of Open Space – Burnham Hill Associates, 332 N. Burnham Highway – Motion by R. Giroux second by G. Ritacco to move this agenda item to 8.a. to allow time for Mr. Hamel's Attorney to arrive. VOTE: UNANIMOUS, MOTION CARRIED

7. New Business

- a. Receipt of New Applications
 - 1. Special Permit Application, Walmart Grocery Pick-up Expansion – Walmart Real Estate Business Trust, Applicant, 160-180 River Road – Schedule Public Hearing – Motion by T. Danburg second by K. Sperry to schedule a public hearing for December 3, 2019 at 6:30 PM. VOTE: UNANIMOUS, MOTION CARRIED
- b. K&H Properties, 397 North Burnham Hwy – Request for 90-day Extension for the Purpose of Recording Special Permit Mylars – Motion by G. Ritacco second by R. Giroux to grant 90-day Extension. VOTE: UNANIMOUS, MOTION CARRIED
- c. Referrals
 - 1. Town of Preston – Application for Zoning Text Amendment relative to section 15 – Dimensional Requirements – Motion by T. Danburg second by K. Sperry to send a Letter of No Intermunicipal Impact. VOTE: UNANIMOUS, MOTION CARRIED

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8. Any other business which may properly come before the commission
- a. Determination Regarding Fee In lieu of Open Space – Burnham Hill Associates, 332 N. Burnham Highway – Mr. Hamel's Attorney, Harry Heller, of Heller, Heller & McCoy, 736 Route 32, Uncasville was present to speak on behalf of Mr. Hamel, and stated that the Statutory Procedure that requires an appraiser be chosen before a Fee-In Lieu of Open Space is determined, was totally ignored at the time. Mrs. Sperry noted that the original Subdivision Application was approved 12 years ago and, judging by the meetings transcripts, Mr. Hamel had ultimately agreed to the \$6000.00 per lot and did not contest that amount until recently. Motion by K. Sperry second by C. Blanchard not to entertain the re-opening of the Fee-in-Lieu of Open Space on the Burnham Hill Project as presented by Mr. Hamel.

VOTE: J. DEMPSEY ABSTAINS; MOTION CARRIED


9. Public Comment – A resident on Newent Road commented negatively on the decision of the Commission to deny Mr. Hamel's request, and received further clarification regarding the request and the reason for the decision.

10. Adjournment - Motion made by R. Giroux second by G. Ritacco to adjourn at 8:28 P.M.

VOTE: UNANIMOUS MOTION CARRIED


Elaine Joseph, clerk

Approved: _____
Robert Adams, Chairman

RECEIVED FOR RECORD AT LISBON
CT ON 11/19/2019 AT 1:35pm
ATTEST. LAURIE TIROCCHI, TOWN CLERK
 Asst