

MINUTES
PUBLIC HEARING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL
TUESDAY, OCTOBER 4, 2011
6:45 P.M.

The Planning and Zoning Commission held the following public hearing in the Lisbon Town Hall, 1 Newent Road, Lisbon, Connecticut beginning at 6:45 PM on Tuesday, October 4, 2011.

1. 6:45 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.

MEMBERS PRESENT: Robert Adams, Ronald Giroux, Robert Browne, Kim Sperry,
Garry Ritacco, Sharon Gabiga, Lawrence Alice
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 6:54 PM:

1. 6:45 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.

Norm Thibeault of Killingly Engineering Associates represented the applicant, PSK Realty, LLC. He submitted updated plans for review. Page 2 of the plan set illustrates the entire parcel showing access from Route 169. Page 3 shows the typography, footprint, location of proposed house and barn, and current wetlands location. He stated it was zoned to R-80. N. Thibeault also stated that the applicant adheres to the R-40 zone, and stated that he and Saff J. Rabbitt have come to an agreement on some issues commented on at the last meeting. He stated that the overall design itself has not changed. N. Thibeault stated that there was sufficient water to accommodate 11, four-bedroom homes at approximately 125 gallons per day per home (property currently abuts 11 other properties). He believes the watershed is capable of supporting the pond. The final design of the pond will include white pines, and stated that there will also be significant trees and native vegetation surrounding the pond. The pond will be 1.6 acres, reduced from the original 1.8, and therefore not as much area will need re-forestation. He stated that grasses would be planted around pond for erosion control as well. Overflow spillways will be constructed with Phase I, to allow effective drainage while under construction.

Based on earlier testimony, R. Browne questioned if 1.6 acres of gravel was to be removed. He is concerned about losing filtration into the ground water. R. Browne also showed concern that the pond would stagnate, not being recharged by running water. N. Thibeault disagreed and said that 7 – 8 foot deep water would circulate, won't be any recharge off the ground and that warmer top water will circulate with colder bottom water. R. Browne asked if there was a plan for future cleaning of debris from the pond, such as downed trees. N. Thibeault stated that such "debris" would actually be appropriate for fish habitat.

K. Sperry asked if there were any buffers between the driveways. N. Thibeault stated that there was not a huge buffer line but that there are some trees, and he feels that the dust, etc. from truck traffic would need to be monitored. He also stated that he doesn't think it would be a long-term operation.

MINUTES
PUBLIC HEARING
PLANNING AND ZONING COMMISSION
TUESDAY, OCTOBER 4, 2011
page 2 (cont)

Staff J. Rabbitt read from his report to the commission dated October 4, 2011, including a list of items needing to be addressed by the applicant. He stated that he feels the applicant does not meet all the requirements, and does not comply with set-back requirements. He stated sheet 6 of 8 shows area wetlands – 2A through 10A illustrating pines that are no more than one foot high and are within 100 feet of another property owner. He stated that the dimension of elevation listed of 106 feet is wrong, and should be 136 feet. He stated that a contour of 138 feet would meet the requirements. Staff recommends that this portion of the application not be approved, but stated that moving it would allow it to meet the regulations

Staff J. Rabbitt stated that the spill way (Phase IV, item #22 of the Phase In – sheet 5 of 8) wasn't detailed until Phase II, and feels that the emergency fill-way should be built in Phase I. The "Trickle Tube" is shown in Phase II and Phase III shows the completed pond. He then went over his report with the commission, including the following items:

- Item #23 – Emergency Spill Way, should be roughly 2 feet in width.
- Item #26 – Level Spreader Evaluation of 132 differs from the detail sheet. Staff stated that one or the other needed to change.
- Item #27 – Staff stated that pipes differ from sheet to sheet.
- Item #29 – Staff addressed grading issues, and with item #30 he addressed planting issues.
- Item #31 – Grade stakes should be in the ground (22, 4x4 pressure treated posts)
- Item #32 – Stonewall needs to be shown, and stated that it was missed in the survey.
- Item #33 - Watercourse associated with the wetlands needs to be defined
- Item #34 – Final As-Built required
- Item #35 – Maximum depth excavation – the current plan proposes 118 is the finished grade, but Staff recommends that the maximum be 117 for depth of excavation.
- Item #36 – Staff stated that this item was the additions and / or deletions (attachment A) and is worded as Conditions of Approval.

Staff stated that the applicant submitted cost estimates but he believes that they were too conservative.

N. Thibeault asked if the Bond may be submitted in its entirety as a pass book, to which Staff J. Rabbitt answered, "Yes". Staff then stated that he seeks clarity of the detail for site access. He then submitted a marked up copy of his Conditions of Approval for the record.

Chairman R. Adams asked for public comment, both in favor of and opposed to the application, to which there was none.

Staff J. Rabbitt reminded the commission that the hearing for this application was opened in August and continued to October. He reminded the commission that they have 65 days to make a decision, and that only seven members were present this evening and that if they were to go forwarded this evening, they needed five favorable votes this evening to approve the application.

This public hearing was closed at 7:43 PM.


Elaine Joseph, acting clerk

Approved: _____
Robert D. Adams, Chairman

RECEIVED FOR RECORD AT LISBON.
CT ON 10/11/2011 AT 2:35pm
ATTEST. BETSY M. BARRETT, TOWN CLERK