

MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL
TUESDAY, MARCH 2, 2010
7:00 P.M.

1. Call to order

The regular meeting of the Planning and Zoning Commission was called to order by Robert Adams, Chairman at 7:00 p.m.

MEMBERS PRESENT: Robert Adams, Lawrence Alice, Robert Browne, John Dempsey,
Sharon Gabiga David Gagnon, Ronald Giroux, Ruth MacDonald,
Kim Sperry

MEMBERS ABSENT: Alts: Karol Gleason, VACANCY, VACANCY

STAFF PRESENT: James D. Rabbitt, AICP, Senior Planner-SCCOG, Lisbon Town Planner

2. Previous Minutes

A motion was made by R. Browne, seconded by R. Giroux, to approve the previous minutes as presented.

VOTE: UNANIMOUS MOTION CARRIED

3. Correspondence:

1. Letter, David A. Sawicki, Acting Executive Director, State Traffic Commission, State of Connecticut
2. C: Letter, Thomas W. Sparkman, First Selectman, to Robert DeLuca, P.E., 2/11/2010, Re: CLA Appointment, Town Engineer
3. C: Letter, R. Adams, Chair., P & Z, 2/25/2010, to David A. Sawicki, Acting Ex. Dir. State Traffic Division
4. Newsletter, Connecticut Federation of Planning and Zoning Agencies, Winter 2010
5. Notice, Northeast CT Economic Alliance, Re: Economic Development, Smart Growth & Regionalization, 3/25/2010, Danielson

4. Bills and action thereon

Monthly Expenditure Report Thru February, 2010 BAL: LI #51730, Purchased Services-\$18,612.86, #51750, Supplies & Expenses-\$1,325.60

Statement, Murtha Cullina LLP - Inv. No. 397351, 01/26/2010, Re: PSK, LLC, \$374

A motion was made by L. Alice, seconded by R. MacDonald, to approve.

VOTE: UNANIMOUS MOTION CARRIED

Statement, Murtha Cullina LLP - Inv. No. 399244, 02/25/2010, Re: PSK, LLC, \$2,200

A motion was made by J. Dempsey, seconded by L. Alice, to approve.

VOTE: UNANIMOUS MOTION CARRIED

1. \$2063.75 (w/\$26,230.50 Cedarwood Development overdue), Inv. No. 21156, 2/1/2010, Re: \$1816.25-Cedarwood Development; \$247.50-Aldi, Crossing at Lisbon

A motion was made by R. Giroux, seconded by R. MacDonald, to approve the bill.

VOTE: UNANIMOUS MOTION CARRIED

2. \$162.20, Norwich Bulletin, 12/28/09-1/31/10, Re: 1/13/10-ND, Aldi

A motion was made by J. Dempsey, seconded by R. MacDonald, to pay the bill.

VOTE: UNANIMOUS MOTION CARRIED

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3. \$13,649.77, SCCOG, 2/12/2010, Re: 10/1/09 - 12/31/09 Planning Services
A motion was made by R. MacDonald, seconded by R. Giroux, to approve.

VOTE: UNANIMOUS MOTION CARRIED

4. \$90, CT Federation of Planning & Zoning Agencies, 3/1/2010, Re: Membership Dues
A motion was made by R. Giroux, seconded by L. Alice, to approve.

VOTE: UNANIMOUS MOTION CARRIED

5. Reports:

a. ZEO -

Ben Hull, Zoning Enforcement Officer, distributed his February ZEO report then introduced Joseph Zimba, 88 Westminster Road, to request direction regarding cemeteries on private property. Mr. Zimba was advised to meet with the Town Planner.

b. Regulations - No Report

Mr. Adams scheduled a workshop on the Regulations and zone map for Tuesday, March 9, 2010 at 6:00 p.m. in the Town Hall.

c. Zoning Map Subcommittee - No Report (Workshop 3/9/2010 at 6:00 p.m. in the Town Hall)

d. Regional Planning Commission

John Dempsey (Lisbon's representative to the Commission) reported that the next regular meeting of the Regional Planning Commission is scheduled for January 2011.

6. Old Business

a. Appl. Subdivision - Walter A. & Valerie A. Dziengiel

A motion was made by L. Alice, seconded by R. MacDonald, to approve the application with Conditions 1 - 9 in the Planner's draft motion and the addition of 10:

1. Sightline necessary for the creation of proposed lots #2 thru #7 is predicated on the applicants ability to remove an existing stone wall and re-grade the slopes along the existing Town Road. The applicant shall be required to removed and reconstruct the sections of stone wall shown on the plans prepared by CME Associates, Inc. necessary to create adequate sightline, or as necessary based on the final location of the driveways to the individual lots. The Commission shall also require sufficient financial security to ensure that the necessary work is completed as part of the approvals as noted on the plans. The financial security shall be paid prior to the signing and recording of the mylars, or a caveat shall be placed on the land records requiring the improvements be completed or financial security posted with the Town prior to the issuance of a building permit on an individual lot. The amount of financial security shall be \$5,000 per lot, for lots #2 thru #7. Final type shall be approved by the Town's legal Counsel.
2. The applicant shall post a financial security of \$27,901.50 (include 10% contingency) with the Town of Lisbon for proposed drainage improvements. The financial security should be posted with the Town prior to the signing and recording of the mylars. Final type shall be approved by the Town's legal Counsel.
3. Section 5.3.7 Easements - The applicant shall submit final easement language associated with proposed culvert work associated with the Town's existing 18" cross culvert.
4. Section 5.7.4 (Deeds) The applicant shall submit final language for all lands to be deeded to the Town.

APPLICATION FOR SUBDIVISION OR RESUBDIVISION
LISBON PLANNING AND ZONING COMMISSION

1. Name of Applicant Walter A. & Valerie A. Dziengiel

Address 11 Oakridge Lane Bozrah, CT 06334

Phone (860) 889-5391

2. Name of Property Owner Walter A. & Valerie A. Dziengiel

Address 11 Oakridge Lane Bozrah, CT 06334

Phone (860) 889-5391

(To be filled in by Commission.)

Application No. _____

Subdivision X Resubdivision _____

Date submitted _____

Date of receipt 2/2/2010

Date of hearing N/A
(If required)

Date of action 3/2/2010

Fee paid \$7,560

Submitted to Town Clerk

Time extension _____
(If any)

APPROVED WITH THE ATTACHED
CONDITIONS. [Signature]

Robert G. Adams, Chair
PLANNING & ZONING COMM.

3. Name of Subdivision Subdivision at Kendall Road and Preston Allen Road

4. Location of Subdivision Kendall Road and Preston Allen Road, Lisbon

Land Records Map of 3 Lot # 72

5. Total area of property to be subdivided 45 +/- acres

6. Number of new lots proposed 7

7. Average lot size 6.5 acres +/-

8. Are new or relocated roads proposed? No

9. Are public water or sewer systems proposed? No

10. Zoning Category R-40, R-60, R-80

11. Name and Connecticut Registration No. of Land Surveyor(s) and/or Engineer(s) _____

Richard H. Strouse, P.E., L.S.

Registration No. 9679

12. The undersigned hereby acknowledges that this application to the best of his knowledge conforms to the Subdivision Regulations of the Town of Lisbon and that approval of the plan is contingent upon compliance with all requirements of said Regulations. The undersigned hereby authorizes the Lisbon Planning and Zoning Commission, or its agents, to enter upon the property to be subdivided for the purpose of inspection and enforcement of said Subdivision Regulations.

(Signed) *Valerie A. Borgeil* Date 1/14/2010
(Applicant)

(Signed) *Valerie A. Borgeil* Date 1/14/2010
(Owner)

13. The undersigned warrants and guarantees that all of the improvements as shown on the final approved subdivision map will be installed in a good and workmanlike manner, and individually and severally guarantee to provide all necessary funds with respect thereto.

(Signed) *Valerie A. Borgeil* Date 1/14/2010
(Applicant)

(Signed) *Valerie A. Borgeil* Date 1/14/2010

This application, together with three copies of the proposed subdivision or resubdivision and the required fee, should be submitted to the Zoning Enforcement Office, the Chairman or Secretary of the Lisbon Planning and Zoning Commission, or the Lisbon Town Clerk.

CONDITIONS OF APPROVAL - MARCH 2, 2010

Walter A. & Valerie A. Dziengiel
7-Lot Subdivision - Kendall Road/Preston Allen Road
Map 3 Lot 72

1. Sightline necessary for the creation of proposed lots #2 thru #7 is predicated on the applicants ability to remove an existing stone wall and re-grade the slopes along the existing Town Road. The applicant shall be required to removed and reconstruct the sections of stone wall shown on the plans prepared by CME Associates, Inc. necessary to create adequate sightline, or as necessary based on the final location of the driveways to the individual lots. The Commission shall also require sufficient financial security to ensure that the necessary work is completed as part of the approvals as noted on the plans. The financial security shall be paid prior to the signing and recording of the mylars, or a caveat shall be placed on the land records requiring the improvements be completed or financial security posted with the Town prior to the issuance of a building permit on an individual lot. The amount of financial security shall be \$5,000 per lot, for lots #2 thru #7. Final type shall be approved by the Town's legal Counsel.
2. The applicant shall post a financial security of \$27,901.50 (include 10% contingency) with the Town of Lisbon for proposed drainage improvements. The financial security should be posted with the Town prior to the signing and recording of the mylars. Final type shall be approved by the Town's legal Counsel.
3. Section 5.3.7 Easements - The applicant shall submit final easement language associated with proposed culvert work associated with the Town's existing 18" cross culvert.
4. Section 5.7.4 (Deeds) The applicant shall submit final language for all lands to be deeded to the Town.
5. The applicant shall state that paved aprons are required for all lots and reference detail sheet. The applicant only shows construction entrances.
6. The applicant shall add a note on the plans and lots stating that underground utilities are required.
7. The applicant should pin/monument lots prior to the signing of mylars or provide surety for pins/monuments.
8. The applicant shall pay the Town of Lisbon a fee-in-lieu of open space of \$6,500 per lot for the six new lots being created. The fee is due upon the initial transfer of title to a lot. The total fee-in-lieu of open space shall be \$39,000.
9. Underground utilities trench detail needs to be added.
10. The applicant shall provide a temporary easement along the frontage of lots #2-7 for the purpose of grading and reconstruction of stone wall for siteline improvements. Final language to be approved by Town Counsel.

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9. Underground utilities trench detail needs to be added.
10. The applicant shall provide a temporary easement along the frontage of lots # 2-7 for the purpose of grading and reconstruction of stone wall for siteline improvements. Final language to be approved by Town Counsel.

VOTE: UNANIMOUS MOTION CARRIED

- b. Appl. Special Permit - H. Schwartz for Heritage Trail Winery, LLC - Tabled (PH contd.)
- c. Appl. Special Permit, Rear Lots - Tucker Development Group, LLC - Tabled (PH-April)
- d. Appl. Subdivision/Re-subdivision - Tucker Development Group, LLC - Tabled (PH-April)
- e. Appl. Planning and Zoning Commission - Adoption, Digitalized Zone Map - Tabled (PH-April)
- f. P & Z Members' Status (update)

Mr. Adams reviewed the following:

1. C: Letter, Robert D. Adams, Chair., Planning and Zoning Commission, to Thomas Sparkman, First Selectman, 2/8/2010, Re: Removal-Alternate Member, Karol Gleason
2. C: Legal Notice, Removal of Karol Gleason, Alternate to Planning and Zoning Commission
- g. Blight Ordinance - No Update

7. New Business:

- a. Request - D. Sorrentino, Boundaries, LLC Re: Mylars-Banks' Mell Road Subdivision
Letter, Demian A. Sorrentino, AICP, C.S.S., Boundaries LLC, Agent for Leonard Banks, 2/15/2010,
Re: Request for 180-Day Filing Extension for Approved Subdivision Mylar, Applicant; Leonard
Banks, Location: Mell Road
A motion was made by R. Giroux, seconded L. Alice, to grant two 90-Day extensions.

VOTE: UNANIMOUS MOTION CARRIED

- b. Appl. Special Permit (modification) - Panera Bread
An application for a Special Permit modification by DM Design Group for Howley Bread Group,
LTD for a Panera Bread bakery café with proposed patio and outdoor seating area, for facade
modifications: new EIFS, paint, storefront, awnings, lighting and signage for a building located at
Lisbon Landing, 160 River Road.

A motion was made by L. Alice, seconded by K. Sperry, to accept the application for review and
schedule a public hearing.

VOTE: UNANIMOUS MOTION CARRIED

Mr. Adams scheduled the public hearing for April 6, 2010 at 6:50 p.m.

- c. Appl. Special Permit (modification) - CL One Associates, LLC
An application for a Special Permit modification by CL One Associates, LLC, seeking to amend the
special permit and site plan granted March 3, 2009, as to Lowe's site and amend special permit to

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entire development granted June 8, 2008, to provide reduction of 28 parking spaces: with reduction, site still satisfies parking requirements.

A motion was made by L. Alice seconded by R. Browne, to accept the application for review and schedule a public hearing. VOTE: UNANIMOUS MOTION CARRIED

Mr. Adams schedule a public hearing for April 6, 2010 at 6:55 p.m.

d. Paul Klauer

Attorney Stanley Lucas, representing Paul Klauer, submitted a written request, dated March 2, 2010, for a 180 extension to file the mylars for the subdivision approved August 18, 2010.

A motion was made by L. Alice, seconded by J. Dempsey, to approve the extension request.

VOTE: UNANIMOUS MOTION CARRIED

e. Receipt of New Applications - None

f. Referrals

1. Town of Sprague - Farm Winery Zoning Text Amendments

A motion was made by R. Browne, seconded by R. MacDonald, to forward a response that approval of the text amendments will have no adverse municipal impact on the Town of Lisbon.

VOTE: UNANIMOUS MOTION CARRIED

8. Any other business which may properly come before the commission

A motion was made by R. Giroux, seconded by L. Alice, to add CL One Engineering Fees to the agenda.

VOTE: UNANIMOUS MOTION CARRIED

a. CL One Engineering Fees

It was the general consensus of those present to address CL One's overdue engineering fees through a letter at this time.

9. Public Comment - None

10. Adjournment

A motion was made by J. Dempsey, seconded by R. Giroux, to adjourn at 8:25p.m

VOTE: UNANIMOUS MOTION CARRIED



Marlene LePine, clerk

APPROVED: _____
Robert D. Adams, Chairman

RECEIVED FOR RECORD AT LISBON,
CT ON 3/8/2010 AT 10:55A
ATTEST: BETSY M. BARRETT, 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 on March 2, 2010, in the Town Hall, 1 Newent Road, Lisbon, CT, the following action was taken:

1. An application by Walter A. & Valerie A. Dziengiel, for a 7-Lot Subdivision of approximately 45 +/- acres of land located on Kendall Road and Preston Allen Road, as shown on the Land Records Map of 3 as Lot 72. APPROVED WITH CONDITIONS

Robert D. Adams, Chairman

RECEIVED FOR RECORD AT LISBON,
CT ON 3/2/2010 AT 10:55 AM
ATTEST: BETSY M. BARRETT, TOWN CLERK