

MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL
TUESDAY, APRIL 2, 2019
7:00 P.M.

1. Call to Order

The regular meeting of the Planning and Zoning Commission was called to order by Chairman Robert Adams, at 7:05 P.M.

MEMBERS PRESENT: Robert Adams, Ron Giroux, Benjamin Hull, III, Kim Sperry, Sharon Gabiga, Cheryl Blanchard, Trevor Danburg, Timothy Minor (ALT)

MEMBERS ABSENT: Gary Ritacco, John Dempsey

Motion was made by R. Giroux second by T. Danburg to seat Timothy Minor for John Dempsey.

VOTE: UNANIMOUS, MOTION CARRIED

2. Previous Minutes – Motion by R. Giroux second by B. Hull to accept the previous minutes of March 5, 2019, with the following correction: Under agenda item 3. Correspondence: Add the following item: "Copy, Letter, from Conservation Commission to P. Courville, re: Approval, application #19-01."

VOTE: UNANIMOUS, MOTION CARRIED

3. Correspondence

a. Zoning Permit, Mattress Firm - A motion was made by R. Giroux second by K. Sperry to add "Mattress Firm – Zoning Application" to agenda item 8.a.

VOTE: UNANIMOUS, MOTION CARRIED

b. Letter, from Rick Hamel, dated 4/1/2019 re: Fee in Lieu of Open Space, Burnham Hill Associates, 332 N. Burnham Hwy. Motion by R. Giroux second by B.H. to add "Rick Hamel – Fee in Lieu of Open Space" to agenda item 8b.

VOTE: UNANIMOUS, MOTION CARRIED

c. Copy: Memo, from Mr. Murphy to Chris Maynard, Treasurer, dated 2/26/2019 re: partial release of performance bond to Lagada, LLC.

d. Memo, from SECCoG re: Training Opportunity 4/30/2019 and 5/27/2019

e. Copy, Letter, dated 3/3/2019 to Town of Griswold re: referral letter, letter of no inter-municipal impact.

f. Copy, Letter, dated 3/3/2019 to Town of Sprague re: referral letter, letter of no inter-municipal impact.

g. Memo, Lisbon Quarterly Submissions due May 15

h. Budget vs. Actual, July 2018 – February 2019 – LI#51730 Purchased Services: \$24,755.06 / LI#51750 Supplies & Expenses: \$1,144.41.

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4. Bills and action thereon

a. Halloran & Sage, \$260.00, inv#11289086, dated 3/11/2019 re: Savin Gasoline suit vs. Town of Lisbon. Motion by T. Danburg second by R. Giroux to pay.

VOTE: UNANIMOUS, MOTION CARRIED

b. Halloran & Sage, \$20.00, inv#11289085, dated 3/11/2019 Motion by R. Giroux second by B. Hull to pay.

VOTE: UNANIMOUS, MOTION CARRIED

5. Reports

a. ZEO – Brief report by Carl Brown, ZEO, on blight situations and 16 River Road.

b. Regulations

1. MS4 Storm Water Regulation/Ordinance Update – Brief update by Mr. Murphy.

c. Zoning Map Subcommittee - NONE

1. Update Regarding Route 12 Corridor Study and Zoning Amendments per POCD 2016 - NONE

6. Old Business:

a. Regional Planning Commission – Mr. Giroux reported that there will be a meeting later this month.

7. New Business

a. Receipt of New Applications

i. Application for Zoning Text Amendment, for Contractor's Home Enterprise Regulations – Joshua Armstrong, Applicant – Motion by R. Giroux second by T. Danburg to accept for review and schedule a Public Hearing for May 7, 2019 at 6:30 p.m.

VOTE: UNANIMOUS, MOTION CARRIED

ii. Special Permit Application, for Earth Products Removal – K&H Properties, Applicant, 397 N. Burnham Hwy - Motion by T. Danburg second by B. Hull to accept for review and schedule a Public Hearing for June 4, 2019 at 6:30 p.m.

VOTE: UNANIMOUS, MOTION CARRIED

b. Referrals – NONE

c. Discussion Regarding Proposed two-family dwelling - Patrick Courville, 108 Kimball Road – Mr. Murphy prepared a report to the Commission Members, which was provided to them previously in their packets. It was the consensus of the Commission that two-family dwellings should be permitted as New Construction, based on the information

found in the regulations as provided in Mr. Murphy's report.

8. Any other business which may properly come before the commission
 - a. Mattress Firm – Zoning Application – Patrick Gallagher was present to represent the applicant, Lisbon Investors, LLC. He presented plans and answered questions of the Commission. Planner raised concerns about the proposed treatment of the new store front, and talked about alternatives to improve the architectural character of the proposal. Motion was made by R. Giroux second by K. Sperry to approve the application for minor site modifications to the Mattress Firm location in Crossing at Lisbon, 193 River Road and its proposed façade treatment as provided on elevations of retail space with the following modifications:
 1. The façade associated with the Game Stop/Aspen Dental fascia be extended northerly to encompass the reworked retail space.
 2. A full architectural rendering shall be filed as part of the final plan.
 3. Shop drawings and samples of building materials including colors for the façade treatments shall be submitted and reviewed by town staff to determine compliance with Commission approval prior to installation.
 4. Remaining landscaping adjacent to the building shall be reviewed with planning staff for viability upon installation of the concrete pad and repaired and augmented as necessary.
 5. Surety in the form of a cash bond in the amount of \$5000.00 shall be posted with the Town of Lisbon prior to issuance of a building permit for exterior work at the site.
 6. This approval applies only to architectural modifications of the space. Any new sign for the reworked retail space, as well as any use of the site that is not a use by right, shall require approval from the Planning and Zoning Commission.

VOTE: UNANIMOUS MOTION CARRIED

Motion by R. Giroux second by K. Sperry to add "Outdoor Sales" to agenda item 8.c.

VOTE: UNANIMOUS MOTION CARRIED

- b. Rick Hamel – Fee in Lieu of Open Space – Mr. Murphy gave a brief report on the concerns raised by Mr. Hamel with the Fee in Lieu of Open Space and the assessment of the property (332 N. Burnham Highway – Burnham Hill Estates) as it pertains to the original Subdivision Application approval. Since there was a question as to whether or not the proper process was followed, it is the consensus of the Commission to have the Planner review the record and seek counsel with Town Attorney on how to proceed.

**TOWN OF LISBON
ZONING PERMIT APPLICATION**

PLEASE CHECK THE APPROPRIATE LINE(S) AND COMPLETE THE REQUIRED APPLICATION(S):

- ☐ SITE PLAN REVIEW OF PROPOSED DEVELOPMENT IN ACCORDANCE WITH SECTION 2.5 AND SECTION 12
☒ PLANNING AND ZONING COMMISSION ADMINISTRATIVE REVIEW OF CHANGES TO COMMERCIAL/INDUSTRIAL BUILDINGS AND PROPERTIES IN ACCORDANCE WITH SECTION 2.8 AND SECTION 10.13
☐ SITE PLAN REVIEW OF ASSOCIATED SIGNAGE IN ACCORDANCE WITH SECTION 13.8

PROJECT DESCRIPTION:

construct a demure wall to divide a 6888 SF existing retail space into a 4375 SF Mattress Firm and a 2413 SF vacant future tenant space. Address an existing one day front and back to the vacant future space. (see attached letter.)

PROJECT NAME: Mattress Firm Renova; anorc ACREAGE: N/A ZONING DISTRICT: IP-1
LOT IN SQUARE FEET: in-line retail TOTAL FLOOR AREA IN SQUARE FEET: 6,888 SF Renova, NOT NEW

PARCEL IDENTIFICATION INFORMATION

STREET ADDRESS OF PROPERTY IF AVAILABLE: SIN CORNER STATE ROUTE 12 & I-395, OUTLOT C
MAP / BLOCK / LOT: MAP 14 / PARCEL 39A ROUTE 12, LISBON, CT
VOLUME / PAGE: Vol. 49 / PAGE 350

CORRESPONDENCE WILL BE SENT TO APPLICANT OR DESIGNATED AGENT. ALSO SEE NOTES 1, 2 AND 3 BELOW:

- APPLICANT: LISBON INVESTORS, L.L.C.
TELEPHONE: 330.836.9971 x 2251 EMAIL: SMONROE@cedarwood.com
➤ APPLICANT'S AGENT (IF ANY): Patrick Gallagher
TELEPHONE: 860.449.2073 EMAIL: allieddev@yahoo.com
➤ OWNER / TRUSTEE: _____
TELEPHONE: _____ EMAIL: _____
➤ ENGINEER / SURVEYOR / ARCHITECT: _____
TELEPHONE: _____ EMAIL: _____

1. TO BE ACCEPTED BY THE PLANNING AND ZONING COMMISSION, THIS ENTIRE APPLICATION MUST BE COMPLETED, SIGNED BY THE PARTIES LISTED BELOW, AND SUBMITTED WITH THE REQUIRED FEE(S) AND MAP(S) PREPARED IN ACCORDANCE WITH THE APPLICABLE REGULATIONS AND ORDINANCES.

2. THE SUBMITTAL OF THIS APPLICATION CONSTITUTES THE PROPERTY OWNER'S PERMISSION FOR THE COMMISSION, ITS STAFF, OR ITS CONSULTANT TO ENTER THE PROPERTY FOR THE PURPOSE OF INSPECTION.

3. I HEREBY, AGREE TO PAY ALL ADDITIONAL FEES AND/OR ADDRESS SUCH COSTS DEEMED NECESSARY BY TOWN STAFF UNDER THE LAND USE FEES ORDINANCE.

SIGNATURE OF APPLICANT/AGENT: David B. Burnows PRINTED NAME OF APPLICANT/AGENT: DAVID B. BURNOWS
DATE: 3-24-19

SIGNATURE/RECORD OWNER: David B. Burnows PRINTED NAME/RECORD OWNER: DAVID B. BURNOWS
DATE: 3-24-19

APPLICATION SUBMITTAL DATE: 4/2/2019 FEE(S) PAID: \$540.00

OFFICIAL DAY OF RECEIPT: 4/2/2019

*P & Z COMMISSION ACTION: APPROVED W/ MODIFICATIONS DATE: 4/2/2019

CHAIR'S SIGNATURE: Robert Adams

UPON APPROVAL OF THIS APPLICATION BY THE PZC, AND COMPLIANCE WITH ANY DIRECTIVES, MODIFICATIONS AND/OR CONDITIONS REQUIRED, THE ZONING ENFORCEMENT OFFICER MAY ISSUE THE ZONING PERMIT.

Zoning Enforcement Officer

DATE: _____

(* Any modifications, directives or conditions attached to PZC action, or any reasons for denial, shall be reflected in the record and attached)

Final Motion Approved by the Commission on 4/2/19 for the Mattress Firm Application

Motion: To approve the application for minor site modifications to the Mattress Firm location in Crossing at Lisbon, 193 River Road and its proposed façade treatment as provided on elevations of retail space with the following modifications:

1. The façade associated with the Game Stop/Aspen Dental facia be extended northerly to encompass the reworked retail space.
2. A full architectural rendering shall be filed as part of the final plan.
3. Shop drawings and samples of building materials including colors for the façade treatments shall be submitted and reviewed by town staff to determine compliance with Commission approval prior to installation.
4. Remaining landscaping adjacent to the building shall be reviewed with planning staff for viability upon installation of the concrete pad and repaired and augmented as necessary.
5. Surety in the form of a cash bond in the amount of \$5000.00 shall be posted with the Town of Lisbon prior to issuance of a building permit for exterior work at the site.
6. This approval applies only to architectural modifications of the space. Any new sign for the reworked retail space, as well as any use of the site that is not a use by right, shall require approval from the Planning and Zoning Commission.

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- c. Outdoor Sales – Mr. Giroux is concerned about some of the larger stores at Lisbon Landing and Crossing at Lisbon closing off areas of their parking lots for mulch storage. Mr. Brown, ZEO, will send out standard letters as a reminder of what is and is not allowed.

9. Public Comment – NONE

10. Adjournment - Motion made by R. Giroux second by B. Hull to adjourn at 8:42 P.M.

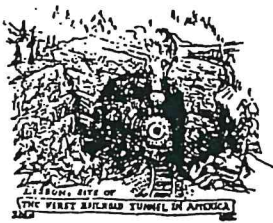
VOTE: UNANIMOUS MOTION CARRIED



Elaine Joseph, clerk

Approved: _____
Robert Adams, Chairman

RECEIVED FOR RECORD AT LISBON
CT ON 04/08/2019 AT 11:50am
ATTEST. LAURIE TIROCCHI, TOWN CLERK
Mayone Wakely, Asst



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 Tuesday, April 2, 2019, the following action was taken:

2. Application by Lisbon Investors, LLC, 193 River Road – Zoning Permit for the Mattress Firm remodeling and construction of a demise wall at Lisbon Crossing.

APPROVED WITH MODIFICATIONS

Dated at Lisbon, Connecticut this 8th day of April 2018.

Robert D. Adams, Chairman
Lisbon Planning and Zoning Commission

RECEIVED FOR RECORD AT LISBON
CT ON 04/08/2019 AT 11:50am
ATTEST. LAURIE TIROCCHI, TOWN CLERK
Maryann Wakely, Asst