

MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL VIRTUAL MEETING
TUESDAY, DECEMBER 1, 2020
7:00 P.M.

1. Call to Order

The regular virtual meeting of the Planning and Zoning Commission was called to order by Chairman Robert Adams at 7:20 P.M.

MEMBERS PRESENT VIA TELECONFERENCE: Robert Adams, Ronald Giroux, Benjamin Hull, III, Jason Lebel, Timothy Minor, Kim Sperry, Randy Brown, Cheryl Blanchard, Gary Ritacco (ALT)

MEMBERS ABSENT: Trevor Danburg

STAFF PRESENT VIA TELECONFERENCE:

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

2. Previous Minutes – Motion by R. Giroux second by K. Sperry to accept the previous minutes of November 10, 2020 with the following correction: Agenda item 5.d.3. - “Walmart...Mr. Murphy will be issuing a Certificate of Zoning Compliance for this Special Permit ...” should be: “Walmart...Mr. Brown, ZEO/BO, will be issuing a Certificate of Zoning Compliance for this Special Permit ...” VOTE: UNANIMOUS, MOTION CARRIED

3. Correspondence

- a. Copy, Memo, from Michael J. Murphy, AICP, Lisbon Town Planner to Christopher Maynard, Town Treasurer dated 11/24/2020 re: Release of Performance Bond Lisbon Investors, LLC (Mattress Firm)
- b. Copy, Letter, from Conservation Commission to Gregory & Deborah Sas, dated 11/23/2020 re: Approval application #20-09
- c. Copy, Letter, from Conservation Commission to Jay Urbinati & Amanda Gregoire, dated 11/23/2020 re: Approval application #20-08
- d. Copy, Letter from Robert Adams, Chairman to City of Norwich, Office of Planning and Neighborhood Services, dated 11/12/2020 re: referral response
- e. Copy, Letter, from Robert Adams, Chairman to Cheryl Blanchard, dated 11/10/2020 re: Appointment as Regular Commission Member
- f. Memo, from Wayne Donaldson, Chairman, Board of Finance dated 11/19/2020 re: FY 2019/2020 Annual Report Narrative. Motion to add to agenda under item 8.a. “Any Other Business...” by K. Sperry second by C. Blanchard. VOTE: UNANIMOUS, MOTION CARRIED
- g. Profit & Loss Statement through Nov 2020 – LI#51730 Purchased Services: \$41,534.87 / LI#51750 Supplies & Expenses: \$2,180.55

MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
TUESDAY, DECEMBER 1, 2020
page 2 (cont)

4. Bills and action thereon
 - a. The Bulletin, \$456.86, inv#00276985, dated 11/17/2020 re: Public Hearing Notice (143 River Road). Motion by K. Sperry second by G. Ritacco to pay. VOTE: UNANIMOUS, MOTION CARRIED
 - b. The Bulletin, \$156.93, inv#00276996, dated 11/17/2020 re: NoD (Cottage Food Operation). Motion by K. Sperry second by G. Ritacco to pay. VOTE: UNANIMOUS, MOTION CARRIED
5. Reports
 - a. ZEO – Carl Brown was present but had nothing new to report. Mr. Giroux inquired about a response from Walmart regarding “Black Friday” parking, to which Mr. Brown replied that he had not received a response to his letter on the matter.
 - b. Regulations - NONE
 1. MS4 Storm Water Regulation/Ordinance Update – Mr. Murphy gave a brief update. The draft ordinance is still with Attorney Olsen and he hopes to have a draft to the Commission for their review before the next meeting.
 - 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. 102 River Road – Mr. Murphy gave a brief update regarding the site, reminding the Commission that they are still in litigation and that maintenance upgrades to the site, which includes landscaping, are being done under the old plan. Mr. Lebel questioned if the sidewalks will be installed or not, to which Mr. Murphy responded that they will only be required to be installed if they win the litigation.
 2. 180 Newent Road – Mr. Murphy noted that a complaint had come into the Town Hall regarding unsafe traffic conditions and noted that the applicant had been required to make improvements to the driveway before occupying the site with their business. Mr. Brown noted that they are currently storing vehicles there, and they do have a building permit to create an office, but they do not have their Certificate of Occupancy yet. Mr. Murphy is to investigate further and advise the applicant of requirements.
 3. Anderson / Stein Property – Mr. Murphy reported that he spoke to Peter Stein, who showed an interest in the EPA program grant that could help to fund a phase II environmental study of the site.
 4. Brenmor – Mr. Murphy reported that he is getting additional permit requests. Motion by K. Sperry second by R. Giroux to add “Brenmor” to agenda item 8.b. VOTE: UNANIMOUS, MOTION CARRIED
 5. Spirit Halloween – Mr. Murphy noted that they are in compliance and all signage has been removed.
6. Old Business
 - a. Regional Planning Commission – NONE

MINUTES

REGULAR MEETING

PLANNING AND ZONING COMMISSION

TUESDAY, DECEMBER 1, 2020

page 3 (Old Business, cont)

- b. Zone Change Application, Change of Zoning Designation from BV-I to BV-II – 143 River Road, LLC, 143 River Road – It is noted for the record that Attorney Christopher Smith of Alter Pearson, LLC, 701 Hebron Avenue, Glastonbury, CT was present to represent the applicant. Also present was applicant Eugene Crowley and Demian Sorrentino, AICP, of Boundaries, LLC. Mrs. Sperry stated that the applicant made a point of requesting a zone change because they could not get any tenants under BV-I. Mrs. Sperry noted that it isn't the fault of the Town's regulations, but with State DOT problems at that location on Route 12. Regardless, she has no issue with the Zone Change. Chairman Adams feels the property is better left in the BV-I zone. Motion by K. Sperry second by B. Hull to adopt the Zone Map change request of 143 River Road LLC to rezone aka 141-143 River Road and its co-terminus Map ID 14/045/0000 location within the Town from the BV-I district to the BV-II district, with an effective date of January 2, 2021. VOTE: R. ADAMS NO; MOTION CARRIES

Findings

The Lisbon Planning and Zoning Commission has considered the adopted Plan of Conservation and Development 2016 (POCD) for the Town of Lisbon and finds that this zoning map change is consistent with the POCD which recommends this area for future economic development. The commission has also determined that the application is consistent with the comprehensive plan of zoning and that the zone change represents the logical and orderly extension of the BV -II zone in this area.

- c. FY 2021 / 2022 Budget – Motion by R. Giroux second by G. Ritacco to request a budget amount of \$3800.00 for Line Item #51750 (Supplies & Expenses) for FY 2021/2022.

VOTE: UNANIMOUS, MOTION CARRIED

Motion by G. Ritacco second by R. Giroux to request a budget amount of \$59,000.00 for Line Item #51730 (Purchased Services) for FY 2021/2022.

VOTE: UNANIMOUS, MOTION CARRIED

- d. Commission Member Attendance – NONE - Remove from Agenda

7. New Business

a. Receipt of New Applications

- i. K&H Properties Excavation, 397 North Burnham Hwy – Request for review of minor site plan modification per Section 12.9 – Mr. Tim Coon of Russo Surveyors and Engineers, P.O. Box 938, East Windsor, CT, and Herb Holden of K&H Properties, Applicant, were present. It was noted for the record that Mr. Murphy's Staff Report was sent to the Commission members in their packets. Mr. Murphy noted that this is an internal site change and does not change the scope of the project. Mr. Coon noted that the initial plan from 2019 included widening of the driveway, where it crosses

**TOWN OF LISBON
ZONE CHANGE APPLICATION**

PROJECT NAME N/A
STREET ADDRESS 143 River Road, Lisbon, CT 06351
IF ADDRESS NOT AVAILABLE, LOCATION N/A
MAP/BLOCK/LOT IDENTIFICATION NUMBER(S): Map 14, Lot 45 ACREAGE 6.54 ZONE(S) BV-I
PROJECT DESCRIPTION: Change zoning designation of subject from BV-1 to BV-II.

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

- APPLICANT: 143 River Road, LLC (Eugene Crowley) TELEPHONE: (617) 887-3933
ADDRESS: 192 Worcester St., Natick, MA 01760 EMAIL: gene@jchdev.net
- APPLICANT'S AGENT (IF ANY): Atty. Christopher J. Smith TELEPHONE: (860) 652-4020
ADDRESS: 701 Hebron Ave., Glastonbury, CT 06033 EMAIL: csmith@alterpearson.com
- OWNER/TRUSTEE: Same as Applicant TELEPHONE: _____
ADDRESS: _____ EMAIL: _____
- ENGINEER/SURVEYOR/ARCHITECT: Boundaries, LLC TELEPHONE: (860) 376-2006
ADDRESS: PO Box 184, Griswold, CT 06351 EMAIL: dsorrentino@boundariesllc.net

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.
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 *Demian A. Sorrentino* PRINTED NAME OF APPLICANT/AGENT Demian A. Sorrentino
DATE: 10/27/2020 Agent - Boundaries, LLC
SIGNATURE/RECORD OWNER *Demian A. Sorrentino* PRINTED NAME/RECORD OWNER Demian A. Sorrentino,
DATE: 10/27/2020 Agent - Boundaries, LLC

REASONS FOR ZONE CHANGE REQUEST: The subject property is currently zoned BV-I. The requested change to BV-II provides for gasoline sales and drive-thru window uses as special permit uses, which uses are more compatible with current market need and demand. The requested change is consistent with the Town's comprehensive plan (zone map and zoning regulations), the Town's 2016 PoCD, and will not adversely impact the public health, safety and welfare.

APPLICATION SUBMITTAL DATE: 10/28/2020 FEE(S) PAID: 560.⁰⁰
OFFICIAL DAY OF RECEIPT: 11/10/2020
P & Z COMMISSION ACTION: ADOPTED; EFFECTIVE 1/2/2021 DATE: 12/1/2020
CHAIR'S SIGNATURE: *Robert Adams* ROBERT ADAMS, CHAIRMAN
Adopted 12/1/2020 Denied _____

MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
TUESDAY, DECEMBER 1, 2020
page 4 (New Business, cont)

two wetland crossings. Although they received a wetlands permit, it has been recently discovered that there is a rare and endangered species of freshwater mussel present. It has been determined that they can eliminate the widening of those areas since there will be no retail operations. Mr. Murphy noted that the changes will not affect the entrance or off -site traffic. He recommended a driveway of 20 feet wide between the crossings will still eliminate wetland impact. The planner also added that while the full widening could still be done with an open span crossing, but it would result in initial wetlands impacts. He also discussed the changes with the Chair of the Conservation Commission who supported the changes to reduce impacts in the watershed. It was noted that this should also be coordinated with the Conservation Commission. Motion was made by K. Sperry second by C. Blanchard that the Commission has determined that the alterations to the internal access road do not affect traffic flows or patterns outside the excavation project and as such are minor site plan changes and, in so doing, approves the minor modifications as proposed in order to reduce environmental impacts, with the following stipulations:

1. The access road between the two (2) crossings shall be maintained at 20' minimum in width.
2. The applicant shall provide an acceptable mylar showing the modifications for recording in the land records of the Town.
3. All other requirements of the original special permit approval shall remain in effect.

VOTE: UNANIMOUS MOTION CARRIED

- ii. Re-subdivision Plan, Albert & Nancy Gosselin, 40 Lee Road (Ross Hill Road Extension) - Request for waiver from section 4.7 of the Subdivision Regulations regarding Posting of Bonds – It was noted for the record the applicant was not present at the meeting. Mr. Murphy stated that this was a unique case, that the property was subdivided to make a building lot for the applicant's daughter, whose plans regarding building here may have changed. He stated that the Town is protected under the Special Permit, and the subdivision would expire after five years from the 2017 approval. The bond would be required to be posted under the zoning regulations before any permit was issued. He also noted that there is no administrative cost to the Town. Motion by K. Sperry second by C. Blanchard to approve the request for waiver of section 4.7 regarding the posting of the Gosselin Re-subdivision performance bond and allow for release of said bond for the following reasons:

1. The property is unique in that it is subject to an approved special permit for creation of a rear lot, which special permit shall require posting of the requisite performance bond in the amount of \$12,400.00 prior to the issuance of said special permit and zoning permit for construction.
2. The improvements within the right of way are associated with providing driveway access to the lot, which is not necessary until permits are issued and home construction would commence.

VOTE: UNANIMOUS MOTION CARRIED

TOWN OF LISBON
SUBDIVISION/RESUBDIVISION APPLICATION

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

➤ APPLICANT: Albert G. Jr & Nancy E Gosselin TELEPHONE: 860-376-0393
ADDRESS 40 Lee Road Lisbon CT 06351 EMAIL: granlee400msn.com
➤ APPLICANT'S AGENT (IF ANY): _____ TELEPHONE: _____
ADDRESS _____ EMAIL: _____
➤ OWNER / TRUSTEE: same TELEPHONE: _____
ADDRESS same EMAIL: _____
➤ ENGINEER / SURVEYOR: _____ 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 PLANS 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 Albert Gosselin Jr. PRINTED NAME OF APPLICANT/AGENT Albert Gosselin Jr
DATE: 11/23/20 Nancy Gosselin Nancy Gosselin

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

PARCEL IDENTIFICATION INFORMATION

40 Lee Road at

STREET ADDRESS AND/OR LOCATION OF PROPERTY: Ross Hill Rd Ext

MAP / BLOCK / LOT: 15 S-1 known as lot 3

VOLUME / PAGE: _____

PROJECT NAME: _____ **ZONING DISTRICT:** _____

TOTAL LAND AREA BEING SUBDIVIDED: _____

PROJECT DESCRIPTION

See Waiver Request

=====

APPLICATION SUBMITTAL DATE: 11/23/2020 **FEE(S) PAID:** 100.00

OFFICIAL DAY OF RECEIPT: 12/1/2020

P & Z COMMISSION ACTION: APPROVED **DATE:** 12/1/2020

CHAIR'S SIGNATURE: Robert Adams **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.

TOWN OF LISBON
SUBDIVISION / RE-SUBDIVISION APPLICATION
Page 2

PROJECT NAME: _____ NUMBER OF LOTS: _____

OPEN SPACE: ACREAGE _____ FEE IN LIEU _____ EXEMPTION _____

ROAD PROPOSED: YES _____ NO _____

WATER: WELL(S) _____ or PUBLIC _____

WASTE: SEPTIC _____ or PUBLIC SEWER _____

ARE THERE REGULATED WETLANDS? YES _____ NO _____

WETLAND APPLICATION SUBMITTED OR PERMIT OBTAINED? YES _____ NO _____

EXISTING IMPERVIOUS SURFACE (SQ. FT.): _____

CHANGE IN IMPERVIOUS REQUIRED: _____



WAIVERS REQUESTED AND REASONS PER SECTION 8 OF THE SUBDIVISION
REGULATIONS: _____

Request waiver of Section 4.7 of Subdivision Regulations

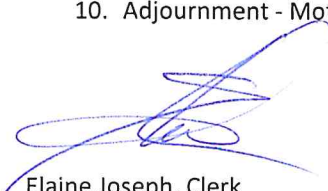
Presently there is a \$12,400 bond in place as required
by P+2 2/7/17 application approval. This bond was
placed by us so the mylar could be filed and the lot
deeded to our daughter, Rebecca DeWine and her husband Scott
They are uncertain when they will build on this lot
Therefore, we request a waive for posting the
bond until construction.

We request the bond presently held by the
Town of Lisbon be released back to us

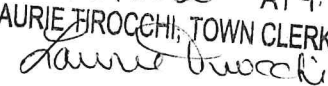
MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
TUESDAY, DECEMBER 1, 2020
page 5 (Any Other Business, cont)

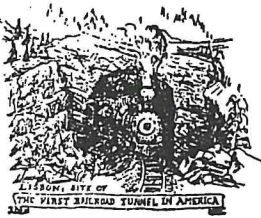
- c. Referrals - NONE
- 8. Any other business which may properly come before the commission
 - a. Annual Report Narrative – Mrs. Sperry to write the submission for the Annual Report, noting that information contained therein will be from July 2019 through June 2020.
 - b. Brenmor – Mr. Murphy noted that the project is under 8-30g and that the approval of the project was mandated by the courts. Regardless, individual site plans and erosion/sediment control plans need to be submitted prior to issuance of zoning permits and construction of homes. He noted that the slopes are as much as 2 to 1 off the back of the buildings and that the applicants are seeking variations from the approved plans which are not consistent with plan standards. This also includes No Parking signage, which the applicant now wishes to eliminate, as well as buildings being moved slightly on the sites raising public safety concerns about parking on the common drive, proximity to wetlands, and long-term maintenance of E & S controls. Commission members noted that these provisions that the applicant now wishes to change were originally proposed by the applicant. Mr. Lebel noted that any site plan variations must be brought before the Planning and Zoning Commission. Mr. Murphy thanked commission members and noted that he will be responding to the applicant's attorney, Attorney Hollister, and will be seeking the Town Attorney's advice. It was the consensus of the Commission that Mr. Murphy should continue to handle this in the manner he has been.
- 9. Public Comment – It is noted for the record that there was no public comment received via email and no one from the public present at the virtual meeting had any comments.
- 10. Adjournment - Motion made by K. Sperry second by G. Ritacco to adjourn at 8:34 P.M.

VOTE: UNANIMOUS MOTION CARRIED


Elaine Joseph, Clerk

Approved: _____
Robert Adams, Chairman

RECEIVED FOR RECORD AT LISBON
CT ON 12/8/2020 AT 9:40am
ATTEST. LAURIE FROCCHI, TOWN CLERK




PLANNING & ZONING COMMISSION
TOWN OF LISBON
1 Newent Road
Lisbon, Connecticut 06351

NOTICE OF DECISION
Town of Lisbon
Planning and Zoning Commission

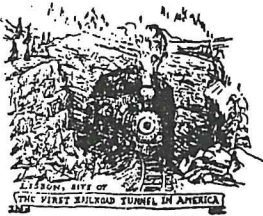
At the regular meeting of the Town of Lisbon Planning and Zoning Commission held virtually on Tuesday, December 1, 2020, the following action was taken:

Gosselin Resubdivision, Request for Waiver of Section 4.7 – Albert & Nancy Gosselin, 40 Lee Road (Ross Hill Road Extension). APPROVED WITH MODIFICATIONS

Dated at Lisbon, Connecticut this 7th day of December 2020.

Robert D. Adams, Chairman
Lisbon Planning and Zoning Commission

RECEIVED FOR RECORD AT LISBON
CT ON 12/8/2020 AT 9:40am
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 virtually on Tuesday, December 1, 2020, the following action was taken:

Application by 143 River Road, LLC (Eugene Crowley) for a change of zoning boundaries to rezone 143 River Road, a/k/a 141-143 River Road (Assessor's Office Map ID 14/045/0000), Lisbon, CT, from BV-I to BV-II on a 6.54 acres parcel.

ADOPTED; EFFECTIVE DATE: JANUARY 2, 2021

Dated at Lisbon, Connecticut this 7th day of December 2020.

Robert D. Adams, Chairman
Lisbon Planning and Zoning Commission

RECEIVED FOR RECORD AT LISBON
CT ON 12/8/2020 AT 9:40am
ATTEST. LAURIE TIROCCHI, TOWN CLERK
Laurie Tirocchi