

MINUTES
PUBLIC HEARING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL
TUESDAY, JULY 5, 2011
6:30 P.M.

The Planning and Zoning Commission held the following public hearing in the Town Hall, 1 Newent Road, Lisbon, Connecticut beginning at 6:30 PM on Tuesday, July 5, 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. 6:40 P.M. – Application for Zoning Application Amendment – Planning and Zoning Commission
4. 6:45 P.M. – Application for Subdivision Application Text Change: Planning and Zoning Commission

MEMBERS PRESENT: Robert Adams, Ronald Giroux, Robert Browne, Kim Sperry,
David Gagnon, Sharon Gabiga, Garry Ritacco
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 6:41 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.

Attorney Harry Heller of Heller, Heller & McCoy, 736 Route 32, Uncasville, CT, represented the applicant. He stated that the applicant has two public hearings scheduled for the evening and requested that the testimony from the first public hearing be entered into the record for the second public hearing as well. The Barber Farm Subdivision was approved last summer by the commission, lots were reconfigured and one interior building lot was added. Due to due process public notice laws, they combined lots 13, 14, & 15 through the review process, with the understanding they would reapply for a resubdivision of lot 15 to create an interior lot and two standard lots. 13 & 15 are standard lots in an R-40 zone, and will have road frontage on Barber Farm Road. Lot 14 is an interior lot.

Satff Jamie Rabbitt gave attorney Heller his recommendations. Attny. Heller commented on some of the recommendations. He introduced into the record a letter from Mr. Gosselein dated June 22 with regard to the test pit data compiled on May 14, 2010, stating it complied with state health codes. He also stated that the plans needed to be in the record for the letter to have meaning.

MINUTES
PUBLIC HEARING
PLANNING AND ZONING COMMISSION
TUESDAY, JULY 5, 2011
page 2 (cont. - Tucker Development)

Attny Heller stated that they would submit revised plans to comply with staff recommendations. He then requested a continuation of the public hearing until next month. Staff J. Rabbitt recommended the continuation of the public hearing for August 2, at 6:30 PM to allow time for the applicant to address items outlined by Staff.

Chairman R. Adams asked Staff for key components in his recommendations, to which Staff outlined them as soil; subdivision plans; an updated letter from Mr. Gosselein; underground utilities; the grading on plans is not yet signed by a professional engineer; footing drains; paved apron details needed; lot #14 requires a paved drive; the grade of lots 13 & 15; current typography should be outlined on plans; and density calculations need modification.

This public hearing was continued to August 2, 2011 at 6:30 PM.

The following Public Hearing, was called to order by Chairman Robert Adams at 6:55 PM:

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, as per the request of the applicant.

This public hearing was continued to August 2, 2011 at 6:35 PM.

The following Public Hearing was called to order by Chairman Robert Adams at 6:58 PM:

3. 6:40 P.M. – Application for Zoning Application Amendment – Planning and Zoning Commission

Staff J. Rabbitt stated that these changes were mandatory for those who are required to handle flood insurance. He read through the text amendment for Section 10.15.3, with additional changes to the proposed changes to the definitions.

R. Browne questioned that in 10.15.4, the study would not be completed until July 18, 2011, and could it be voted on? Staff stated that July 18, 2011 would be the effective date. K. Sperry asked if the commission will get a map on the effective date, to which the answer was that maps would be available on-line and he will have that information at the next meeting.

No public comment.

This public hearing was closed at 7:08 PM.

MINUTES
PUBLIC HEARING
PLANNING AND ZONING COMMISSION
TUESDAY, JULY 5, 2011
page 3 (cont. – P&Z text change)

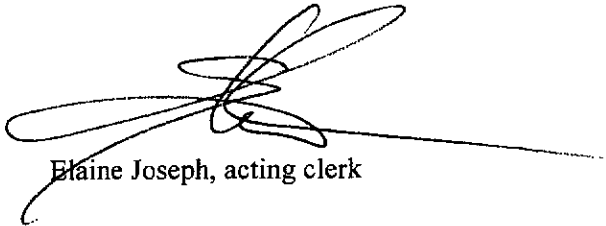
The following Public Hearing, was called to order by Chairman Robert Adams at 7:08 PM:

4. 6:45 P.M. – Application for Subdivision Application Text Change: Planning and Zoning Commission

Staff J. Rabbitt requested that the previous testimony be included in this hearing. He stated the changes affected 6.10, page 19 of the regulations with an effective date of July 18, 2011. He outlined other changes to the text amendment (sections 6.11 & 6.12), noting changes in the dates.

No public comment.

This public hearing was closed at 7:13 PM.



Elaine Joseph, acting clerk

Approved: _____
Robert D. Adams, Chairman

RECEIVED FOR RECORD AT LISBON.
CT ON 7-12-2011 AT 2:05 PM
ATTEST. BETSY M. BARRETT, 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, July 5, 2011 the following action was taken:

1. Application for Zoning Application Amendment – Planning and Zoning Commission **APPROVED / EFFECTIVE DATE: JULY 18, 2011**
2. Application for Subdivision Application Text Change – Planning and Zoning Commission **APPROVED / EFFECTIVE DATE: JULY 18, 2011**

Dated at Lisbon, Connecticut this 12th day of July 2011.

Robert D. Adams, Chairman
Lisbon Planning and Zoning Commission

RECEIVED FOR RECORD AT LISBON.
CT ON 7-12-2011 AT 2:05pm
ATTEST. BETSY M. BARRETT, TOWN CLERK

AMENDMENT

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

To be completed by the Applicant:

Date: June 6, 2011

Application is hereby made for a Zoning Permit for the use described herein and shown in the accompanying plans.

Applicant LISBON PLANNING & ZONING Address 1 Newent Rd Lisbon Ct
Property Owner NA Address _____

Location of Property NA _____ Rd., St., or Ave.

Land Records Map of NA Lot # _____ Vol. _____ Page _____

Lot Size in Square Feet NA Total Building Floor Area in Square Feet _____

Existing Use of Land or Building NA Zone NA

Proposed Use of Land or Building TEXT AMENDMENT
changes to zoning Regulations regarding compliance
with new federal FLOOD INSURANCE program.
(see attached changes)

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

Signature of Applicant Martine LePai, clerk to the Board
for the Commission

To be completed by the Commission:

Application No. _____

Date of Submission: June 6, 2011

Date of Receipt: June 7, 2011

Fee Paid: \$ N/A

Date of Action: July 5, 2011

Approved: July 5, 2011 / Effective July 18, 2011

Reasons for denial or modifications: _____

Signature [Signature] ROBERT 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.)

10.15 Special Flood Hazard Area Regulations

10.15.1 Intent It is the intent of these Regulations to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- a. Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- b. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damages at the time of initial construction;
- c. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
- d. Control filling, grading, dredging and other development which may increase erosion or flood damage;
- e. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

10.15.2 Objectives. The objectives of these Regulations are:

- a. To protect human life and health;
- b. To minimize expenditure of public money for costly flood control projects;
- c. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d. To minimize prolonged business interruptions;
- e. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- f. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas;
- g. To insure that potential home buyers are notified that property is in a flood area.

10.15.3 Definitions Unless specifically defined below, words or phrases used in this section shall be interpreted as to give them the meaning they have in common usage and to give these Regulations the most reasonable application.

Base Flood: A flood having a one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE): The elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.

Basement: That portion of a building having its floor subgrade (below ground level) on all sides.

Compensatory Storage. The water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain. storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.

Cost: As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor's estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.

Development: Any man-made change to improved or unimproved real estate, including but not limited to the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

Elevated Building: A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (post and piers), shear walls, or breakaway walls.

Equal Conveyance. Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.

Existing Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured home are to be affixed (including, as a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before January 22, 1982, the effective date of the floodplain management regulations adopted by the community.

Expansion to an Existing Manufactured Home Park or Subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Federal Emergency Management Agency (FEMA): The federal agency that administers the National Flood Insurance Program (NFIP).

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal water; or, the unusual and rapid accumulation of runoff of surface waters from any source.

Finished Living Space: As related to fully enclosed areas below the base flood elevation (BFE), a space that is, but is not limited to, heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.

Flood Insurance Rate Map (FIRM): An official map of a community on which the Federal Emergency Management Agency has delineated both the Areas of Special Flood Hazard and the applicable risk premium zones.

Flood Insurance Study: The official report by the Federal Emergency Management Agency, containing flood profiles, the water surface elevation of the base flood, and other flood data.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor: The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Functionally Dependent Facility: A facility which cannot perform or be used for its intended purpose unless it is located in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.

Highest Adjacent Grade: The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

Historic Structure: Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

Lowest Floor: The lowest floor of the lowest enclosed area, including basement.

Incremental Fill: Fill, including any material or structure used for the purpose of changing the elevation or contour of property subject to these Regulations or which would have the effect of displacing water or flood storage capacity of the property, proposed to be brought onto the property or deposited, erected or developed on such property. Shifting of existing contours without the addition of new fill from off site and which does not reduce the existing flood storage capacity of the subject property shall not be considered incremental fill.

Manufactured Home: A structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes recreational vehicles, park vehicles, or

travel trailers and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Manufactured Home Park or Subdivision: A parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale.

Market Value: As related to substantial improvement and substantial damage, the market value of the structure shall be determined by the appraised value of the structure prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.

Mean Sea Level: For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

New Construction: Structures for which the "start of construction" commenced on or after January 22, 1982 and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after January 22, 1982, the effective date of the floodplain management regulation adopted by the community.

Recreational Vehicle: A vehicle which is: built on a single chassis; 400 square feet or less when measured at the largest horizontal projections; designed to be self-propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Special Flood Hazard Area: The area within a community subject to a one percent or greater chance of flooding in any given year, as identified on the community's FIRM.

Start of Construction: includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. Should the permittee fail to commence work within this time frame, a new permit shall be required. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for construction or erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure: A walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or man-made facilities or infrastructures.

Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement: Any combination of repairs, reconstruction, alterations or improvements to a structure taking place during a one year period in which the cumulative costs

equals or exceeds fifty percent of the market value of the structure. The market value of the structure should be: (a) the appraised value of the structure prior to the start of the initial repair or improvement, or (b) in the case of damage, the value of the structure prior to the damage occurring. For the purpose of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

Variance: A grant of relief from the requirements of these Regulations which permits activities and construction otherwise prohibited by these Regulations where specific enforcement would result in unnecessary hardship.

Violation: Failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is resumed to be in violation until such time as that documentation is provided.

Water Surface Elevation: The height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum where specified), of floods of various magnitudes and frequencies in the floodplains of riverine areas.

10.15.4 General Provisions

- a. Applicability: These Regulations shall apply to all areas of flood prone zone within the jurisdiction of the Town of Lisbon.
- b. Basis for Establishing the Special Flood Hazard Areas: The Special Flood Hazard Areas (SFHA) includes all areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated July 18, 2011, and accompanying Flood Insurance Rate Maps (FIRM), dated July 18, 2011, and other supporting data applicable to the Town of Lisbon, and any subsequent revisions thereto, are adopted by reference and declared to be a part of these regulations. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on a Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.
- c. Issuance of the Zoning Permit and Certificate of Zoning Compliance. Neither a zoning permit nor a Certificate of Zoning Compliance shall be issued unless the applicant has successfully demonstrated that the proposed or completed activity is in compliance with the requirements of this Section and other applicable Regulations.
- d. Permit Expiration. Permits issued under the jurisdiction of Section 10 of these Regulations shall expire if actual construction of a permitted structure does not commence within 180 days of the permit approval date.
- e. Abrogation's and Greater Restrictions. These Regulations are not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where these Regulations and other ordinances, easements, covenants or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- f. Interpretation. In the interpretation and application of these Regulations all provisions shall be considered as minimum requirements; liberally construed in favor of the governing body; deemed neither to limit nor repeal any other powers granted under state

statutes.

- g. Warning and Disclaimer of Liability. The degree of flood protection required by this ordinance is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the special flood hazard areas or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the Town of Lisbon or any officer or employee thereof for any flood damages that result from reliance on these Regulations or any administrative decision made there under.

10.15.5 Uses in Flood Zone Construction, reconstruction, extension of any building or structure, or any other development, including but not limited to mining, dredging, filling, grading, paving, excavation or drilling operations shall be prohibited in the Special Flood Hazard Area, except in conformance with these Regulations. Permitted uses as identified in these Regulations are allowed in the flood zone provided they meet the additional requirements of this Section. Such uses may also be subject to the approval of other federal or state agencies.

10.15.6 Administration

- a. Designation of Administrator. The Zoning Enforcement Officer (ZEO) shall administer and implement the provisions of these Regulations. The ZEO may seek assistance and advise from qualified professionals in reviewing and evaluating any application.
- b. Application.

1. Permit Procedures. Prior to the issuance of any applicable permits and commencement of development within any special flood hazard area, the applicant shall provide information which shows that any proposed building sites will be reasonably safe from flooding and that the requirements of this Section have been satisfied. The applicant will provide all necessary federal or state permits and copies of such permits will be maintained on file with the permit application. The ZEO may require that the applicant submit additional information as needed to determine compliance with these Regulations.
2. Certification of Plans. Where required under this Section, a registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Section. Such certification must be provided to the Zoning Enforcement Officer.
3. Establishment of Flood Area Boundaries.
 - a. The Zoning Enforcement Officer shall obtain, review, and reasonably utilize any base flood elevation or floodway data available from Federal, State, or other sources in order to administer these regulations.
 - b. The Zoning Enforcement Officer shall make the necessary interpretation, where needed, as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).
4. Notification of Other Agencies. The Zoning Enforcement Officer shall notify adjacent communities and the Connecticut Department of Environmental Protection, Inland Water Resources Division, prior to any alteration or relocation of a watercourse, and evidence of such notification shall be sent to the Federal Emergency Management Agency. Maintenance shall be provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

5. Records Maintenance. The Zoning Enforcement Officer shall record and maintain: a) the as-built elevation of the lowest floor (including basement) of all new or substantially improved structures; b) the elevation to which the new or substantially improved structures have been flood-proofed; c) certification as to floodway heights; d) any and all certifications required under these Regulations; e) all records pertaining to the provisions of this section.

10.15.7 Development Standards

The following standards must be satisfied for any application for development to be approved:

a. General Standards.

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
2. New construction and substantial improvements shall be constructed with materials resistant to flood damage.
3. New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
4. All new construction and substantial improvements to structures shall be constructed to ensure that electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
5. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the system into flood waters.
7. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
8. In any portion of a watercourse which is altered or re-located the flood carrying capacity shall be maintained.
9. Aboveground Storage Tanks - Above-ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation (BFE) on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for the infiltration of flood water.
10. Portion of Structure in Flood Zone - If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.
11. Structures in Two Flood Zones - If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., V zone is more restrictive than A zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. (Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.)

12. No Structures Entirely or Partially Over Water - New construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely or partially over water unless it is a functionally dependent use or facility.

b. Specific Standards. In all Special Flood Hazard Areas A A and AE zones, the following standards shall apply in addition to the General Standards above.

1. Residential Construction. New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the base flood elevation.
2. Manufactured Homes and Recreational Vehicles. Any manufactured home (including a recreational vehicle placed on a site for 180 consecutive days or longer) to be placed or substantially improved on a site in the SFHA shall be elevated so that the lowest floor is above base flood elevation. This includes a manufactured home located outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing park which a manufactured home has incurred substantial damage as a result of a flood, shall be placed on a permanent foundation which is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement, and hydrostatic and hydrodynamic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors. It shall be installed using methods and practices which minimize flood damage, providing adequate access and drainage, piling foundations (when used) no more than 10 feet apart, and reinforced of any piers more than 6 feet above ground level. Recreational vehicles placed on sites within a SFHA shall either be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use, or meet all the general standards of section 10.15.7 a. and the elevation and anchoring requirements of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.
3. Non-residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential structure located in the A Zone shall have the lowest floor, including basement, elevated above the base flood elevation. Non-residential structures located in all A Zones may be flood-proofed in lieu of being elevated provided that together with all attendant utilities and sanitary facilities the areas of the structure below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall review and/or develop structural design specifications and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this subsection. Such certification shall be provided to the Zoning Enforcement Officer.
4. Floodways. Located within special flood hazard areas are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris and potential projectiles and have erosion potential, no encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless certification (with supporting technical data) by a Connecticut registered professional engineer is provided demonstrating, through hydrologic and hydraulic analyses

performed in accordance with standard engineering practice, that encroachments shall not result in any (0.00 feet) increase in flood levels during occurrence of the base flood discharge. Fences located in the floodway must be aligned with the flow and be of an open design.

Increase in Base Flood Elevation. A permit may be given which allows encroachments resulting in increase in base flood elevations only if the community first obtains a conditional floodway revision by meeting the requirements of C.F.R. 44, Chapter 1, Subsection 65.12.

c. Standards for Streams Without Established Base Flood Elevations, Floodways, and/or Flood Mapping

1. The Zoning Enforcement Officer shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, including data developed pursuant to the Lisbon Subdivision Regulations as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Community's FIRM meet the standards of these Regulations.
2. In A zones where base flood elevations have been determined but before a floodway is designated, no new construction, substantial improvement, or other development (including fill) shall be permitted which will increase base flood elevations more than one foot at any point along the watercourse when all anticipated development is considered cumulatively with the proposed development.
3. The Zoning Enforcement Officer may require that the applicant submit floodway data for watercourses without FEMA-published floodways. When such data is provided by an applicant or whenever such data is available from any other source (in response to the Town's request or not), the Town shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one foot at any point along the watercourse.

10.15.8 Variance of Section 10.15

The Zoning Board of Appeals shall hear and decide appeals and requests for variances from the requirements of these this Section 10.15. The Zoning Board of Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance and the items listed below. Upon consideration of these factors and the purposes of these Regulations, the ZBA may attach such conditions to the granting of variances as it deems necessary to further the purposes of these Regulations.

The Zoning Enforcement Officer shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

a. General Considerations for Granting Variances

1. The danger that materials may be swept onto other lands to the injury of others.
2. The danger to life and property due to flooding or erosion damage.
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
4. The importance of the services provided by the proposed facility to the community.
5. The necessity of the facility to waterfront location, in the case of a functionally dependent facility.
6. The availability of alternative locations which are not subject to flooding or erosion damage for the proposed use.

7. The compatibility of the proposed use with existing and anticipated development.
 8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
 9. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 10. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site.
 11. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.
 12. Potential for pollution of waters or contamination of soils.
- b. Floodway Prohibition Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- c. Specific Variance Situations
1. Historic Structures. Variances may be issued for the reconstruction or restoration of structures on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the remainder of this section. No renovations or alterations may be made to an historical structure without due consideration and effort to incorporate design concepts which, while preserving the historical character of the building, will also serve to reduce the potential for future flood damage and threat to human life and property.
 2. Functionally Dependent Uses. Variances may be issued for new construction and substantial improvement and other development necessary for the conduct of a functionally dependent use provided the structure or other development is protected by methods that minimize flood damage, creates no additional threat to public safety and meets the requirements of Section 10.15.8.d. Criteria for Variances.
- d. Criteria for Variances Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the minimum necessary as not to destroy the historic character and result in the loss of historic designation of the building. In addition, variances shall only be issued upon:
1. A showing of good and sufficient cause.
 2. A determination that failure to grant the variance would result in exceptional hardship.
 3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create a nuisance, cause fraud or victimization of the public, or conflict with existing local laws or Regulations.
 4. Only hardships which are based on unusual physical characteristics of the property in question, characteristics which are not shared by adjacent parcels, shall qualify to meet subsection 2 above. Claims of hardship based on the structure, on economic or on personal circumstances are not sufficient cause for the granting of a variance under these Regulations.

- e. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation (BFE), and that the cost of flood insurance will be commensurate with the increased risk resulting from the lowest floor elevation.

RECEIVED FOR RECORD AT LISBON.
CT ON 11-12-2011 AT 2:45 PM
ATTEST. BETSY M. BARRETT, TOWN CLERK

SUBDIVISION APPLICATION
TEXT CHANGE

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

To be completed by the Applicant:

Date: June 6th, 2011

Application is hereby made for a Zoning Permit for the use described herein and shown in the accompanying plans.

TOWN OF LISBON

Applicant PLANNING & ZONING Address 1 Newent Rd Lisbon CT

Property Owner _____ Address _____

Location of Property _____ Rd., St., or Ave. _____

Land Records Map of _____ Lot # _____ Vol. _____ Page _____

Lot Size in Square Feet _____ Total Building Floor Area in Square Feet _____

Exiting Use of Land or Building _____ Zone _____

Proposed Use of Land or Building _____

Subdivision text Amendment Proposed changes
to Sections 5.3.11, 6.10, 6.11, 6.12 to comply with new
FEDERAL FLOOD INSURANCE PROGRAM.
SEE ATTACHED.

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

Signature of Applicant Markus Leves, Clerk to the Boards
for the Commission

To be completed by the Commission:

Application No. _____

Date of Submission: June 6, 2011

Date of Receipt: June 7, 2011

Fee Paid: \$ N/A

Date of Action: July 5, 2011

Approved: July 5, 2011 / Effective: July 18, 2011

Reasons for denial or modifications: _____


Signature ROBERT 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.)

APPROVED JULY 5, 2011 / EFFECTIVE DATE JULY 18, 2011

Geological Survey datum. The Commission may require contours at less than 10-foot intervals if needed to determine more precisely the slope characteristics of the property.

- 5.3.11 Subdivisions greater than fifty (50) lots or five (5) acres (whichever is less) shall include base flood (100 year storm) elevation data for that portion of the subdivision located within A Zones on the ~~Flood Hazard Boundary Map~~ or Flood Insurance Rate Map for Lisbon.
 - 5.3.12 The words "Approved by the Lisbon Planning and Zoning Commission," with designated spaces provided for the data and signature of the Chairman or Secretary of the Commission.
 - 5.3.13 The words "Date of Completion of All Work," with designated space for the date and initials of the Chairman or Secretary of the Commission.
 - 5.3.14 The words "Approved by the Lisbon Board of Selectman," and "Approved by the Lisbon Town Sanitarian," with designated spaces for the dates and signatures of the appropriate officials.
- 5.4 **Construction Plan.** A construction plan, drawn at a scale of one (1") inch equals forty (40') feet, shall be submitted when any type of construction, such as roads, drainage, water supply or sewer systems, retaining walls, etc., is to be carried out in connection with the subdivision. The construction plan shall be prepared by a Connecticut registered professional engineer. The construction of all street shall be in conformance with "An Ordinance Regulating the Addition of Any New Street or Highway to the System of the Town of Lisbon," or amendments thereto. All other construction shall be in accordance with Form 810 (1969) of the Connecticut Department of Transportation, Bureau of Highways "Standard Specifications for Roads, Bridges and Incidental Construction" and any supplements and amendments thereof, unless otherwise specifically provided by Town Ordinances or these Regulations. The construction plan shall include the following, where applicable:
- 5.4.1 Plan and profile for all proposed streets, showing:
 - a. Existing surface elevation along the centerline.
 - b. Locations, proposed grades, vertical curves with centerline elevations every fifty (50') feet, except that such information shall be provided at ten (10') foot intervals within eighty (80') feet of the centerline cross point of an intersection.
 - c. Location, size and invert elevations of existing and proposed storm drains, catch basins, manholes, bridges, culverts, outfalls, and other drainage features.
 - d. Location and size of all community water supply and distribution facilities and hydrants.
 - e. Sidewalk location, if any.
 - f. Locations of street signs, trees and other special landscape features to be installed by the applicant.
 - g. Location of all electrical, telephone and other wire utility lines.
 - 5.4.2 Where drainage systems are to be constructed, one copy of the construction plan shall be suitably marked to show watershed data used in the design of such systems and shall be accompanied by a narrative report including all calculations used in the drainage design.
 - 5.4.3 In case of retaining walls or other special features, a drawing to a scale of one-half (1/2") inch equals one (1') foot of all such details shall be furnished.

public safety due to the characteristics of the site and/or surrounding properties as per Section 8 of these regulations.

6.8.1 Sidewalks, where required, shall be a minimum of four (4') feet in width, and, when provided in connection with a road, shall be located within the street right-of-way lines as shown on a typical cross-section. The sidewalk shall be constructed in accordance with one of the following standards as approved by the Lisbon Planning and Zoning Commission.

- a) Concrete. Cement concrete sidewalks shall be laid on a six (6") inch gravel base, mechanically compacted, and shall be constructed of reinforced concrete four (4") inches thick having expansion joints with remolded fillers spaced every twenty (20') feet and suitable weakened plain joints.
- b) Bituminous. Bituminous concrete sidewalks shall be laid on a six (6") inch gravel base, mechanically compacted, and shall be constructed of bituminous concrete two (2) inches thick after compaction.
- c) Driveways. Sidewalks crossing driveways that are subject to heavy vehicular traffic shall be laid on a gravel base twelve (12") inches thick.
- d) Handicap access. All sidewalks shall be constructed with handicap access as required by State of Connecticut Building codes and/or other applicable codes and regulations.

6.9 Trees. New trees will be required along streets where necessary to obtain intervals of approximately fifty (50') feet between trees. New trees shall not be located within the street right-of-way.

6.10 Flooding Considerations. The Commission shall determine that proposed subdivisions are reasonably safe from flooding. When a subdivision is proposed in an A zone on the Town's Flood Insurance Rate Map, dated ~~February 15, 1984~~ July 18, 2011, or any subsequent revisions thereof, it shall be reviewed to assure the following:

6.10.1 That all proposals are consistent with the need to minimize flood damage within the flood-prone area.

6.10.2 That all public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage.

6.10.3 That adequate drainage is provided to reduce exposure to flood hazards.

6.10.4 That new and replacement water supply systems are designed to minimize or eliminate infiltration of flood waters into the systems.

6.10.5 That new and replacement sanitary sewer systems are designed to minimize or eliminate infiltration of flood waters into the systems or discharge from the systems into the flood waters.

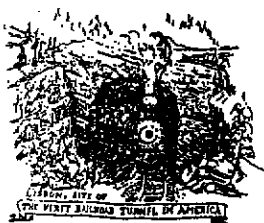
6.10.6 That on-site sewage disposal systems are located to avoid impairment of them or contamination from them during flooding.

6.10.7 That the flood-carrying capacity is maintained within any altered or relocated portion of any watercourses.

6.11 **Flood Elevations.** All applications for subdivisions greater than five (5) acres or fifty (50) lots (whichever is less) shall include with such applications base flood (100 year flood) elevation data for that portion of the subdivision which permits development, including fill, within A Zones on the Town's Flood Insurance Rate Map, dated July 18, 2011~~February 15, 1984~~, or any subsequent revision thereof.

6.12 **Floodway Encroachments.** Within the floodway, designated on the Flood Boundary and Floodway Map of the Town of Lisbon, dated July 18, 2011~~February 15, 1984~~, or any subsequent revision thereof, a copy of which is on file with the Commission, all encroachments, including fill, new construction, substantial improvements to existing structures, and other development, are prohibited unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during a 100-year period.

RECEIVED FOR RECORD AT LISBON.
CT ON 7-12-2011 AT 2:05 PM
ATTEST. BETSY M. BARRETT, TOWN CLERK



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

July 12, 2011

Thomas Sparkman, First Selectman
Town of Lisbon
1 Newent Road
Lisbon, CT 06351

Re: Zoning Application Amendment / Subdivision Application Text Change

Dear Mr. Sparkman:

At the regular meeting of the Town of Lisbon Planning and Zoning Commission held in the Lisbon Town Hall, 1 Newent Road, Lisbon, Connecticut, on July 5, 2011, applications for the Zoning Application Amendment and the Subdivision Application Text Change, were reviewed.

Please be advised that the applications were approved, with an effective date of July 18, 2011.

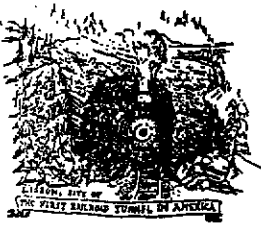
Should you have questions about this approval, please feel free to contact James D. Rabbitt, AICP, Lisbon Town Planner at 860-889-2324.

Sincerely,

Robert D. Adams
PLANNING AND ZONING COMMISSION

RDA: ej

c: B. Hull, Zoning Enforcement Officer
C. Brown, Building Inspector



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, July 5, 2011 the following action was taken:

1. Application for Zoning Application Amendment – Planning and Zoning Commission **APPROVED / EFFECTIVE DATE: JULY 18, 2011**
2. Application for Subdivision Application Text Change – Planning and Zoning Commission **APPROVED / EFFECTIVE DATE: JULY 18, 2011**

Dated at Lisbon, Connecticut this 12th day of July 2011.

Robert D. Adams, Chairman
Lisbon Planning and Zoning Commission

RECEIVED FOR RECORD AT LISBON.
CT ON 7-12-2011 AT 2:05pm
ATTEST. BETSY M. BARRETT, TOWN CLERK

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

To be completed by the Applicant:

Date: June 6, 2011

Application is hereby made for a Zoning Permit for the use described herein and shown in the accompanying plans.

Applicant LISBON PLANNING & ZONING Address 1 Newent Rd Lisbon Ct
Property Owner NA Address _____

Location of Property NA Rd., St., or Ave. _____

Land Records Map of NA Lot # _____ Vol. _____ Page _____

Lot Size in Square Feet NA Total Building Floor Area in Square Feet _____

Existing Use of Land or Building NA Zone NA

Proposed Use of Land or Building TEXT AMENDMENT
changes to zoning Regulations regarding compliance
with new federal FLOOD INSURANCE program.
(see attached changes)

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

Signature of Applicant Harlene LePrie, clerk to the Boards for the Commission

To be completed by the Commission:

Application No. _____

Date of Submission: June 6, 2011

Date of Receipt: June 7, 2011

Fee Paid: \$ N/A

Date of Action: July 5, 2011

Approved: July 5, 2011 / Effective July 18, 2011

Reasons for denial or modifications: _____

Signature _____

Robert 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.)

10.15 Special Flood Hazard Area Regulations

10.15.1 Intent It is the intent of these Regulations to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- a. Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- b. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damages at the time of initial construction;
- c. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
- d. Control filling, grading, dredging and other development which may increase erosion or flood damage;
- e. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

10.15.2 Objectives The objectives of these Regulations are:

- a. To protect human life and health;
- b. To minimize expenditure of public money for costly flood control projects;
- c. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d. To minimize prolonged business interruptions;
- e. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- f. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas;
- g. To insure that potential home buyers are notified that property is in a flood area.

10.15.3 Definitions Unless specifically defined below, words or phrases used in this section shall be interpreted as to give them the meaning they have in common usage and to give these Regulations the most reasonable application.

Base Flood: A flood having a one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE): The elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.

Basement: That portion of a building having its floor subgrade (below ground level) on all sides.

Compensatory Storage: The water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain. Storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.

Cost: As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor's estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.

Development: Any man-made change to improved or unimproved real estate, including but not limited to the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

Elevated Building: A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (post and piers), shear walls, or breakaway walls.

Equal Conveyance: Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.

Existing Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured home are to be affixed (including, as a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before January 22, 1982, the effective date of the floodplain management regulations adopted by the community.

Expansion to an Existing Manufactured Home Park or Subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Federal Emergency Management Agency (FEMA): The federal agency that administers the National Flood Insurance Program (NFIP).

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal water; or, the unusual and rapid accumulation of runoff of surface waters from any source.

Finished Living Space: As related to fully enclosed areas below the base flood elevation (BFE), a space that is, but is not limited to, heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.

Flood Insurance Rate Map (FIRM): An official map of a community on which the Federal Emergency Management Agency has delineated both the Areas of Special Flood Hazard and the applicable risk premium zones.

Flood Insurance Study: The official report by the Federal Emergency Management Agency, containing flood profiles, the water surface elevation of the base flood, and other flood data.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor: The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Functionally Dependent Facility: A facility which cannot perform or be used for its intended purpose unless it is located in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.

Highest Adjacent Grade: The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

Historic Structure: Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

Lowest Floor: The lowest floor of the lowest enclosed area, including basement.

Incremental Fill: Fill, including any material or structure used for the purpose of changing the elevation or contour of property subject to these Regulations or which would have the effect of displacing water or flood storage capacity of the property, proposed to be brought onto the property or deposited, erected or developed on such property. Shifting of existing contours without the addition of new fill from off site and which does not reduce the existing flood storage capacity of the subject property shall not be considered incremental fill.

Manufactured Home: A structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes recreational vehicles, park vehicles, or

travel trailers and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Manufactured Home Park or Subdivision: A parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale.

Market Value: As related to substantial improvement and substantial damage, the market value of the structure shall be determined by the appraised value of the structure prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.

Mean Sea Level: For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

New Construction: Structures for which the "start of construction" commenced on or after January 22, 1982 and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after January 22, 1982, the effective date of the floodplain management regulation adopted by the community.

Recreational Vehicle: A vehicle which is: built on a single chassis; 400 square feet or less when measured at the largest horizontal projections; designed to be self-propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Special Flood Hazard Area: The area within a community subject to a one percent or greater chance of flooding in any given year, as identified on the community's FIRM.

Start of Construction: includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. Should the permittee fail to commence work within this time frame, a new permit shall be required. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for construction or erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure: A walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or man-made facilities or infrastructures.

Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement: Any combination of repairs, reconstruction, alterations or improvements to a structure taking place during a one year period in which the cumulative costs

equals or exceeds fifty percent of the market value of the structure. The market value of the structure should be: (a) the appraised value of the structure prior to the start of the initial repair or improvement, or (b) in the case of damage, the value of the structure prior to the damage occurring. For the purpose of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

Variance: A grant of relief from the requirements of these Regulations which permits activities and construction otherwise prohibited by these Regulations where specific enforcement would result in unnecessary hardship.

Violation: Failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is resumed to be in violation until such time as that documentation is provided.

Water Surface Elevation: The height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum where specified), of floods of various magnitudes and frequencies in the floodplains of riverine areas.

10.15.4 General Provisions

- a. Applicability: These Regulations shall apply to all areas of flood prone zone within the jurisdiction of the Town of Lisbon.
- b. Basis for Establishing the Special Flood Hazard Areas: The Special Flood Hazard Areas (SFHA) includes all areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated July 18, 2011, and accompanying Flood Insurance Rate Maps (FIRM), dated July 18, 2011, and other supporting data applicable to the Town of Lisbon, and any subsequent revisions thereto, are adopted by reference and declared to be a part of these regulations. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on a Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.
- c. Issuance of the Zoning Permit and Certificate of Zoning Compliance. Neither a zoning permit nor a Certificate of Zoning Compliance shall be issued unless the applicant has successfully demonstrated that the proposed or completed activity is in compliance with the requirements of this Section and other applicable Regulations.
- d. Permit Expiration. Permits issued under the jurisdiction of Section 10 of these Regulations shall expire if actual construction of a permitted structure does not commence within 180 days of the permit approval date.
- e. Abrogation's and Greater Restrictions. These Regulations are not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where these Regulations and other ordinances, easements, covenants or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- f. Interpretation. In the interpretation and application of these Regulations all provisions shall be considered as minimum requirements; liberally construed in favor of the governing body; deemed neither to limit nor repeal any other powers granted under state

statutes.

- g. Warning and Disclaimer of Liability. The degree of flood protection required by this ordinance is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the special flood hazard areas or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the Town of Lisbon or any officer or employee thereof for any flood damages that result from reliance on these Regulations or any administrative decision made there under.

10.15.5 Uses in Flood Zone Construction, reconstruction, extension of any building or structure, or any other development, including but not limited to mining, dredging, filling, grading, paving, excavation or drilling operations shall be prohibited in the Special Flood Hazard Area, except in conformance with these Regulations. Permitted uses as identified in these Regulations are allowed in the flood zone provided they meet the additional requirements of this Section. Such uses may also be subject to the approval of other federal or state agencies.

10.15.6 Administration

- a. Designation of Administrator. The Zoning Enforcement Officer (ZEO) shall administer and implement the provisions of these Regulations. The ZEO may seek assistance and advise from qualified professionals in reviewing and evaluating any application.
- b. Application.
 - 1. Permit Procedures. Prior to the issuance of any applicable permits and commencement of development within any special flood hazard area, the applicant shall provide information which shows that any proposed building sites will be reasonably safe from flooding and that the requirements of this Section have been satisfied. The applicant will provide all necessary federal or state permits and copies of such permits will be maintained on file with the permit application. The ZEO may require that the applicant submit additional information as needed to determine compliance with these Regulations.
 - 2. Certification of Plans. Where required under this Section, a registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Section. Such certification must be provided to the Zoning Enforcement Officer.
 - 3. Establishment of Flood Area Boundaries.
 - a. The Zoning Enforcement Officer shall obtain, review, and reasonably utilize any base flood elevation or floodway data available from Federal, State, or other sources in order to administer these regulations.
 - b. The Zoning Enforcement Officer shall make the necessary interpretation, where needed, as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).
 - 4. Notification of Other Agencies. The Zoning Enforcement Officer shall notify adjacent communities and the Connecticut Department of Environmental Protection, Inland Water Resources Division, prior to any alteration or relocation of a watercourse, and evidence of such notification shall be sent to the Federal Emergency Management Agency. Maintenance shall be provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

5. Records Maintenance. The Zoning Enforcement Officer shall record and maintain: a) the as-built elevation of the lowest floor (including basement) of all new or substantially improved structures; b) the elevation to which the new or substantially improved structures have been flood-proofed; c) certification as to floodway heights; d) any and all certifications required under these Regulations; e) all records pertaining to the provisions of this section.

10.15.7 Development Standards

The following standards must be satisfied for any application for development to be approved:

a. General Standards.

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
2. New construction and substantial improvements shall be constructed with materials resistant to flood damage.
3. New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
4. All new construction and substantial improvements to structures shall be constructed to ensure that electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
5. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the system into flood waters.
7. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
8. In any portion of a watercourse which is altered or re-located the flood carrying capacity shall be maintained.
9. Aboveground Storage Tanks - Above-ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation (BFE) on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for the infiltration of flood water.
10. Portion of Structure in Flood Zone - If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.
11. Structures in Two Flood Zones - If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., V zone is more restrictive than A zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. (Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.)

12. No Structures Entirely or Partially Over Water - New construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely or partially over water unless it is a functionally dependent use or facility.
- b. Specific Standards. In all Special Flood Hazard Areas A A and AE zones, the following standards shall apply in addition to the General Standards above.
1. Residential Construction. New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the base flood elevation.
 2. Manufactured Homes and Recreational Vehicles. Any manufactured home (including a recreational vehicle placed on a site for 180 consecutive days or longer) to be placed or substantially improved on a site in the SFHA shall be elevated so that the lowest floor is above base flood elevation. This includes a manufactured home located outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing park which a manufactured home has incurred substantial damage as a result of a flood, shall be placed on a permanent foundation which is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement, and hydrostatic and hydrodynamic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors. It shall be installed using methods and practices which minimize flood damage, providing adequate access and drainage, piling foundations (when used) no more than 10 feet apart, and reinforced of any piers more than 6 feet above ground level. Recreational vehicles placed on sites within a SFHA shall either be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use, or meet all the general standards of section 10.15.7 a. and the elevation and anchoring requirements of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.
 3. Non-residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential structure located in the A Zone shall have the lowest floor, including basement, elevated above the base flood elevation. Non-residential structures located in all A Zones may be flood-proofed in lieu of being elevated provided that together with all attendant utilities and sanitary facilities the areas of the structure below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall review and/or develop structural design specifications and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this subsection. Such certification shall be provided to the Zoning Enforcement Officer.
 4. Floodways. Located within special flood hazard areas are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris and potential projectiles and have erosion potential, no encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless certification (with supporting technical data) by a Connecticut registered professional engineer is provided demonstrating, through hydrologic and hydraulic analyses

performed in accordance with standard engineering practice, that encroachments shall not result in any (0.00 feet) increase in flood levels during occurrence of the base flood discharge. Fences located in the floodway must be aligned with the flow and be of an open design.

Increase in Base Flood Elevation. A permit may be given which allows encroachments resulting in increase in base flood elevations only if the community first obtains a conditional floodway revision by meeting the requirements of C.F.R. 44, Chapter 1, Subsection 65.12.

c. Standards for Streams Without Established Base Flood Elevations, Floodways, and/or Flood Mapping

1. The Zoning Enforcement Officer shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, including data developed pursuant to the Lisbon Subdivision Regulations as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Community's FIRM meet the standards of these Regulations.
2. In A zones where base flood elevations have been determined but before a floodway is designated, no new construction, substantial improvement, or other development (including fill) shall be permitted which will increase base flood elevations more than one foot at any point along the watercourse when all anticipated development is considered cumulatively with the proposed development.
3. The Zoning Enforcement Officer may require that the applicant submit floodway data for watercourses without FEMA-published floodways. When such data is provided by an applicant or whenever such data is available from any other source (in response to the Town's request or not), the Town shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one foot at any point along the watercourse.

10.15.8 Variance of Section 10.15

The Zoning Board of Appeals shall hear and decide appeals and requests for variances from the requirements of these this Section 10.15. The Zoning Board of Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance and the items listed below. Upon consideration of these factors and the purposes of these Regulations, the ZBA may attach such conditions to the granting of variances as it deems necessary to further the purposes of these Regulations.

The Zoning Enforcement Officer shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

a. General Considerations for Granting Variances

1. The danger that materials may be swept onto other lands to the injury of others.
2. The danger to life and property due to flooding or erosion damage.
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
4. The importance of the services provided by the proposed facility to the community.
5. The necessity of the facility to waterfront location, in the case of a functionally dependent facility.
6. The availability of alternative locations which are not subject to flooding or erosion damage for the proposed use.

7. The compatibility of the proposed use with existing and anticipated development.
8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
9. The safety of access to the property in times of flood for ordinary and emergency vehicles.
10. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site.
11. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.
12. Potential for pollution of waters or contamination of soils.

b. Floodway Prohibition Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

c. Specific Variance Situations

1. Historic Structures. Variances may be issued for the reconstruction or restoration of structures on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the remainder of this section. No renovations or alterations may be made to an historical structure without due consideration and effort to incorporate design concepts which, while preserving the historical character of the building, will also serve to reduce the potential for future flood damage and threat to human life and property.
2. Functionally Dependent Uses. Variances may be issued for new construction and substantial improvement and other development necessary for the conduct of a functionally dependent use provided the structure or other development is protected by methods that minimize flood damage, creates no additional threat to public safety and meets the requirements of Section 10.15.8.d. Criteria for Variances.

d. Criteria for Variances Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the minimum necessary as not to destroy the historic character and result in the loss of historic designation of the building. In addition, variances shall only be issued upon:

1. A showing of good and sufficient cause.
2. A determination that failure to grant the variance would result in exceptional hardship.
3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create a nuisance, cause fraud or victimization of the public, or conflict with existing local laws or Regulations.
4. Only hardships which are based on unusual physical characteristics of the property in question, characteristics which are not shared by adjacent parcels, shall qualify to meet subsection 2 above. Claims of hardship based on the structure, on economic or on personal circumstances are not sufficient cause for the granting of a variance under these Regulations.

- e. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation (BFE), and that the cost of flood insurance will be commensurate with the increased risk resulting from the lowest floor elevation.

RECEIVED FOR RECORD AT LISBON.
CT ON 11-12-2011 AT 2:05 PM
ATTEST. BETSY M. BARRETT, TOWN CLERK

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

To be completed by the Applicant:

Date: June 6th, 2011

Application is hereby made for a Zoning Permit for the use described herein and shown in the accompanying plans.

TOWN OF LISBON

Applicant PLANNING & ZONING Address 1 Newent Rd Lisbon CT

Property Owner _____ Address _____

Location of Property _____ Rd., St., or Ave.

Land Records Map of _____ Lot # _____ Vol. _____ Page _____

Lot Size in Square Feet _____ Total Building Floor Area in Square Feet _____

Existing Use of Land or Building _____ Zone _____

Proposed Use of Land or Building _____

Subdivision text Amendment Proposed changes
to Sections 5.3.11, 6.10, 6.11, 6.12 to comply with new
FEDERAL FLOOD INSURANCE PROGRAM.

SEE ATTACHED.

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

Signature of Applicant Marlene Leda, Clerk to the Board
for the Commission

To be completed by the Commission:

Application No. _____

Date of Submission: June 6, 2011

Date of Receipt: June 7, 2011

Fee Paid: \$ N/A

Date of Action: July 5, 2011

Approved: July 5, 2011 / Effective: July 18, 2011

Reasons for denial or modifications: _____

Signature Robert 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.)

APPROVED JULY 5, 2011 / EFFECTIVE DATE JULY 18, 2011

Geological Survey datum. The Commission may require contours at less than 10-foot intervals if needed to determine more precisely the slope characteristics of the property.

- 5.3.11 Subdivisions greater than fifty (50) lots or five (5) acres (whichever is less) shall include base flood (100 year storm) elevation data for that portion of the subdivision located within A Zones on the ~~Flood Hazard Boundary Map or Flood Insurance Rate Map~~ for Lisbon.
 - 5.3.12 The words "Approved by the Lisbon Planning and Zoning Commission," with designated spaces provided for the data and signature of the Chairman or Secretary of the Commission.
 - 5.3.13 The words "Date of Completion of All Work," with designated space for the date and initials of the Chairman or Secretary of the Commission.
 - 5.3.14 The words "Approved by the Lisbon Board of Selectman," and "Approved by the Lisbon Town Sanitarian," with designated spaces for the dates and signatures of the appropriate officials.
- 5.4 **Construction Plan.** A construction plan, drawn at a scale of one (1") inch equals forty (40') feet, shall be submitted when any type of construction, such as roads, drainage, water supply or sewer systems, retaining walls, etc., is to be carried out in connection with the subdivision. The construction plan shall be prepared by a Connecticut registered professional engineer. The construction of all street shall be in conformance with "An Ordinance Regulating the Addition of Any New Street or Highway to the System of the Town of Lisbon," or amendments thereto. All other construction shall be in accordance with Form 810 (1969) of the Connecticut Department of Transportation, Bureau of Highways "Standard Specifications for Roads, Bridges and Incidental Construction" and any supplements and amendments thereof, unless otherwise specifically provided by Town Ordinances or these Regulations. The construction plan shall include the following, where applicable:
- 5.4.1 Plan and profile for all proposed streets, showing:
 - a. Existing surface elevation along the centerline.
 - b. Locations, proposed grades, vertical curves with centerline elevations every fifty (50') feet, except that such information shall be provided at ten (10') foot intervals within eighty (80') feet of the centerline cross point of an intersection.
 - c. Location, size and invert elevations of existing and proposed storm drains, catch basins, manholes, bridges, culverts, outfalls, and other drainage features.
 - d. Location and size of all community water supply and distribution facilities and hydrants.
 - e. Sidewalk location, if any.
 - f. Locations of street signs, trees and other special landscape features to be installed by the applicant.
 - g. Location of all electrical, telephone and other wire utility lines.
 - 5.4.2 Where drainage systems are to be constructed, one copy of the construction plan shall be suitably marked to show watershed data used in the design of such systems and shall be accompanied by a narrative report including all calculations used in the drainage design.
 - 5.4.3 In case of retaining walls or other special features, a drawing to a scale of one-half ($\frac{1}{2}$ ") inch equals one (1') foot of all such details shall be furnished.

public safety due to the characteristics of the site and/or surrounding properties as per Section 8 of these regulations.

6.8.1 Sidewalks, where required, shall be a minimum of four (4') feet in width, and, when provided in connection with a road, shall be located within the street right-of-way lines as shown on a typical cross-section. The sidewalk shall be constructed in accordance with one of the following standards as approved by the Lisbon Planning and Zoning Commission.

- a) Concrete. Cement concrete sidewalks shall be laid on a six (6") inch gravel base, mechanically compacted, and shall be constructed of reinforced concrete four (4") inches thick having expansion joints with remolded fillers spaced every twenty (20') feet and suitable weakened plain joints.
- b) Bituminous. Bituminous concrete sidewalks shall be laid on a six (6") inch gravel base, mechanically compacted, and shall be constructed of bituminous concrete two (2) inches thick after compaction.
- c) Driveways. Sidewalks crossing driveways that are subject to heavy vehicular traffic shall be laid on a gravel base twelve (12") inches thick.
- d) Handicap access. All sidewalks shall be constructed with handicap access as required by State of Connecticut Building codes and/or other applicable codes and regulations.

6.9 Trees. New trees will be required along streets where necessary to obtain intervals of approximately fifty (50') feet between trees. New trees shall not be located within the street right-of-way.

6.10 Flooding Considerations. The Commission shall determine that proposed subdivisions are reasonably safe from flooding. When a subdivision is proposed in an A zone on the Town's Flood Insurance Rate Map, dated ~~February 15, 1984~~ July 18, 2011, or any subsequent revisions thereof, it shall be reviewed to assure the following:

6.10.1 That all proposals are consistent with the need to minimize flood damage within the flood-prone area.

6.10.2 That all public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage.

6.10.3 That adequate drainage is provided to reduce exposure to flood hazards.

6.10.4 That new and replacement water supply systems are designed to minimize or eliminate infiltration of flood waters into the systems.

6.10.5 That new and replacement sanitary sewer systems are designed to minimize or eliminate infiltration of flood waters into the systems or discharge from the systems into the flood waters.

6.10.6 That on-site sewage disposal systems are located to avoid impairment of them or contamination from them during flooding.

6.10.7 That the flood-carrying capacity is maintained within any altered or relocated portion of any watercourses.

- 6.11 **Flood Elevations.** All applications for subdivisions greater than five (5) acres or fifty (50) lots (whichever is less) shall include with such applications base flood (100 year flood) elevation data for that portion of the subdivision which permits development, including fill, within A Zones on the Town's Flood Insurance Rate Map, dated July 18, 2011~~February 15, 1984~~, or any subsequent revision thereof.
- 6.12 **Floodway Encroachments.** Within the floodway, designated on the Flood Boundary and Floodway Map of the Town of Lisbon, dated July 18, 2011~~February 15, 1984~~, or any subsequent revision thereof, a copy of which is on file with the Commission, all encroachments, including fill, new construction, substantial improvements to existing structures, and other development, are prohibited unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during a 100-year period.

RECEIVED FOR RECORD AT LISBON.
CT ON 7-12-2011 AT 2:05pm
ATTEST. BETSY M. BARRETT, TOWN CLERK

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

SUBDIVISION APPLICATION
TEXT CHANGE

To be completed by the Applicant:

Date: JUNE 6th, 2011

Application is hereby made for a Zoning Permit for the use described herein and shown in the accompanying plans.

TOWN OF LISBON

Applicant PLANNING & ZONING Address 1 Newent Rd Lisbon CT

Property Owner _____ Address _____

Location of Property _____ Rd., St., or Ave. _____

Land Records Map of _____ Lot # _____ Vol. _____ Page _____

Lot Size in Square Feet _____ Total Building Floor Area in Square Feet _____

Existing Use of Land or Building _____ Zone _____

Proposed Use of Land or Building _____

Subdivision text Amendment Proposed changes
to Sections 5.3.11, 6.10, 6.11, 6.12 to comply with new
Federal Flood Insurance Program.

SEE ATTACHED.

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

Signature of Applicant Marlene Liden, Clerk to the Board
for the Commission

To be completed by the Commission:

Application No. _____

Date of Submission: June 6, 2011

Date of Receipt: June 7, 2011

Fee Paid: \$ N/A

Date of Action: July 5, 2011

Approved: July 5, 2011 / Effective: July 18, 2011

Reasons for denial or modifications: _____

Signature Robert 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.)

APPROVED JULY 5, 2011 / EFFECTIVE DATE JULY 18, 2011

Geological Survey datum. The Commission may require contours at less than 10-foot intervals if needed to determine more precisely the slope characteristics of the property.

- 5.3.11 Subdivisions greater than fifty (50) lots or five (5) acres (whichever is less) shall include base flood (100 year storm) elevation data for that portion of the subdivision located within A Zones on the ~~Flood Hazard Boundary Map or Flood Insurance Rate Map~~ for Lisbon.
 - 5.3.12 The words "Approved by the Lisbon Planning and Zoning Commission," with designated spaces provided for the data and signature of the Chairman or Secretary of the Commission.
 - 5.3.13 The words "Date of Completion of All Work," with designated space for the date and initials of the Chairman or Secretary of the Commission.
 - 5.3.14 The words "Approved by the Lisbon Board of Selectman," and "Approved by the Lisbon Town Sanitarian," with designated spaces for the dates and signatures of the appropriate officials.
- 5.4 **Construction Plan.** A construction plan, drawn at a scale of one (1") inch equals forty (40') feet, shall be submitted when any type of construction, such as roads, drainage, water supply or sewer systems, retaining walls, etc., is to be carried out in connection with the subdivision. The construction plan shall be prepared by a Connecticut registered professional engineer. The construction of all street shall be in conformance with "An Ordinance Regulating the Addition of Any New Street or Highway to the System of the Town of Lisbon," or amendments thereto. All other construction shall be in accordance with Form 810 (1969) of the Connecticut Department of Transportation, Bureau of Highways "Standard Specifications for Roads, Bridges and Incidental Construction" and any supplements and amendments thereof, unless otherwise specifically provided by Town Ordinances or these Regulations. The construction plan shall include the following, where applicable:
- 5.4.1 Plan and profile for all proposed streets, showing:
 - a. Existing surface elevation along the centerline.
 - b. Locations, proposed grades, vertical curves with centerline elevations every fifty (50') feet, except that such information shall be provided at ten (10') foot intervals within eighty (80') feet of the centerline cross point of an intersection.
 - c. Location, size and invert elevations of existing and proposed storm drains, catch basins, manholes, bridges, culverts, outfalls, and other drainage features.
 - d. Location and size of all community water supply and distribution facilities and hydrants.
 - e. Sidewalk location, if any.
 - f. Locations of street signs, trees and other special landscape features to be installed by the applicant.
 - g. Location of all electrical, telephone and other wire utility lines.
 - 5.4.2 Where drainage systems are to be constructed, one copy of the construction plan shall be suitably marked to show watershed data used in the design of such systems and shall be accompanied by a narrative report including all calculations used in the drainage design.
 - 5.4.3 In case of retaining walls or other special features, a drawing to a scale of one-half ($\frac{1}{2}$ ") inch equals one (1') foot of all such details shall be furnished.

public safety due to the characteristics of the site and/or surrounding properties as per Section 8 of these regulations.

6.8.1 Sidewalks, where required, shall be a minimum of four (4') feet in width, and, when provided in connection with a road, shall be located within the street right-of-way lines as shown on a typical cross-section. The sidewalk shall be constructed in accordance with one of the following standards as approved by the Lisbon Planning and Zoning Commission.

- a) Concrete. Cement concrete sidewalks shall be laid on a six (6") inch gravel base, mechanically compacted, and shall be constructed of reinforced concrete four (4") inches thick having expansion joints with remolded fillers spaced every twenty (20') feet and suitable weakened plain joints.
 - b) Bituminous. Bituminous concrete sidewalks shall be laid on a six (6") inch gravel base, mechanically compacted, and shall be constructed of bituminous concrete two (2) inches thick after compaction.
 - c) Driveways. Sidewalks crossing driveways that are subject to heavy vehicular traffic shall be laid on a gravel base twelve (12") inches thick.
 - d) Handicap access. All sidewalks shall be constructed with handicap access as required by State of Connecticut Building codes and/or other applicable codes and regulations.
- 6.9 Trees. New trees will be required along streets where necessary to obtain intervals of approximately fifty (50') feet between trees. New trees shall not be located within the street right-of-way.
- 6.10 Flooding Considerations. The Commission shall determine that proposed subdivisions are reasonably safe from flooding. When a subdivision is proposed in an A zone on the Town's Flood Insurance Rate Map, dated ~~February 15, 1984~~ July 18, 2011, or any subsequent revisions thereof, it shall be reviewed to assure the following:
- 6.10.1 That all proposals are consistent with the need to minimize flood damage within the flood-prone area.
 - 6.10.2 That all public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage.
 - 6.10.3 That adequate drainage is provided to reduce exposure to flood hazards.
 - 6.10.4 That new and replacement water supply systems are designed to minimize or eliminate infiltration of flood waters into the systems.
 - 6.10.5 That new and replacement sanitary sewer systems are designed to minimize or eliminate infiltration of flood waters into the systems or discharge from the systems into the flood waters.
 - 6.10.6 That on-site sewage disposal systems are located to avoid impairment of them or contamination from them during flooding.
 - 6.10.7 That the flood-carrying capacity is maintained within any altered or relocated portion of any watercourses.

6.11 **Flood Elevations.** All applications for subdivisions greater than five (5) acres or fifty (50) lots (whichever is less) shall include with such applications base flood (100 year flood) elevation data for that portion of the subdivision which permits development, including fill, within A Zones on the Town's Flood Insurance Rate Map, dated July 18, 2011~~February 15, 1984~~, or any subsequent revision thereof.

6.12 **Floodway Encroachments.** Within the floodway, designated on the Flood Boundary and Floodway Map of the Town of Lisbon, dated July 18, 2011~~February 15, 1984~~, or any subsequent revision thereof, a copy of which is on file with the Commission, all encroachments, including fill, new construction, substantial improvements to existing structures, and other development, are prohibited unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during a 100-year period.

RECEIVED FOR RECORD AT LISBON.
CT ON 7-12-2011 AT 2:05 PM
ATTEST. BETSY M. BARRETT, 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, May 3, 2011 the following action was taken:

1. Application for Change of Zoning Regulations or Boundries: PSK Realty, LLC, 28 Ethyl Acres, proposed text amendment to Section 10.4.5g of the Zoning Regulations to allow for the construction/excavation of ponds of 2 acres or less.

APPROVED WITH MODIFICATIONS – EFFECTIVE DATE JULY 1, 2011

Dated at Lisbon, Connecticut this 23rd day of June 2011.

Robert D. Adams, Chairman
Lisbon Planning and Zoning Commission

RECEIVED FOR RECORD AT LISBON.
CT ON 6/23/2011 AT 11:40 AM
ATTEST. BETSY M. BARRETT, TOWN CLERK

APPROVED - MAY 3, 2011
EFFECTIVE DATE - JULY 1, 2011

Section 10.4 - Excavation, Removal and Filling of Earth Materials

Section 10.4.5g

Separating Distance from Water Table. No excavation shall remove earth materials closer than four feet to the spring high water table. This distance shall be maintained throughout the excavation except as permitted by Section 10.4.11 of these regulations.

Section 10.4.11 -

Ponds. Excavation of ponds for agricultural purposes; recreation, landscape enhancement or earth removal operations may be permitted by Special Permit by the Commission in accordance with Sections 10.4.3 through 10.4.10 of these regulations and the following criteria:

- a. Design and Construction Standards: Ponds shall be designed and constructed in accordance with USDA Natural Resource Conservation Service handbook 590 - Ponds Planning, Design and Construction. The design shall be certified by a Licensed Professional Civil Engineer.
- b. Site Size: No ponds shall be excavated on a parcel comprising less than five acres in area. The area of any proposed pond shall not exceed 10% of the total contiguous upland area of the subject parcel; where the proposed pond is to be located the low water level of the pond shall be no less than 7' in depth. Excavation of the pond shall not result in the removal of more than 25,000 cubic yards of soil material per acre of pond surface area. The buildable square must be maintained on the subject parcel in accordance with Section 8.4 of the Lisbon Zoning Regulations.
- c. Monitoring: Minimally, groundwater levels in the area of the proposed pond shall be monitored from March 1st to June 1st and again from September 15th to November 15th (6 months total) prior to excavation to determine seasonal high water table levels. The results of monitoring shall be certified by a licensed professional engineer or licensed surveyor and shall be utilized to design the final proposed water level of the pond. The applicant shall provide a written report from a licensed professional engineer, hydrologist or hydrogeologist certifying the suitability of the site to support the proposed pond.
- d. No pond shall be excavated closer than 100' from adjoining properties. Setbacks to wetlands shall be as determined acceptable by the Inland Wetlands Commission.

page 2. (cont)

- e. Slopes: Interior slopes shall not exceed 4H:1V or be less than 7H:1V for the first 20' horizontally around the pond perimeter. Slopes shall not exceed 3H:1V for the interior portions of the excavation.
- f. Removal of Soil Material: Removal of earth materials shall be subject to the applicable items outlined in Section 10.4.3c of these regulations. The requirements of Section 10.4.3 may be waived by the Commission for ponds where excavated soils remain on the property. No topsoil or subsoil shall be removed from the site until all disturbed areas have been restored with a minimum of 6" of topsoil or topsoil blend.

RECEIVED

JUN 23 2011

TOWN CLERKS OFFICE
TOWN OF LISBON

B. B. B. B.
11:40 AM



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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

June 23, 2011

PSK Realty, LLC
Paul Klauer
28 Ethyl Acres
Lisbon, CT 06351

Re: Text Amendment of Lisbon Zoning Regulations

Dear Mr. Klauer:

At the regular meeting of the Town of Lisbon Planning and Zoning Commission held in the Lisbon Town Hall, 1 Newent Road, Lisbon, Connecticut on June 7, 2011, an effective date of July 1, 2011 was applied to your application approved on May 3, 2011, for PSK Realty, LLC, for the text amendment of Section 10.4.5g of the Lisbon Zoning Regulations, to allow for the construction/excavation of ponds of two acres or less.

Should you have any questions, please feel free to contact James D. Rabbitt, AICP, Lisbon Town Planner at 860-889-2324.

Sincerely,

Robert D. Adams
PLANNING AND ZONING COMMISSION

RDA: ej

c: B. hull, Zoning Enforcement Officer
C. Brown, Building Inspector
Norm Thibeault, Killingly Engineering Associates
file



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, May 3, 2011 the following action was taken:

1. Application for Change of Zoning Regulations or Boundries: PSK Realty, LLC, 28 Ethyl Acres, proposed text amendment to Section 10.4.5g of the Zoning Regulations to allow for the construction/excavation of ponds of 2 acres or less.

APPROVED WITH MODIFICATIONS -- EFFECTIVE DATE JULY 1, 2011

Dated at Lisbon, Connecticut this 23rd day of June 2011.

Robert D. Adams, Chairman
Lisbon Planning and Zoning Commission

RECEIVED FOR RECORD AT LISBON.
CT ON 6/23/2011 AT 11:40 Am
ATTEST. BETSY M. BARRETT, TOWN CLERK

APPROVED - MAY 3, 2011
EFFECTIVE DATE - JULY 1, 2011

Section 10.4 - Excavation, Removal and Filling of Earth Materials

Section 10.4.5g

Separating Distance from Water Table. No excavation shall remove earth materials closer than four feet to the spring high water table. This distance shall be maintained throughout the excavation except as permitted by Section 10.4.11 of these regulations.

Section 10.4.11 -

Ponds. Excavation of ponds for agricultural purposes; recreation, landscape enhancement or earth removal operations may be permitted by Special Permit by the Commission in accordance with Sections 10.4.3 through 10.4.10 of these regulations and the following criteria:

- a. Design and Construction Standards: Ponds shall be designed and constructed in accordance with USDA Natural Resource Conservation Service handbook 590 - Ponds Planning, Design and Construction. The design shall be certified by a Licensed Professional Civil Engineer.
- b. Site Size: No ponds shall be excavated on a parcel comprising less than five acres in area. The area of any proposed pond shall not exceed 10% of the total contiguous upland area of the subject parcel; where the proposed pond is to be located the low water level of the pond shall be no less than 7' in depth. Excavation of the pond shall not result in the removal of more than 25,000 cubic yards of soil material per acre of pond surface area. The buildable square must be maintained on the subject parcel in accordance with Section 8.4 of the Lisbon Zoning Regulations.
- c. Monitoring: Minimally, groundwater levels in the area of the proposed pond shall be monitored from March 1st to June 1st and again from September 15th to November 15th (6 months total) prior to excavation to determine seasonal high water table levels. The results of monitoring shall be certified by a licensed professional engineer or licensed surveyor and shall be utilized to design the final proposed water level of the pond. The applicant shall provide a written report from a licensed professional engineer, hydrologist or hydrogeologist certifying the suitability of the site to support the proposed pond.
- d. No pond shall be excavated closer than 100' from adjoining properties. Setbacks to wetlands shall be as determined acceptable by the Inland Wetlands Commission.

page 2. (cont)

- e. Slopes: Interior slopes shall not exceed 4H:1V or be less than 7H:1V for the first 20' horizontally around the pond perimeter. Slopes shall not exceed 3H:1V for the interior portions of the excavation.
- f. Removal of Soil Material: Removal of earth materials shall be subject to the applicable items outlined in Section 10.4.3c of these regulations. The requirements of Section 10.4.3 may be waived by the Commission for ponds where excavated soils remain on the property. No topsoil or subsoil shall be removed from the site until all disturbed areas have been restored with a minimum of 6" of topsoil or topsoil blend.

RECEIVED

JUN 23 2011

TOWN CLERKS OFFICE
TOWN OF LISBON

BB
11:42 AM