

MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL
TUESDAY, MARCH 3, 2020
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 7:54 P.M.

MEMBERS PRESENT: Robert Adams, Ronald Giroux, Kim Sperry, Timothy Minor, Jason Lebel, Cheryl Blanchard (ALT), Gary Ritacco (ALT)

MEMBERS ABSENT: Trevor Danburg, Benjamin Hull, III, John Dempsey, Randy Brown

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

Chairman Adams seated G. Ritacco for B. Hull and C. Blanchard for J. Dempsey.

2. Previous Minutes – Motion by K. Sperry second by T. Minor to accept the previous minutes of February 4, 2020 as presented. VOTE: UNANIMOUS, MOTION CARRIED

3. Correspondence

- a. Letter, from Brenmor Properties dated 2/24/2020 re: request for bond release
- b. Copy, Memo from Michael J. Murphy, AICP, Lisbon Town Planner to Christopher Maynard, Town Treasurer re: Wal-Mart Real Estate Business Trust Performance Bond
- c. Copy, Letter dated March 2, 2020 from Zoning Board of Appeals to Daniel Gauthier, 140 Ross Hill Road re: approval application #20-01
- d. Letter, from CT Siting Council dated 2/3/2020 re: Tower EM-CING – 073-200106 26 Mell Road
- e. Copy, Letter, from CLA Engineers to Mr. Murphy dated 2/10/2020 re: Woodco review
- f. Copy: Letter, from Boundaries to Mr. Murphy dated 2/12/ 2020 re: Woodco Site Plan Endorsement & Recording
- g. Copies, Letters to Town of Sprague dated 2/5/2020 re: Responses to Referrals (Proposed Text Amendments / Proposed Truck terminal)
- k. Memo, CCM Training
- l. Memo, CT FOIA Conference May 1
- m. Memo, Land Use Academy Basic Training, Wednesday 4/29 and 5/13
- n. Memo, Municipal Leadership Round Table
- n. Budget Report: July 1, 2019 – February 2, 2020, LI#51730 Purchased Services: \$23,187.94; LI#51750 Supplies & Expenses: \$1697.20

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4. Bills and action thereon
 - a. CLA Engineers, \$875.00, inv#2, 2/3/2020, re: 4 River Road. Motion by G. Ritacco second by T. Minor to pay. VOTE: UNANIMOUS, MOTION CARRIED
 - b. Bulletin, \$722.48, 2/13/2020, inv#00271967 re: Notice of Public Hearings: Stilly's Applications. Motion by G. Ritacco second by J. Lebel to pay. VOTE: UNANIMOUS, MOTION CARRIED
 - c. Halloran Sage, \$420.00, inv#11316721, 2/11/2019 re: Savin Gas litigation. Motion by R. Giroux second by K. Sperry to pay. VOTE: UNANIMOUS, MOTION CARRIED
 - d. CT Federation of Planning and Zoning Agencies, \$110.00, 3/1/2020 re: Membership Dues. Motion by R. Giroux second by J. Lebel to pay. VOTE: UNANIMOUS, MOTION CARRIED

Motion by G. Ritacco second by C. Blanchard to digress from the normal order of business and go to agenda item 6 before agenda item 5. VOTE: UNANIMOUS, MOTION CARRIED

5. Reports
 - a. ZEO – Brief report by Carl Brown, ZEO, regarding Target restriped parking area and complaints about garages being built.
 - b. Regulations - NONE
 1. MS4 Storm Water Regulation/Ordinance Update – Mr. Murphy distributed the following materials to the Commission members: Chapters 1, 3 & 6 of the IDDE Manual; Town of Lisbon Guidance Document for Low Impact Development Best Management Practices (Draft); Spreadsheet, Lisbon MS Program. He noted for the record that the MS4 General Permit Draft for Public Comment is on the Town website. Mr. Murphy also noted that he attended the Conservation Commission meeting on February 18 to update that commission regarding stormwater activities.
 - c. Zoning Map Subcommittee –
 1. Update Regarding Route 12 Corridor Study and Zoning Amendments per POCD 2016 –
Mr. Murphy noted that the draft regulations to add potential standards for Accessory Dwelling Units in the residential zones were distributed to the Commission for review via their members' packets.
6. Old Business:
 - a. Regional Planning Commission – NONE
 - b. Zoning Text Amendment Application, Stilly's Holding, LLC, Applicant – 117 S. Burnham Hwy, to add Sections 5.2.8 and 10.29 and amend sections 5.2.7, 8.10(2) and 10.3.4.d. to permit automotive dealer services in the BV-I zone – Motion by R. Giroux second by G. Ritacco - To approve the application of Stilly's Holdings LLC of 117 South Burnham Highway, Lisbon, Connecticut, adopting the proposed zoning text amendments relating to automotive dealer services and their development in the BV-1 zone, adding sections 5.2.8 and 10.29 and amending sections 5.2.7, 8.10 (2), and section 10.13.4.d.

APPLICATION FOR CHANGE OF ZONING REGULATIONS OR BOUNDARIES
Lisbon Planning and Zoning Commission

To be completed by the Applicant:

Date 12/18/2019

Name of applicant Stilly's Holdings, LLC

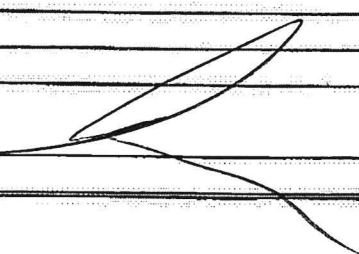
Mailing address 117 South Burnham Highway, Lisbon, CT 06351

Name of owner of record Stilly's Holdings, LLC

Mailing address 117 South Burnham Highway, Lisbon, CT 06351

Description of and purpose for proposed change: (In addition to a written description, the applicant shall submit a map clearly showing the boundaries of the proposed change when the change involves a zoning district boundary.)

Change of Zoning Regulations to add Section 5.2.8, add Section 10.29, amend Section 5.2.7, amend Section 8.10(2), and amend Section 10.13.4.d to permit automotive dealer services by Special Permit, subject to certain conditions and standards, in the BV-I zone along with other necessary text modifications.

Signature of applicant 

To be completed by Commission:

Application No. _____

Fee Paid \$ 560.00

Date of Submission December 18, 2019

Date of Receipt January 7, 2020

Date of Public Hearing March 3, 2020

Date of Commission Action March 3, 2020

Approved Effective Date: April 1, 2020

Denied _____

Reason for Change _____

Signature 

Robert Adams, Chairman

Proposed Zoning Text Changes
Stilly's Holdings, LLC

Additions:

5.2.8 Automotive dealer services, such as vehicle repair and maintenance, including used vehicle sales as an accessory use in accordance with the provisions of section 10.29.

10.29 Automotive dealer services, such as vehicle repair and maintenance, including vehicle sales as an accessory use are permitted in the BV-1 district subject to special permit approval, site plan review and compliance with the conditions and standards listed below:

1. **The minimum lot size shall be two (2) acres.**
2. **The parking for such use shall be provided pursuant to section 13.9.4 (t).**
3. **That all wastes generated from such use shall be properly stored and disposed in accordance with applicable law. Trash container enclosures shall be a minimum of one (1) foot higher than said trash container(s). Containers or dumpsters shall be located on concrete pads and be designed to prevent the generation of contaminated runoff or leachate, and be leak-tight with tight fitted lids and doors.**
4. **The Automotive dealer constitutes a valid non-conforming use lawful at the time of the adoption of these regulations and was in existence as of July 1, 2019.**
5. **With the exception of vehicles, there shall be no outdoor storage of materials associated with such use and that any outdoor storage of vehicles under repair for a period of time greater than one (1) week shall be adequately screened from public view with grade separation, natural vegetation, landscaping and/or fencing. Vehicles offered and displayed for sale in accordance with section 8.10(2) may be stored outside and within public view.**
6. **All new utilities associated with new construction shall be located underground in accordance with the requirements of section 12.6.10.**

Amendments:

5.2.7 New vehicle sales as a primary use. ~~Used vehicle sales shall not exceed 20% of the total number of new vehicles for sale.~~ New vehicle sales facilities may include repair facilities as an accessory use. ~~Used vehicle sales are specifically prohibited as a primary use in the BV-1 District.~~

8.10(2) The Commission may approve, as part of an approved special permit, retail sales and/or display associated with vehicle sales per Sections 5.2.7 and 5.2.8. For such use, the Commission may allow retail sales in front or side of the principal building, but may also require perimeter landscaping.

10.13.4.d The commission may not require ~~waive~~ compliance with this sub-section if because of physical constraints or other practical considerations the provision of sidewalks terrain, ledge, and extreme vertical discontinuation will not improve pedestrian flow and such facility is located in an IP-1 ~~or BV Zone situated southerly of Route I-295, westerly of Connecticut Route 12 easterly of South Burnham Highway, and northeasterly of Mell Road.~~

LEGEND:

Existing Language

New Language

~~Deletions~~

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Findings

The proposed amendments, as adopted, are considered consistent with the comprehensive plan of zoning and have been found to be consistent with policies in the 2016 Plan of Conservation and Development, which recommends 1) consideration of revisions to Business Village zone regulations and 2) encouraging economic development to absorb new growth with minimal impact on community character. These amendments will further distinguish between new dealerships and existing auto repair facilities, add better standards to address waste, trash containment, outside storage and accessory display of vehicles at these facilities, and provide for uniform application of sidewalk development in the commercial and industrial zones. Finally, these amendments will also allow the town's existing non-conforming auto dealers in the BV-1 zone to become conforming uses, promoting economic development in designated commercial areas.

The effective date of the amendments shall be April 1, 2020. VOTE: K. SPERRY NO; MOTION CARRIES

c. Change of Zoning Boundaries Application, Stilly's Holdings, LLC, Applicant – 117 S. Burnham Hwy, to rezone rear portions of 111, 117 and 121 S. Burnham Hwy from R-60 Zone to BV-I Zone – Motion by R. Giroux second by G. Ritacco To adopt the Zone Map change request of Stilly's Holdings LLC to rezone the rear portions of 111, 117 and 121 South Burnham Highway and their co-terminus map/block / lot locations within the Town from the R-60 district to the BV-1 district.

Findings

The Lisbon Planning and Zoning Commission has considered the recently adopted Plan of Conservation and Development 2016 (POCD) for the Town of Lisbon and finds that this zoning map change is consistent with the POCD which recommends a review of this BV-1 zoned area along Route 169 to assess the future of this area. The Commission has determined that the application is not so narrow as to only benefit a single, isolated parcel and that the zone change to bring the parcels fully within the BV-1 zone represents the logical and orderly extension of the BV -1 zone in this area.

The Commission hereby sets an effective date of April 1, 2020 for the zone district change.

VOTE: UNANIMOUS, MOTION CARRIED

7. New Business

a. Receipt of New Applications

- i. Sigfridson Subdivision, Fitch Road – Request for Modifications to Approved Subdivision – Mr. Sigfridson was present. It was explained to him that he needed modification to his plan since he has sold the development rights of the parcel to the State and is apparently requesting not to complete the subdivision as approved by the commission. Mr. Murphy recommended that the applicant be clearer on his application so as to detail what he is proposing to modify from the

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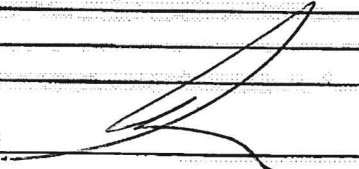
Mailing address 117 South Burnham Highway, Lisbon, CT 06351

Name of owner of record Stilly's Holdings, LLC

Mailing address 117 South Burnham Highway, Lisbon, CT 06351

Description of and purpose for proposed change: (In addition to a written description, the applicant shall submit a map clearly showing the boundaries of the proposed change when the change involves a zoning district boundary.)

Change of Zoning Boundaries to rezone the rear portions of 111, 117, and 121 South Burnham Highway from R-60 to BV-I.

Signature of applicant 

To be completed by Commission:

Application No. _____

Fee Paid \$ 560.00

Date of Submission December 18, 2019

Date of Receipt January 7, 2020

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original approval. Any change to the planned ownership status of the proposed Fitch Road from the original requirement to convey it to the Town would require a public hearing and approval of a re-subdivision. An as-built of the road will need to be done if the road is to be conveyed to the town as originally approved. Motion by K. Sperry second by T. Minor to accept the application for review and table until the April meeting. VOTE: G. RITACCO NO; MOTION CARRIES

b. Referrals

i. Board of Selectmen referral in accordance with CGS 8-24 regarding proposal to construct a dog park in Lisbon Meadows Park - Motion by K. Sperry second by G. Ritacco to send the Board of Selectmen a letter of support regarding the proposed dog park at Lisbon Meadows Park.

VOTE: UNANIMOUS, MOTION CARRIED

c. Brenmor Properties – Request for Release of Bond Balance - Motion by G. Ritacco second by K. Sperry to retain \$10,000.00 for stabilization of drainage and additional ENS Control on the site and release \$5,000.00. VOTE: UNANIMOUS, MOTION CARRIED

d. By-Laws – Review and Discussion of Proposed Revisions – Mrs. Sperry distributed draft by-laws changes from the committee to the Commission. Mrs. Sperry stated that the revisions were based on State statutes and Town ordinances.

Motion by K. Sperry second by J. Lebel to add "Planning and Zoning Commission Ordinances" to the agenda under 8.a.

VOTE: UNANIMOUS, MOTION CARRIED

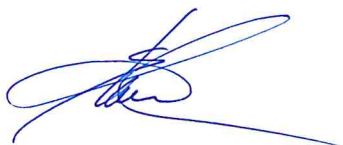
8. Any other business which may properly come before the commission

a. Planning and Zoning Commission Ordinances – Mrs. Sperry distributed copies of Town ordinances, as they pertain to the Planning and Zoning Commission, to the Commission members. A discussion ensued regarding members who have unexcused absences from meetings.

9. Public Comment – NONE

10. Adjournment - Motion made by R. Giroux second by J. Lebel to adjourn at 10:05 P.M.

VOTE: UNANIMOUS MOTION CARRIED



Elaine Joseph, clerk

Approved: _____
Robert Adams, Chairman

RECEIVED FOR RECORD AT LISBON
CT ON 3/10/2020 AT 10:35 am
ATTEST. LAURIE TIROCCHI TOWN CLERK
Laurie Tirocchi