


CONTINUATION NOTICE

**PUBLIC HEARING
Planning and Zoning Commission**

The Planning and Zoning Commission will hold a continuation of the following Public Hearings, from **July 5, 2011**, on Tuesday, **August 2, 2011** beginning at 6:30 p.m.:

1. 6:30 P.M. - Application for Subdivision/Resubdivision: Tucker Development Group, LLC, for re-subdivision of Lot 15 (total area of 6.83 acres to be re-subdivided into 2 lots) of the Barber Farm Subdivision, southwesterly side of Barber Farm Road, Assessor's Map 14, Lot #87-15.
2. 6:35 P.M. - Application for Special Permit - Tucker Development Group, LLC, for approval of proposed Lot 14 with less than the required road frontage for a standard lot in the re-subdivision of Lot 15 of the Barber Farm Subdivision, in accordance with the re-subdivision plan dated April 2011.



Elaine Joseph, acting clerk

Robert Adams, Chairman

RECEIVED FOR RECORD AT LISBON.
CT ON 7/27/2011 AT 6:00pm
ATTEST. BETSY M. BARRETT, TOWN CLERK

MINUTES
PUBLIC HEARING
PLANNING AND ZONING COMMISSION
LISBON CENTRAL SCHOOL
TUESDAY, AUGUST 2, 2011
6:30 P.M.

The Planning and Zoning Commission held the following public hearing in the Lisbon Central School, 15 Newent Road, Lisbon, Connecticut beginning at 6:30 PM on Tuesday, August 2, 2011.

1. 6:30 P.M. – Application for Subdivision/Resubdivision: Tucker Development Group, LLC, for re-subdivision of Lot 15 (total area of 6.83 acres to be re-subdivided into 2 lots) of the Barber Farm Subdivision, southwesterly side of Barber Farm Road, Assessor's Map 14, Lot #87-15.
2. 6:35 P.M. – Application for Special Permit – Tucker Development Group, LLC, for approval of proposed Lot 14 with less than the required road frontage for a standard lot in the re-subdivision of Lot 15 of the Barber Farm Subdivision, in accordance with the re-subdivision plan dated April 2011.
3. 6:50 P.M. – Application for a Special Permit for an excavation operation, 40,000+/- cu. yards (Section 10.4 – Excavation, Removal and Filling of Earth Materials of the Town's Zoning Regulations), located at 202 North Burnham Highway, (Route 169) on a parcel of land owned by PSK Realty, Map #11, Lot #57-10. - Applicant PSK realty, LLC.
4. 6:55 P.M. – Application for a Special Permit for an excavation operation, 500,000+/- cu. yards (Section 10.4 – Excavation, Removal and Filling of Earth Materials of the Town's Zoning Regulations), located on Phillip Road on a parcel of land owned by Ken Sigfridson, Map #18, Lot #14. – Applicant, Rawson Materials, Inc.

MEMBERS PRESENT: Robert Adams, Ronald Giroux, Robert Browne, Kim Sperry,
Garry Ritacco, Larry thibeault, John Dempsey, Lawrence Alice
Alternates:

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

The following Public Hearing, was called to order by Chairman Robert Adams at 6:37 PM:

1. 6:30 P.M. – Application for Subdivision/Resubdivision: Tucker Development Group, LLC, for re-subdivision of Lot 15 (total area of 6.83 acres to be re-subdivided into 2 lots) of the Barber Farm Subdivision, southwesterly side of Barber Farm Road, Assessor's Map 14, Lot #87-15.

Chairman Robert Adams read a letter dated July 20, 2011 from the applicant's legal counsel, Heller, Heller & McCoy of Uncasville, Connecticut, requesting a continuation to September 6, 2011.

This public hearing was continued to September 6, 2011 at 6:30 PM at the Lisbon Town Hall.

The following Public Hearing, was called to order by Chairman Robert Adams at 6:40 PM:

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2. 6:35 P.M. – Application for Special Permit – Tucker Development Group, LLC, for approval of proposed Lot 14 with less than the required road frontage for a standard lot in the re-subdivision of Lot 15 of the Barber Farm Subdivision, in accordance with the re-subdivision plan dated April 2011.

Testimony from the previous application to be added into the record.

This public hearing was continued to September 6, 2011 at 6:35 PM at the Lisbon Town Hall.

The following Public Hearing was called to order by Chairman Robert Adams at 6:50 PM:

3. 6:50 P.M. – Application for a Special Permit for an excavation operation, 40,000+/- cu. yards (Section 10.4 – Excavation, Removal and Filling of Earth Materials of the Town's Zoning Regulations), located at 202 North Burnham Highway, (Route 169) on a parcel of land owned by PSK Realty, Map #11, Lot #57-10. - Applicant PSK realty, LLC.

Staff J. Rabbitt read a letter dated August 2, 2011 as a summary of the status of the application. He read from his report, stating that there are deficiencies in the plans. He stated that he had contacted engineer Norm Thibeault of Killingly Engineering Associates of Danielson, Connecticut (representing the applicant), two and a half weeks prior to the Public Hearing and offered them the opportunity to submit the proper materials and be compliant with the regulations. N. Thibeault stated that he had spoken with Staff J. Rabbitt in the parking lot before the Public Hearing, explaining he sent Staff an email to the wrong email address. He stated he does have revised plans and would request a continuance.

R. Giroux asked if the plans to be reviewed tonight would be reviewed by Staff, to which the answer was "yes", and that signatures would also be obtained. Staff J. Rabbit then suggested that the Board ask the applicant for additional funds in order to offset the cost of additional review by Staff.

Applicant P. Klauer of PSK Realty, LLC asked why it was that he was just receiving Staff's letter today and not beforehand. Staff J. Rabbit replied that he had given N. Thibeault the professional courtesy to fix the plans, but Staff stated he was never given any revised plans. P. Klauer stated he did not like being "slammed" the day of the Public Hearing. N. Thibeault stated that he takes full responsibility as he emailed to the wrong email address. He further stated that he feels the irregularities in the plans have now been addressed and would like to make a presentation tonight, or if Board would prefer, he would wait until Staff has had the opportunity to review the revised plans. Staff J. Rabbit stated he would not review the revised plans unless the Board receives additional funds by the applicant.

Staff J. Rabbitt stated that a copy of the adjacent landowners letter and the certified mail receipts have been received.

N. Thibeault passed out copies of probable construction costs, plans, hydro and construction report. He stated the parcel consists of 42.991 acres and, because no proposed pond may exceed 10% as per the regulations, the plans have been revised to 1.6 acres in area, causing a reduction in the amount of materials. As required, the adjacent property owners are shown on the plans. The plans illustrate the 50 foot right of way off N. Burnham Highway, and he stated that there are no easements on the property.

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N. Thibeault then gave a quick summary of both Phase 1 and Phase 2 of the proposed project. At this time he also requested two waivers: A waiver to 10.4.3c.6 (Boring Data) as he feels the test pits show the appropriate information and a waiver to 10.4.e, requesting that a portion of the Bonding be submitted at each phase, rather than the full lump sum all at once.

He then stated that the test pits did not demonstrate ledge at the site but stated that if ledge were found, blasting would not occur. He then stated that an estimated 16 truckloads per day would increase traffic on Route 169 by 4%.

N. Thibeault then explained to the Board the three types of ponds; Wetlands Dug Pond; Embankment Pond; and Upland Dug Pond. He stated that the soil condition on this parcel is pretty shallow which will allow the water to be absorbed. He also stated that 35" of the reported annual 45" of rainfall that does fall will be evaporated back into the atmosphere. He believes that based on the test results and information here, the area for the proposed pond can sustain the pond. He also stated that the proposed pond is NOT being constructed as a water source.

R. Giroux asked if the annual rainfall of 45" was the last report of the Department of Environmental Protection, and R. Browne asked if the pond was to be fed by springs, or run-off. He also asked if the evaporation rate would be higher for this pond since it is an open pond. N. Thibeault answered that it would not necessarily evaporate more, based on the types of plant life to surround it, stating it was an equalization process.

Staff J. Rabbitt then wanted clarification to R. Browne's question. He stated there are no natural springs in the area. N. Thibeault stated that the word "springs" was not the appropriate word to use in this instance. R. Browne then asked if the ground water would be absorbed out through plants, to which the answer was "yes".

Chairman R. Adams asked for public comment in favor of the application. Thomas LaRose of 10 Meadowbrook Circle stated he was in favor of the application.

R. Adams then asked for anyone to speak in opposition of the application, to which there was none.

R. Browne wants the town planner to go through the revised plans and applicant should pay additional funds for this review. Staff stated that the applicant Paul Klauer must acknowledge that he will absorb the additional cost. P. Klauer asked what the fee was, to which Staff reported it to be \$70.00 per hour. P. Klauer then stated he would take care of the additional funds.

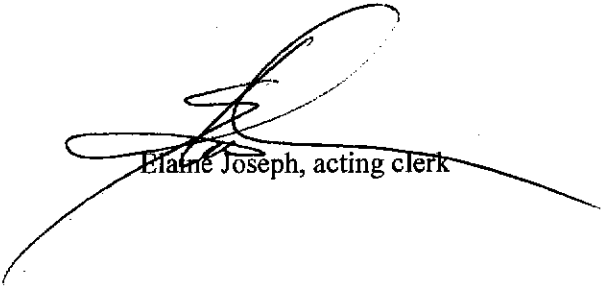
This public hearing was continued to September 6, 2011 at 6:45 PM at the Lisbon Town Hall.

The following Public Hearing was called to order by Chairman Robert Adams at 7:56 PM:

4. 6:55 P.M. – Application for a Special Permit for an excavation operation, 500,000+/- cu. yards (Section 10.4 – Excavation, Removal and Filling of Earth Materials of the Town's Zoning Regulations), located on Phillip Road on a parcel of land owned by Ken Sigfridson, Map #18, Lot #14. – Applicant, Rawson Materials, Inc.

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page 4 (cont. Rawson Materials, Inc.)

Chairman R. Adams read a letter from KWP Associates, dated July 22, 2011, stating they are withdrawing the application on behalf of their client, Rawson Materials.



Elaine Joseph, acting clerk

Approved: _____
Robert D. Adams, Chairman

RECEIVED FOR RECORD AT LISBON.
CT ON 8/9/2011 AT 2:35pm
ATTEST. BETSY M. BARRETT, TOWN CLERK