

MINUTES
PUBLIC HEARING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL VIRTUAL MEETING
TUESDAY, MAY 4, 2021
6:30 P.M.

The Planning and Zoning Commission held the following Public Hearings virtually in the Lisbon Town Hall, 1 Newent Road, Lisbon, Connecticut beginning at 6:30 PM on Tuesday, May 4, 2021:

6:30 P.M. – Application by Tom Golden for special permit approval in accordance with sections 10.5 and 11 of the zoning regulations to allow a Home Occupation (Woodshop) at 39 Barber Farm Road, a 1.18-acre parcel (Assessor's Office Map ID 14/087/0022) in the R-40 Zone.

6:45 P.M. – Application by Harold & Cheryl Neumann for special permit approval in accordance with sections 10.7 and 11 of the zoning regulations to allow the use of a suite of three rooms as a single rental in a private dwelling as a Bed & Breakfast for overnight accommodations at 45 Ross Hill Road, a 3.7-acre parcel (Assessor's Office Map ID 16/046/0000) in the R-40 Zone.

MEMBERS PRESENT VIA TELECONFERENCE: Robert Adams, Ron Giroux, Cheryl Blanchard, Randy Brown, Trevor Danburg, Ben Hull, III, Jason Lebel, Timothy Minor, Kim Sperry

MEMBERS ABSENT: Gary Ritacco (Alt)

STAFF PRESENT VIA TELECONFERENCE: Michael J. Murphy, AICP, Consultant Planner-SCCOG, Lisbon Town Planner; Carl Brown, Zoning Enforcement Officer

Chairman Adams read the legal notice into the record.

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

Application by Tom Golden for special permit approval in accordance with sections 10.5 and 11 of the zoning regulations to allow a Home Occupation (Woodshop) at 39 Barber Farm Road, a 1.18-acre parcel (Assessor's Office Map ID 14/087/0022) in the R-40 Zone.

Michael J. Murphy, AICP, Consultant Planner-SCCOG, Lisbon Town Planner noted that the abutters had been notified and certified return receipts are in the file. Mr. Golden gave a brief description of his intent for the home occupation. He would like to sell wooden flags that he creates in his basement woodshop. He stated that this started off as a hobby but he would like to pursue it as a business in a 375 square-foot area of his basement. Mr. Murphy noted that this can be treated as a handi-craft and is very limited in scope. He noted that the Commission has received his Staff report, which notes that Mr. Golden will have no employees. He also noted that the Lisbon Fire Marshal and the Zoning Enforcement Officer have no concerns with the proposed home occupation. He also noted that it will not change the neighborhood character, in his opinion.

Attorney Mark Block of 138 Main Street, Norwich, CT 06360 spoke to say he was present to represent Mathew Cusak of 23 Barber Farm Road. Mr. Cusak is concerned that the home occupation as proposed by Mr. Golden would negatively impact the neighborhood. He is concerned that the applicant will warehouse tools and equipment. He is also concerned with parking and traffic on the neighborhood roads. He noted that our regulations do not allow for retail sales in a residential neighborhood and that there should be specific conditions if the home occupation is allowed. He also stated that Staff is just "assuming"

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there will be no impact to the residential character of the neighborhood.

Mr. Murphy stated that it appears Attorney Block has not reviewed the application materials, including his Staff report, that is and has been readily available on the Town website. He noted that his Staff report looked at the issues Attorney Block is concerned with. Mr. Murphy noted that his report clearly states that there are to be no employees; that section 10.5 of the zoning regulations is very detailed and all of this has been discussed with the applicant. The issue of any home occupation impacting the residential character of a neighborhood is for the Commission to decide. He once again stated that a substantial amount of information is in the file and on the Town website, and that Staff will make recommendations and findings will be made by the commission.

Mr. Golden spoke and noted that he will not have employees. He once again stated that wood working has been a hobby and that this venture will remain relatively small. He said quite a bit of his signs are donated to veteran's associations and he will not be building inventory. Mr. Murphy noted that there will be little impact in traffic to the location; there will be occasional home deliveries but no retail traffic to his house.

Mr. Murphy again noted that Staff, the Fire Marshall, Building Official and Uncas Health District see no issue with this particular case and he entered into the record his Staff report, once again noting it is also on the Town website.

Mrs. Sperry asked if the Fire Marshal's comments were in the file. The Planner confirmed they were and had them read into the record.

Chairman Adams asked for comment in favor of the application, to which there was none. He then asked for comment in opposition to the application, to which there was none.

This virtual Public Hearing was closed at 6:51 PM.

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

Application by Harold & Cheryl Neumann for special permit approval in accordance with sections 10.7 and 11 of the zoning regulations to allow the use of a suite of three rooms as a single rental in a private dwelling as a Bed & Breakfast for overnight accommodations at 45 Ross Hill Road, a 3.7-acre parcel (Assessor's Office Map ID 16/046/0000) in the R-40 Zone.

Harold Neumann, applicant, wanted to clarify that the Bed and Breakfast portion of the home was a three room suite, not a three-bedroom suite. He noted that the half bath was recently remodeled into a full bath. He noted that he lived in Canterbury for fifteen years and before moving to the property at 45 Ross

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Hill Road, that house had had an antique business for some years. At this time, he is not planning on having the "food" portion of the Bed and Breakfast. He also noted that because it is a one-bedroom suite,

there should never be more than one car associated with it. He also noted that the home is an historic home built in the 1700's with antique décor and will, therefore, attract a more mature demographic.

Mr. Murphy noted that a significant amount of information regarding the application is in the file and on the Town website. He noted in reference to the "antique shop" that it was likely a non-conforming use. He also noted that the applicant is trying to use a portion of his 3200 square foot home for this use, and noted that there is no requirement in the regulations that says he needs to offer food. Mr. Murphy also noted that by right, the applicant would be able to build an accessory dwelling unit on his property or a two family home. The proposed use or these other uses would be conforming uses, where the antiques shop would not.

Mr. Murphy noted that the applicant must meet the conditions of Section 7 of the Zoning regulations. He must have several parking spaces available, and that he would be required to have a total of six parking spaces when the residential component is included.

Mr. Murphy noted for the record that the applicant provided all public hearing signage as required and notified all abutters, including the railroad. Although the Commission could require landscaping buffers, he noted that the unit activity is not visible to nor abutting another property. The applicant has submitted a plan, but has asked for a waiver from being required to provide a full site plan prepared by a professional. Mr. Murphy did voice some concern regarding access safety, particularly for those leaving the site and heading east toward Bayberry Lane if vehicles exceed the speed limit on Ross Hill Road. Staff asked for a sight line demonstration plan, which is on the website.

Mr. Murphy noted that speeding concerns are within the jurisdiction of the traffic authority in town. He has talked to the First Selectman and has recommended the local traffic authority install a traffic control sign that indicates a blind drive or a limited sight distance condition exists. He noted that if vehicles are traveling at the speed limit (25 mph) there should be no problem. He then noted that the proposed B&B sign is also on the website and meets height and square foot requirements. He noted that the pool is not accessible to the public. He then stated that he asked for repair to a pot hole on the driveway and that has already been done, and that a new parking space should be improved with crushed stone.

Chairman Adams asked for public comment.

Ben Hull asked about the mirror across from his driveway, to which Mr. Neumann responded that it had been professionally installed.

Geraldine Clark of 56 Ross Hill Road stated that she had originally been concerned about rowdy people staying there but that after hearing the testimony at the public hearing, she was no longer concerned. Richard Dzialo, 33 Ross Hill Road, said that although he has some reservations regarding the sight line along Ross Hill Road, he has no real issue with the Bed and Breakfast.

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Chairman Adams asked for any other comments, to which there was none.

This Public Hearing was closed at 7:13 PM.

Elaine Joseph, clerk

Approved _____
Robert Adams, Chairman

RECEIVED FOR RECORD AT LISBON
CT ON 05/11/2021 AT 12:05pm
ATTEST. LAURIE TIROCCHI, TOWN CLERK
Laurie Tirocchi Asst