

MINUTES  
REGULAR MEETING  
PLANNING AND ZONING COMMISSION  
LISBON TOWN HALL  
TUESDAY, APRIL 2, 2013  
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 7:14 PM.

MEMBERS PRESENT: Robert Adams, Ronald Giroux, Benjamine Hull, III, Kim Sperry, Gary Ritacco, Ryan Donaldson, Sharon Gabiga, John Dempsey  
Alternates: David Gagnon (seated for Lawrence Alice)

MEMBERS ABSENT: Lawrence Alice. Alternates: Larry Thibeault,

STAFF PRESENT: James D. Rabbitt, AICP, Senior Planner-SCCOG, Lisbon Town Planner  
Robert A. DeLuca, P.E., CLA Engineers, Inc., Lisbon Town Engineer  
Richard Hamel, Lisbon Town Fire Marshal

2. Previous Minutes

A motion was made by R. Giroux second by G. Ritacco to accept the regular minutes as presented.

VOTE: UNANIMOUS MOTION CARRIED

3. Correspondence

- a. Copy: Notice of Violation, Conservation Commission re: Excavation Activities, Paul Klauer
- b. Notice of Decision, Conservation Commission dated 3/21/13 re: Cease and Desist order, Paul Klauer
- c. Copy: Conservation Commission Minutes 3/19/13
- d. Letter, CT Siting Council re: Mell Road, Modification of Cell Tower
- e. Letter, from Mark Sullivan re: Bresnan Subdivision (41 School House Road)
- f. Brochure, CT Transport Institute

4. Bills and action thereon –

- a. CT Federation of Planning and Zoning Agencies 3/1/2013, \$90.00 re: yearly membership dues. Motion by G. Ritacco second by R. Giroux to pay. VOTE: UNANIMOUS MOTION CARRIED
- b. Murtha Cullina, 3/25/2013, inv #462434 \$968.00; \$44.00; and \$1122.00. Motion by R. Giroux second by G. Ritacco to pay all. VOTE: UNANIMOUS MOTION CARRIED
- c. The Bulletin, 3/5/2013, #12698400, \$375.87 re: Notices of Public Hearing, Brenmor Property – Ames Road Subdivision. Motion by R. Giroux second by K. Sperry to pay.

VOTE: UNANIMOUS MOTION CARRIED

5. Reports:

- a. ZEO – Verbal report by C. Brown, Lisbon ZEO
- b. Regulations – NONE
- c. Zoning Map Subcommittee – NONE
- d. Regional Planning Commission – NONE

6. Old Business:

- a. Resubmission – Brenmor Properties, LLC – Review of the following: Report from Richard Hamel, Town of Lisbon Fire Marshal (Exhibit A in the file), dated 4/1/2013; Letter from Attorney Mike Zizka, Town Counsel (Murtha Cullina, LLP) dated 4/2/2013 (Exhibit B in the file); Report from Staff Jamie Rabbitt, Lisbon Town Planner, South Eastern CT Council of Governments, dated 4/2/2013 (Exhibit C in the file). Discussion with comments and clarification from Staff J. Rabbitt (Town Planner), Robert Deluca (Town Engineer) and Richard Hamel (Fire Marshal).

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Meeting recessed at 8:05 P.M. and resumed at 8:17 P.M.

A motion was made by G. Ritacco second by R. Giroux to vote on the Brenmor application tonight.

VOTE: B. ADAMS ABSTAINED, MOTION CARRIED

A motion was made by K. Sperry second by R. Giroux to deny the Resubmission of the Application based on testimony from Town Engineer, Town Fire Marshal, Town Counsel and Town Planner; the road does not meet town code; the infrastructure is piecemeal; the right of way can potentially put wells at risk; it does not give flexibility to allow Town to repair, maintain and widen Ames Road, now and in the future; Lot #17 was NOT approved by Town Sanitarian, yet it is still on the plan.

VOTE: J. DEMPSEY, YES; R. DONALDSON, YES; S. GABIGA, YES; D. GAGNON (seated for L. Alice) YES; R. GIROUX, YES; B. HULL, III, ABSTAINED; G. RITACCO, YES; K. SPERRY, YES; R. ADAMS, YES (also noting that alternative plan suggested could have made a difference, as noted in town attorney's letter)

MOTION CARRIED, APPLICATION DENIED

- b. Special Permit – W.S. Development – Lisbon Landing, LLC (Weight Watchers) – Motion to accept request to waiver site plan requirements (exhibit D in file) by G. Ritacco second by J. Dempsey.

VOTE: UNANIMOUS, MOTION CARRIED

Motion by R. Giroux second by J. Dempsey to approve the Special Permit Application with conditions, as outlined by Town Planner:

1. A preconstruction meeting should be held with Commission/town staff (Planner, Engineer, ZEO, Building Official) with building contractor prior to any construction, grading and/or excavation activity associated with the construction and/or deconstruction of Retail H (former Old Navy space).
2. Full architectural renderings (24"x36" - mylar) shall be filed as part of the special permit and plan set.
3. Shop drawings of all signs approved on the facade shall be submitted and reviewed by town staff to determine compliance with approvals prior to installation.
4. Shop drawings and samples of building materials including colors (markups) shall be submitted to staff and reviewed to determine compliance with Commission approval prior to installation.
5. A landscape plan (foundation plantings) meeting the requirements of the shall be submitted per the regulations. Final plant type and locations shall be review by the planner for compliance with the regulations.
6. The applicant shall modify the landscape island between Panera Bread and the proposed Weight Watchers to a full island and handicapped ramp to be located on the northern most side of island exiting into the parking lot.
7. The applicant shall modify the proposed signage on the west elevation to be consistent with the approvals associated with the signage at the Crossing at Lisbon (Small Shops). All new signage shall be placed on the same horizontal line with existing signage. If exterior lighting is proposed it shall be down light and cut off from view on Route 12. Final shop drawings shall be submitted and approved to the Commission and verified

APPLICATION FOR SUBDIVISION OR RESUBDIVISION  
Lisbon Planning and Zoning Commission

1. Name of Applicant Brenmor Properties, LLC

Address P.O. Box 577

Gales Ferry, CT 06335

Phone 860-464-5678

2. Name of Property Owner Same

Address \_\_\_\_\_

Phone \_\_\_\_\_

(To be filled in by Commission.)

Application No. \_\_\_\_\_

Subdivision X Resubdivision \_\_\_\_\_

Date Submitted RE-Submission 1/30/2013

Date of Receipt 2/5/2013

Date of Hearing 3/5/2013

(if required)

Date of Action 4/2/2013

Fee Paid \$ N/A

Submitted to Town Clerk

Time Extension \_\_\_\_\_

(if any)

DENIED

  
R. Adams, Chairman

3. Name of Subdivision The Residences at Lisbon

4. Location of Subdivision Ames Road and Route 169 (196 South Burnham Highway)

Assessors Map Map 9 Block 85 Lot # 1

5. Total area of property to be subdivided 12.92 acres

6. Number of new lots proposed 19

7. Average Lot Size 29,620 square feet

8. Are new or relocated roads proposed? No

9. Are public water or sewer systems proposed? No

10. Zoning Category R-40 Moderate Density Residential

11. Name of Connecticut Registration No. Of Land Surveyor(s) and/or Engineer(s) Peter Gardner, Dieter & Gardner. Land Surveyor CT number 14208.

12. Application is submitted pursuant to General Statutes § 8-30g.

APPLICATION FOR SPECIAL PERMIT  
Lisbon Planning and Zoning Commission

To be completed by Applicant:

Date \_\_\_\_\_

Name and Address of Applicant Lisbon Landing LLC, dba WS Development  
1330 Boylston Street, Chestnut Hill, MA 02467

The undersigned does hereby request a Special Permit as required by Section 2.8, 11.0  
of the Lisbon Zoning Regulations.

Location of Property 160 River Road, Lisbon, CT

Owner of Record of Property Lisbon Landing LLC

Description of Proposed Use change of use per section 2.8 of zoning  
regulations. install a storefront consistent with others in this building  
for a retail space to occupy existing storage space of approximately 1400 sq. ft.  
no changes to parking lot proposed.

(The applicant shall submit, with this completed application, a site plan as prescribed in Section 10  
of the Lisbon Zoning Regulations.)

Signature of Applicant [Signature]

To be completed by the Commission:

Application No. \_\_\_\_\_

Date of Submission March 1, 2013

Fee Paid \$ 560.00

Date of Receipt March 5, 2013

Date of Action April 2, 2013

Date of Public Hearing N/A

Approved with conditions (see attached) Denied \_\_\_\_\_

Reason for denial or modification \_\_\_\_\_

Signature [Signature]

R. Adams Chairman

(No approved Special Permit shall be effective until a copy of this completed form is recorded in the  
land records of the Town of Lisbon. The Town clerk shall index the same in the Grantor's Index  
under the name of the record owner and the record owner shall pay for such recording. Sec. 8-3d,  
Connecticut General Statutes.)



**PLANNING & ZONING COMMISSION**  
**TOWN OF LISBON**  
1 Newent Road  
Lisbon, Connecticut 06351

**CONDITIONS OF APPROVAL - 4/2/2013**

**SPECIAL PERMIT - Lisbon Landing, LLC (W.S. Development, Applicant) -  
A modification to existing site plan for Weight Watchers**

1. A preconstruction meeting should be held with Commission/town staff (Planner, Engineer, ZEO, Building Official) with building contractor prior to any construction, grading and/or excavation activity associated with the construction and/or deconstruction of Retail H (former Old Navy space).
2. Full architectural renderings (24"x36" - mylar) shall be filed as part of the special permit and plan set.
3. Shop drawings of all signs approved on the facade shall be submitted and reviewed by town staff to determine compliance with approvals prior to installation.
4. Shop drawings and samples of building materials including colors (markups) shall be submitted to staff and reviewed to determine compliance with Commission approval prior to installation.
5. A landscape plan (foundation plantings) meeting the requirements of the shall be submitted per the regulations. Final plant type and locations shall be review by the planner for compliance with the regulations.
6. The applicant shall modify the landscape island between Panera Bread and the proposed Weight Watchers to a full island and handicapped ramp to be located on the northern most side of island exiting into the parking lot.
7. The applicant shall modify the proposed signage on the west elevation to be consistent with the approvals associated with the signage at the Crossing at Lisbon (Small Shops). All new signage shall be placed on the same horizontal line with existing signage. If exterior lighting is proposed it shall be down light and cut off from view on Route 12. Final shop drawings shall be submitted and approved to the Commission and verified for consistency with rear elevation signs installed at the Crossing at Lisbon.
8. A note shall be added to the plans stating that: no outside retail storage, display, and/or sales is permitted beyond the areas depicted on the approved site plan. This note shall be placed on the site plan and the architectural renderings.

Conditions of Approval Page 2. (cont)

9. Surety in the amount of \$10,000 (irrevocable letter of credit, performance/insurance bond and/or cash) shall be posted with the Town of Lisbon prior to any construction/deconstruction, grading and/or excavation activity at the site. In addition to the \$10,000 surety, \$2,000 in cash (bank check) shall be given to the Town of Lisbon and held as an emergency contingency fund. The type of the final surety shall be reviewed and approved by the Planning and Zoning Commission's legal counsel.
10. The applicant shall submit \$2,500 to the Town of Lisbon to be used as a deposit for site inspections associated with the site. However, the final dollar amount necessary to complete the inspection is subject to the actual time required to insure compliance with the approved site plan. Consequently, all costs associated with the review and inspection of the project with regards to compliance with the Planning and Zoning Commission's approved site plan is necessary to receive a Certificate of Zoning Compliance which is required to receive a Final Certificate of Occupancy shall be the responsibility of the applicant.
11. Final as-built should be submitted to the Town to determine compliance with the approved plans. As-built shall include final grades, curbing, landscaping, buildings, signage, utilities (depth, size, location, type) and drainage. As-built may include additional information deemed necessary by town staff to determine compliance with approvals.
12. That all costs associated with the review and processing of the application are paid in full by the applicant prior to the signing of mylars and filing of a special permit.

## TOWN OF LISBON ZONING PERMIT APPLICATION

(For all buildings and uses except single- and two-family homes and accessory buildings or uses.)

To be completed by the Applicant:

Date: 03-27-13

Applicant Chelsea Covington Maass Address 3 Rector St, Philadelphia, PA 19127  
Property Owner Walmart R.E.B.T. Address 2001 SE 10th St, Bentonville, AR 72716  
Location of Property 180 River Road Rd., St., or Ave. \_\_\_\_\_  
Land Records Map of \_\_\_\_\_ Lot# C Vol. \_\_\_\_\_ Page \_\_\_\_\_  
Lot Size in Square Feet 937,846.8 Total Building Floor Area in Square Feet 184,094  
Existing Use of Land or Building Retail Store - Walmart Zone IP-1

Proposed Use of Land or Building Propose removal of all existing building signs with new signs placed on building (per attached plans).  
Propose re-facing of existing site sign (per attached rendering).  
Propose paint update for building exterior. Two options have been provided for consideration (see attached color renderings).

(The Applicant shall submit site plans as prescribed in Section 10 of the Lisbon Zoning Regulations.)

Signature of Applicant

Chelsea Covington Maass

To be completed by the Commission:

Application No. \_\_\_\_\_ Fee Paid \$560.00  
Date of Submission March 28, 2013  
Date of Receipt April 2, 2013  
Date of Action April 2, 2013  
Approved with conditions (see attached) Denied \_\_\_\_\_  
Reason for denial or modification \_\_\_\_\_

Signature

R. Adams

R. Adams, Chairman

(A permit issued on the basis of this application certifies conformance with the Lisbon Zoning regulations. Other permits may be required, such as those concerning driveways, wetlands, water and sewer facilities, fire protection, building code and health code. Obtaining the additional permits is the responsibility of the applicant.)



**PLANNING & ZONING COMMISSION  
TOWN OF LISBON  
1 Newent Road  
Lisbon, Connecticut 06351**

**CONDITIONS OF APPROVAL - 4/2/2013  
ZONING PERMIT - Walmart, R.E.B.T (BRR Architecture, Applicant) -  
Site plan for exterior renovations**

1. Paint colors match existing.
2. Colors to be reviewed by Town Staff prior to application.



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for consistency with rear elevation signs installed at the Crossing at Lisbon.

8. A note shall be added to the plans stating that: no outside retail storage, display, and/or sales is permitted beyond the areas depicted on the approved site plan. This note shall be placed on the site plan and the architectural renderings.

9. Surety in the amount of \$10,000 (irrevocable letter of credit, performance/insurance bond and/or cash) shall be posted with the Town of Lisbon prior to any construction/deconstruction, grading and/or excavation activity at the site. In addition to the \$10,000 surety, \$2,000 in cash (bank check) shall be given to the Town of Lisbon and held as an emergency contingency fund. The type of the final surety shall be reviewed and approved by the Planning and Zoning Commission's legal counsel.

10. The applicant shall submit \$2,500 to the Town of Lisbon to be used as a deposit for site inspections associated with the site. However, the final dollar amount necessary to complete the inspection is subject to the actual time required to insure compliance with the approved site plan. Consequently, all costs associated with the review and inspection of the project with regards to compliance with the Planning and Zoning Commission's approved site plan is necessary to receive a Certificate of Zoning Compliance which is required to receive a Final Certificate of Occupancy shall be the responsibility of the applicant.

11. Final as-built should be submitted to the Town to determine compliance with the approved plans. As-built shall include final grades, curbing, landscaping, buildings, signage, utilities (depth, size, location, type) and drainage. As-built may include additional information deemed necessary by town staff to determine compliance with approvals.

12. That all costs associated with the review and processing of the application are paid in full by the applicant prior to the signing of mylars and filing of a special permit.

VOTE: UNANIMOUS, MOTION CARRIED

Motion by R. Giroux second by J. Dempsey to have Town Planner review surety bonds on Dick's Sporting Goods and Michael's (Exhibit E in file), and to release once found to be correct.

VOTE: UNANIMOUS, MOTION CARRIED

c. Zoning Enforcement - NONE

1. Pending Litigation

a. Executive Session (as needed) –

d. Tilcon Bond – NONE

7. New Business:

a. Receipt of New Applications –

1. Zoning Permit – Walmart – Lisbon Landing, LLC – Motion by G. Ritacco second by D. Gagnon to approve Option #1 – repaint in existing colors and reduce signage at their request (Exhibit A in file), with conditions as outline by Town Planner:

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1. Paint colors match existing.
2. Colors to be reviewed by Town Staff prior to application.

VOTE: UNANIMOUS MOTION CARRIED

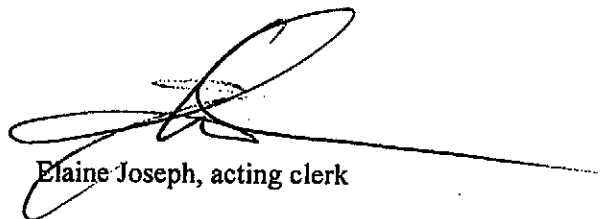
b. Referrals – NONE

- c. Stilly's Automotive, LLC – 117 S. Burnham Highway – DOT Application for Auto Dealer's License Motion to allow for general repairs and dealer for up to six (6) cars at any one time for sale was made by R. Giroux second by G. Ritacco. VOTE: UNANIMOUS MOTION CARRIED  
DOT forms signed by Chairman R. Adams and C. Brown, Town of Lisbon Zoning Enforcement Officer.

8. Any other business which may properly come before the commission -  
Motion was made by R. Giroux second by G. Ritacco to add R. Hamel's extension request to agenda. VOTE: UNANIMOUS MOTION CARRIED  
Motion was made by G. Ritacco second by J. Dempsey to approve the 5-year extension request by R. Hamel for Burnham Hill Associates, LLC, 5-Lot Subdivision, 332 North Burnham Highway. VOTE: UNANIMOUS MOTION CARRIED


9. Public Comment - NONE

10. Adjournment - Motion made by R. Giroux second by G. K. Sperry to adjourn at 10:07 P.M. VOTE: UNANIMOUS MOTION CARRIED



Elaine Joseph, acting clerk

Approved: \_\_\_\_\_  
Robert D. Adams, Chairman

RECEIVED FOR RECORD AT LISBON  
CT ON 04/09/13 AT 2:30pm  
ATTEST. LAURIE TIROCCHI, 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 Tuesday, April 2, 2013 the following actions were taken:

1. Resubmission of an application to subdivide a 12.92 acre property located on Ames Road and Route 169 (196 South Burnham Highway) into 19 single-family residential house lots. The application for subdivision was submitted pursuant to Connecticut General Statutes 8-30g. The owner of the property is Brenmor Properties, LLC and listed in the Assessor's records as Map 9 / Block 85 / Lot 1.  
DENIED
2. Special Permit – Lisbon Landing, LLC (W.S. Development, Applicant) – A modification to existing site plan for Weight Watchers, 160 River Road, A-177, listed in the Assessor's records as Map 20 / Block 014 / Vol 91 / Page 624.  
APPROVED WITH CONDITIONS
3. Zoning Permit - Walmart, R.E.B.T (BRR Architecture, Applicant) – Site plan for exterior renovations, 180 River Road, listed in the Assessor's records as Map 20 / Block 015 / Vol 0091 / Page 656  
APPROVED WITH CONDITIONS

Dated at Lisbon, Connecticut this 9<sup>th</sup> day of April 2013

Robert D. Adams, Chairman  
Lisbon Planning and Zoning Commission

RECEIVED FOR RECORD AT LISBON  
CT ON 04/09/13 AT 2:30pm  
ATTEST. LAURIE TIRACCHI, TOWN CLERK  
*Laurie Tiracchi*