

MINUTES
PUBLIC HEARING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL
TUESDAY, MARCH 7, 2023
6:30 P.M.

The Planning and Zoning Commission held the following Public Hearing in the Lisbon Town Hall, 1 Newent Road, Lisbon, Connecticut beginning at 6:30 PM on Tuesday, March 7, 2023:

6:30 p.m. – Application by Town of Lisbon Planning and Zoning Commission, 1 Newent Road, for Zoning Regulation Text Changes to Section 4.1.3 (exclude forestry practices from Agriculture) and Section 11.5.3 (Notification of Abutters by Applicant).

MEMBERS PRESENT: Robert Adams, Ron Giroux, Ben Hull, III, Jason Lebel, Veronica Lutzen,
Kim Sperry, Timothy Minor, Nathaniel Beardsworth (ALT), Kelly Clatt (ALT)
MEMBERS ABSENT: Randy Brown, Trevor Danburg
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 Section 4.1.3 (exclude forestry practices from Agriculture) and Section 11.5.3 (Notification of Abutters by Applicant).

Michael J. Murphy, AICP, Lisbon Town Planner, stated that the proposed changes are administrative in nature. He noted that the amendment to Section 4.1.3, excluding "Forestry Practices" from "Agriculture", was brought about by notice about mandatory State requirements and is not specific to any zone. He stated that the State Department of Energy and Environmental Protection notified the Town in October of 2022 that Lisbon is in violation of Section 23-65k of the State Statutes. The section names the types of commissions that can regulate forestry practices. Municipal inland wetland agencies are the only commission that can regulate forestry, and that Lisbon has no active forestry programs.

Mr. Murphy stated that the term "forestry" was included in the regulations at some point under "Agriculture" as to be regulated by the Planning and Zoning Commission, but forestry practices are regulated by the State (DEEP). This proposed amendment to exclude forestry from agriculture is to correct language that should not have been there in the first place. He also noted that zoning regulation changes do not affect taxation regarding forestry.

Mr. Murphy addressed the second item, stating that it calls for adjusting language in the regulations. He notes that there is a requirement for legal notices in the newspaper, as well as additional notice to abutting property owners with a certified / return receipt as proof the notices were sent. The State statutes have since changed, and now the legislature only requires a "certificate of mailing" as proof that notices were sent if additional notice to abutters or residents is required.

Mr. Murphy again noted that these amendments do not affect zone uses, and that referrals were sent to both the Southeast CT Counsel of Governments and the Northeast CT Counsel of Governments for comment. Only the Southeast CT Counsel of Governments responded with a letter of no inter-municipal impact, and it is noted for the record that it is in the file. He also notes that the letter from DEEP dated October 18, 2022 is also in the file. He then noted that a Staff report was provided to the Commission, a copy of which is in the file.

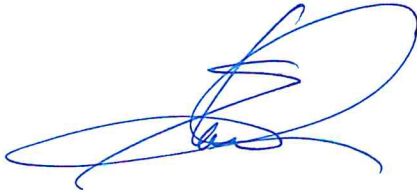
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Veronica Lutzen asked the Town Planner if this amendment will affect cutting trees for building lots? Mr. Murphy noted that the only time the Commission may be involved in that activity is if there are key landscaping components involved in a development that needed to be protected for landscaping or erosion control purposes. Ben Hull asked if the Town has wetland regulations, the way Planning and Zoning has regulations? Mr. Murphy responded that he was not familiar with the Conservation Commission regulations since he does not staff that agency. He believes they may have regulations up on the town website, but he is not sure at this point. He noted that they are regulated by the State and that the State regulates forestry.

Chairman Adams asked for public comment.

Duaine Nye with property on Ice House Road introduced himself as a logger. He stated that he was concerned that DEEP will tell him how he is to log properties, including properties he logged years ago. Mr. Murphy suggested he contact DEEP for guidance and that he is advised to read the statutes governing forestry practices.

This public hearing was closed at 7:04 PM.



Elaine Joseph, Clerk

Approved _____
Robert Adams, Chairman

RECEIVED FOR RECORD AT LISBON, CT
ON 3/13/23 AT 12:42 pm
ATTEST. MICHELLE GRANT, TOWN CLERK
Jennifer Grant Asst.