

MINUTES
PUBLIC HEARING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL VIRTUAL MEETING
TUESDAY, OCTOBER 6, 2020
6:30 P.M.

The Planning and Zoning Commission held the following Public Hearing virtually in the Lisbon Town Hall, 1 Newent Road, Lisbon, Connecticut beginning at 6:30 PM on Tuesday, October 6, 2020:

Application, Planning and Zoning Commission - Zoning Text Amendments- Revisions to section 4.1.2, sections 4.2 and 4.3, inclusive, section 10.2 and section 19.3 for Amendments Relating to Development of Accessory Dwelling Units in R Zones

MEMBERS PRESENT VIA TELECONFERENCE: Robert Adams, Ron Giroux, Kim Sperry, Ben Hull, III, Jason Lebel, Timothy Minor, Cheryl Blanchard (Alt), Garry Ritacco (Alt)

MEMBERS ABSENT: John Dempsey, Trevor Danburg, Randy Browne

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

The Public Hearing was called to order by Chairman Robert Adams at 6:30 PM.

Mr. Michael Murphy, AICP Lisbon Town Planner, presented the application. He stated that the Commission has been working on this for a year, and that it has been on the regular meeting agendas for some time. He reminded the Commission that the Town lost a lawsuit with the developers of the Brenmor Subdivision on Ames Road which resulted in an affordable housing development being built within the community under 8-30g of the Connecticut General Statutes. The concept of Accessory Dwelling Units, said Mr. Murphy, has been adopted all over the country and even the world as a means of allowing for more affordable housing in its communities. He suggested that the intent of these text amendments was a way to allow for more diverse and affordable housing with accessory units at privately owned homes. Our current regulations allow for a 2-family house to be constructed by right with a zoning permit, provided the lot-area is 175% of the dwelling's square footage. However, conversions to two family homes requires a special permit. This text amendment proposal does away with the requirements of the special permit for conversion for 2-family homes and provides for site plan review of ADUs, thereby streamlining the regulations.

The planner noted the three major points in this proposal which include simplification of the permitting process, recodification of the affected regulations and the addition of new design standards for ADUs. Mr. Murphy stated there is to be a provision for no new driveways, universal design features can be required, and the owner of the property must own both units. He then recommended that the language to section 10.2.3.d be modified to read: "The ADU must meet the minimum size requirements of the CT Basic Building Code, as amended from time to time, and clearly be the secondary residential use. Its maximum floor area shall not exceed 800 SF or 30% of the floor area of the principal residence, whichever is less." This modification is recommended based on his review of the housing data provided by the Lisbon Tax Assessor. It is noted that the spread sheet, which lists the size of every single-family dwelling in Town, is part of the record and is in the file. By revising the standard to say, "whichever is less", it will keep the accessory dwelling unit as a secondary unit to the original dwelling site.

Mr. Murphy then stated that the adoption of these text amendments will give the community broad benefits. He noted for the record that his Staff Report had been previously submitted to the Commission in their packets and has been available on-line for the public to examine. He reminded the Commission that the Town is on order from the State Department of Housing to create more affordable housing as a condition of its housing rehab grant, citing the current housing crisis in the State and particularly in this region. He stated that the adoption of these text amendments will create measures that are in line with Lisbon's 2016 Plan of Conservation and Development to

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incorporate housing diversity in the community.

Mr. Murphy noted for the record that a letter of no intermunicipal impact was received by the South Eastern Connecticut Council of Governments in reply to the referral letters sent to both South Eastern Connecticut Council of Governments and North East Connecticut Council of Governments. The board clerk read into the record a letter from Ann Buoncore of Buena Vista Real Estate Company, Washington Street, Mystic, CT. In the letter she states that the town of Stonington recently implemented similar language and that having the Accessory Dwelling Units language in the regulations serves to assist with housing for the elderly and creates affordable avenues for extended family living.

Chairman Adams asked for questions from the Commission. Ben Hull asked that the Planner clarify the term "sprawl". Mr. Murphy replied that "sprawl" was the spreading out of single-family development without effectively using the community's infrastructure. Mr. Hull then asked, "What accounts for a housing crisis?" Mr. Murphy reiterated that this region has very little affordable, multi-family housing units. Additional housing units are needed, and the Lisbon Plan of Conservation and Development addresses this issue.

Commission member Kim Sperry asked the Planner, "how enforceable is Section 10.2.3.b. regarding "ownership", and can it be varied by the Zoning Board of Appeals?" Mr. Murphy's reply was that in reality, the issue of ownership in flux is a possibility, but that it would be a site plan requirement to provide documentation of property ownership.

Chairman Adams asked if there was anyone joined remotely who had questions or comments. Stephen MacClaren of 46 Regina Drive asked for clarification on a comment about development on Route 12. Mr. Murphy responded that there is no current plan for any development on Route 12, but that the Plan of Conservation and Development suggests implementing potential regulations to allow for affordable, residential development in commercial zones. He said these regulations are not in place yet and recommends that Mr. MacClaren read the 2016 POCD, which is available on the Town's website. Chairman Adams then responded that the current regulation changes being considered tonight have nothing to do with the possible regulation changes that would allow for any development on Route 12. Mr. MacClaren then asked for clarification on what the different "R zones" mean. Mr. Murphy replied that the zone number equals the square foot property requirements to build a home, such as "R-40" means that a person needs a minimum lot size of 40,000 square feet to build a house.

The Chairman asked for any other public comment. Susan Hull of 234 Ross Hill Road asked if the Planner would clarify "short term rentals". Mr. Murphy said that Air B n B is an example of a short-term rental, and that ADU's do not qualify under that. In order to have an Air B n B, a person would need a Bed and Breakfast special permit. Mrs. Sperry stated that the ADU has the property owner living there - it is not an "absentee" property.

Chairman Adams asked for any other comments, to which there was none. He then asked the Commission if they were in favor of closing this public hearing, or continuing it, to which the consensus was that it should be closed.

This Public Hearing was closed at 7:15 PM.


Elaine Joseph, clerk

Approved: _____
Robert Adams, Chairman

RECEIVED FOR RECORD AT LISBON
CT ON 10/13/2020 AT 10 PM
ATTEST, LAURIE TIROCCHI, TOWN CLERK
