

MINUTES  
REGULAR MEETING  
PLANNING AND ZONING COMMISSION  
LISBON TOWN HALL  
TUESDAY, JANUARY 3, 2023  
7:00 P.M.

1. Call to Order

The regular meeting of the Planning and Zoning Commission was called to order by Vice-Chairman Ronald Giroux at 8:05 PM.

MEMBERS PRESENT: Ronald Giroux, Randy Brown, Trevor Danburg, Benjamin Hull, III, Veronica Lutzen, Timothy Minor, Kim Sperry, Nathaniel Beardsworth (ALT), Kelly Clatt (ALT)

MEMBERS ABSENT: Robert Adams, Jason Lebel

STAFF PRESENT: Michael J. Murphy, AICP, Consultant Planner- SCCOG, Lisbon Town Planner  
Carl Brown, Zoning Enforcement Officer

Vice-Chairman Ronald Giroux seated Kelly Clatt for Robert Adams and Nathaniel Beardsworth for Jason Lebel.

2. Previous Minutes – Motion by T. Danburg second by T. Minor to accept the December 6, 2022 Regular Meeting minutes as presented. VOTE: UNANIMOUS, MOTION CARRIED

3. Correspondence

- a. Brochure, CT Land Use Virtual Seminar
- b. Copy, FY 21/22 Annual Report Narrative as submitted to the Board of Finance by Kim Sperry
- c. Memo, from Town Planner to Town Treasurer dated 12/22/2022 re: Submission of \$2500.00 Supplemental Fee, 143 River Road
- d. Memo, from Town Planner to Town Treasurer dated 12/22/2022 re: Submission of \$945.00 Supplemental Fee, 240 Paper Mill Road
- e. Letter, from Town Planner to River Road I, LLC re: Request for submission of \$2500.00 supplemental fee for their special permit application, 143 River Road
- f. Revised Flood Plain Development Checklist
- g. Budget Report – December 28, 2022– LI#51730 Purchased Services - \$44,509.87 / LI#51750 Supplies & Expenses - \$3,011.90

4. Bills and action thereon

- a. Local IQ (Bulletin), \$661.38; dated 12/13/2022, inv#8194216 re: NoPH (Town of Lisbon & 143 River Road). Motion by T. Danburg second by T. Minor to pay. VOTE: UNANIMOUS; MOTION CARRIED

5. Reports

- a. ZEO – Carl Brown, ZEO / BO, briefly reported on the status of the court hearing for 423 N. Burnham Highway, noting that a trial date will be set for March or April 2023. Mrs. Sperry asked for clarification regarding lighted signage at Stilly's on South Burnham Highway, and Mr. Giroux asked for further clarification regarding complaints regarding equipment storage at 6 Graham Terrace.
- b. Regulations – NONE
- c. Zoning Map Subcommittee – NONE

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Page 2 (Reports, cont)

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. Ames Road Subdivision – Mr. Murphy noted that since the gate closure violation still exists and no further information was available from the developers regarding the HOA, the Chair will be writing a letter to the homeowners whose properties contain the emergency access driveway, requesting compliance or submission of an application to modify the subdivision approval.
  2. FEMA – Mr. Murphy reported that there will be a follow-up meeting with FEMA, but that they have signed off on the Town as being compliant with the NFIP requirements.
  3. Lisbon Landing (WS Development) – Mr. Murphy reported that signage and striping have been corrected to indicate a double left hand turn out of the parking lot.
  4. Zoning Regulation Compilation – Mr. Murphy noted that the Commission will vote to accept the Zoning Regulation Compilation at their next meeting, to allow for the inclusion of the new Cannabis regulation, should the Commission adopt it at this meeting.
  5. Autozone – Mr. Murphy reported that he has been working with them since December, noting that some major improvements had not been completed yet. The lot had to be restriped and the light poles are too high. He also noted that they failed to stripe the state highway or put in a five-foot +/- section of sidewalk. It was the consensus of the commission that Mr. Murphy and the ZEO obtain necessary public safety improvements and that they could work with the applicant on less significant items to obtain the C.O provided a cash bond was put up with a schedule for completion of work
  6. Interpretation of Special Permits - Mr. Murphy distributed an article from Halloran Sage, which outlines a CT Supreme Court decision in regard to special permits and time limits.
6. Old Business
  - a. Regional Planning Commission – NONE
  - b. Zoning Text Amendment Application – Town of Lisbon Planning and Zoning Commission – Amendment to Section 2.3.4 “Prohibitions” and add Subsection “o” related to an Interim Prohibition of All Cannabis Establishments Based in Lisbon – Motion by T. Danburg second by K. Sperry to adopt the Zoning Regulation Text Amendment as presented with an effective date of February 1, 2023, noting that its adoption is consistent with the Plan of Conservation and Development and the comprehensive plan of zoning for the town. The effective date was as noted.

VOTE: UNANIMOUS; MOTION CARRIED
  - c. Special Permit Application for Multiple Retail/Food Service Use Retail Development with Accessory Drive-Thru Window – River Road 1, LLC, Applicant, 143 River Road – TABLED
7. New Business
  - a. Receipt of New Applications – NONE
  - b. Referrals

**TOWN OF LISBON  
REGULATION AMENDMENT APPLICATION**

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

➤ APPLICANT: Town of 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: 1 Newent Road, Lisbon, CT 06351	EMAIL: mmurphy@seccog.org
➤ OWNER / TRUSTEE: Town of Lisbon	TELEPHONE: 860-376-3400
ADDRESS: 1 Newent Road, Lisbon, CT 06351	EMAIL:
➤ 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 Michael J. Murphy PRINTED NAME OF APPLICANT/AGENT: Michael J. Murphy, AICP

DATE: REVISED November 28, 2022

SIGNATURE/RECORD OWNER N/A

PRINTED NAME/RECORD OWNER \_\_\_\_\_

DATE: \_\_\_\_\_

**REGULATIONS PROPOSED FOR AMENDMENT:**

ZONING X SUBDIVISION \_\_\_\_\_

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

This request includes an amendment to section 2.3.4 Prohibitions to add subsection o relating to an interim prohibition of cannabis establishments in the Town of Lisbon as follows:

o. Cannabis establishments that have the meanings established in Section 1 of Public Act 21-1: An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis, including a cannabis producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter. This prohibition shall become effective on **February 1, 2023** and shall expire on December 31, 2023.

**REASONS FOR EACH AMENDMENT REQUEST:**

To prohibit all cannabis establishments based in Lisbon as prescribed herein to meet statutory responsibilities and promote the public's general health, safety, and welfare.

APPLICATION SUBMITTAL DATE: NOVEMBER 14, 2022 FEE(S) PAID: N/A  
OFFICIAL DAY OF RECEIPT: DECEMBER 6, 2022  
P & Z COMMISSION ACTION: APPROVED; EFFECTIVE 2/1/2023 DATE: JANUARY 3, 2023  
CHAIR'S SIGNATURE: Robert Adams  
Adopted ✓ Modified and Adopted \_\_\_\_\_ Denied \_\_\_\_\_  
ROBERT ADAMS, CHAIRMAN

Planning and Zoning Commission – Zoning Text Amendment to Address Cannabis Establishments in the Town of Lisbon

Adopted: January 3, 2023

Effective Date: February 1, 2023 / Expiration Date: December 31, 2023

2.3.4 Prohibitions Any structure or use not specifically permitted by these Regulations is prohibited in the Town of Lisbon. No activity shall be engaged in and no zoning permit nor variance shall be issued for any use which creates, or may reasonably be expected to create: a hazardous or unwholesome condition; noxious or objectionable vibrations, noise, smoke, dust, gas, odor or fumes; discharge or dispersal of liquid or solid wastes in a manner or amount as to cause damage to surface or groundwater, either on or off site. Without limiting the generality of the foregoing provisions, the following uses are expressly prohibited in the Town of Lisbon:

- a. Landfills, except lined ash landfills operated in conjunction with and adjacent to waste-to-energy, resource recovery and recycling facilities located in Town.
- b. Junk yards, private dumps, dumping or incineration of toxic substances, effluent, garbage or rubbish.
- c. Uses, including and not limited to adult movie theaters, adult bookstores, peep or strip shows and massage parlors, which involve the display of obscene activities or the display or sale of obscene materials. For the purposes of this subsection, the meanings of the words "obscene" and "material" shall be as set forth in Section 53a-193 of the Connecticut General Statutes.
- d. Billboards and flashing signs. See Section 15.3.
- e. Temporary structures, such as Quonset huts, tents, camper trailers, etc., used as permanent dwellings.
- f. Removal of topsoil (A and B-horizons) from a lot, except by special permit. See Section 10.4.
- g. Artificial lighting with light sources, which are visible from beyond the lot boundaries.
- h. Circuses, amusement parks and related activities, except for Town sponsored events for a temporary period only, not to exceed four (4) consecutive days or no more than 12 calendar days in one year.
- i. In residential districts, commercial poultry, the distillation of bones, commercial animal slaughter or processing of animal products, and tanneries.
- j. Coal or petroleum distillation or derivation of byproducts; blast furnaces or smelting of ores or metal, manufacture of explosives; manufacture of cement, asphalt, bituminous, lime, gypsum, or plaster of paris, or chlorine, or carbolic, hydrochloric, nitric, picric or sulphuric acid; fat rendering in the manufacture of tallow, grease or oil; refining and recovery of products from fish or animal refuse; composting in excess of 100 cubic yards per year; gas manufacture and storage by other than a public utility company except for on-site use, except that the storage for local retail distribution purposes and local retail distribution of liquefied petroleum products may be permitted, provided the standards of the National Board of Fire Underwriters and applicable state laws are complied with.
- k. Mini Storage/self-storage facilities.
- l. Automated carwashes and self-service carwashes, except for town sponsored events for a temporary period only, not to exceed four (2) consecutive days or no more than 6 calendar days in one year.
- m. Truck washes and self-service truck washes.
- n. Truck stops.
- o. Cannabis establishments that have the meanings established in Section 1 of Public Act 21-1: An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis, including a cannabis producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter. This prohibition shall become effective on February 1, 2023 and shall expire on December 31, 2023.

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Page 3 (New Business, cont)

- i. Board of Selectmen Referral of Municipal Improvements Proposal Under CGS 8-24 Regarding Acceptance of Property at 12 South Burnham Highway, Lisbon – Mr. Giroux read the referral letter into the record. The planner noted the site is located in the Newent municipal complex area as per the POCD, 2016. Motion by K. Sperry second by T. Danburg to support the conveyance of the Newent Congregational Church property at 12 South Burnham Highway, to the Town of Lisbon.

VOTE: UNANIMOUS; MOTION CARRIED

- c. Consideration and Discussion re: Notification of Non-Compliance from DEEP Regarding Section 4.1.3 of the Zoning Regulations – After discussing the matter with DEEP staff, Mr. Murphy noted that it is not the prevue of the Planning and Zoning Commission to regulate forestry practices. These practices, if regulated by a town, are under the jurisdiction of the acting Inland Wetlands Agency. He distributed the possible changes to the regulations for discussion. Motion by T. Danburg second by T. Minor to have the planner develop an application and schedule a public hearing for March 7, 2023 at 6:30 PM.

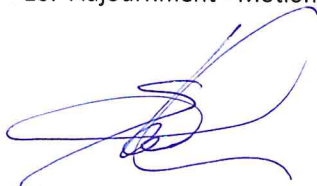
VOTE: UNANIMOUS; MOTION CARRIED

8. Any other business which may properly come before the Commission – NONE

9. Public Comment – NONE

10. Adjournment - Motion made by T. Danburg second by B. Hull to adjourn at 8:43 P.M.

VOTE: UNANIMOUS MOTION CARRIED

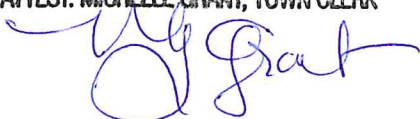


Elaine Joseph, Clerk

Approved: \_\_\_\_\_

Ronald Giroux, Vice-Chairman

RECEIVED FOR RECORD AT LISBON, CT  
ON 1/10/2023 AT 11:46 am  
ATTEST. MICHELLE GRANT, TOWN CLERK







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, January 3, 2023, the following action was taken:

Zoning Text Amendment – Town of Lisbon Planning and Zoning Commission, Applicant – Amendment to Section 2.3.4 “Prohibitions” and add subsection “o” related to an Interim Prohibition of all cannabis establishments based in Lisbon.

APPROVED WITH EFFECTIVE DATE FEBRUARY 1, 2023

Dated at Lisbon, Connecticut this 10th day of January, 2023.

Robert D. Adams, Chairman  
Lisbon Planning and Zoning Commission

RECEIVED FOR RECORD AT LISBON, CT  
ON 01/10/2023 AT 11:47am  
ATTEST. MICHELLE GRANT, TOWN CLERK