

MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL
TUESDAY, JUNE 7, 2022
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 7:34 P.M.

MEMBERS PRESENT: Robert Adams, Randy Brown, Trevor Danburg, Ronald Giroux (remote), Benjamin Hull, III, Jason Lebel, Veronica Lutzen, Timothy Minor, Kim Sperry

MEMBERS ABSENT: Nathaniel Beardsworth (ALT)

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

Motion by R. Giroux second by T. Danburg to move "Old Business" before "Reports" on the agenda.

VOTE: UNANIMOUS, MOTION CARRIED

2. Previous Minutes – Motion by T. Danburg second by V. Lutzen to accept the minutes of May 3, 2022 as presented.

VOTE: UNANIMOUS, MOTION CARRIED

3. Correspondence

- a. Line Item Transfer Request – Motion by R. Giroux second by T. Danburg to add under agenda item 8.a.

VOTE: UNANIMOUS, MOTION CARRIED

- b. Memo, from Michael J. Murphy, AICP, Lisbon Town Planner to Town Treasurer dated 6/2/2022 re: Release of \$5,000.00 balance of original performance bond of \$20,000.00 for 102 River Road
- c. Memo, from Michael J. Murphy, AICP, Lisbon Town Planner to Town Treasurer dated 5/26/2022 re: Supplemental Fee, 240 Paper Mill Road
- d. Letter of Resignation from Commission member Cheryl Blanchard, dated 5/31/2022, effective 5/31/2022. Mr. Giroux noted for the record that Ms. Blanchard has also resigned from the Regional Planning Commission.
- e. Copy, Letter from the Commission to Zoning Board of Appeals dated 5/5/2022 re: application referral response, 66 Bundy Hill Road
- f. Copy, letter from Zoning Board of Appeals to Thomas W. Sparkman, First Selectman dated 5/26/2022 re: approval application #22-03
- g. Newsletter, CT Federation of Planning and Zoning Agencies
- h. Budget Report – July 1, 2021 – June 9, 2022 – LI#51730 Purchased Services - \$17,139.53 / LI#51750 Supplies & Expenses - \$1,602.52

4. Bills and action thereon

- a. Bulletin, \$712.68 inv#7311195, dated 5/18/2022 – Motion by R. Giroux second by J. Lebel to pay.

VOTE: UNANIMOUS, MOTION CARRIED

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5. Reports

- a. ZEO – Carl Brown, ZEO / BO– It is noted for the record that Mr. Brown was not present. Mrs. Sperry asked to have the Zoning Official address safety issues at Walmart/Lisbon Landing. She noted that signage at Walmart is inadequate for the new public safety legislation recently passed in January, as it relates to the pedestrians in or near crosswalk areas. She also noted that exiting sign arrows near the main access point as you leave the center are gone and should be replaced.
- b. Regulations – NONE
- 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. Mr. Murphy noted that there will be a Stormwater utilities webinar coming up and also noted that the drainage wall behind Walmart has been completed.
 2. Mr. Murphy noted that the landscaping at 102 River Road is completed and the remaining balance of the original \$20,000.00 Enforcement Performance Bond is in the process of being ~~refunded~~ released.
 3. Mr. Murphy reported that there will be a meeting with the Town of Sprague regarding the application for 240 Paper Mill Road, noting that Sprague maintains the road adjacent to this land use proposal.
 4. Mr. Murphy reported that the Ames Road subdivision community is concerned with the current conditions with the emergency access into the site. He also noted that Brenmor Properties will be coming before the Commission asking for a bond release for subdivision work completed.
 5. Mr. Murphy noted that the Armstrong Chimney driveway at 180 Newent Road has been improved and looks close to the plan.

6. Old Business

- a. Regional Planning Commission – NONE
- b. Zoning Text Amendment Application – Town of Lisbon Planning and Zoning Commission–Motion by R. Giroux second by K. Sperry to approve the application of the Planning and Zoning Commission of the Town of Lisbon to amend the zoning regulations as stated in its detailed application addressing particular provisions within sections 1, 9, 10, 11,12, and 13 as follows:
 - 1) Modify and adopt proposed section 10.2.4 by adding the following sentence to said section: “This section shall be deemed effective upon the approval of the Board of Selectmen pursuant to section 6 (f) of Public Act 21-29.”
 - 2) Modify and adopt proposed section 13.13 by adding the following sentence to said section: “This section shall be deemed effective upon the approval of the Board of Selectmen pursuant to section 5 of Public Act 21-29.”

FINDINGS

The proposed amendments, as modified and adopted, are found to be:

- 1) Consistent with the comprehensive plan of zoning for the Town;

**TOWN OF LISBON
REGULATION AMENDMENT APPLICATION**

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

➤ APPLICANT: Lisbon Planning and Zoning Commission	TELEPHONE: 860-376-3400
ADDRESS: 1 Newent Road, Lisbon, CT 06351	EMAIL: ejoseph@lisbonct.com
➤ APPLICANT'S AGENT (IF ANY): Michael J. Murphy, AICP, Lisbon Town Planner	TELEPHONE: 860-885-8697
➤ ADDRESS: c/o Lisbon Town Hall, 1 Newent Road, Lisbon, CT 06351	EMAIL: mmurphy@seccog.org
➤ OWNER / RUSTEE: N/A	TELEPHONE: N/A
ADDRESS: N/A	EMAIL: N/A
➤ ENGINEER/ SURVEYOR/ARCHITECT: N/A	TELEPHONE: N/A
➤ ADDRESS: N/A	EMAIL: N/A

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).

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

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  PRINTED NAME OF APPLICANT/AGENT: Michael J. Murphy, AICP

DATE: March 23, 2022

SIGNATURE/RECORD OWNER: N/A

PRINTED NAME/RECORD OWNER: N/A

DATE: N/A

REGULATIONS PROPOSED FOR AMENDMENT:

ZONING: **X** SUBDIVISION: N/A

PROPOSED AMENDMENT(S) (Section, title, and text-attach sheets as necessary):

Section 1.3 (Purpose); Section 9, inclusive (Non-conforming uses and structures); Section 10.2.4 (Opting Out of the Accessory Apartment Provisions of Public Act 21-29); Section 10.14, inclusive (Accessory Uses and Structures); Section 11.1 inclusive, 11.3, 11.4 (Special Permits); Section 12, 12.1, 12.6.7 (Site Plan Requirements); Section 13, 13.9.4.a.z (Parking Ratios for Residential and Accessory Dwelling Units); Section 13.13 (Opting Out of Certain Parking Provisions of Public Act 21-29).

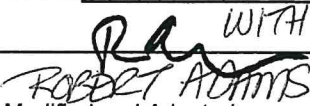
REASONS FOR EACH AMENDMENT REQUEST:

This amendment proposal has been developed to address recent legislative enactments that require municipal zoning commissions to update regulations to address new standards and mandates regarding the purposes of zoning regulations, the treatment of non-conforming uses and structures, standards regarding accessory apartment dwellings and parking requirements for residential dwellings, special permit approval criteria, and site plan approval criteria. These amendments also include Opt Out provisions as permitted by statute to protect the Town of Lisbon as well as editorial provisions to update the regulations.

APPLICATION SUBMITTAL DATE: MARCH 23, 2022 **FEE(S) PAID:** WAIVED

OFFICIAL DAY OF RECEIPT: April 6, 2022

P & Z COMMISSION ACTION: APPROVED (EFFECTIVE 7/1/2022) **DATE:** JUNE 7, 2022

CHAIR'S SIGNATURE:  WITH MODIFICATIONS

Adopted ✓ Modified and Adopted _____ Denied _____

Planning and Zoning Commission - ZONING TEXT AMENDMENTS TO ADDRESS NEW STATE LEGISLATIVE REQUIREMENTS, STANDARDS AND MANDATES

Adopted June 7, 2022

Effective Date July 1, 2022

SECTION 1 - TITLE, AUTHORITY, PURPOSE

- 1.3 Purpose. These Regulations are intended to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; to promote health and the general welfare; to provide adequate light and air; to facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements; to preserve the character of the various parts of the Town through specific physical standards for structures and site work; to protect historic, tribal, cultural, and environmental resource factors; to control soil erosion and sedimentation; to encourage energy efficient patterns of development, the use of solar, wind and other renewable forms of energy, and energy conservation; consider impacts to adjacent municipalities and on the planning region; address disparities in housing needs and access to opportunities, including employment and education; promote efficient application review; affirmatively further purposes of the Fair Housing Act; and to encourage the most appropriate use of land throughout the Town of Lisbon; further, these regulations, and subsequent amendments thereto, are enacted to carry out the purposes defined in Section 8-2 and Section 8-2j, Connecticut General Statutes, and any subsequent amendments thereto.

SECTION 9 - NON-CONFORMING USES AND STRUCTURES

- 9.1 Intent. Lots, uses and structures that were lawful at the time these Regulations were adopted or amended but that would be prohibited, regulated or restricted under the provisions of these Regulations, are declared to be nonconforming. It is the intent of these Regulations to allow the continuation of such lots, uses and structures as they existed at the time they became nonconforming but to discourage their enlargement, expansion or extension in any way which would increase their nonconformity.
- 9.2 Applicability. Nothing in these Regulations shall be interpreted as authorization for or approval of the continuation of any land uses, buildings or structures that were not lawful at the time these Regulations or subsequent amendments became effective.
- 9.3 Nonconforming Lots In any district, a lot recorded by deed in the Land Records prior to the effective date of these Zoning Regulations or any amendment thereto which does not meet the requirements of these Regulations may be utilized for any use otherwise permitted in the district, under the following provisions:

- 9.3.1 That such lot became nonconforming by reason of the adoption of the Zoning Regulations of the Town of Lisbon on July 6, 1970 or any subsequent amendments and was in compliance with the Regulations, if any, at the time such lot was first separately described in a deed on file in the Lisbon Land Records.
 - 9.3.2 The owner(s) of the lot do not also own sufficient adjoining property, which, if merged with the nonconforming lot, would cause such lot to comply with the provisions of these Regulations.
 - 9.3.3 The use of the lot shall conform to the requirements of the State Public Health Code.
 - 9.3.4 Yard dimensions as required in these Regulations must be maintained. The buildable area requirements of Section 8.4, above, shall not apply to subdivision lots existing as of September 20, 2000 which have not been built upon, provided such lots satisfy the Public Health Code.
- 9.4 Nonconforming Uses of Land Where it can be successfully demonstrated by a property owner that a lawful use of land existed at the effective date of the adoption or amendment of these Regulations that is no longer permissible under these Regulations, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:
- 9.4.1 No such use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of these regulations.
 - 9.4.2 These Regulations shall not be deemed to require a non-conforming use ~~is to be~~ terminated solely as a result of mere nonuse for a specified period of time without regard to the intent of the property owner to maintain that use. Said use shall not be deemed to terminate unless the property owner of such use voluntarily discontinues such use and such discontinuance is accompanied by an ~~in~~ intent to not reestablish such use.
 - 9.4.23 Notwithstanding section 9.4.2, no such use intentionally abandoned for more than 12 consecutive months shall be allowed to resume. The cessation of such use for 365 consecutive days shall be deemed to constitute intentional abandonment unless the property owner can provide clear evidence to the Commission of a continuous intention to maintain the use. Any subsequent use of such land shall conform to the requirements of the district in which such land is located.
- 9.5 Nonconforming Structures Where a lawful structure exists at the effective date of the adoption or amendment of these Regulations that could no longer be built under these Regulations by reason of restrictions on area, lot coverage, height, yard requirements, or other characteristics of the structure or its location on the lot, such structure may continue to exist so long as it remains otherwise lawful, subject to the following provisions:

- 9.5.1 9.5.1 No structure may be enlarged or altered in such a way as to increase the nonconformity, except as follows:
- a. If the structure extends into a required yard, the footprint area of that portion of the structure extending into the required yard may be increased by no more than five (5) percent, and the cubic area of that portion of the structure extending into the required yard may ~~not~~ be increased by no more than one hundred (100) percent.
 - b. If the structure, together with any other structures on the lot, causes the property to exceed any lot coverage limitations, the footprint area of the structure may be increased by no more than ten (10) percent.
- 9.5.2 If damaged or destroyed by fire or other catastrophe, the structure may be reconstructed by the owner of record, provided the restored structure is no more nonconforming than the original. Such restoration must commence within 12 months of the destruction and be completed within 24 of such destruction.
- 9.5.3 If such structure is to be moved for any reason for any distance whatsoever, it shall thereafter conform to the requirements of the zone in which it is located after it is moved.

9.6 Nonconforming Uses of Structures and Land If a lawful use of a structure or of structure and premises in combination exists at the effective date of adoption or amendment of these Regulations that would no longer be allowed under these Regulations, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- 9.6.1 No existing structure devoted to a nonconforming use shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered in a manner that increases the floor area devoted to the nonconforming use by more than five (5) percent, except as provided in Section 9.6.5.
- 9.6.2 Any nonconforming use may also be changed to a conforming use in its respective zoning district classification. In addition, a landowner may apply for, and the Commission may issue, a special permit to convert a nonconforming use to a less intensive nonconforming use. For the purposes of these Regulations, a proposed new nonconforming use for a parcel of land may be found to be less intensive than the existing nonconforming use of that land if any of the following circumstances exist: (a) the Regulations do not allow the existing use in any district but would allow the proposed use in at least one district; (b) the existing use is allowable only in an industrial district but the proposed use would be allowable in a business or residential district; (c) the existing use is allowable only in a business district but the proposed use would be allowable in a residential district; or (d) the existing use would be allowable only by special permit in one or more districts but the proposed use would be allowable by site plan review or by right in the same district or districts. The Commission must find that the proposed use would satisfy the criteria of Section 11 of these Regulations, except

that, in determining appropriateness and impact under Sections 11.3 and 11.4, the Commission may also consider whether, and the extent to which, any negative impacts of the existing use would be ameliorated by the proposed use. In issuing any special permit, the Commission may require appropriate conditions and mitigating actions to protect the public and the environment in accordance with these Regulations.

- 9.6.3 When a nonconforming use of a structure or structure and land in combination is intentionally abandoned as prescribed in these Regulations, the structure and/or land shall thereafter be used only in conformance with these Regulations. The cessation of such use for 365 consecutive days shall be deemed to constitute intentional abandonment unless the property owner can provide clear evidence to the Commission of a continuous intention to maintain the use. Any subsequent use of such land shall conform to the requirements of the district in which such land is located. Said nonconforming uses of structures and land shall be subject to the same protections as those prescribed in section 9.4.2 above.
- 9.6.4 When a nonconforming use is changed to a conforming use, the prior nonconforming use may not subsequently be resumed.
- 9.6.5 Legally existing mobile homes may be replaced by another mobile home of the same size and dimensions or by a mobile home of smaller size or dimensions. Legally existing mobile homes may be replaced by another larger mobile home only if the replacement mobile home meets all of the following requirements:
 - a. It has a sloped shingled roof.
 - b. It meets all of the State of Connecticut building codes for mobile homes.
 - c. It is no closer to the road than the pre-existing mobile home.
 - d. It meets side lot and rear lot requirements.
 - e. It is no larger than the next available size.
- 9.7 Repairs and Maintenance Repairs may be made and remodeling done to any structure provided that such work does not increase the nonconformity. Nothing in these Regulations shall prevent the strengthening or restoring to safe condition of any structure or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

SECTION 10 - SUPPLEMENTARY REGULATIONS

10.2 Accessory Dwelling Units (ADU)

(no proposed changes to recently adopted sections 10.2.1, 10.2.2, or 10.2.3)

- 10.2.4 Opting Out of the Accessory Apartment Provisions of Public Act 21-29. The Town of Lisbon hereby opts out of Section 6, subsections (a) through (d), inclusive, of Public Act

21-29. This section shall be deemed effective upon the approval of the Board of Selectmen pursuant to section 6 (f) of Public Act 21-29.

10.14 Accessory Uses and Structures. No accessory use shall be made nor accessory structure erected prior to the construction of the principal building or establishment of the principal use. Agricultural uses and structures are considered principal uses and structures, but agricultural structures shall be treated as accessory structures for the purpose of determining yard requirements.

10.14.1 Location. Accessory structures and/or appurtenances may not be located within the required front yard, side and rear yards, except as stated in Section 8.5.1 a through d or permitted elsewhere in the regulations. Accessory uses and structures shall be located on the same lot as the principal structure or use to which they are accessory.

10.14.2 Attachment to Buildings. A structure attached to the principal building by a covered passageway, or by having a wall or part of a wall in common with it, shall be considered a part of the principal structure.

10.14.3 Customary accessory uses and structures in Residential Zones. The following list is a partial list of acceptable accessory uses and structures that are accessory to a residential use.

- a. Private garages, sheds, doghouses, greenhouses, accessory dwelling units or other attached or detached structures associated with residential use, as the case may be.
- b. Signs, subject to the requirements of Sec. 15.
- c. Radio and television reception equipment, including satellite dishes for private use non-commercial smaller than 36 inches in diameter.
- d. Swimming pools.
- e. Outside storage of vehicles, camp trailers, recreational motor homes, boats, equipment or miscellaneous materials considered accessory to residential use, provided the following conditions are met.
 1. Such storage shall not constitute a junkyard.
 2. Such storage is of a scope and nature clearly accessory to the residential use.
 3. Such storage shall not be located within the front yard.
 4. No more than one unregistered vehicle or one unregistered camp trailer or recreational home on a lot.
 5. Outside storage of miscellaneous materials shall occupy no more than 200 contiguous square feet of the lot.

6. Trailers while stored shall not be occupied, inhabited, or used for sleeping purposes.
 7. Trailers while stored shall be kept at all times in a safe and sanitary condition.
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SECTION 11 - SPECIAL PERMITS

11.1 Intent. A special permit use is a use, which has been identified by these Regulations as appropriate in a particular district only when the proposed use has been planned such that the proposed structures and uses shall be found to:

- 11.1.1 Be arranged and constructed in a manner that protects the health, safety and welfare of the citizens of Lisbon;
- 11.1.2 Be of such character as to harmonize with the physical characteristics of the neighborhood as prescribed in these regulations;
- 11.1.3 Allow for safe and free-flowing movement of pedestrian and vehicular traffic;
- 11.1.4 Preserve and protect natural resources, historic and culturally significant landscapes, and the appearance and beauty of the community.
- 11.1.5 Be consistent with future development as identified and envisioned in these Regulations and the Lisbon Plan of Conservation and Development.

11.3 Appropriateness of Use. The proposed use shall be found to be appropriate for the designated location with regard to: the size and intensity of the proposed use, and its relation to existing land uses; the capacity of adjacent and feeder streets to accommodate peak and average traffic volumes, anticipated vehicle miles traveled (VMT) or vehicle trips expected to be generated by the proposed use, as well as any changes to the "Level of Service" traffic calculation in relation to the site and any special traffic characteristics, including traffic mitigation strategies such as reducing required parking and/or incorporating infrastructure and provisions for multi-modal travel and transit ridership, of the proposed use; the impact of the proposal on public access to light and air; the emission of noise, light, smoke, odor, gas, dust, and/or other offensive emissions; the preservation of the character of the neighborhood in terms of scale, density, intensity of use, architectural character, and similar factors relating to its physical characteristics; the ability of existing municipal, state, or other services and infrastructure to provide for the needs of the proposed use, including but not limited to: fire and police protection, transportation, water, sewerage, utilities, storm water drainage, schools, and open space.

11.4 Uses in, Adjacent to, or Impacting Residential Areas. The Commission shall find that: the location, size, nature, and intensity of the proposed use will not be detrimental to the character of the said residential district per the standards in section 11.3 above or conflict with the vehicular or traffic characteristics of the neighborhood; the location, size, and nature of structures, and extent of site development shall be such that the use will not

hinder or discourage the appropriate development and use of adjacent land and buildings.

SECTION 12 - SITE PLAN REQUIREMENTS

- 12.1 Intent. A site plan is intended to provide the Commission with information necessary to determine that the proposed activity is in compliance with all applicable requirements of these Regulations. It is also intended to provide the Commission with information that will enable it to determine that the proposed buildings and uses shall be arranged in a manner that enhances the health, safety and welfare of the citizens of Lisbon and shall be of such character with respect to physical characteristics established in these regulations as to harmonize with the neighborhood, to accomplish a transition in such character between the areas of unlike character, to preserve and protect natural resources and the appearance and beauty of the community, avoid undue traffic congestion, and encourage the most appropriate use of land throughout the Town of Lisbon.
- 12.6.7 Architectural Character, Historic Preservation, Site Design, Landscape Preservation. The overall character of the proposed site design and architectural character of proposed structures shall: preserve the existing historic character in terms of scale, density, architecture, materials used in construction of all site features; protect the existing historic patterns of arrangement of structural and natural features, including circulation patterns; preserve public access to scenic views and vistas.

SECTION 13 - PARKING AND LOADING

- 13.9.4 Parking Ratios: The following off-street parking ratios shall apply to all uses and/or combination of uses:
- a. Single and Two-Family Residential dwellings: 1 space for each studio or one-bedroom dwelling and 2 spaces per dwelling unit with more than one bedroom
 - z. Accessory Dwelling Units: 1 space per bedroom for Accessory Dwelling Units with a maximum of 2 spaces
- 13.14 Opting Out of Certain Parking Provisions of Public Act 21-29. The Town of Lisbon hereby opts out of the provisions of subdivision (9) of subsection (d) of section 8-2 of the General Statutes, as amended by Public Act 21-29. This section shall be deemed effective upon the approval of the Board of Selectmen pursuant to section 5 of Public Act 21-29.

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- 2) Consistent with policies and recommendations in the 2016 Plan of Conservation for guiding future development and the improvement of Lisbon;
- 3) Consistent with recent state legislation and will provide legal protections against potential ambiguities of any new statutory provisions.

The effective date of the amendments, exclusive of sections 10.2.4 and 13.13 as noted above, shall be July 1, 2022.

VOTE: B. HULL, V. LUTZEN NO; MOTION CARRIES

- c. Special Permit Application for a 17,000 s.f. Fire Station in the R-60 Zone – Town of Lisbon, Applicant, 25 Newent Road – Motion by K. Sperry second by R. Giroux to approve the request for a waiver of site plan requirements per section 12.5 regarding inclusion of all property owners within 500' of the property on the site plan in light of the provision of a list of said property owners per Town records.

VOTE: UNANIMOUS, MOTION CARRIED

Motion by R. Giroux second by K. Sperry to approve the special permit to construct a proposed fire station as shown on proposed plans in accordance with the provisions of section 4.3.3 and section 11, inclusive, at 25 Newent Road, Lisbon, CT with the following conditions:

1. Lighting associated with the operation shall not create glare or illumination which creates a hazard or nuisance to neighboring property or on adjacent roadways.
2. The applicant shall obtain approval from CONNDOT prior to the commencement of work in the Route 138 right of way. Any changes required by CONNDOT that substantively affects the site plan approval by this commission shall require review and possible submission of a new application.
3. All conditions of the Uncas Health District and the State's *Certificate of Public Convenience and Necessity* requirements for the water system shall be met.
4. Technical items of staff shall be addressed, including coordination of final plan elements and signatures of professionals on final plans.
5. Vapor barrier shall be implemented during construction if found necessary, to abate radon.

FINDINGS AND CONCLUSIONS

The commission finds that this proposed application, as conditioned, meets the special permit objectives of sections 11.1, 11.3 and 11.4, relating to intent, appropriateness of use, and impacts to residential areas, respectively. In addition, the landscape plan as modified meets the intent of section 14 and is deemed acceptable in light of the needs for storm-water infrastructure and other functional needs of the facility.

VOTE: UNANIMOUS, MOTION CARRIED

- d. Consideration and Action - Town of Lisbon Affordable Housing Plan (AHP) – Mr. Murphy gave a brief overview of the Affordable Housing Plan for the public present. He noted that the AHP is required by State policy, and all Connecticut Towns are required to update the plan every five years. Although he is currently unaware of what the penalty would be to disregard the State mandate and not adopt the 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: Town of Lisbon TELEPHONE: 860-376-3400
ADDRESS 1 Newent Road, Lisbon, CT 06351 EMAIL: tsparkman@lisbonct.com
- APPLICANT'S AGENT (IF ANY): _____ TELEPHONE: _____
ADDRESS _____ EMAIL: _____
- OWNER / TRUSTEE: Town of Lisbon TELEPHONE: 860-376-3400
ADDRESS 1 Newent Road, Lisbon, CT 06351 EMAIL: tsparkman@lisbonct.com
- ENGINEER/ SURVEYOR/ ARCHITECT: CLA Engineers, Inc. TELEPHONE: 860-886-1966
➤ ADDRESS 317 Main Street, Norwich, CT 06360 EMAIL: bdeluca@claengineers.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 Thomas Sparkman
DATE: 4/28/2022

SIGNATURE/RECORD OWNER [Signature] PRINTED NAME/RECORD OWNER Thomas Sparkman
DATE: 4/28/2022

PARCEL IDENTIFICATION INFORMATION

STREET ADDRESS AND/OR LOCATION OF PROPERTY:
25 Newent Road

MAP /BLOCK /LOT: Map 10 Lot 107
VOLUME/ PAGE: 156 / 948

PROJECT NAME: Lisbon Fire Station ACREAGE: 7.3 ZONING DISTRICT: R-60
LOT IN SQUARE FEET: 317,810 TOTAL FLOOR AREA IN SQUARE FEET: _____

PROJECT DESCRIPTION, APPLICABLE REGULATIONS, AND PROPOSED STATEMENT OF APPROPRIATENESS OF USE:
Proposed 17,000 +/- Sf fire station permitted as a special use permit in R-60 zone.

=====

APPLICATION SUBMITTAL DATE: 4/28/2022 FEE(S) PAID: N/A

OFFICIAL DAY OF RECEIPT: 5/3/2022

*P & Z COMMISSION ACTION: APPROVED w/ CONDITIONS

CHAIR'S SIGNATURE: [Signature] DATE: 6/7/2022

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 June 7, 2022 the Planning and Zoning Commission of the Town of Lisbon granted a Special Permit in accordance with the provisions of sections 4.3.3 and 11 of the Lisbon Zoning Regulations as follows:

1. Owner of Record: Town of Lisbon, 1 Newent Road, Lisbon, CT 06351
2. Applicant: Town of Lisbon, 1 Newent Road, Lisbon, CT 06351
3. Description of premises including street address, map, block and lot(s):
25 Newent Road; M/B/L 10/107/0000
4. Description of special permit including relevant regulations authorizing activities and any conditions of approval:


Special permit to construct a proposed fire station as shown on proposed plans in accordance with the provisions of section 4.3.3 and section 11, inclusive, at 25 Newent Road, Lisbon, CT with the following conditions:

- 1) Lighting associated with the operation shall not create glare or illumination which creates a hazard or nuisance to neighboring property or on adjacent roadways.
- 2) The applicant shall obtain approval from CONNDOT prior to the commencement of work in the Route 138 right of way. Any changes required by CONNDOT that substantively affects the site plan approval by this commission shall require review and possible submission of a new application.
- 3) All conditions of the Uncas Health District and the State's *Certificate of Public Convenience and Necessity* requirements for the water system shall be met.
- 4) Technical items of staff shall be addressed, including coordination of final plan elements and signatures of professionals on final plans.
- 5) Vapor barrier shall be implemented during construction if found necessary, to abate radon.

FINDINGS AND CONCLUSIONS

The commission finds that this proposed application, as conditioned, meets the special permit objectives of sections 11.1, 11.3 and 11.4, relating to intent, appropriateness of use, and impacts to residential areas, respectively. In addition, the landscape plan as modified meets the intent of section 14 and is deemed acceptable in light of the needs for storm-water infrastructure and other functional needs of the facility.

Date: June 7, 2022

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
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TUESDAY, JUNE 7, 2022
Page 4 (cont)

he does know that by ignoring the State requirement for an AHP, it would make it more difficult to defend against challenges under CGS 8-30g. He noted that a survey was created by the commission and SECCoG and that approximately 200 townspeople participated online. A public hearing was not required but he noted that the draft document has been available on the Town website for public review, and that previous meetings where the plan was discussed were open to public participation. He recommended that anyone from the public who has not read it, should read it to better understand its intent.

Motion by T. Danburg second by K. Sperry to hereby adopt the Affordable Housing Plan Town of Lisbon, May, 2022, in accordance with the requirements of CGS 8-30j to encourage local affordable housing developments within the Town of Lisbon.

VOTE: B. HULL, V. LUTZEN NO; MOTION CARRIES

7. New Business

a. Receipt of New Applications

- i. Zoning Permit Application for Signage in the IP-1 Zone – Michael McDonald (Great Clips), Applicant, 193 River Road - It is noted for the record that Michael McDonald, applicant, was present. He noted that the sign was not to be illuminated and that there are currently gooseneck lamps installed over the signage location. He also noted that his business, Great Clips, is going in where Hair Cuttery was. Mr. Giroux asked about black letter signage on the rear of the building and MR. McDonald replied that he did not have the intention of adding signage to the rear.
Motion by R. Giroux second by T. Danburg to approve the application as submitted.

VOTE: UNANIMOUS MOTION CARRIED

b. Referrals

- i. Zoning Board of Appeals - Application for variance of Section 8.4.1 and 8.4.2 of the Zoning Regulations, minimum buildable area in the R-60 Zone – Robert Rhoades, Applicant, 144 Westminster Road – It is noted that the applicant's intent is to subdivide the property to create a building lot but a variance would be needed before he came before the Planning and Zoning Commission for subdivision approval. It was the consensus of the Commission that they had no comment for the Zoning Board of Appeals regarding this application.
- ii. Dish Wireless Telecommunications Facility - Minor Antenna Modification at 20-26 Mell Road – Mr. Murphy reported that they are adding a platform under an existing fixture at the 26 Mell Road tower with no increase in height. It is the consensus of the Commission that no action by the Commission is necessary.

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

- a. Line Item Transfer – Motion by T. Danburg second by R. Brown to request \$1000.00-line item transfer to line item #51750 (Supplies and Expenses) to cover the costs of pending legal notices.

VOTE: UNANIMOUS MOTION CARRIED

**TOWN OF LISBON
ZONING PERMIT APPLICATION**

PLEASE CHECK THE APPROPRIATE LINE(S) AND COMPLETE THE REQUIRED APPLICATION(S):

- ☐ SITE PLAN REVIEW OF PROPOSED DEVELOPMENT IN ACCORDANCE WITH SECTION 2.5 AND SECTION 12
☐ PLANNING AND ZONING COMMISSION ADMINISTRATIVE REVIEW OF CHANGES TO COMMERCIAL/INDUSTRIAL
☒ BUILDINGS AND PROPERTIES IN ACCORDANCE WITH SECTION 2.8 AND SECTION 10.13
☐ SITE PLAN REVIEW OF ASSOCIATED SIGNAGE IN ACCORDANCE WITH SECTION 15.8

PROJECT DESCRIPTION: INSTALL NON-ILLUMINATED GREAT CLIPS
SIGN ON FRONT OF STORE

PROJECT NAME: GREAT CLIPS SIGN ACREAGE: 2.67 ZONING DISTRICT: IP-1
LOT IN SQUARE FEET: _____ TOTAL FLOOR AREA IN SQUARE FEET: _____

PARCEL IDENTIFICATION INFORMATION

STREET ADDRESS OF PROPERTY IF AVAILABLE: 193 RIVER RD, LISBON CT
MAP / BLOCK / LOT: 14-642-0003
VOLUME / PAGE: 147 / 396

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

- > APPLICANT: MICHAEL McDONALD
TELEPHONE: 803-389-0205 EMAIL: MICHAEL.MCDONALD@GREATCLIPS.NET
> APPLICANT'S AGENT (IF ANY): _____
TELEPHONE: _____ EMAIL: _____
> OWNER / TRUSTEE: CE DARWOOD DEVELOPMENT ATTN: DAVE BURROWS
TELEPHONE: 330-836-9991 EMAIL: INFO@CEDARWOODP.COM
> ENGINEER / SURVEYOR / ARCHITECT: _____
TELEPHONE: _____ EMAIL: DBURROWS@CEDARWOODP.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 MAP(S) 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, OR ITS CONSULTANT 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 LAND USE FEES ORDINANCE.

SIGNATURE OF APPLICANT/AGENT [Signature] PRINTED NAME OF APPLICANT/AGENT MICHAEL McDONALD
DATE: 5/23/22

SIGNATURE/RECORD OWNER _____ PRINTED NAME/RECORD OWNER _____
DATE: _____

APPLICATION SUBMITTAL DATE: 5/26/2022 FEE(S) PAID: \$112.28

OFFICIAL DAY OF RECEIPT: 6/7/2022

*P & Z COMMISSION ACTION: APPROVED

CHAIR'S SIGNATURE: [Signature] DATE: 6/7/2022

UPON APPROVAL OF THIS APPLICATION BY THE PZC, AND COMPLIANCE WITH ANY DIRECTIVES, MODIFICATIONS AND/OR CONDITIONS REQUIRED, THE ZONING ENFORCEMENT OFFICER MAY ISSUE THE ZONING PERMIT.

Zoning Enforcement Officer DATE: _____

(* Any modifications, directives or conditions attached to PZC action, or any reasons for denial, shall be reflected in the record and attached)

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9. Public Comment –A resident commented that she has concerns that the Affordable Housing Plan will allow too many low-income apartment dwellings in town. She also stated that she does not see a need for a new fire house and feels the Town is not being transparent.

10. Adjournment - Motion made by R. Giroux second by R. Brown to adjourn at 8:42 P.M.

VOTE: UNANIMOUS MOTION CARRIED



Elaine Joseph, Clerk

Approved: _____
Robert Adams, Chairman

RECEIVED FOR RECORD AT LISBON
CT ON 6/14/2022 AT 9:39 am
ATTEST. LAURIE TIROCCHI, TOWN CLERK
Laurie Tirocchi



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 on Tuesday, June 7, 2022, the following actions were taken:

1. Application by Town of Lisbon Planning and Zoning Commission to amend the zoning regulations as stated in its detailed application addressing particular provisions within sections 1, 9, 10, 11, 12, and 13.

APPROVED WITH MODIFICATIONS; EFFECTIVE DATE JULY 1, 2022

2. Special Permit Application by Town of Lisbon, 25 Newent Road, for a 17,000 s.f. Fire Station in the R-60 Zone

APPROVED WITH CONDITIONS

3. Zoning Permit Application for Signage in the IP-1 Zone – Michael McDonald (Great Clips), Applicant, 193 River Road

APPROVED

Dated at Lisbon, Connecticut this 14th day of June, 2022.

Robert D. Adams, Chairman
Lisbon Planning and Zoning Commission

RECEIVED FOR RECORD AT LISBON
CT ON 6/14/2022 AT 9:40am
ATTEST. LAURIE TIROCCHI, TOWN CLERK
Laurie Tirocchi