

MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL VIRTUAL MEETING
TUESDAY, APRIL 6, 2021
7:00 P.M.

1. Call to Order

The regular virtual meeting of the Planning and Zoning Commission was called to order by Chairman Robert Adams at 7:03 P.M.

MEMBERS PRESENT VIA TELECONFERENCE: Robert Adams, Ronald Giroux, Randy Brown, Cheryl Blanchard, Benjamin Hull, III, Jason Lebel, Timothy Minor, Kim Sperry, Gary Ritacco (ALT)

MEMBERS ABSENT: Trevor Danburg

STAFF PRESENT VIA TELECONFERENCE:

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

2. Previous Minutes – Motion by K. Sperry second by R. Giroux to accept the previous public hearing minutes and special meeting minutes of March 16, 2021 as presented. VOTE: UNANIMOUS, MOTION CARRIED

3. Correspondence

- a. Copy, Letter to Thomas W. Sparkman, First Selectman from Wayne Donaldson, BoF Chairman dated 3/25/2021 re: Board of Finance Actions, March 24, 2021 (PZC LI Transfer Request approval)
- b. Copy, Letter from Heller, Heller & McCoy to Thomas W. Sparkman, First Selectman, dated 3/12/2021 re: \$3000.00 Fee in Lieu of Open Space, 26 Barber Farm Road (Lot 8)
- c. From BoS re: PZC Budget (LI#51730 / LI#51750) as sent to BoF for approval
- d. Copy, Letter to City of Norwich, dated 3/17/2021 re: Letter of no inter-municipal impact
- e. Budget Report: July 2020 – April 2021 LI#51730 Purchased Services: \$23,505.12 / LI#51750 Supplies & Expenses: \$3,169.30

4. Bills and action thereon - NONE

5. Reports

- a. ZEO –Carl Brown, Zoning Enforcement Officer, gave a brief report. He noted that Home Depot have moved items out of the fire lane, but that snow removal equipment still remains and the issue has not yet been resolved. He noted that he is working with Lowe's and a few residential properties to come into compliance. Mr. Murphy stated he will call WS Development regarding the snow removal equipment at Home Depot and report back at the next meeting.
- b. Regulations - NONE
 1. MS4 Storm Water Regulation/Ordinance Update – Mr. Murphy gave a brief update, noting for the record that the draft regulations are on the Town website under the MS4 page for public review. He noted that there is a deadline to address provisions. The first set of amendments deal with making text

MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
TUESDAY, APRIL 6, 2021
Page 2 (cont)

amendments to zoning regulations to address the Clean Water Act, of which three principal sections are being revised. He then clarified the proposed amendments and then presented proposed subdivision amendments and definitions to both subdivision and zoning. He recommends scheduling a public hearing for June 1st. He would like to provide the text amendment applications to the commission at the next meeting for acceptance so the hearing can be scheduled.

- c. Zoning Map Subcommittee – NONE
 - 1. Update Regarding Route 12 Corridor Study and Zoning Amendments per POCD 2016 – NONE
- d. Town Planner Update Regarding Pending Projects/Issues of Interest
 - 1. The Governor extended outdoor seating under COVID-19 through May 20, 2021.
 - 2. Burger King is working on architectural issues but is responsive to the Planner's and ZEO preliminary suggestions.
 - 3. Save the Sound, a non-profit organization, has sent the First Selectman correspondence regarding the MS4 Storm-water regulations, noting that the Town is not yet in compliance with some provisions of the MS 4 program requirements. A copy of their letter will be provided to the commission.
 - 4. Applications – Mr. Murphy noted that applications for Home Occupation at 39 Barber Farm Road and the B&B at 45 Ross Hill Road are scheduled for public hearing on May 4th.
- 6. Old Business
 - a. Regional Planning Commission – NONE
 - b. Lowe's, 155 River Road, Application for Special Permit to Change / Expand Outdoor Storage – Motion by K. Sperry second by G. Ritacco to approve the application for special permit by Lowe's Home Improvement Stores, LLC at 155 River Road, Lisbon, CT for site improvements with the following conditions:
 - 1. Striping of the exit lane leaving the Pro-Contractor spaces at the indoor lumber yard area shall be corrected to reflect only one (1) exit lane.
 - 2. The cart return area in the aisle shall be relocated to the middle of the parking aisle after establishing the new BOPUIS spaces.
 - 3. The pickup directional (right turn) sign attached to the stop sign near the Garden Center shall be removed and a pickup (straight ahead) sign with a post shall be installed in the first landscaped island in front of the Garden Center.
 - 4. Remove the bag storage from the exit door area in the vicinity of the proposed air station (at lumber yard exit doors). Material may only be stored as shown on the site plan.

**TOWN OF LISBON
SPECIAL PERMIT APPLICATION**

CORRESPONDENCE WILL BE SENT TO APPLICANT OR DESIGNATED AGENT. ALSO SEE NOTES 1, 2 AND 3 BELOW:

➤ APPLICANT: LOWE'S HOME CENTERS, LLC TELEPHONE: (704) 758-4758
ADDRESS 1000 LOWE'S BLVD. MOORESVILLE, NC 28117 EMAIL: _____
➤ APPLICANT'S AGENT (IF ANY): Travis Spicer, EI TELEPHONE: (704) 758-4758
ADDRESS 1000 LOWE'S BLVD. MOORESVILLE, NC 28117 EMAIL: Travis.J.Spicer@lowes.com
➤ OWNER / TRUSTEE: LISBON INVESTORS LLC TELEPHONE: _____
ADDRESS 1765 MERRIMAN ROAD, AKRON, OH 44318 3200 W. MARKET STREET FAIRLAWN OH
➤ ENGINEER/ SURVEYOR/ ARCHITECT: FREELAND AND KAUFFMAN, INC. TELEPHONE: (864) 672-3426 44333
➤ ADDRESS 209 WEST STONE AVE, GREENVILLE, SC 29609 (attn: Todd Simmons, PE) EMAIL: tsimmons@fk-inc.com

1. TO BE ACCEPTED BY THE PLANNING AND ZONING COMMISSION, THIS ENTIRE APPLICATION MUST BE COMPLETED, SIGNED BY THE PARTIES LISTED BELOW, AND SUBMITTED WITH THE REQUIRED FEE(S) AND SITE PLAN PREPARED IN ACCORDANCE WITH THE APPLICABLE REGULATIONS AND ORDINANCES.

2. THE SUBMITTAL OF THIS APPLICATION CONSTITUTES THE PROPERTY OWNER'S PERMISSION FOR THE COMMISSION, ITS STAFF, AND/OR ITS CONSULTANT(S) TO ENTER THE PROPERTY FOR THE PURPOSE OF INSPECTION.

3. I HEREBY, AGREE TO PAY ALL ADDITIONAL FEES AND/OR ADDRESS SUCH COSTS DEEMED NECESSARY BY TOWN STAFF UNDER THE LISBON LAND USE FEES ORDINANCE.

SIGNATURE OF APPLICANT/AGENT [Signature] PRINTED NAME OF APPLICANT/AGENT Travis Spicer
DATE: 1.20.21

SIGNATURE/RECORD OWNER [Signature] PRINTED NAME/RECORD OWNER DAVID BYRNOWS V.P.
DATE: 4-6-21

PARCEL IDENTIFICATION INFORMATION

STREET ADDRESS AND/OR LOCATION OF PROPERTY:

155 River Road, Lisbon, CT 06351

MAP /BLOCK /LOT: 14 / 042 / 0002

VOLUME/ PAGE: 147 / 546

PROJECT NAME: Lowe's of Lisbon Outdoor Sales, Storage, Display Plan ACREAGE: 11.28 AC. ZONING DISTRICT: IP-1
LOT IN SQUARE FEET: 491,357 SF. TOTAL FLOOR AREA IN SQUARE FEET: 137,895 SF.

PROJECT DESCRIPTION, APPLICABLE REGULATIONS, AND PROPOSED STATEMENT OF APPROPRIATENESS OF USE:

1) The location of 3 pro trailer spaces in the parking lot in front of the lumber yard entrance. 2) The location of 5 pro parking spaces under the lumber yard entry canopy. 3) The location of 4 BOPUIS (buy online, pick-up in store) parking spaces & associated signage. 4) The location of an outdoor seasonal quick load area of palletized bagged goods from 4/1 - 8/31 (+/- 3,000 SF). (5) The location of the appliance recycling area. 6) The location of back of store bagged goods and shipping containers (+/- 6,100 SF). These requests are in addition all previously approved sales and display areas.

APPLICATION SUBMITTAL DATE: 1/26/2021 FEE(S) PAID: 560.00

OFFICIAL DAY OF RECEIPT: 2/2/2021

*P & Z COMMISSION ACTION: APPROVED W/ CONDITIONS DATE: 4/6/2021

CHAIR'S SIGNATURE: [Signature] ROBERT ADAMS, CHAIRMAN

UPON APPROVAL OF THIS APPLICATION BY THE PZC, AND COMPLIANCE WITH THE PROVISIONS OF SECTION 2.3.3 AND ANY CONDITIONS REQUIRED, THE ZONING ENFORCEMENT OFFICER MAY ISSUE THE ZONING PERMIT.

Zoning Enforcement Officer

DATE: _____

Rev. 12/17

(* Any conditions attached to PZC action, or any reasons for denial, shall be reflected in the record and attached. No approved special permit shall be effective until a copy of the Notice of Approval and Grant of Special Permit is duly recorded in the land records of the Town.)

TOWN OF LISBON
PLANNING AND ZONING COMMISSION
NOTICE OF APPROVAL AND GRANT OF SPECIAL PERMIT

This is to certify that on April 6, 2021 the Planning and Zoning Commission of the Town of Lisbon granted a Special Permit in accordance with the provisions of section 11 of the Lisbon Zoning Regulations as follows:

1. Owner of Record: Lisbon Investors, LLC
2. Applicant: Lowe's Home Centers, LLC (Travis Spicer, Agent)
1000 Lowe's Blvd., Mooresville, NC 28117
3. Description of premises including street address, map, block and lot(s):
155 River Road, Lisbon, Connecticut; Map ID: 14/042/0002
4. Description of special permit including relevant regulations authorizing activities and any conditions of approval:

To allow alterations to the current parking lot design, on-line pick-up in store with associated signage, and the addition of rear storage and appliance recycling areas at 155 River Road (Assessor's Office Map ID 14/042/0002), Lisbon, CT, on a 11.28 +/-AC. parcel in the IP-1 zone.

Approved with the following conditions:


1. Striping of the exit lane leaving the Pro-Contractor spaces at the indoor lumber yard area shall be corrected to reflect only one (1) exit lane.
2. The cart return area in the aisle shall be relocated to the middle of the parking aisle after establishing the new BOPUIS spaces.
3. The pickup directional (right turn) sign attached to the stop sign near the Garden Center shall be removed and a pickup (straight ahead) sign with a post shall be installed in the first landscaped island in front of the Garden Center.
4. Remove the bag storage from the exit door area in the vicinity of the proposed air station (at lumber yard exit doors). Material may only be stored as shown on the site plan.
5. Display racks of wood and home improvement products shall be removed from the islands at the head of the Pro-Contractor customer parking spaces. Material may only be stored as shown on the site plan.
6. Technical items of staff re plan and application finalization shall be addressed.
7. The appliance recycling storage trailer location and the emergency access- way around the building shall meet the requirements of the Fire Marshal.

FINDINGS AND REASONS FOR APPROVAL The commission finds that the proposed application, as conditioned, will meet the intent of section 11.1, inclusive, in that the proposed use shall

Page 2 (cont)

be arranged in a manner that protects the public health, safety and welfare, continues to allow for free-flowing traffic, and continues to comply with the provisions of section 8.10 (3) of the zoning regulations.

Date: April 6, 2021

By: 
Robert D. Adams, Chairman
Lisbon Planning and Zoning Commission

NOTE: The Connecticut General Statutes and the Lisbon Zoning Regulations require that this NOTICE be recorded on the Land Records of the Town of Lisbon located in the office of the Town Clerk, indexed under the name of the record owner in order to become effective.

Received for Record: _____ at _____

Attest: _____
Lisbon Town Clerk

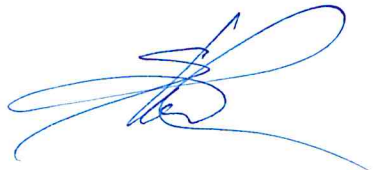
MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
TUESDAY, APRIL 6, 2021
Page 3 (cont)

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7. The appliance recycling storage trailer location and the emergency access- way around the building shall meet the requirements of the Fire Marshal.

FINDINGS AND REASONS FOR APPROVAL The commission finds that the proposed application, as conditioned, will meet the intent of section 11.1, inclusive, in that the proposed use shall be arranged in a manner that protects the public health, safety and welfare, continues to allow for free-flowing traffic, and continues to comply with the provisions of section 8.10 (3) of the zoning regulations.

7. New Business
 - a. Receipt of New Applications - NONE
 - b. Referrals - NONE
 - c. Request for Partial Release of Sewer Caveat – Timothy Bresnan, 47 School House Road – Mr. Murphy noted for the record that the attorney for the property owner asked for this release and was advised to request to be added to the agenda. Mr. Murphy noted that the property owner is apparently seeking to sell off a portion of his property but that there was a requirement for a performance bond and fee in lieu of open space with the original subdivision approval, which was never met. Mr. Murphy noted that he has been in touch with the attorney and recommends this be tabled until the next meeting to allow for additional research to be done and for the attorney to address Mr. Murphy's formal response regarding the conditions of the subdivision that may need to be met. – TABLED.
8. Any other business which may properly come before the commission - NONE
9. Public Comment – It is noted for the record that there was no public comment received via email and no one from the public present at the virtual meeting had any comments.
10. Adjournment - Motion made by K. Sperry second by R. Giroux to adjourn at 7:48 P.M.

VOTE: UNANIMOUS MOTION CARRIED



Elaine Joseph, Clerk

Approved: _____

Robert Adams, Chairman

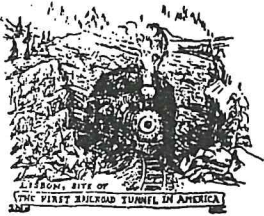
RECEIVED FOR RECORD AT LISBON

CT ON 04/12/2021

AT 12:55pm

ATTEST. LAURIE TIROCCHI, TOWN CLERK

Margaret Wakely, Asst



PLANNING & ZONING COMMISSION
TOWN OF LISBON
1 Newent Road
Lisbon, Connecticut 06351

NOTICE OF DECISION
Town of Lisbon
Planning and Zoning Commission

At the regular meeting of the Town of Lisbon Planning and Zoning Commission held virtually on Tuesday, April 6, 2021, the following action was taken:

Lowe's Home Centers, LLC, 155 River Road, Application for Special Permit for site plan improvements re: outdoor storage and parking. APPROVED WITH CONDITIONS

Dated at Lisbon, Connecticut this 12th day of April 2021.

Robert D. Adams, Chairman
Lisbon Planning and Zoning Commission

RECEIVED FOR RECORD AT LISBON

CT ON 04/12/2021 AT 12:55pm

ATTEST. LAURIE TIROCCHI, TOWN CLERK

Laurie Tirocchi, Attest