

MINUTES  
REGULAR MEETING  
PLANNING AND ZONING COMMISSION  
LISBON TOWN HALL  
TUESDAY, APRIL 3, 2012  
7:00 P.M.

1. Call to order

The regular meeting of the Planning and Zoning Commission was called to order by Vice-Chairman Ronald Giroux, at 7:04 PM.

MEMBERS PRESENT: Ronald Giroux, Kim Sperry, Lawrence Alice, Gary Ritacco,  
Sharon Gabiga, John Dempsey, Ryan Donaldson, Robert Adams  
David Gagnon (Alt)

MEMBERS ABSENT: Benjamine Hull, III, Larry Thibeault (Alt)

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

2. Previous Minutes

A motion was made by J. Dempsey second by L. Alice to accept minutes as presented.

VOTE: UNANIMOUS MOTION CARRIED

3. Correspondence

- a. c: Check, Open Space Fee of \$6000.00 dated 3/29/2012 re: Bawza Subdivision.
- b. c: Letter, to BoS from D. Gagnon dated 3/22/2012 re: Board vacancy (alternate)
- c. c: Letter, to D. Gagnon from BoS dated 3/27/2012 re: Appointment as Board Alternate
- d. Letter, from Democratic Town Committee to Commission dated 3/23/2012 re: Recommendation of James Contino as Alternate
- e. Memo, from T. Sparkman dated 3/9/2012 re: Budget Adjustments
- g. Copies: application for FOIA Workshop

4. Bills and action thereon –

- a. Towne Engineering, INC., 3/1/2012, #21735 \$2,680.00, re: Gavin Estates. Motion was made by G. Ritacco second by L. Alice to pay and ask R. Brown for an additional \$2,680.00.

VOTE: UNANIMOUS MOTION CARRIED

- b. Towne Engineering, INC., 4/19/2011, #21490 \$6,851.25, re: Cedarwood (\$1683.75 and Lowes (\$5,167.50). Motion was made by J. Dempsey second by G. Ritacco to wait to pay until Counsel returns and money is available.

VOTE: UNANIMOUS MOTION CARRIED

- c. Towne Engineering, INC., 8/1/2011, #21574 \$203.75, re: Cedarwood. Motion was made by J. Dempsey second by G. Ritacco to wait to pay until Counsel returns and money is available.

VOTE: UNANIMOUS MOTION CARRIED

- d. The Bulletin, 3/19/2012, \$481.54 re: PH Notice. Motion by J. Dempsey second R. Donaldson to pay.

VOTE: UNANIMOUS MOTION CARRIED

- e. The Bulletin, 3/13/2012, \$211.08 re: Notice of Decision. Motion by J. Dempsey second G. Ritacco to pay.

VOTE: UNANIMOUS MOTION CARRIED

5. Reports:

- a. ZEO – Written report submitted by Ben Hull. A motion was made by G. Ritacco second by L. Alice to move to item 8c, for discussion on the ZBA Application by A. Thibeault.

VOTE: UNANIMOUS MOTION CARRIED

- b. Regulations – Verbal report by Staff J. Rabbitt.

- c. Zoning Map Subcommittee – NONE



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 3, 2012 the following action was taken:

- I. Application for a Special Permit for a Construction and Demolition Recycling Facility, located at 425 South Burnham Highway (Route 169) on a parcel of land owned by Philip C. Armetta, L.P., Map #2 Lot #11. Applicant, Lisbon Industrial Park, L.P.

APPROVED WITH CONDITIONS

Dated at Lisbon, Connecticut this 5<sup>th</sup> day of April, 2012.

Robert D. Adams, Chairman  
Lisbon Planning and Zoning Commission

APPLICATION FOR SPECIAL PERMIT  
Lisbon Planning and Zoning Commission

To be completed by the Applicant:

Date: 10/28/11

Name and Address of Applicant: Lisbon Industrial Park, L.P.  
90 Industrial Park Road, Middletown, CT 06457

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

Location of Property 425 South Burnham Hwy, Lisbon, CT

Owner of Record of Property Philip C. Armetta

Description of Proposed Use

Recycling Facility for Construction & Demolition  
Waste

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

Signature of Applicant: Philip C. Armetta

To be completed by the Commission:

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

Date of Submission: 10/28/2011

Date of Receipt: 11/1/2011

Fee Paid: \$ 560.00

Date of Action: 4/3/2012

Date of Public Hearing: 12/6/2011; 1/3/2012; 2/7/2012; 3/6/2012

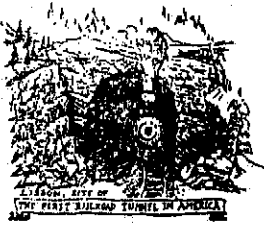
Approved: with conditions (see attached) Denied: \_\_\_\_\_

Reasons for denial or modifications: \_\_\_\_\_

Signature

[Signature] RADAMS, CHAURMAN

(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**

**SPECIAL PERMIT - LISBON INDUSTRIAL PARK, L.P. - 4/3/2012**

1. 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.
2. Financial surety in the amount of \$175,000 (irrevocable letter of credit, and/or cash) shall be posted with the Town of Lisbon prior to any construction, grading and/or excavation activity at the site. In addition to the \$175,000 surety, \$25,000 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.
3. The applicant shall submit \$10,000 to the Town of Lisbon to be used as a deposit for site inspections. 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 and shall be the responsibility of the applicant. The applicant shall maintain a minimum balance of \$5,000 in the inspection account at all times.
4. That the proposed conservation easements to be conveyed to the Town of Lisbon have been completed prior to the signing of mylars and filing of a special permit. Metes and bounds shall be detailed in the easements and detailed on the approved site plans. Final easements language to be reviewed and approved by Planning and Zoning Commission Legal Counsel. Final conservation easement signage design and spacing shall be submitted to the Planning and Zoning Commission to be reviewed and approved by the Town Planner prior to the recording of the Special Permit and site plan mylar.
5. The applicant shall incorporate the Dust Control Plan detailed in a memo dated February 23, 2012 from HRP as an erosion and control element on the development plans.
6. A preconstruction meeting should be held with Commission/town staff (Planner, Engineer, ZEO, and Building Official) with building contractor prior to any construction, grading and/or excavation activity associated with the site.

CONDITIONS OF APPROVAL  
SPECIAL PERMIT - LISBON INDUSTRIAL PARK, L.P. - 4/3/2012 (page 2 cont)

7. The applicant shall be limited to the following hours of operation during excavation phase(s) at the site:

Excavation Activities (on-site movement of material):

Monday thru Friday 7:00 am - 6:00pm (11 hour work day)

Saturday - no operations

Sunday - no operations

Processing of Excavated Material

Monday thru Friday 8:00 am - 5:00pm (9 hour work day)

Saturday - no operations

Sunday - no operations

Off-site Removal (trucking) of Material

Monday thru Friday 7:00 am - 9:00pm (14 hour work day)

Saturday 7:00 am - 2:00pm (7 hour work day)

Sunday - no operations

8. The removal of material from the site shall be limited to one operator/contractor. All loam/topsoil shall remain on the site until a final as-built for the site is approved by staff with regards to compliance with the approved plans.
9. All trucks leaving and entering the property during the excavation and construction phase(s) shall utilized Route 169 (west) to Route 97. The applicant shall post signage directing all truck traffic to Interstate 395 (Exit 83). The applicant shall also develop a routing plan, which shall be filed with the Planning and Zoning Commission. The approved routing plan shall also be kept in all trucks and handed out with all weight slips/tickets. A rules manual shall also be developed and kept on file with the Town and at the facility depicting the hours of operation, posted speed limits, braking ban (no Jake brakes) and routing plan. All users of the facility shall agree to the routing plan in writing and acknowledge adherence to the rules manual. The manual shall also establish complaint policies and clearly state all penalties.
10. The excavation/site contractor shall keep a daily log of all truck traffic on-site, including tonnage (weight slip/tickets), and time of day. The log shall be made available to Town staff at all times. The data shall be maintained in an excel format and given to the Town on a quarterly reporting schedule.

CONDITIONS OF APPROVAL

SPECIAL PERMIT – LISBON INDUSTRIAL PARK, L.P. – 4/3/2012 (page 3 cont)

11. The applicant shall be limited to the following hours for the operation of the Construction and Demolition Facility:

Operation of C&D Facility – Materials Processing (on-site activities only):

Monday thru Friday 6:00 am – 8:00pm (14 hour work day)

Saturday 6:00 am – 4:00pm (10 hour work day)

Sunday – no operations

Operation of C&D Facility – Access by Public:

Monday thru Friday\* 7:00 am – 4:00pm (9 hour work day).

\* However, the facility may be open to 6:00 pm, two (2) nights during the mid-week, Tuesday/Wednesday/Thursday (11 hour work day)

Saturday 7:00 am – 2:00pm (7 Hour work day)

Sunday – no operations

12. That the applicant receives approval from the State of Connecticut, State Traffic Commission prior to the issuance of a building permit for the Construction and Demolition Facility.
13. That the applicant receives approvals from the for sewer/septic disposal per the Connecticut Public Health code or other appropriate authority prior to the issuance of a building permit and/or permit to discharge for the Construction and Demolition Facility.
14. That the applicant receives approval from the State of Connecticut Department of Public Utilities and/or State of Connecticut Department of Health for water supply or other appropriate authority prior to the issuance of a building permit and/or permit to discharge for the Construction and Demolition Facility.
15. The Construction and Demolition Facility shall be limited to a maximum capacity of 1,000 tons per day.
16. There shall be no storage of incoming and/or out going product outside of a building except as depicted on the site plan.
17. The operator of the Construction Demolition Facility shall develop a routing plan which utilizes the lower portion of Route 169 (western portion abutting Norwich) to Route 97 to Interstate 395. The applicant shall post signage directing all truck traffic to Interstate 395 (Exit 83). The applicant shall also develop a routing plan, which shall be filed with the Planning and Zoning Commission. The approved routing plan shall also be kept in all trucks and handed out with all weight slips/tickets. A rules manual shall also be developed

## CONDITIONS OF APPROVAL

SPECIAL PERMIT - LISBON INDUSTRIAL PARK, L.P. - 4/3/2012 (page 4 cont)

and kept on file with the Town and at the facility depicting the hours of operation, posted speed limits, braking ban (no jake brakes) and routing plan. All users of the facility shall agree to the routing plan in writing and acknowledge adherence to the rules manual. The manual shall also establish complaint policies and clearly state all penalties.

18. The Construction Demolition Facility operator shall keep a daily log of all truck traffic on-site, including tonnage (weight slip/tickets), and time of day. The log shall be made available to Town staff at all times. The data shall be maintained in an excel format and given to the Town on a quarterly reporting schedule.
19. The applicant shall submit final architectural renderings of proposed weight station building. The building shall be consistent architectural style of the (New England Barn, pitched roof, etc). The renderings shall be submitted to the Planning and Zoning Commission and reviewed by staff to determine consistency with overall design of the site.
20. Any proposed changes to the approved lighting plan shall be reviewed by the Town Planner for consistency with the approved lighting plan (sheet SL-1 and SL-2). Final design shall be modified to eliminate conflicts with final landscape plan.
21. All landscaped islands shall have a minimum of 6" of loam, mounded and planted with lawn seed mix.
22. All planting beds and/or shrubs shall be mulched and ringed with a minimum of 18" of sod/lawn seed mix.
23. Planting list (sheet L1.1-11.3) shall be revised to detail B&B tree stock to be 2-2.5" Diameter Breast Height (DBH) to be consistent with requirements of regulations.
24. A final planting plan shall be submitted and reviewed by town staff. As a result of multiple revisions to the plans, there are a number of different types of trees that have been intermixed throughout the development, which creates inconsistent canopy. Staff shall review and approve a final plan that demonstrates consistency throughout the site.
25. The applicant shall modify landscape plans to show irrigation coverage for landscaped areas as required by the regulations.

CONDITIONS OF APPROVAL

SPECIAL PERMIT - LISBON INDUSTRIAL PARK, L.P. - 4/3/2012 (page 5 cont)

26. All clearing and grubbing shall be undertaken in accordance with phased E&S plans.
27. Shop drawings for trash racks shall be submitted to the Planning and Zoning Commission to be reviewed and approved by the Town Engineer prior to installation.
28. The applicant shall supply copies of other approvals from the following agency prior to any construction activities on the site  
State of Connecticut Department of Energy and Environmental Protection (DEEP)
  - Industrial Storm Water Discharge Permit
  - Erosion and Sediment Control Plan
  - Dam Safety review and approval (jurisdictional determination will need to be made by DEP)
29. Weekly progress reports and E&S inspection summaries shall be performed by the contractor and supplied to the Town.
30. All change orders which correspond to changes in the approved plans shall be supplied to the Town.
31. The applicant shall file the site plan (mylar) with the Town Clerk and supply three signed paper copies to the Planning and Zoning Commission.
32. 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.
33. The facility operator shall display the approved site plan on a wall within the building in a prominent location.
34. A final as-built for the project shall be submitted to the Town of Lisbon. This as-built shall include but not be limited to final topography, limits of disturbance, location and inverts for storm drainage and sewer lines, water lines (including meter pits), gas line locations (propane locations), electrical line and final boundary plan.



MINUTES  
REGULAR MEETING  
PLANNING AND ZONING COMMISSION  
TUESDAY, APRIL 3, 2012  
page 2. (Reports cont.)

- d. Regional Planning Commission – NONE
6. Old Business: (Chairman Robert Adams seated at 7:30 PM)
- a. Special Permit – Lisbon Industrial Park, L.P. – Alternate D. Gagnon seated for Ben Hull III, not to vote. A motion was made by L. Alice second by J. Dempsey to approve with conditions of draft motion and attachments as presented and read by Staff, including draft hours of operation, amended to specify items #12, #13 & #14 as they pertain to the building permit of the C&D facility.  
VOTE: L. Alice YES; J. Dempsey YES; R. Donaldson YES; S. Gabiga YES; R. Giroux YES; K. Sperry YES; G. Ritacco YES; R. Adams YES; D. Gagnon(Alt) ABSTAIN; MOTION CARRIED
- b. Text Amendment Application – Zoning Regulation 11.5.4 – Public Hearing Signage - TABLED
- c. Text Amendment Application – Subdivision Regulations (Underground Utilities) - TABLED
- d. Text Amendment Application – Zoning Regulations (Underground Utilities) – TABLED  
A motion was made by R. Giroux second by S. Gabiga to skip to item 8.  
VOTE: UNANIMOUS MOTION CARRIED
- e. Zoning Enforcement
1. Pending Litigation – Moving forward
- a. Executive Session (as needed) – NONE
- f. Blight Ordinance – NONE
7. New Business:
- a. Receipt of New Applications – NONE
- b. Referrals –
1. Town of Sprague – Proposed Zoning Text Changes Concerning Special Permit/Site Plan Modification. Motion by L. Alice second by J. Dempsey to send letter stating no impact on the town unless within 500 feet of Lisbon, at which point town would request a notification letter from Sprague.  
VOTE: UNANIMOUS MOTION CARRIED
8. Any other business which may properly come before the commission –
- a. Gavin Estates Subdivision – Verbal update by Staff
- b. Lisbon Farmers' Market – A Letter of support by T. Sparkman, First Selectman was read, including a copy of the vendor application and market rules. A motion was made by G. Ritacco second L. Alice to write a letter to the FMC stating that no further action by the Planning and Zoning Commission was needed at this time, to include a copy of the town's regulations (19.3) regarding Home Occupation.  
VOTE: UNANIMOUS MOTION CARRIED
- c. ZBA Application by A. Thibeault, 16 Blissville Road – Motion was made by J. Dempsey second by G. Ritacco to send a letter to the Board of Selectmen stating that although ZEO reports to the Planning and Zoning Commission, and operates under the Planning and Zoning Commission's regulations, the town ZEO is a hired town employee, by the Selectmen.  
VOTE: UNANIMOUS MOTION CARRIED
9. Public Comment - NONE
10. Adjournment - Motion to adjourn made by L. Alice second by R. Giroux to adjourn at 8:40 PM.  
VOTE: UNANIMOUS MOTION CARRIED

  
Blaine Joseph, acting clerk

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

RECEIVED FOR RECORD AT LISBON

CT ON 04/05/2012 AT 1:35pm

ATTEST. LAURIE TIROCCHI, TOWN CLERK



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

NOTICE OF DECISION

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Planning and Zoning Commission

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1. Application for a Special Permit for a Construction and Demolition Recycling Facility, located at 425 South Burnham Highway (Route 169) on a parcel of land owned by Philip C. Arnetta, L.P., Map #2 Lot #11. Applicant, Lisbon Industrial Park, L.P.

APPROVED WITH CONDITIONS

Dated at Lisbon, Connecticut this 5<sup>th</sup> day of April, 2012.

Robert D. Adams, Chairman  
Lisbon Planning and Zoning Commission

RECEIVED FOR RECORD AT LISBON  
CT ON 04/05/12 AT 11:35pm  
ATTEST. LAURIE TIROCCHI, TOWN CLERK