

MINUTES  
PUBLIC HEARING  
PLANNING AND ZONING COMMISSION  
LISBON TOWN HALL  
TUESDAY, FEBRUARY 7, 2012  
6:30 P.M.

The Planning and Zoning Commission held the following public hearings in the Lisbon Town Hall, 1 Newent Road, Lisbon, Connecticut beginning at 6:30 PM on Tuesday, February 7, 2012.

1. 6:30 PM – An application by Tessa Bernstein, c/o McDonalds Corporation for a Special Permit to expand drive thru from one lane with two order points to two lanes (side by side) including associated pavement, landscaping and parking modifications. Property is located at 95 River Road (Route 12), as shown on Map #15 as Lot #31-A
2. 6:40 PM – An application by Alan J Micale, P.E., Ayoub Engineering, Inc, (Agent for McDonalds Corporation) for a Zoning Permit to make modifications to the existing restaurant with a drive-thru. Modification to include upgrading existing building façade, remodel interior of dining room/restroom areas insuring full ADA compliance, and install a new side-by-side ordering system, reconfigure existing parking, curbing and landscaped area resulting in full ADA compliant access. Property is located at 95 River Road (Route 12), as shown on Map #15 as Lot #31-A
3. 6:50 P.M. – 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.

MEMBERS PRESENT: Robert Adams, Ronald Giroux, Kim Sperry, Garry Ritacco, Sharon Gabiga,  
John Dempsey, Lawrence Alice, Benjamine Hull, III, Ryan Donaldson  
Alternates: NONE

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 6:35 PM:

1. 6:30 PM – An application by Tessa Bernstein, c/o McDonalds Corporation for a Special Permit to expand drive thru from one lane with two order points to two lanes (side by side) including associated pavement, landscaping and parking modifications. Property is located at 95 River Road (Route 12), as shown on Map #15 as Lot #31-A

A letter from Ayoub Engineering, Inc., 414 Benefit Street, Pawtucket, RI, dated February 2, 2012, requesting an extension of the public hearing to March 6, 2012, was read into the record by Chairman Robert Adams.

This Public Hearing was continued to March 6, 2012 at 6:50 PM.

MINUTES  
PUBLIC HEARING  
PLANNING AND ZONING COMMISSION  
TUESDAY, FEBRUARY 7, 2012  
page 2 (cont)

The following Public Hearing was called to order by Chairman Robert Adams at 6:42 PM:

2. 6:40 PM – An application by Alan J Micale, P.E., Ayoub Engineering, Inc, (Agent for McDonalds Corporation) for a Zoning Permit to make modifications to the existing restaurant with a drive-thru. Modification to include upgrading existing building façade, remodel interior of dining room/restroom areas insuring full ADA compliance, and install a new side-by-side ordering system, reconfigure existing parking, curbing and landscaped area resulting in full ADA compliant access. Property is located at 95 River Road (Route 12), as shown on Map #15 as Lot #31-A.

The same letter from Ayoub Engineering, Inc., 414 Benefit Street, Pawtucket, RI, dated February 2, 2012, requesting an extension of the public hearing to March 6, 2012, was read into the record by Chairman Robert Adams.

This Public Hearing was continued to March 6, 2012 at 6:55 PM.

The following Public Hearing was called to order by Chairman Robert Adams at 6:53 PM:

3. 6:50 P.M. – 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.

Attorney Hugh Manke of Updike, Kelly & Spellacy, P.C., 265 Church St # 1001, New Haven, CT was there to represent the applicant, Lisbon Industrial Park, L.P. He stated that the owner and applicant, Philip Armetta, has owned the property in question for the last thirty years and is looking to develop it as soon as possible. Also present were Randy Roburge and Sam Cocopar, who Atty. Manke stated are partners with Mr. Armetta on this particular project; engineer Adam Fox of HRP; and Vahid Karimi, director of Traffic, Engineering & Transportation Systems of Vanasse Hangen Brustlin, Inc, 54 Tuttle Place, Middletown, CT. Atty. Manke stated they would follow up on concerns from the January meeting with regard to traffic, noise, wells, and modifications to plans. He also stated that he appreciates the efforts of Staff Jamie Rabbitt on following all the changes with regard to this application as it has been a complicated process, and feels the application is now complete and they are awaiting a decision.

Adam Fox, of HRP Associates, Inc., 197 Scott Swamp Road, Farmington, CT, stood up to point out changes made to the drawings, based on comments they had received. He stated they had reduced the number of islands, instead creating a larger island for the vehicular traffic in the parking areas, separating those coming in who will actually be working at the site, and the truck traffic from the actual operation of the facility. He stated that an extensive change has been made with regard to the layout for erosion control. He also stated that there are four distinct phases of site preparation activities. The first phase is rock removal and crushing operations located at the northern part of the site. Once the sediment basins are constructed and stabilized, they will move south-southeast into the site, taking the rock out, crushing it and transporting it, he says. He stated that another addition to the latest set of drawings is an access road of the rock cut so there will be access for removal of rocks from the face upwards towards the rock crushing activities. He stated they will be moving 20,000 cubic yards of rock at a time. There will be erosion and sediment control at each of the roadway entrances, he says, as well as sedimentation basins.

MINUTES  
PUBLIC HEARING  
PLANNING AND ZONING COMMISSION  
TUESDAY, FEBRUARY 7, 2012  
page 3 (Lisbon Industrial Park, L.P. - cont)

Mr. Fox stated that the next sequence of activities would be the removal of sediment that has accumulated, and stabilizing the final retention basin, finally moving forward to the construction of the actual facility building. He then stated the site drainage/grading plans have been combined for ease of review. He stated that modification to benching has been made for snow removal/piling, and more catch basins have been added. The site-landscaping plan has been updated to reflect these changes, he said. He also stated that the updated plans reflect the removal of the "pin oaks", and fencing has moved to the face of the curb and the plantings have been placed to the outside of the swale in order to elevate previous concerns of the their placement.

Mr. Fox stated he revised the application addendum to reflect the rock removal quantities and handed it in for the record. He stated that in order to be flexible during the rock removal activities he has a grading option that would allow for a more stable slope, in the event they run into rock formations not originally expected, although he stated they are pretty confident of the rock types based on the rock boring already completed.

Mr. Fox then discussed the hydro-geological report as prepared by HRP's hydro geologist. He stated that public water supply well records date back to the 1970's and they were able to get 34 of the surrounding wells on the map. He stated that there isn't a supply well within 1500 feet of the site. The greatest excavation will be at an elevation of 130 feet and upon reviewing the well completion records, he stated, the shallowest well is forty feet below that 130-foot elevation. The deepest well is 340 feet below the 130-foot elevation. He stated that their geologist reviewed rock core data, and it was found that there is a high "RQN" or "rock quality number" at the site. He stated that it is not likely that the blasting will create other pathways that would affect the upstream water supply wells. He also stated that there should not be any affect to the rock formation, because of the rock competency. Mr. Fox stated he did not think there would be any affect to neighboring parcels with regard to the well water.

Mr. Fox then addressed noise concerns. A noise level report had been prepared, and he reviewed it. He stated that the manufacturers of the two rock crushers have done an analysis of the sounds generated by the equipment. The manufacturers provided an analysis stating the top decibels of noise would be at 86 decibels, and he stated that according to their report, there would be no audible sound 230 feet away from the processing equipment. For the actual recycling facility operations, Mr. Fox used as an example Shane Carpenter's recycling site in Massachusetts. He stated they are utilizing the same heavy equipment, almost identical to the equipment planned for this site. He stated based on their findings, the sound readings from the corner of the proposed building to the nearest property line would be 61 decibels. He stated that there is a Connecticut DEEP regulation stating that from an industrial site to a residential site, the decibel reading at this point needs to be 61 decibels, so it will be below that threshold.

Member B. Hull, III questioned the vegetation surrounding the site, to which the answer was it was all wooded. Mr. Fox also stated that they have submitted a CT DEEP form to the National Diversity Database and are awaiting the results with regard to possible endangered species. Mr. Fox stated that there is nothing listed in public files regarding endangered species at this location but will continue to await these results.

Vahid Karimi, director of Traffic, Engineering & Transportation Systems of Vanasse Hangen Brustlin, Inc, 54 Tuttle Place, Middletown, CT, presented his traffic impact report. He stated that this site has excellent regional access, listing I395 to the north, Route 97 to the west, and Route 169 to the east as well as Route 138. He stated they have looked at two scenarios: one while the site is being prepared and the second once the site

MINUTES  
PUBLIC HEARING  
PLANNING AND ZONING COMMISSION  
TUESDAY, FEBRUARY 7, 2012  
page 4 (Lisbon Industrial Park, L.P. - cont)

is in full operation. He stated they have looked at a four-year plan to when the facility is in full operation, as well as the incremental impact on the roadway system. He stated that the intersections of Route 97 and South Burnham Highway and I395 interchange at exit 83 were looked at for safety during the commuter peak hours, as well as a 24-hour monitoring of Routes 97 and 169 adjacent to the site to determine impact. He stated speed and vehicle classification was monitored, and they looked at growth and plan development as discussed with Staff, which was included in their analysis.

The second scenario, Mr. Karimi stated, was a gravity model based on population and distance. He stated the direct path (Point A to Point B) was considered in order to fully understand the impact. He stated that the project team had presented the truck volumes and those numbers were utilized in order to forecast traffic conditions on the roadway system. He stated the site contractor will be in control of all truck traffic and that the drivers will be instructed to use a designated route. He stated the most used route would be 169 from the site, taking a right hand onto 97 to the interchange at exit 83 to I395, to I95 to their destinations. He stated that they use a gravity model based on population and distance within 50 miles to determine traffic impact. He stated that 40% of traffic would be coming from I395 from the south; about 10% from the north using Route 97, Route 169 would be about 20%, 5% would be coming from 169 from the west and 15% from the south. He stated that the number of trucks during peak hours would be of acceptable levels, and all locations but the ramp should see low impact. He stated that 32 vehicles during the peak hour will be entering and exiting the site and will not affect the service at the intersections. Mr. Karimi stated they analyzed a three-year accident period through the Connecticut Department of Transportation and found no safety issues. Once the facility is in operation, he stated, 10 to 12 vehicles will be entering and exiting at this location and 80% of truck traffic will be coming off Route 97. He stated exit 83 is the most convenient route access to the site.

K. Sperry asked for Mr. Karimi to restate "no increase at the intersections" as she did not fully hear all his language. He stated that "there is no change in level of service when this project is fully constructed..." as defined by an operational level of measure, by how well the intersection operates.

B. Hull, III asked if the word "contractors" specifically referred to trucking companies, to which the answer was "yes". R. Giroux asked if 92 truck trips during the construction referred to two shifts? Mr. Karimi stated it was analyzed at 10 trucks per hour over a nine-hour shift, including additional traffic from plant workers. K. Sperry asked if there would be no additional back up of traffic at the intersections during peak hours, and he stated that that statement was correct. B. Hull, III asked if the process dictates how traffic comes and goes, and then stated he did not realize that Mr. Karimi was referring to the construction phase of the site. A. Fox interjected that based on the process of plant operations, cuing on site will be required for truck traffic. He estimates ten trucks per hour. R. Giroux then asked if the numbers of 320 trips per day for Route 97 and 98 trips per day for Route 169 were correct, to which the answer was "yes".

B. Hull, III asked about construction materials, to which A. Fox described the types of materials.

K. Sperry stated that if she was correct, they intend to take demolition material from within a 500 mile radius, to which the answer was "no". Mr. Armetta explained the process of recycling these materials, and how the current means of disposing of these materials without recycling is costly on businesses such as his. He stated, "Without these facilities, we would have no construction". He stated that he got into this business to keep people working, to create jobs. K. Sperry stated that she was referring to the December 6, 2012 minutes, and read verbatim where Mr. Fox stated that the project "will allow debris to be handled at a local level, L.E.A.D.

MINUTES  
PUBLIC HEARING  
PLANNING AND ZONING COMMISSION  
TUESDAY, FEBRUARY 7, 2012  
page 5 (Lisbon Industrial Park, L.P. - cont)

System, US Supreme Building Council states that 'All waste materials must be handled within 500 miles of construction site'. Staff J. Rabbitt clarified that the applicant did submit testimony regarding receiving waste from a 500-mile radius, and that it is in the record and there is no provision, that Staff is aware of, of any permitting process that would disallow another municipality from bringing in waste. He reminded the commission that this is a 1000-ton per day facility. K. Sperry says she has huge concerns regarding Route 169 due to its topographical properties, with almost 64 homes on this very winding road. She feels it may not be appropriate to so much truck traffic. Mr. Karimi stated that DOT considers Route 169 to be a "minor collector" road and that approximately 2400 vehicles per day use this road. He stated that it could carry as much as 5000 to still be considered a minor collector road. He stated that approximately 200 additional vehicles at peak hour would be added morning and afternoon. He stated that one truck every five minutes would be added to those figures once the facility was active, and reiterated that the primary access is Route 97.

Chairman Robert Adams asked if there were any other questions from the commission, to which there was none.

The applicant, Mr. Armetta, stood for comment. He stated that he has already given three jobs to people who live in Lisbon, and that we have people here starving, on food stamps, people are looking for jobs. He stated, we need to change the way we do business. He stated that waiting another month is another month where someone cannot pay the mortgage. He stated he is paying these people a lot of money and will continue to do so for another month. He stated that every time there is a delay, it costs people money. He reminded the commission that he has done a lot for the town, that he has lowered taxes and created jobs, and that every time there is a delay, it is causing suffering and causing people money. He asked the commission to keep this in mind. Atty. Hanke reserved his summary for next month and promised to answer any other questions next month. He asked that the commission please be sure to submit questions in advance so that they may be better prepared to answer those questions.

Chairman Adams asked for additional copies of the traffic analysis for those members who did not receive them this evening. He also asked Atty. Hanke for a written request for extension.

R. Giroux asked if hauling would be at night or just during the day? Atty. Manke stated he wants both options. It was stated as "per" nine-hour shift, not "one" nine-hour shift. Mr. Karimi interjected and stated that all traffic information is in the back of the traffic analysis book. R. Giroux then asked A. Fox to clarify the "500 mile thing" for the new commission members – Mr. Fox stated that materials "may" come from as far as 500 miles away, but they won't necessarily come from that far.

B. Hull, III had questions regarding the elevations. Staff J. Rabbitt stated the entire site is graded with elevations. A. Fox stated the building is modeled after a barn and the height is 34 feet tall, with an additional 54-foot tall peak and a 78-foot tower. S. Gabiga asked if all drawings are now up to date with revisions, to which the answer was that a revised set was received last week and are much better than those received in October and November. Staff J. Rabbitt stated that the new plans put the applicant in good shape and that they are in the "punch-list" stage at this point.

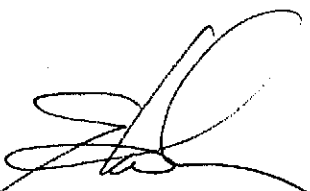
Chairman Adams asked if there was anyone to speak in favor of, or opposed to, the application, to which there was none.

MINUTES  
PUBLIC HEARING  
PLANNING AND ZONING COMMISSION  
TUESDAY, FEBRUARY 7, 2012  
page 6 (Lisbon Industrial Park, L.P. - cont)

K. Sperry did want to add that there was a smaller operation in Stratford at 80 Garfield Road, stating that access to that operation was off Surf Ave. to Lordship Blvd, and was a heavily industrialized area. Atty. Manke stated that that facility has buildings just 60 feet from residences and operates successfully, but K. Sperry stated that the truck access was separate from the residential area and did not have to come in contact with each other, as opposed to the situation here.

Chairman R. Adams read a written request for an extension from Atty. Manke on behalf of the applicant, into the record.

This Public Hearing was continued to March 6, 2012 at 6:30 PM.



Elaine Joseph, acting clerk

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

RECEIVED FOR RECORD AT LISBON  
CT ON 02/10/2012 AT 9:36am  
ATTEST. LAURIE TIROCCHI, TOWN CLERK  
*Marya Makely asst.*