

MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL
TUESDAY, JUNE 6, 2023
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 PM.

MEMBERS PRESENT: Robert Adams, Trevor Danburg, Benjamin Hull, III, Jason Lebel, Veronica Lutzen, Timothy Minor, Kelly Clatt (ALT)

MEMBERS ABSENT: Randy Brown, Ronald Giroux, Kim Sperry, Nathaniel Beardsworth (ALT)

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

Chairman Adams seated alternate Kelly Clatt for Ronald Giroux.

2. Previous Minutes – Motion by T. Danburg second by T. Minor to accept the May 2, 2023 Regular Meeting and Public Hearing minutes as presented. VOTE: UNANIMOUS, MOTION CARRIED

3. Correspondence

a. Memo, from FEMA dated 6/6/2023 re: FEMA open house regarding new flood maps

b. Memo, Clerk to the Boards re: Legal Advertising costs and recommendations. Motion by J. Lebel second by T. Danburg to add “Advertising Options” under agenda item 8.a.

VOTE: UNANIMOUS, MOTION CARRIED

c. Copy, Letter from the Commission to Rollin & Patricia Nye dated 5/10/2023 re: Subdivision Approval

d. Copy, Letter from Commission to First Selectman dated 5/5/2023 re: Zoning and Subdivision Text Amendments Approval

e. CT Federation of Planning and Zoning Agencies Newsletter Spring 2023

f. Budget Report July 2022 – June 5, 2023 – 51730 = \$17,898.49; 51750 = \$672.69

4. Bills and action thereon

- a. LOCALiQ (Bulletin), \$235.59, inv#8799325 dated 5/5/2023 re: NoD (181 Bundy Hill; Zoning & Subdivision Text Amendments). Motion to pay by J. Lebel second by V. Lutzen.

VOTE: UNANIMOUS; MOTION CARRIED

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- b. Halloran Sage, \$60.00, inv#11410410, dated 5/9/2023 re: Open Space Requirements – Nye Subdivision. Motion to pay by J. Lebel second by T. Minor.

VOTE: UNANIMOUS; MOTION CARRIED

5. Reports

- a. ZEO – Carl Brown, ZEO / BO, reported actions on the following properties: 423 North Burnham Highway; 160 River Road (“Good Will” bin in parking lot). It is noted for the record that a large number of trees in the driveway at Cedarwood Development have been cut down and Mr. Brown will investigate and Mr. Murphy will review the field condition and plans.
- 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. Autozone – Mr. Murphy noted that they have completed the sidewalk but that topsoil and seeding have not yet been completed.
 - 2. Land Use Education Requirements – Mr. Murphy noted that, as of yet, very few Commission members have taken any of the required land use courses. He noted that the Clerk to the Boards has sent out reminders and links to the courses online, and reminded the Commission to report the number of hours completed. All land use Commission members in the State must complete the required number of course hours before January 1, 2024, which should not be that difficult.
 - 3. Sign Applications – Mr. Murphy reported that the following Zoning Permit Applications for signage are expected before the next meeting: Tokyo Nails; Charley’s Subs (Walmart); Spirit Halloween.
 - 4. Ex-parte Communications – Mr. Murphy spoke about the legal and ethical complications that can arise when Commission members of a Board meet with applicants outside of a formal meeting to discuss what could be/is official business of the Board. This can raise difficulties for staff to carry out its advisory role as well.

6. Old Business

- a. Regional Planning Commission – NONE
- b. Zoning Permit Application (Signage) – Patrick Strain, 16 River Road – It is noted for the record that Patrick and Wendy Strain, Applicants, were present. Mr. Murphy gave a brief update on the history of the non-conforming signs at the property and a Special Permit approval in 2003 for a

**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: Replace Panels in two existing signs
No changes made to signs height or lighting
Using all existing
PROJECT NAME Strain Family notes LLC ACREAGE: 4.7 ZONING DISTRICT: BV-II
LOT IN SQUARE FEET _____ TOTAL FLOOR AREA IN SQUARE FEET: _____

PARCEL IDENTIFICATION INFORMATION

STREET ADDRESS OF PROPERTY IF AVAILABLE: 10 River Rd
MAP/BLOCK/LOT: 21100510000
VOLUME/PAGE: 161 / 76

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

- > APPLICANT: Patrick Strain TELEPHONE: 860 514 6735
ADDRESS: 13 Lucy Circle Cheshire CT 06034 EMAIL: strain507@gmail.com
> APPLICANT'S AGENT (IF ANY): _____ TELEPHONE: _____
> ADDRESS: _____ EMAIL: _____
> OWNER / TRUSTEE: LACADA, LLC TELEPHONE: 860-389-2243
ADDRESS: 12 LOVERS LANE, EAST LYME EMAIL: THEODORELANIS@SBCGLOBAL.NI
> ENGINEER/ SURVEYOR/ ARCHITECT: _____ TELEPHONE: _____
> ADDRESS: _____ EMAIL: _____

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, AND/OR ITS CONSULTANT(S) TO ENTER 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

DATE: 4-26-23

SIGNATURE/RECORD OWNER

DATE: _____

PRINTED NAME OF APPLICANT/AGENT

PRINTED NAME/RECORD OWNER

APPLICATION SUBMITTAL DATE: 4/27/2023

FEE(S) PAID: 248.00

OFFICIAL DAY OF RECEIPT: 5/2/2023

*P & Z COMMISSION ACTION: APPROVED 528 SF. SIGN DATE: 6/6/2023

CHAIR'S SIGNATURE: _____

ROBERT ADAMS, CHAIRMAN

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 attached).

Rev. 8/2022

THIS SIGN ELIMINATED FROM APPROVAL.

Michael J. Murphy 6/16/2023

48x156 (4x13) 52sqft

DOUBLE SIDED SINGLE POLE BACKLIT SIGN
(DIRECTLY IN FRONT)

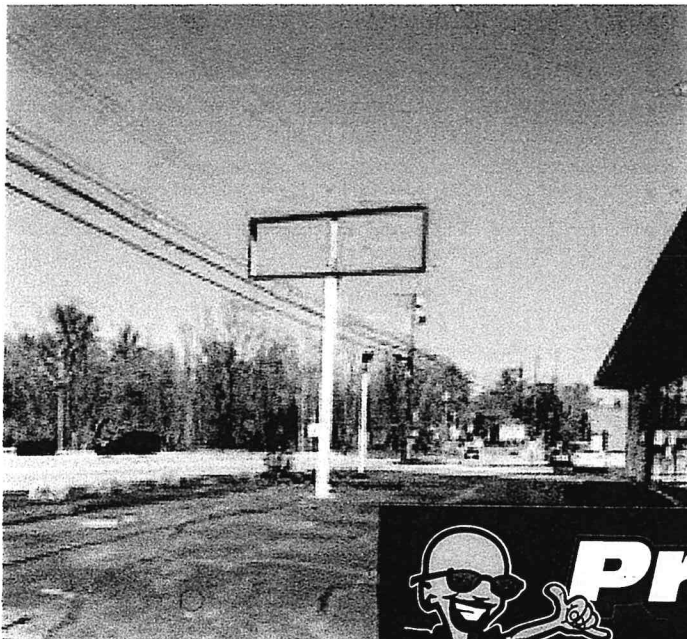
17'5" FROM GROUND TO TOP OF SIGN



48x96 (4x8) 32sqft

DOUBLE SIDED SINGLE POLE BACKLIT SIGN
(NEXT TO CEMETERY)

15'0" FROM GROUND TO TOP OF SIGN



Prokop Signs
est. 1964

 www.prokopsigns.com

338 NORWICH AVE. TAFTVILLE, CT 06380

PH: 860.889.6265
FX: 860.889.5059

27'23 PM1:14
LISBON TOWN CLERK
RECEIVED
1:14 pm
APR 27 2023
Michael J. Murphy
TOWN CLERK'S OFFICE
TOWN OF LISBON

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change of signage, which reduced the main sign height from 21 feet high to 16 feet high. He noted that this change became binding because it reduced a non-conformity. He noted that subsequently, it was only reduced to 17' 5" as per the applicant. Working with the applicant's attorney and land owner (LaGada, Inc.), Mr. Murphy recommends the Commission consider approval of the existing sign but, as agreed to by the applicant and his attorney, eliminate the second sign located by the cemetery. He noted the applicant would be able to make future application to add signage to the building, if they choose to, as well as apply for any other permits needed. It is noted for the record that the applicant submitted a waiver request for site plan requirements at the meeting and it has been added to the file. Also noted for the record is that the Commission members received a staff report in their packets, which is also in the file.

Motion by J. Lebel second by T. Danburg to grant a waiver of section 12 regarding site plan requirements as it is not necessary to decide on the application.

VOTE: UNANIMOUS; MOTION CARRIED

Motion by J. Lebel second by T. Danburg to approve the application of Patrick Strain for Strain Motors, 16 River Road, to replace the sign panels as proposed for the existing 17' 5" high and 52 square feet back lit sign directly in front of the dealership with the modification that, as agreed upon by the applicant and his attorney, the additional 15' high and 32 square feet sign located adjacent to the cemetery shall be removed.

VOTE: UNANIMOUS; MOTION CARRIED

Findings and Conclusion:

The commission further finds that the original plan approved in 2003 for the larger approved sign called for the sign non-conformity to be reduced to 16' in height, with a total square footage of 52 sf. This applicant has worked positively with staff and is not proposing any structural changes to the sign, which is 17' 5" high. In light of the lack of enforcement action by the Town of Lisbon over the past 20 years, it is unclear whether enforcement action would be successful at this time. Also, the other sign now to be eliminated was not shown on the approved sketch for the 2003 sign approval and the regulations permitted only one new sign to be 6' high.

7. New Business
 - a. Receipt of New Applications
 - i. Zoning Permit Application (Signage) – Ceccarelli Collision Services, LLC, Applicant, 363 River

TOWN OF LISBON
ZONING PERMIT APPLICATION

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

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- ☐ 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: Sign for "Ceccarelli Collision Services, LLC"

PROJECT NAME: 5x10 Sign for Ceccarelli Collision Services, LLC ACREAGE: 4.34 ZONING DISTRICT: R80
LOT IN SQUARE FEET: 178,600 +/- TOTAL FLOOR AREA IN SQUARE FEET: 9650 R40

PARCEL IDENTIFICATION INFORMATION

STREET ADDRESS OF PROPERTY IF AVAILABLE: 363 River Rd

MAP/BLOCK/LOT: Map 13 Block 005 Lot 0000

VOLUME/PAGE: VD 159 pg 626
132 616

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

- APPLICANT: Nicholas Ceccarelli TELEPHONE: 860.334.0059
ADDRESS: 60 Pierce Rd, Preston Ct 06365 EMAIL: Chicksblasting@gmail.com
- APPLICANT'S AGENT (IF ANY): _____ TELEPHONE: _____
ADDRESS: _____ EMAIL: _____
- OWNER / TRUSTEE: _____ TELEPHONE: _____
ADDRESS: _____ EMAIL: _____
- ENGINEER/ SURVEYOR/ ARCHITECT: _____ TELEPHONE: _____
ADDRESS: _____ EMAIL: _____

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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.

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 Nicholas Ceccarelli
DATE: 5/31/23

✗ SIGNATURE/RECORD OWNER [Signature] PRINTED NAME/RECORD OWNER Nicholas Ceccarelli
DATE: 5/31/23

APPLICATION SUBMITTAL DATE: 5/31/2023

FEE(S) PAID: 170.00

OFFICIAL DAY OF RECEIPT: 6/6/2023

*P & Z COMMISSION ACTION: APPROVED

DATE: 6/6/2023

CHAIR'S SIGNATURE: [Signature]

ROBERT ADAMS, CHAIRMAN

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 attached).

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Road – It is noted for the record that Nicholas Ceccarelli, applicant, was present. Mr. Murphy noted that his staff report was distributed to Commission members in their packets, a copy of which is in the file. It is also noted that the applicant provided a site plan waiver request, which is also in the file. The proposed sign is 5' x 10' and will be placed on the building. Mr. Ceccarelli stated that the sign will be externally illuminated by lights shining down on it, so there will be no glare to the highway.

Motion by J. Lebel second by T. Danburg to grant a waiver of section 12 regarding site plan requirements as it is not necessary to decide on the application.

VOTE: UNANIMOUS; MOTION CARRIED

Motion by T. Danburg second by V. Lutzento approve the Zoning Permit application for signage based on the size and building frontage, the wall sign for this land use can be up to 50 square feet in size. The width/height of the sign is 5' and its length is 10', which conforms to the requirements of the regulations for wall signs. VOTE: UNANIMOUS; MOTION CARRIED

- ii. Subdivision Application – Waiver Request of Section 7.5 (Utilities) of the Subdivision Regulations –Rollin and Patricia Nye, Applicants, 181 Bundy Hill Road – It is noted for the record that Rollin and Patricia Nye, Applicants, were present. Mr. Murphy noted that when the application was approved last month with modifications, information regarding a pre-existing utility pole on the adjacent property had not been conveyed to him and the application actually proposed a new overhead utility extension across Bundy Hill Road; thus, the reason for the requirement of underground utilities . In light of this new information, Mr. Murphy recommends the waiver of Section 7.5 for underground utilities and modifying the Subdivision approval to reflect that waiver. It is noted for the record that Mr. Murphy distributed his staff report in the Commission members' packets.

Motion by B. Hull second by J. Lebel to approve the request for a waiver of Section 7.5 regarding the requirement to provide underground electrical service to the subdivision based on the fact that the property is unique since the applicant has existing overhead electrical service to his remaining adjacent land from which underground electrical service can be provided.

VOTE: T. MINOR ABSTAINS; MOTION CARRIES

TOWN OF LISBON
SUBDIVISION/RESUBDIVISION APPLICATION

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

➤ APPLICANT: Rollin + Patricia Nye TELEPHONE: 860 639 3019
ADDRESS 181 Bundy Hill Rd Lisbon Ct. 06357 EMAIL: Rainy Nye e 9mail.com
➤ APPLICANT'S AGENT (IF ANY): _____ TELEPHONE: _____
ADDRESS _____ EMAIL: _____
➤ OWNER / TRUSTEE: SAME TELEPHONE: _____
ADDRESS SAME EMAIL: _____
➤ ENGINEER / SURVEYOR: _____ TELEPHONE: _____
➤ ADDRESS _____ EMAIL: _____

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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 Polly Nye PRINTED NAME OF APPLICANT/AGENT Rollin Nye
DATE: 5-31-23

SIGNATURE/RECORD OWNER Patricia Nye PRINTED NAME/RECORD OWNER Patricia Nye
DATE: 5-31-23

PARCEL IDENTIFICATION INFORMATION

STREET ADDRESS AND/OR LOCATION OF PROPERTY: 181 Bundy Hill Rd Lisbon Ct 06357
MAP /BLOCK /LOT: 07 / 047 / 0000
VOLUME/ PAGE: 99 / 484

PROJECT NAME: 181 Bundy Hill Rd Sub. waiver ZONING DISTRICT: R-40
TOTAL LAND AREA BEING SUBDIVIDED: _____ request

PROJECT DESCRIPTION

Electrical Service to Nye Subdivision

=====

APPLICATION SUBMITTAL DATE: 6/1/2023 FEE(S) PAID: 180.00
OFFICIAL DAY OF RECEIPT: 6/6/2023
P & Z COMMISSION ACTION: APPROVED w/modifications DATE: 6/6/2023
CHAIR'S SIGNATURE: Robert Adams (ATTACHED)
ROBERT ADAMS, CHAIRMAN

UPON APPROVAL OF THIS APPLICATION BY THE PZC, AND COMPLIANCE WITH THE PROVISIONS OF SECTIONS 4.7, 4.9 AND 5.7 OF THE SUBDIVISION REGULATIONS, CONSTRUCTION MAY COMMENCE AND/OR LOTS MAY BE SOLD.

• OTHER PERMIT AND NOTICING REQUIREMENTS

- ☐ If a site plan application involves an activity regulated pursuant to Connecticut General Statutes (CGS) Chapter 440 Sections 22a-36 to 22a-45, inclusive, the applicant shall submit an application to the Lisbon Conservation Commission, acting as the Inland Wetlands and Watercourse Agency, no later than the day such application is filed with the Planning and Zoning Commission.
- ☐ For property encumbered by a conservation or preservation restriction, the application shall include written evidence that the applicant has made notification as required pursuant to CGS Chapter 822, Section 47-42d, or as amended.
- ☐ For property located within a public water supply watershed of a water company, the application shall include written evidence that the applicant has made notification, as required pursuant to CGS Chapter 124, Section 8-3i, or as amended.
- ☐ Where a development involves future development of over 200 parking spaces or 100,000 square feet of floor area, proof that the applicant has made notification to the State Traffic Commission will be required, or a finding of no need for permit must be obtained before issuance of building permits.
- ☐ In cases where a watercourse will be affected, provide proof of notification of the adjacent community and the CTDEEP prior to any alteration or relocation of a watercourse. [see 44 CFR 60.3(b)(6)]
- ☐ Provide assurance that all necessary permits or certificates have been or will be received from other State and Federal agencies from which approval is required. [see 44 CFR 60.3(a)(2)]

• WAIVERS REQUESTED AND REASONS PER SECTION 8 OF THE SUBDIVISION REGULATIONS

Waiver of Subdivision Regulations
Section 7.5 Utilities

ATTACH COMPLETED CHECKLIST

REV. 8/17/22

Lisbon Planning and Zoning Commission

Subdivision Application Waiver Request – Rollin & Patricia Nye, 181 Bundy Hill Road

Approved June 6, 2023, with Modifications:

- 1) The plan shall include a note regarding the approval of the utility waiver and address all other applicable modifications required with the original subdivision application.
- 2) The plan shall be modified to reflect the inclusion of necessary infrastructure to provide for the underground electrical connection to the overhead line already extending from SBC 710.
- 3) The plan shall make provisions for the inclusion of a utility access easement upon the conveyance of either property.

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Motion by B. Hull second by T. Danburg to approve the subdivision modification application regarding the provision of electrical utilities with the following modifications:

- 1) The plan shall include a note regarding the approval of the utility waiver and address all other applicable modifications required with the original subdivision application.
- 2) The plan shall be modified to reflect the inclusion of necessary infrastructure to provide for the underground electrical connection to the overhead line already extending from SBC 710.
- 3) The plan shall make provisions for the inclusion of a utility access easement upon the conveyance of either property. VOTE: T. MINOR ABSTAINS; MOTION CARRIES

b. Referrals

- i. Town of Preston, Proposed Zoning Text Amendments to Sections 10.3; 10.4 and 21 of the of Preston Zoning Regulations – Motion by T. Danburg second by J. Lebel to send a letter of no inter-municipal impact. VOTE: UNANIMOUS; MOTION CARRIED

- c. Resolution to Approve Updated Compilation of Subdivision Amendments through June 2023 - Motion by T. Danburg second by T. Minor to approve this resolution incorporating all effective subdivision regulation text amendments and map revisions, including duly adopted, codified and compiled amendments addressing requirements for sections 6.10, 6.11 and 6.12 (Flooding Considerations, Flood Elevations and Floodway Encroachments) and 7.5 (Utilities). All necessary edits associated with this compilation shall organize and update the subdivision regulation history regarding amendments and the document's Table of Contents, improve readability, and provide for a complete re-pagination of the subdivision regulations. This latest compilation shall reflect all amendments through the latest effective date. VOTE: UNANIMOUS; MOTION CARRIED

- d. Request by Timothy Bresnan to schedule a Site Walk for Bresnan Subdivision, 47 School House Road – Mr. Murphy read the “punch list” he sent to the property owner on May 10, 2023. He notes that the property owner, who no longer lives in the State of Connecticut, is contesting those items and would like the Commission to consider a site walk for either late June 15th or July 16th, to accommodate his travel plans. A copy of an email requesting this site walk is in the file. Mr. Murphy distributed photos he took of the problem areas referred to in the punch list at the site to the Commission members present. Motion by T. Danburg second by V. Lutzen to schedule a Site Walk at 47 School House Road for Friday, July 16, 2023 at 4:00 PM.

VOTE: UNANIMOUS; MOTION CARRIED

Lisbon Planning and Zoning Commission

Special Permit Application – Todays Realty, LLC – 240 Paper Mill Road - For approval of the modified, Engineered Plan; Storm-water Drainage Report; Traffic Impact Study; Lisbon Horizontal Grinder Airborne Noise Assessment; and Photometric Report in accordance with the October 4, 2022 conditional approval by the Planning and Zoning Commission.

Approved June 6, 2023, with Modifications:

- 1). The final sight visibility profile information provided by the Traffic Engineer, surveyor, and engineer as part of the plan review process shall be included on the final plan.
- 2). The extent of pavement removal and grading for the area dedicated to retaining storm-water within the new 20' swale in front of the wall between the Sprague Paperboard and Windham Materials properties shall be clearly shown on the final plan.
- 3). The modified rip-rap stone proposed shall be expanded between the 208' and 210' contours to accept run-off from the drainage system in Paper Mill Road.
- 4). A stamped as-built plan and certification shall be provided by the professional design engineer to assure the retaining wall and adjacent 20' wide grassed swale have been constructed/installed in accordance with the approved design.
- 5). In furtherance of environmental protection and the public interest, the applicant shall provide a maintenance easement for the extent of the new drainage swale as requested by the Town of Sprague to assure that storm water does not encroach on the road. Said easement shall be accepted as to form and substance by the Town of Sprague prior to issuance of a Certificate of Zoning Compliance by the Town of Lisbon.
- 6). Condition # 5 of the original approval shall be modified to permit mechanical processing of material on site with this subsequent approval, provided such horizontal grinding activities take place at only those two locations and in only such a manner as specified in the cited Acoustical Technologies, Inc. report dated November 12, 2022. Said locations for, and limitations regarding, engine size, horsepower and the like shall be graphically shown on the plan with setback dimensions from property boundaries specified to assure compliance with state residential and industrial noise limits. Certification shall be provided to the ZEO that these requirements have been met prior to commencing mechanical processing activities.
- 7). A total performance bond in the amount of \$60,000.00, of which \$10,000.00 shall be provided in cash, shall be provided by the applicant.
- 8). A final mylar with paper prints and accompanying documentation addressing these conditions and any previous conditions not modified herein shall be addressed and provided.

Findings and Conclusions

The commission finds that the current plan completed by Killingly Engineering Associates, along with the additional technical studies provided to further address potential drainage, noise impacts, traffic impacts, and lighting impacts will comply with the conditions attached to its October 4, 2022 approval and more fully meet the requirements of sections 11 and 12 of the regulations.

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- e. Today's Realty, LLC, 240 Paper Mill Road – Commission Review for Compliance for All Conditions
It is noted for the record that the applicant, Keith Mackin of Today's Realty, LLC, his attorney Stan Lucas of Lucas Law, P.C, 35 River Dr, Gales Ferry, CT 06335 and his new engineer, Norm Thibeault of Killingly Engineering Associates, Inc, 114 Westcott Road, Danielson, CT 06239 were present. Mr. Murphy disclosed that he has worked with and for Norm Thibeault 's firm in the past, on a zoning proposal regarding a wedding venue proposal outside this region , which is unrelated to the Town of Lisbon and raises no potential conflicts of interest. He reported that a condition of the October 2022 Special Permit approval was to return to the Commission with all items that had been unresolved to that point. The items included which have been submitted and are in the file: Storm Drainage Report dated December 2022; Traffic Impact Study; Photometric Study; Acoustical Study. Mr. Murphy noted that a final comment letter from the Town's Engineer, CLA Engineers, has been received and is in the file. He also noted that he recently met with the Town of Sprague's Philip Chester, Town Planner, and Norm Thibeault, the applicant's new engineer, to discuss inter-municipal issues that remain. Mr. Murphy noted specifically that the driveway permit, which is required through the Town of Sprague, has expired and would have to be applied for again and that the Town of Sprague has requested a maintenance easement be granted to the town for the new swale in front of the retaining wall along Paper Mill Road to prevent surface runoff being directed toward the basin system in the road.

Motion by J. Lebel second T. Danburg to approve the modified , engineered plan, Storm-water Drainage Report, Traffic Impact Study, Lisbon Horizontal Grinder Airborne Noise Assessment, and Photometric Report in accordance with the October 4, 2022 conditional approval by the Planning and Zoning Commission with the following additional conditions and modifications:

- 1). The final sight visibility profile information provided by the Traffic Engineer, surveyor, and engineer as part of the plan review process shall be included on the final plan.
- 2). The extent of pavement removal and grading for the area dedicated to retaining storm-water within the new 20' swale in front of the wall between the Sprague Paperboard and Windham Materials properties shall be clearly shown on the final plan.
- 3). The modified rip-rap stone proposed shall be expanded between the 208' and 210' contours to accept run-off from the drainage system in Paper Mill Road.
- 4). A stamped as-built plan and certification shall be provided by the professional design engineer to assure the retaining wall and adjacent 20' wide grassed swale have been constructed/installed in accordance with the approved design.
- 5). In furtherance of environmental protection and the public interest, the applicant shall provide a maintenance easement for the extent of the new drainage swale as requested by the

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Town of Sprague to assure that storm water does not encroach on the road. Said easement shall be accepted as to form and substance by the Town of Sprague prior to issuance of a Certificate of Zoning Compliance by the Town of Lisbon.

6). Condition # 5 of the original approval shall be modified to permit mechanical processing of material on site with this subsequent approval, provided such horizontal grinding activities take place at only those two locations and in only such a manner as specified in the cited Acoustical Technologies, Inc. report dated November 12, 2022. Said locations for, and limitations regarding, engine size, horsepower and the like shall be graphically shown on the plan with setback dimensions from property boundaries specified to assure compliance with state residential and industrial noise limits. Certification shall be provided to the ZEO that these requirements have been met prior to commencing mechanical processing activities.

7). A total performance bond in the amount of \$60,000.00, of which \$10,000.00 shall be provided in cash, shall be provided by the applicant.

8). A final mylar with paper prints and accompanying documentation addressing these conditions and any previous conditions not modified herein shall be addressed and provided.

VOTE: UNANIMOUS; MOTION CARRIED

Findings and Conclusions

The commission finds that the current plan completed by Killingly Engineering Associates, along with the additional technical studies provided to further address potential drainage, noise impacts, traffic impacts, and lighting impacts will comply with the conditions attached to its October 4, 2022 approval and more fully meet the requirements of sections 11 and 12 of the regulations.

8. Any other business which may properly come before the Commission
 - a. Advertising Options – The memo from the Clerk to the Boards was read into the record. It is noted that the amount the Town may save with this Commission opting to change publishers is minimal. The risk of statutory time frames not being met due to publishers' requirements, coupled with the expectation by Townspeople to see legal notices in the Bulletin each time as they have for many years, was not worth the switch. Therefore, it was the consensus of the Commission to remain with the Bulletin for Planning and Zoning Commission legal notices.

9. Public Comment - NONE

MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
TUESDAY, JUNE 6, 2023
Page 8 (New Business, cont)

10. Adjournment - Motion made by T. Danburg second by V. Lutzento adjourn at 9:04 P.M.

VOTE: UNANIMOUS MOTION CARRIED

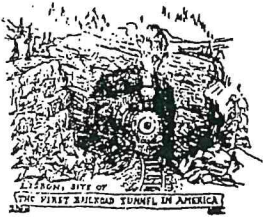


Elaine Joseph, Clerk

Approved: _____

Robert Adams, Chairman

RECEIVED FOR RECORD AT LISBON, CT
ON 6/12/23 AT 11:07 AM
ATTEST. MICHELLE GRANT, TOWN CLERK
Janet Lefevre 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 on Tuesday, June 6, 2023, the following actions were taken:

1. Subdivision Modification Application – Rollin & Patricia Nye, Applicants – 181 Bundy Hill Road – Waiver of Section 7.5 (Utilities) of the Lisbon Subdivision Regulations.

APPROVED WITH MODIFICATIONS

2. Zoning Permit for Signage – Nicholas Ceccarelli, Applicant – 363 River Road, for 5' x 10' wall sign in the R-40 Zone.

APPROVED

3. Zoning Permit for Signage – Patrick Strain, Applicant – 16 River Road, for one 52-s.f. sign on existing frame and post in the BV-II Zone.

APPROVED WITH MODIFICATION

4. Today's Realty, LLC, 240 Paper Mill Road – Commission Review for Compliance for All Conditions of Special Permit Application Approved in October 2022.

APPROVED WITH MODIFICATIONS

Dated at Lisbon, Connecticut this 12th day of June, 2023.

Robert D. Adams, Chairman
Lisbon Planning and Zoning Commission

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ON 6/12/23 AT 11:12 AM
ATTEST. MICHELLE GRANT, TOWN CLERK
Janethafer Assl.