

MINUTES
PUBLIC HEARING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL
TUESDAY, OCTOBER 4, 2022
6:30 P.M.

The Planning and Zoning Commission held the following Public Hearings in the Lisbon Town Hall, 1 Newent Road, Lisbon, Connecticut beginning at 6:30 PM on Tuesday, October 4, 2022:

6:30 p.m. – Application by Town of Lisbon Planning and Zoning Commission, 1 Newent Road, for Zoning Regulation Text Changes to Sections 10.15.1 (Intent & Purpose); 10.15.3 (Definitions); 10.15.6.b.2 and 4 (Administration); 10.15.7.a.13, 14 (Specific Standards); 10.15.7.b Inclusive (Specific Standards) and 10.15.7.c.3 (Standards for Streams Without Established Base Flood Elevations, Floodways and/or Flood Mapping).

6:45 p.m. – Application by Town of Lisbon Planning and Zoning Commission, 1 Newent Road, for Subdivision Text Amendment to Include a New Section 6.13 Regarding Requirements for Submission of New Technical or Scientific Flood Data.

MEMBERS PRESENT: Robert Adams, Trevor Danburg, Ron Giroux, Ben Hull, III, Jason Lebel, Veronica Lutzen, Kim Sperry, Kelly Clatt (ALT)

MEMBERS ABSENT: Randy Brown, Timothy Minor, Nathaniel Beardsworth (ALT)

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

Chairman Adams read the public hearing notice into the record.

The following Public Hearing was called to order by Chairman Robert Adams at 6:33 PM:

Application by Town of Lisbon Planning and Zoning Commission, 1 Newent Road, for Zoning Regulation Text Changes to Sections 10.15.1 (Intent & Purpose); 10.15.3 (Definitions); 10.15.6.b.2 and 4 (Administration); 10.15.7.a.13, 14 (Specific Standards); 10.15.7.b Inclusive (Specific Standards) and 10.15.7.c.3 (Standards for Streams Without Established Base Flood Elevations, Floodways and/or Flood Mapping).

Michael J. Murphy, AICP, Lisbon Town Planner noted in his report that these regulation changes are required by FEMA in order for the Town to be eligible for the National Flood Insurance Program. He noted that the Department of Energy and Environmental Protection gave updated comments since the application was reviewed at the September 6, 2022 regular meeting, and a revised application was sent to the Commission in their packets for review. He also noted that the revised application with the revised proposed text amendments were published on the website for public review with the public hearing notice. He noted that FEMA is currently updating the area's flood maps. Mr. Murphy stated that the basis for cost of substantial damage is to be based on the Town's appraisal value of a property. He then noted that the Town's Zoning Enforcement Officer / Building Official has been formally designated as the Flood Official (NFIP Administrator), as well.

Mr. Murphy noted that Section 10.15.7 (Development Standards) provides standards for the Base Flood Level. He noted that the "Base Flood Level" is no longer where you can build to; rather, you must build a foot or more above that level. He also explained the need for adding references regarding changes in flood plain data. Compensatory Storage and Equal Conveyance terms were moved to standards from the definitions section. Also, the Town needs to be sure that DEEP receives that data. He also noted that all the forms recently updated to comply with these new regulations have been uploaded to the Town website. He noted that, should the Commission vote against adopting these changes, FEMA could eliminate the Town from the National Flood Insurance program, leaving affected property owners, current and future, vulnerable to considerable losses.

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Mr. Murphy read into the record a referral response letter from the South Eastern Connecticut Council of Governments (SECCoG) dated September 27, 2022. The letter states that the SECCoG has determined that these proposed regulation changes have no adverse inter-municipal impact.

B. Hull asked what "Substantial Improvements" and "Sustained Damage" means, in reference to section 10.15.7.b? Mr. Murphy noted that the definition of substantial improvements is already in our regulations. If a structure is damaged and such damage meets the threshold, it must be rebuilt to the new standards. Mr. Hull asked if a home currently has a basement, must it be re-built on stilts? Mr. Murphy responded there are various methods but that it must meet the new standards, particularly if it is living space. He then explained the process of rebuilding based on the elevation standards in that flood plain area. The floodway is a critical path that cannot be obstructed.

Chairman Adams asked for public comment either for or against the application, to which there was none.

This public hearing was closed at 6:54 PM.

The following Public Hearing was called to order by Chairman Robert Adams at 6:54 PM:

Application by Town of Lisbon Planning and Zoning Commission, 1 Newent Road, for Subdivision Text Amendment to Include a New Section 6.13 Regarding Requirements for Submission of New Technical or Scientific Flood Data.

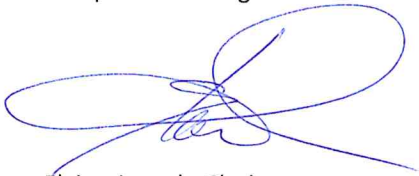
Mr. Murphy noted that these regulations relate to when people divide parcels to create lots for development. He noted that 6.10, 6.11 and 6.12 are already established sections. A new section, 6.13, is a provision for sending flood data to the State, no later than six months after a subdivision approval. This was the only change necessary to the Subdivision Regulations to satisfy FEMA and DEEP.

Mr. Murphy noted that a copy of the same referral response letter received by the SECCoG was in the application file, noting that it was not necessary for the Commission to send a referral out for Subdivision Regulation changes but that the Town did so as a courtesy. He also noted that the 2016 Plan of Conservation has very little in it regarding flood plains, and should be considered when the POCD is updated.

Chairman Adams asked for public comment for or against the application, to which there was none.

Mr. Hull asked if these regulation changes will make it more expensive for someone to build in the flood plain? Mr. Murphy noted again that if the Town fails to adopt these changes, the Town would be mandating huge costs to a property owner because they will not be able to obtain flood insurance.

This public hearing was closed at 7:02 PM.



Elaine Joseph, Clerk

Approved _____
Robert Adams, Chairman

RECEIVED FOR RECORD AT LISBON, CT
ON 10/07/22 AT 11:55AM
ATTEST. MICHELLE GRANT, TOWN CLERK
