

MINUTES  
REGULAR MEETING  
PLANNING AND ZONING COMMISSION  
LISBON TOWN HALL  
TUESDAY, DECEMBER 5, 2023  
7:00 P.M.

1. Call to Order

The regular meeting of the Planning and Zoning Commission was called to order by Robert Adams, Chairman at 7:38 PM.

MEMBERS PRESENT: Robert Adams, Benjamin Hull, III, Jason Lebel (Remote),  
Veronica Lutzen, Timothy Minor, Kim Sperry

MEMBERS ABSENT: Trevor Danburg, Ronald Giroux, Nathaniel Beardsworth (ALT)

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

OTHERS PRESENT: Kelly Clatt, Andrew Gil

2. Previous Minutes – Motion by T. Minor second by B. Hull to accept the November 14, 2023 Regular Meeting minutes as presented.

VOTE: UNANIMOUS, MOTION CARRIED

3. Correspondence

a. Letter of Resignation, from Blake Wawrzynowicz dated 11/29/2023 (Full Member, R)

b. Copy, Letter of intent from Kelly Clatt dated 12/5/2023. Motion by K. Sperry second by T. Minor to appoint Kelly Clatt as a regular member for the term 11/21/2023 – 11/16/2027

VOTE: UNANIMOUS; MOTION CARRIED

c. Copy, Email, to Thomas W. Sparkman, First Selectman dated 11/27/2023 from Andrew Gil re: Request for consideration as an Alternate to the Planning and Zoning Commission. Motion by T. Minor second by B. Hull to appoint Andrew Gill as an alternate to the Commission.

VOTE: UNANIMOUS; MOTION CARRIED

d. Email, from Keith Mackin, Today's Realty, 240 Paper Mill Road dated 11/22/2023 re: request to be added to the agenda (see agenda item 7.f.)

e. Referral, Town of Canterbury - Motion by K. Sperry second by T. Minor to add the referral to agenda item 7.b.

VOTE: UNANIMOUS; MOTION CARRIED

f. Memo, from Board of Finance Chairman to All Cost Centers dated 11/16/2023 re: request for 0% increase to 24/25 FY Budget

g. Memo, from Board of Finance Chairman to All Cost Centers dated 11/15/2023 re: request for Annual Report Narratives

h. Memo, from First Selectman to All Staff, Boards and Commissions dated 12/5/2023 re: Potluck Holiday Luncheon

i. Copy, email from Town Planner to WSE Inc. re: JC Water Company, Kenyon Road

j. Copy, Letter, from Commission to SECCoG dated 11/20/2023 re: Referral of proposed Zoning Amendments for Family and Group Child Care Homes

k. Copy, Letter, from Commission to NECCoG dated 11/20/2023 re: Referral of proposed Zoning Amendments for Family and Group Child Care Homes

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Page 2 (Correspondence, cont)

- l. Copy, letter from the Conservation Commission to Donna L. Gremminger dated 11/22/2023 re: Notice of Violation, 29 Ross Hill Road Extension
  - m. Copy, letter from the Conservation Commission to John McCarthy/Kate Companale dated 11/22/2023 re: Notice of Violation, 240 Preston Allen Road
  - n. Copy, letter from the Commission to Town of Preston dated 11/17/2023 re: no intermunicipal impact regarding ZTA #2023-07, temporary moratorium on short term rentals
  - o. Copy, letter from the Commission to City of Norwich dated 11/17/2023 re: no intermunicipal impact regarding proposed zoning amendments re: child care
  - p. Copy, comments from Town Planner to Town of Preston dated 11/14/2023 re: no intermunicipal impact regarding ZTA #2023-08, child care
  - q. Copy, Approved 2024 Schedule of Meetings
  - r. Budget Report July 2023 – November 30, 2023 – 51730 = \$48,085.57; 51750 = \$4,232.06
- 4. Bills and action thereon
  - a. LocaliQ (Bulletin), \$866.58, inv#9536536, dated 11/16/2023 re: 12/5/2023 NoPH. Motion to pay by J. Lebel second by K. Sperry.  
VOTE: UNANIMOUS; MOTION CARRIED
- 5. Reports
  - a. ZEO – It is noted for the record that Carl Brown, ZEO / BO, was not present at the meeting and did not provide a written report.
  - b. Regulations – NONE
  - c. Zoning Map Subcommittee–Chairman Adams asked for volunteers to resurrect the subcommittee, to which Robert Adams, Kim Sperry, Trevor Minor and Andy Gill agreed to be members. A Workshop/Special Meeting was scheduled for January 9, 2024 at 5:30 PM in Lisbon Town Hall.
    - 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. Solar Street Lights – Mr. Murphy noted that he has received calls regarding solar street lights and noted that the Zoning Regulations do not include standards for street lights.
    - 2. POCD Update – Mr. Murphy noted that after researching the 2016 POCD, it was determined that the contract for consultants at the time was \$45,000.00 and that the Town has funding specifically earmarked for the next POCD. He also noted that the process will take approximately 18 months or more from beginning to fruition.
    - 3. JC Water Company – Mr. Murphy reported on the proposed expansion of the water substation on Kenyon Road. He will be providing comments to them for consideration at the next meeting.
    - 4. Dead End Roads – Mr. Murphy noted recent court cases regarding dead end street interpretations and how commissions should make sure applicants substantially comply with plans.

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Page 3 (Reports, cont)

5. Farmers Market – Mr. Murphy reported that the Farmers Market Committee is preparing an application for a zoning regulation change pertaining to allowable number of food trucks at Farmers Market events.

Motion by K. Sperry second by V. Lutzen to digress from the normal order of business and go the agenda item 7.f. "Today's Realty, LLC".

VOTE: UNANIMOUS MOTION CARRIED

6. Old Business

- a. Regional Planning Commission – NONE
- b. Text Amendment Application – Update Zoning Districts – Town of Lisbon, Applicant, 1 Newent Road – Motion by K. Sperry second by T. Minor to approve the application of the Planning and Zoning Commission of the Town of Lisbon, adopting the proposed zoning text amendments to sections 3,6,7,8,10,and 15 as detailed in the proposal to update and include all zoning districts, replace the IP-II zone with a new Industrial district and modify uses within the new zone with necessary edits, and provide for uniformity of sign regulation in the Industrial zones as follows:
  1. amend section 3.1 to update the list of zoning districts within the town;
  2. amend section 6.4.5 to remove waste to energy et al uses from the IP-1 zone;
  3. amend section 7 to replace the IP-II zone designation with a new Industrial (I) designation and allow waste to energy et al uses, auto service dealers, and restaurants as per sections 7.4.15, 7.4.21, 7.4.23 and 7.4.24 as special permit uses;
  4. amend section 8 to maintain the current dimensional and bulk standards now in place for all industrial uses in the new Industrial zone classification;
  5. amend section 10 to require new development in the Industrial (I) zone to meet all standards required in the IP-I zone as per sections 10.10, 10.13 and 10.29;
  6. amend section 15.8.2 to provide for uniformity of sign regulation within the industrial zones

**FINDINGS**

The proposed amendments are found to:

1. Be consistent with the POCD-2016 in that they will continue to encourage suitable industrial park style development in both industrial districts
2. Reconcile the historic and current zoning maps with the regulations
3. Be consistent with the comprehensive plan of zoning for the Town in that the additional uses in the new Industrial zone will not destabilize uses or adversely affect the area nor create any non-conforming uses.

The effective date of the amendments shall be January 1, 2024.

VOTE: UNANIMOUS MOTION CARRIED

**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 ADDRESS: 1 Newent Road, Lisbon, CT 06351	TELEPHONE: 860-376-3400 EMAIL: ejoseph@lisbonct.com
> APPLICANT'S AGENT (IF ANY): Michael J. Murphy, AICP, Lisbon Town Planner	TELEPHONE: 860-376-3400
> ADDRESS 1 Newent Road, Lisbon, CT 06351	EMAIL: mmurphy@seccog.org
> OWNER / RUSTEE: Town of Lisbon	TELEPHONE: 860-376-3400
ADDRESS: 1 Newent Road, Lisbon, CT 06351	EMAIL: _____
> 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).
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: 11/6/2023

SIGNATURE/RECORD OWNER *Thomas W. Sparkman* PRINTED NAME/RECORD OWNER: Thomas W. Sparkman, First Selectman

DATE: 11/6/2023

**REGULATIONS PROPOSED FOR AMENDMENT:**

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

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

**Zoning Amendments to Sections 3; 6; 7; 8; 10; and 15 as Noted Below to Update Zoning Districts, Replace the Industrial Park-II (IP-II) Zone Designation with Industrial (I) Designation and Modify Uses Along with Making Necessary Edits; and Amend the Freestanding Sign Standards to Comply with Uniformity Standards in the Industrial Zones**

REASONS FOR EACH AMENDMENT REQUEST:

**To create new Industrial classification, align uses within the industrial zoning categories and make necessary edits.**

APPLICATION SUBMITTAL DATE: 11/6/2023 FEE(S) PAID: N/A

OFFICIAL DAY OF RECEIPT: 11/14/2023

P & Z COMMISSION ACTION: APPROVED DATE: 12/5/2023

CHAIR'S SIGNATURE: *Robert Adams* **ROBERT ADAMS, CHAIRMAN**

Adopted 12/5/2023 Modified and Adopted \_\_\_\_\_ Denied \_\_\_\_\_

**EFFECTIVE DATE JANUARY 1, 2024**

***Zoning Amendments to Sections 3; 6; 7; 8; 10; and 15 as Noted Below to Update Zoning Districts, Replace the Industrial Park-II (IP-II) Zone Designation with Industrial (I) Designation and Modify Uses Along with Making Necessary Edits; and Amend the Freestanding Sign Standards to Comply with Uniformity Standards in the Industrial Zones***

**SECTION 3 - ZONING DISTRICTS AND MAP**

3.1 List of Districts The Town of Lisbon is hereby divided into the following Zoning Districts:

- 3.1.1 (R-80) Rural Residential District.
- 3.1.2 (R-60) Low Density Residential District.
- 3.1.3 (R-40) Moderate Density Residential District.
- 3.1.4 (BV-I) Business Village District I.
- 3.1.5 (BV-II) Business Village District II.
- 3.1.6 ~~Industrial Park District - I~~ (BV-III) Business Village District III
- 3.1.7 ~~Industrial Park II District~~ (BV IV) Business Village District IV
- 3.1.8 (IP-I) Industrial Park District - I.
- 3.1.9 (I) Industrial District
- 3.1.10 (GCC) Golf Course Community- Active Adult

**SECTION 6 - INDUSTRIAL PARK - I DISTRICT(IP-I)**

6.4 Special Permit The following uses are permitted by special permit in the IP-I District, provided the dimensional requirements of Section 8 and the special conditions of Section 10.30, inclusive are met.

**6.4.15 This section has been intentionally left blank. ~~Waste-to-energy, resource recovery and recycling facilities for solid waste, and lined ash landfills operated in conjunction with and adjacent to waste-to-energy or resource recovery facilities. Solid waste excludes hazardous waste as defined by State or Federal Regulations.~~**

**SECTION 7 - INDUSTRIAL PARK DISTRICTS ~~II (IP-II) (I)~~**

7.1 Purpose. The purpose of this zone is to foster development ~~in an open and park-like setting with~~ suitable landscaping, and preservation of natural features and open space.

7.2 Minimum Size. An ~~Industrial Park District-II (IP-II)~~ shall contain a minimum of twenty-five (25) contiguous acres.

7.3 Permitted Uses. The following uses are permitted in the **Industrial (I)** ~~P-II~~ District, provided the dimensional requirements of Section 8 are met.

7.4 Special Permits. The following uses are permitted by special permit in the **Industrial (I)** Districts, provided the dimensional requirements of Section 8 and the special conditions of Section 10 are met.

**7.4.15 This section has been intentionally left blank. ~~Waste-to-energy, resource recovery and recycling facilities for solid waste, and lined ash landfills operated in conjunction with and adjacent to waste-to-energy or resource recovery facilities. Solid waste excludes hazardous waste as defined by State or Federal Regulations.~~**

7.4.21 Automotive services such as service stations, repair garages, and automotive supplies shall be permitted ~~only~~ as part of a "retail store" (large scale)

NOV 15 '23 PM2:06  
RCV LISBON TOWN CLERK



- 7.4.23 Restaurant uses provided the restaurant is the primary use utilizing no less than 75% of the gross floor area excluding kitchen and storage areas. The sale of liquor is permitted provided the service area(s) dedicated to such activity does not exceed 25% of the gross floor area excluding kitchen and storage areas.**

**(Revised / Effective: January 4, 2017)**

- 7.4.24 Automotive Dealer Services. Automotive dealer services, such as vehicle repair and maintenance, including vehicle sales as an accessory use are permitted, in accordance with the provisions of section 10.29.**

*(No other subsections are being changed)*

## **SECTION 8 – DIMENSIONAL AND OTHER BULK REQUIREMENTS**

*(These amendments make no substantive change at all to the existing standards for industrial development.)*

- 8.1 Minimum Lot Sizes.**  
~~IP-III~~ - 130,680 square feet (3 acres)
- 8.3 Minimum Street Frontage.**  
~~IP-III~~ - 300 feet
- 8.4 Minimum Buildable Area**  
~~IP-III~~ - Minimum buildable area 40,000 sq. ft. Minimum width of rectangle 150 feet
- 8.5 Yard Requirements. No building, structure, or use shall be located within the following required yard areas, except as expressly provided elsewhere in these Regulations:**
- ~~IP-II~~ **I- Front yard 75 feet; side yard 50 feet; rear yard 50 feet**
- 8.5.1** Except as provided hereafter, parking areas, parking spaces, internal access drives may not be located within the required front, side, and rear yard setbacks.
- b. In the Industrial Park-1 and Industrial Districts (IP-I or ~~IP-II~~) parking areas, parking spaces, and internal access drives may not be located within the required front, side and rear yard setbacks. Except, parking areas, parking spaces, and internal access drives may be located within forty (40%) percent of the required yard setbacks on any tract of land used for retail store (large scale) pursuant to Section 6.4.19 when appropriately screened from the street and/or abutting property with landscape materials including trees, shrubs and earthen berms.**
- 8.7 Maximum Lot Coverage**
- 8.7.1 Building Coverage.** The following is the maximum portion of the lot that may be covered by buildings:  
~~IP-II-I~~ - 40%
- 8.7.2 Impervious Surface Coverage.** The following is the maximum portion of the lot that may be covered by impervious surfaces, including buildings:  
~~IP-III~~ - 60%
- 8.8 Maximum Building Height. No building shall exceed the following number of stories or height:**
- 8.8.1 Principal Structures:**  
~~IP-II~~ I-40 feet
- 8.8.2 Accessory Structures:**  
~~IP-III~~ -30 feet

## SECTION 10 - SUPPLEMENTARY REGULATIONS

Modify the following sections accordingly:

- 10.10 **Industrial Park and Industrial (IP-I and IP-II) Developments.** An applicant for a proposed use in an Industrial Park District **or Industrial District** shall meet the following standards in addition to other applicable requirements:

*(10.10.1 – 10.10.10 not shown since no changes to existing regulations are proposed)*

- 10.13 **Commercial/Business/Retail Development in Business Village District, and Commercial/Retail Developments in the Industrial Park I and Industrial Districts**

*(10.13.1-10.13.4 not shown since no changes to existing regulations are proposed)*

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

*(No other subsections or any standards in 10.29 are being changed)*

## SECTION 15 SIGNS

- 15.8.2 **Freestanding Signs.** *(Revised/Effective: August 1, 2016)*

- e. In any tract of land used retail sales (large scale) where such facility is located in an IP-1 **or I** Zone ~~situated southerly of Route 1-395, westerly of Connecticut Route 12 easterly of the South Burnham Highway, and northeasterly of Mell Road,~~ the following signs shall be permitted:

*(Subsections 15.8.2 e. I, ii, iii, and iv are not shown since no changes to sign standards are proposed)*

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### Legend

- ~~Abc~~ Language to be removed or changed  
**Bold** New language



- c. Text Amendment Application – Zoning Map Revision - Town of Lisbon, Applicant, 1 Newent Road – Motion by K. Sperry second by V. Lutzen to approve the application of the Planning and Zoning Commission of the Town of Lisbon, adopting the proposed zoning map to clarify and create a new Industrial (I) zone classification along with the IP-I zone, rezone a portion of right of way in front of 143 River Road from BV-I to IP-I, and improve readability by updating parcel definition, and improving colors and street/route names.

**FINDINGS**

The proposed amendments are found to:

1. Be consistent with the POCD-2016
  2. Reconcile the historic and current zoning maps with the new map
  3. Be consistent with the comprehensive plan of zoning for the Town in that while the small portion of the Route 12 right of way being rezoned to IP-I was not zoned improperly to begin with, conditions in this area have changed and the rezoning represents the logical and orderly extension of the IP-I zone.
  4. Implement the text amendment changes approved previously for updating zoning districts.
- The effective date of the amendments shall be January 1, 2024.

VOTE: UNANIMOUS MOTION CARRIED

- d. Text Amendment Application – Cannabis Establishments – Town of Lisbon, Applicant, 1 Newent Road -Motion by K. Sperry second by T. Minor To approve the application of the Planning and Zoning Commission of the Town of Lisbon, adopting the proposed zoning text amendments to sections 2, 4, 5, 5B, 6, 7, 10, and 19 as detailed in the proposal for the regulation of Cannabis uses, including certain prohibitions and new standards for cannabis establishments.

**FINDINGS**

The proposed amendments are found to:

1. Be consistent with the POCD-2016 in that they will continue to encourage suitable retail cannabis establishment development in the IP-I district consistent with the zone's current character.
2. Be consistent with the comprehensive plan of zoning for the Town in that the more intense cannabis uses will be permitted only in the new Industrial zone and will not destabilize uses or adversely affect other portions of the town.
3. Confirm that conditions and legislative actions regarding cannabis use have changed which require development of new land use standards and regulatory approaches to protect the public interest.

The effective date of the amendments shall be January 1, 2024.

VOTE: R. ADAMS NO; MOTION CARRIES

- e. Text Amendment Application – Daycare Establishments – Town of Lisbon, Applicant, 1 Newent Road – Mr. Murphy noted the minor changes made at the request of the Commission and stated that the public hearing was scheduled for January 2, 2024. He also noted that referrals were made to SECCoG and NECCoG and the State of Connecticut was notified by the First Selectman that the Town is currently working on amendments to the regulations.



**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 ADDRESS: 1 Newent Road, Lisbon, CT 06351	TELEPHONE: 860-376-3400 EMAIL: ejoseph@lisbonct.com
➤ APPLICANT'S AGENT (IF ANY): Michael J. Murphy, AICP, Lisbon Town Planner	TELEPHONE: 860-376-3400
➤ ADDRESS 1 Newent Road, Lisbon, CT 06351	EMAIL: mmurphy@seccog.org
➤ OWNER / RUSTEE: Town of Lisbon	TELEPHONE: 860-376-3400
ADDRESS: 1 Newent Road, Lisbon, CT 06351	EMAIL: _____
➤ 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).
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: 11/16/2023  
SIGNATURE/RECORD OWNER *Thomas W. Sparkman* PRINTED NAME/RECORD OWNER: Thomas W. Sparkman, First Selectman  
DATE: 11/16/2023

**REGULATIONS PROPOSED FOR AMENDMENT:**

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

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

To adopt a revised Zoning Map to address zoning revisions for the "Industrial" and "Industrial Park I" zones; to change the right of way on Route 12 at the I395 connector (adjacent to 143 River Road) from "BV-I" to "IP-I"; to improve readability; and to update parcel definition and street names.

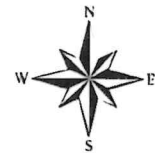
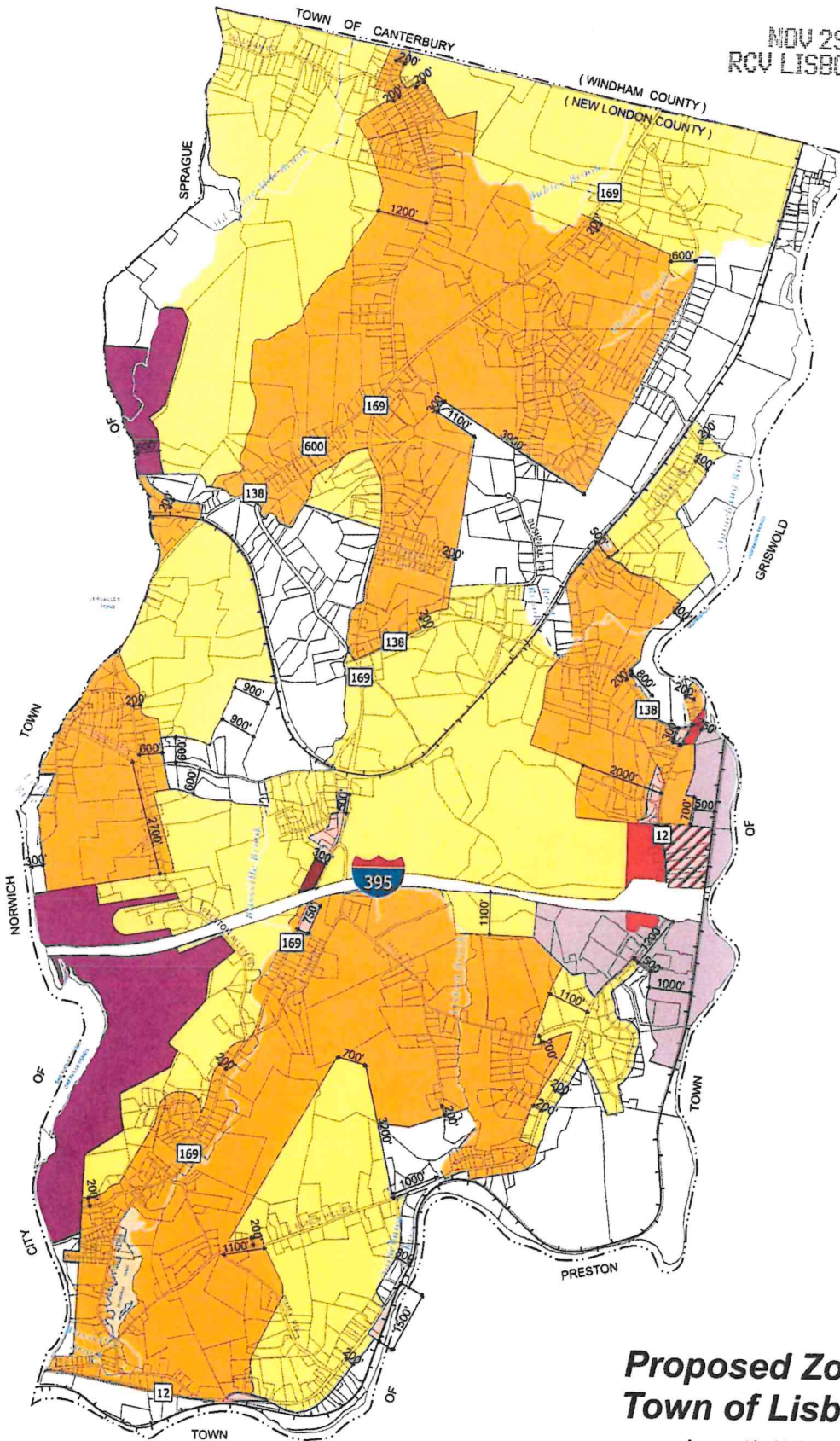
REASONS FOR EACH AMENDMENT REQUEST:

To coordinate with recent text amendments and improve readability.

APPLICATION SUBMITTAL DATE: 11/16/2023 FEE(S) PAID: N/A  
OFFICIAL DAY OF RECEIPT: 11/14/2023  
P & Z COMMISSION ACTION: APPROVED DATE: 12/5/2023  
CHAIR'S SIGNATURE: *Robert Adams* ROBERT ADAMS, CHAIRMAN  
Adopted 12/5/2023 Modified and Adopted \_\_\_\_\_ Denied \_\_\_\_\_  
EFFECTIVE DATE JANUARY 1, 2024

NOV 29 '23 PM 1:47  
RCV LISBON TOWN CLERK

*negot*



#### Zoning Districts

- R-80
- R-60
- R-40
- BV-I
- BV-II
- BV-III
- BV-IV
- I
- IP-1

## Proposed Zone Change Map Town of Lisbon, Connecticut



Approved by Motion of the Lisbon Planning & Zoning  
Commission:  
Amended Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_



1:45,000

Date Exported: 11/29/2023



**TOWN OF LISBON  
REGULATION AMENDMENT APPLICATION**

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

<p>➤ APPLICANT: Town of Lisbon, Planning and Zoning Commission ADDRESS: 1 Newent Road, Lisbon, CT 06351</p> <p>➤ APPLICANT'S AGENT (IF ANY): Michael J. Murphy, AICP, Lisbon Town Planner ADDRESS 1 Newent Road, Lisbon, CT 06351</p> <p>➤ OWNER / RUSTEE: Town of Lisbon ADDRESS: 1 Newent Road, Lisbon, CT 06351</p> <p>➤ ENGINEER/ SURVEYOR/ ARCHITECT: _____</p> <p>➤ ADDRESS: _____</p>	<p>TELEPHONE: 860-376-3400 EMAIL: ejoseph@lisbonct.com</p> <p>TELEPHONE: 860-376-3400 EMAIL: mmurphy@seccog.org</p> <p>TELEPHONE: 860-376-3400 EMAIL: _____</p> <p>TELEPHONE: _____ EMAIL: _____</p>
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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: 11/6/2023

SIGNATURE/RECORD OWNER Thomas W. Sparkman PRINTED NAME/RECORD OWNER: Thomas W. Sparkman, First Selectman  
DATE: 11/6/2023

**REGULATIONS PROPOSED FOR AMENDMENT:**

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

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

**Zoning Amendments to Sections 2, 3, 4, 5, 5B, 6, 7, 8, 10, 15, and 19 to Permit, Prohibit, Restrict and Regulate Cannabis Uses, Including New Standards for Cannabis Establishments**

11/8/2023

REASONS FOR EACH AMENDMENT REQUEST:

**To come in to compliance with State mandates regarding municipal regulations for Cannabis Establishments**

APPLICATION SUBMITTAL DATE: 11/6/2023 FEE(S) PAID: N/A

OFFICIAL DAY OF RECEIPT: 11/14/2023

P & Z COMMISSION ACTION: APPROVED DATE: 12/5/2023

CHAIR'S SIGNATURE: Robert Adams ROBERT ADAMS, CHAIRMAN

Adopted 12/5/2023 Modified and Adopted \_\_\_\_\_ Denied \_\_\_\_\_

**EFFECTIVE DATE JANUARY 1, 2024**

***Zoning Amendments to Sections 2, 4, 5, 5B, 6, 7, 10 and 19 to Permit, Prohibit, Restrict and Regulate Cannabis Uses, Including New Standards for Cannabis Establishments***

**SECTION 2 - ENFORCEMENT AND ADMINISTRATION**

- 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:

*Revise entire subsection o. accordingly as noted below:*

- o. Cannabis establishments that have the following meanings established in Section 1 of Public Act 21-1: An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis, including cannabis producers, cultivators (excluding micro-cultivators), food and beverage manufacturers, product manufacturers, and product packagers.**

*(No other changes to this section)*

**SECTION 4 - R-40, R-60, and R-80 RESIDENTIAL DISTRICTS**

- 4.2 Special Permits** The following uses are permitted by special permit in an R-40, R-60 and R-80 Districts, provided the dimensional requirements of Section 8 and the special conditions of Section 11 are met.
- 4.2.9** Commercial agricultural buildings, but not including those associated with any cannabis establishment or its operations.

*( No other changes to this section)*

**SECTION 5 - BUSINESS VILLAGE DISTRICT 1**

- 5.2 Special Permits** The following uses are permitted by special permit in BV-II Districts, provided the dimensional requirements of Section 8 and Section 10.17 if applicable of these Regulations are met.
- 5.2.2** ~~Intentionally left blank.~~ Cannabis dispensary facility, medical marijuana dispensary facility, cannabis hybrid retailer, and cannabis retailer in accordance with the provisions of section 10.30.

*(No other changes to this section)*

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RCV LISBON TOWN CLERK

*Ny Grant*

## SECTION 5B - BUSINESS VILLAGE DISTRICT III

**5B.2 Special Permits** The following uses are permitted by special permit in BV-III Districts; provided the dimensional requirements of Section 8 and Section 10.13, if applicable, of these Regulations are met:

**5B.2.4 Cannabis dispensary facility, medical marijuana dispensary facility, cannabis hybrid retailer, cannabis retailer in accordance with the provisions of section 10.30.**

*(No other changes to this section)*

## SECTION 6 - INDUSTRIAL PARK - I DISTRICT (IP-I)

**6.4 Special Permit** The following uses are permitted by special permit in the IP-I District, provided the dimensional requirements of Section 8 and the special conditions of Section 10.30, inclusive are met.

**6.4.24 Cannabis establishments defined as cannabis dispensary facility, medical marijuana dispensary facility, cannabis hybrid retailers, cannabis retailers.**

*(No other changes to this section)*

## SECTION 7 - INDUSTRIAL PARK DISTRICTS ~~II (IP-II)~~ (I)

- 7.1 Purpose.** The purpose of this zone is to foster development ~~in an open and park-like setting~~ with suitable landscaping, and preservation of natural features and open space.
- 7.2 Minimum Size.** An ~~Industrial Park District-II (IP-II)~~ shall contain a minimum of twenty-five (25) contiguous acres.
- 7.3 Permitted Uses.** The following uses are permitted in the **Industrial (I) P-II** District, provided the dimensional requirements of Section 8 are met.
- 7.4 Special Permits.** The following uses are permitted by special permit in the **Industrial (I)** Districts, provided the dimensional requirements of Section 8 and the special conditions of Section 10 are met.

**7.4.22 Cannabis establishments defined as micro-cultivators, delivery services and transporters in accordance with the provisions of section 10.30.**

*(No other subsections are being changed)*

## SECTION 10 - SUPPLEMENTARY REGULATIONS

### **10.30 Cannabis Establishments**

**10.30.1 Intent.** Cannabis establishments are divided into several categories. This section is intended to minimize adverse impacts and manage their development in respective zoning districts to promote and enhance the public health, safety and general welfare.

**10.30.2     Applicability.** Dispensaries, retailers and hybrid retailers are permitted in all Business Village and Industrial Park 1 zones subject to approval of a special permit and compliance with required conditions. Micro-cultivators, delivery services, and transporters are permitted only in the Industrial zone district.

**10.30.3     General Conditions and Standards which apply to all cannabis establishments.** The following standards shall apply to all cannabis establishments within the Town of Lisbon unless otherwise specified in these regulations.

- a. The cultivation and storage of cannabis shall be conducted indoors.
- b. No cannabis shall be applied, ingested, or consumed inside the premise of a Cannabis Establishment.
- c. Only one (1) cannabis licensed establishment as defined herein shall be located within a facility, and no portion of any Cannabis Establishment use shall be located in the same building or any portion thereof used for residential purposes.
- d. Cannabis Establishments shall only be permitted as principal uses and shall not be allowed as an accessory use to any other cannabis establishment.
- e. All signage shall comply with Section 15 of these Regulations and the requirements of the State of Connecticut Department of Consumer Protection, as amended, and whichever is more restrictive.
- f. If there is a change in operator or licensee, the new operator or licensee shall provide the new State license to the Zoning Enforcement Officer.
- g. Operations, Maintenance and Security Plan (OSMP): A written plan to prevent and detect diversion, theft, mismanagement or loss of cannabis acceptable to, and approved by, the Lisbon First Selectman or law enforcement agency as he or she may require, shall be submitted with the application. In addition, the OSMP shall address the following items:
  - i. Hours of operation
  - ii. Plans for facility security and access
  - iii. Odor monitoring and mitigation provisions
  - iv. Management, security and disposal of cannabis waste products
- h. Vehicular access onto the site shall be provided solely from a minor or major collector or arterial street in the road hierarchy and classification system. This shall not preclude access from an internal roadway system designed in a project to exit or enter such collector or arterial street.

**10.30.4     Dispensaries, Retailers and Hybrid Retailers for Retail Sale of Cannabis to Consumers for Off-Premises Consumption.** The sale of cannabis under the Cannabis Hybrid Retailer or Cannabis Retailer class of permit as defined by Connecticut General Statutes 21a-420 as amended, issued

by the State of Connecticut for consumption off the premises, shall be permitted only under the following conditions:

- a. No cannabis establishments may be accessed by a drive-in or drive-through facility by which a cannabis product in any form is dispensed to individual patrons within motor vehicles.
- b. No use under this section shall be located within one half mile or two thousand six hundred and, forty feet (2,640') of another cannabis establishment, excluding delivery or transporter establishments, or a protected use, defined to include a licensed adult or child day care center, any nursery/prekindergarten or any dependency treatment center, which is in existence as of the effective date of the application for a special permit. The distance shall be determined as the shortest distance between the lot lines of the proposed premises and the lot lines of such other use, respectively. This required distance shall not apply when there is a permanent barrier between the adult-use cannabis use and an applicable use under this section. Permanent barriers include limited access interstate highways, and active railway tracks that preclude standard vehicular and pedestrian crossings and access. In addition, a dispensary under this section shall not become non-conforming by the later establishment of a use prescribed herein within said 2,640' feet and such dispensary may be enlarged, renovated, and rebuilt, in accordance with all other applicable laws and regulations.
- c. Where required by the Town of Lisbon Board of Selectmen, the retailer or hybrid retailer, as the case may be, shall hold in trust and pay to the Town of Lisbon within 35 days of receipt of an invoice from said town, three (3) percent of its gross receipts for deposition in the general revenue fund of the Town of Lisbon as provided by, and for the purpose of funding such programs in accordance with, the Connecticut General Statutes.
- d. Hours of operation for retail sales shall be limited to between 8 a.m. – 10 p.m., Monday through Saturday, and between 10 a.m. – 6 p.m., Sunday.
- e. No Special Permit shall be issued to any applicant granted such permit under this section until a certified copy of a corresponding dispensary, retailer or hybrid retailer for retail sale of cannabis permit issued by the State of Connecticut to the applicant is filed with the approved application for the project.

**10.30.5 Micro- Cultivation, Delivery, Transport, and Sale of Cannabis Not Directly to Consumers.** The sale of cannabis under the Cannabis Micro-Cultivator, Cannabis Delivery Service, or Cannabis Transporter class of permit as defined by Connecticut General Statutes 21a-420 as amended, issued by



the State of Connecticut, which do not involve sales directly to any consumer, shall be permitted only under the following conditions:

- a. No Special Permit shall be issued to any applicant granted such permit under this section until a certified copy of a corresponding Cannabis Micro-Cultivator, Cannabis Delivery Service, or Cannabis Transporter permit issued by the State of Connecticut to the applicant is filed with the approved application for the project.
- b. Where required by the Town of Lisbon Board of Selectmen, any micro-cultivator shall hold in trust and pay to the Town of Lisbon within 35 days of receipt of an invoice from said town three (3) percent of its gross receipts for deposition in the general revenue fund of the town as provided by, and for the purpose of funding such programs in accordance with, the Connecticut General Statutes.
- c. No micro-cultivator under this section shall be located within one half mile or two thousand six hundred and forty feet (2640') of another cannabis establishment, excluding delivery or transporter establishments, which is in existence as of the effective date of the application for a special permit. The distance shall be determined as the shortest distance between the lot lines of the proposed premises and the lot lines of such other use, respectively. This required distance shall not apply when there is a permanent barrier between the adult-use cannabis use and an applicable use under this section. Permanent barriers include limited access interstate highways, and active railway tracks that preclude standard vehicular and pedestrian crossings and access. In addition, no facility under this section shall not become non-conforming by the later establishment of a use prescribed herein within said 2640' feet and such facility may be enlarged, renovated, and rebuilt, in accordance with all other applicable laws and regulations. This distance requirement shall not apply to delivery and transporter establishments.

#### SECTION 19- DEFINITONS

Cannabis. Cannabis means marijuana, as defined in section 21a-240 of the general statutes.

Cannabis Establishment. "Cannabis establishment" means a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter engaged in an activity which would be defined by PA-21-1 (SB 1201).

Cannabis Hybrid Retailer. A person or a business operated by a person licensed by the Department of Consumer Protection to purchase cannabis and sell cannabis and medical

marijuana products to qualifying medical patients, primary caregivers, and to qualifying adult-use consumers.

**Cannabis Retailer.** A person or a business operated by a person, excluding a dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis to consumers and research programs.

**Cannabis Dispensary.** "Dispensary facility" means a place of business licensed by the Department of Consumer Protection where cannabis may be dispensed, sold or distributed in accordance with chapter 420 of the general statutes pursuant to Section 21a – 408h of the Connecticut General Statutes and any regulations adopted there-under.

**Cannabis Micro-cultivator.** A person or a business licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than 2000 square feet and not more than 10,000 square feet of grow space, prior to any expansion authorized by the commissioner.

**Cannabis Delivery Service.** A person or a business operated by a person that is licensed to deliver cannabis from (A) micro-cultivators, retailers and hybrid retailers to consumers and research program subjects, and (B) hybrid retailers and dispensary facilities to qualifying patients, caregivers and research program subjects, as defined in CGS 21a-408 as amended, or to hospices or other inpatient care facilities licensed by the Connecticut Department of Public Health pursuant to chapter 368v as amended that have a protocol for the handling and distribution of cannabis that has been approved by the department, or a combination thereof.

**Cannabis Transporter.** A person or a business operated by a person licensed to transport cannabis between cannabis establishments, laboratories and research programs.

**Medical Marijuana Dispensary Facility.** A business establishment solely engaged in the sale of cannabis under Connecticut General Statutes Chapter 420f - Palliative Use of Marijuana.

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#### Legend

~~Abc~~      Language to be removed or changed  
**Bold**      New language

MINUTES  
REGULAR MEETING  
PLANNING AND ZONING COMMISSION  
TUESDAY, DECEMBER 5, 2023  
Page 5 (Old Business, cont)

- f. FY 24/25 Budget Request – Motion by K. Sperry second by T. Minor to request \$60,000.00 for LI# 51730 Purchased Services. VOTE: UNANIMOUS MOTION CARRIED  
Motion by T. Minor second by B. Hull to request \$5000.00 for LI# 51750 Supplies & Expenses. VOTE: UNANIMOUS MOTION CARRIED
- 7. New Business
  - a. Receipt of New Applications - NONE
  - b. Referrals
    - i. Town of Canterbury, Proposed Zoning Text Amendments - Campgrounds –  
Motion by K. Sperry second by T. Minor to send a letter of no inter-municipal impact. VOTE: UNANIMOUS MOTION CARRIED
  - c. Election of Officers – It is noted for the record that Mr. Giroux has previously shown interest in continuing as the Vice Chairman. Motion by K. Sperry second by T. Minor to nominate Robert Adams as Chairman and Ron Giroux as Vice Chairman. VOTE: UNANIMOUS MOTION CARRIED  
Motion by T. Minor second by B. Hull to nominate K. Sperry as Secretary. VOTE: UNANIMOUS MOTION CARRIED
  - d. Commission Members – Appointments – See “Correspondence”
  - e. Discussion of proposed Amendment to Section 16 – Zoning Board of Appeals Requirements for Additional Notice to Abutters for Variance Applications – Mr. Murphy distributed proposed language requested by the Commission requiring applicants to notify abutters of their applications before the Zoning Board of Appeals. An application for regulation text change will be submitted at the next meeting.
  - f. Today’s Realty, LLC – 240 Paper Mill Road – Clarification re: 90 Day Extension for Recording of Mylars; Drainage Easement Agreement; Hours of Operation – Mr. Keith Mackin, owner, was present with his attorney, Stanly Lucas. Atty. Lucas spoke on behalf of his client, saying that the applicant and the Town of Sprague cannot come to an agreement on the language in the Easement agreement. He is requesting that condition #5 of his approval be removed. Mr. Murphy noted that the Town of Sprague initially requested the easement. He also noted that the application and plan was approved with the condition of the easement and that is what should be recorded on the land records, and no further extension is needed. The applicant can later come back to Commission for a modification, if in fact, Sprague does not now want the easement. The applicant wanted clarification that the Hours of Operation pertained to crushing and other activities, does not include nighttime delivery of millings, as an example, with which the Commission concurred.
- 8. Any other business which may come before the Commission – NONE
- 9. Public Comment – NONE

MINUTES  
REGULAR MEETING  
PLANNING AND ZONING COMMISSION  
TUESDAY, DECEMBER 5, 2023  
Page 6 (cont)

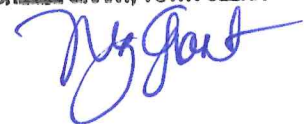
10. Adjournment – Motion made by K. Sperry second by T. Minor to adjourn at 9:52 P.M.

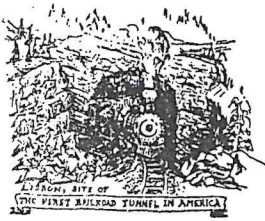
VOTE: UNANIMOUS MOTION CARRIED

  
Elaine Joseph, Clerk

Approved: \_\_\_\_\_  
Robert Adams, Chairman

RECEIVED FOR RECORD AT LISBON, CT  
ON 12/11/23 AT 11:42am  
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, December 5, 2023, the following action was taken:

1. Application by Town of Lisbon Planning and Zoning Commission, 1 Newent Road, for Zoning Regulation Text Changes within Sections 3, 6, 7, 8, 10 and 15 to update zoning districts, Industrial designations, and free-standing sign standards. ADOPTED WITH EFFECTIVE DATE: JANUARY 1, 2024
2. Application by Town of Lisbon Planning and Zoning Commission, 1 Newent Road, to adopt a revised Zoning Map. ADOPTED WITH EFFECTIVE DATE: JANUARY 1, 2024
3. Application by Town of Lisbon Planning and Zoning Commission, 1 Newent Road, for Zoning Regulation Text Changes within Sections 2, 4, 5, 5B, 6, 7, 10 and 19 for the regulation of Cannabis establishments. ADOPTED WITH EFFECTIVE DATE: JANUARY 1, 2024

Dated at Lisbon, Connecticut this 11th day of December, 2023.

Robert D. Adams, Chairman  
Lisbon Planning and Zoning Commission

RECEIVED FOR RECORD AT LISBON, CT  
ON 12/11/23 AT 11:42am  
ATTEST. MICHELLE GRANT, TOWN CLERK