

MINUTES
PUBLIC HEARING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL
TUESDAY, July 27, 2010
6:30 P.M.

The Planning and Zoning Commission held the following public hearings in the Town Hall, 1 Newent Road, Lisbon, CT beginning at 6:37PM on Tuesday, June 1, 2010

1. 6:30 PM - An application for a 30-lot subdivision of land on land known as Barber Farm Subdivision. The land is located on the west side of Route 12 and the south side of Mell Road. Map Lot(s) . Applicant - Josh Comerford (Tucker Development Group, LLC).
2. 6:35 PM - An application for a special permit (Section 4.2.7) to create two (2) rear lots as part of a 30 lot subdivision of land on land known as Barber Farm Subdivision. The land is located on the west side of Route 12 and the south side of Mell Road. Map Lot(s) . Applicant - Josh Comerford (Tucker Development Group, LLC).
3. 6:45 PM - An application for a nine (9) lot subdivision of land with a 1,200 cul-de-sac road. The land is located at 65 Sullivan Road. Map 6, Lot 4 Applicant - Randy Brown, President (GC Lisbon LLC).
4. 6:50PM - An Application for Text Amendment - Planning and Zoning Commission, Outdoor Dining
5. 6:55PM - An application by Leandra S. Maynard, 63 Strawberry Street, for a special permit for a home based travel agency.

MEMBERS PRESENT: Robert Adams, Robert Browne, John Dempsey, Sharon Gabiga, David Gagnon, Ronald Giroux, Ruth MacDonald. Alternates: Gary Ritacco, Larry Thibeault

MEMBERS ABSENT: - Kim Sperry

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 6:36PM:

1. 6:30 PM - An application for a 30 lot subdivision of land on land known as Barber Farm Subdivision. The land is located on the west side of Route 12 and the south side of Mell Road. Map Lot(s) . Applicant - Josh Comerford (Tucker Development Group, LLC).

After reading the legal notice, Mr. Adams called on the applicant to speak first.

Attorney Harry Heller, of Heller, Heller & McCoy, 736 Route 32, Uncasville, CT and representative of Tucker Development Group, LLC, spoke on behalf of the applicant. Copies of the site plans, revised and submitted to the Town Clerk on June 30, 2010 were laid out on the table for review by the board.

Attorney Heller requested to include items into the Public Hearing, to combine hearings for the Subdivision Application and Special Permit.

Revisions dated June 30, Special Permit Application, revising the request for two interior lots rather than three to allow lots 14 & 15 be combined into one lot. Attorney Heller stated that a memorandum was submitted to the town planner, and that the plans were available for review at the town hall. A copy of the request was introduced into the record.

Also introduced into the record by Attorney Heller were the following:

1. a revised application dated July, 6, 2010, reducing the request for 32 lots to 31 lots. An alternative application, dated July 6, 2010, was also submitted, proposing 30 lots and requesting lot 13 be removed, if necessary, to combine lots 13, 14 & 15.
2. a checklist provided by the applicant, a compellation of requirements for subdivision approval for the project as outlined in zoning regulations and road ordinance regulations for the Town of Lisbon.
3. a synopsis of the June 29 engineering comments as received from R. Deluca, Town Engineer, as well as June 24 comments as made by Mr. Rabbitt, and how the applicant has addressed those comments.
4. a letter dated June 23, 2010, from the Connecticut Department of Transportation, indicating an encroachment permit will be issued by the DOT for the curb cut onto River Road for proposed Barber Farm Road, upon submission of the necessary application, bond and certificate of insurance.
5. a letter from Albert Goslin, Jr, Town Sanitarian, indicating that each of the proposed lots in the subdivision meet the minimum requirements of the State of CT Public Health Code from an outside septic disposal system.
6. a revised draft Warranty Deed from the Tucker Development Group, LLC, to the Town of Lisbon conveying the proposed infrastructure: Barber Farm Road, Jeannette Court and the additional easements as pertinent. That deed will not be executed and delivered to the town for acceptance until such time as all the public improvements have been constructed and the town engineer had issued a letter of recommendation for acceptance.
7. a revised draft Warranty Deed from Tucker Development to the Town of Lisbon, for road widening strip for Mel Road adjacent to the property.
8. a revised draft Warranty Deed from Tucker Development to the Town of Lisbon, conveying the two proposed open areas, totaling approximately 48% of the total project site.
9. Attorney Heller stated that the applicant is committed to paying a fee in lieu of open space in the amount of \$3000.00 per lot, to an appraised value of \$900,000.00 to \$960,000.00.
10. The revised bond estimate for the infrastructure by Patrick Lafayette of Development Solutions.
11. Revised subdivision plan, signed and sealed, dated June 30, 2010.
12. Select sheets from the plans, pages 4, 8, 9, 11, 14, 15, 16, 17, 18, all bearing a revision date of July 6, 2010
13. Storm water basin revision

Attorney Heller again brought up the request for a sidewalk waiver as presented at the June 1 hearing.

Member R. Browne voiced his concern of the two additional driveways on Route 12 (lots 18 & 20). Chairman Adams also voiced concern of the subject, as well as of traffic and speed at the proposed three-way intersection, currently designed as a three-way stop, and questioned the designated access locations to the open spaces.

(Tape 1 side 2)

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Chairman Adams asked for comment from the public – there was none.

Member R. Browne questioned issue of permit, regarding the number of lots (30, 31, or 32), before closing of the hearing. J. Rabbitt stated the applicant had already presented a revised application, if it should be needed.

This public hearing was closed at 7:32 PM.

Second public hearing was called to order by Chairman R. Adams at 7:32PM.

2. 6:35 PM - An application for a special permit (Section 4.2.7) to create two (2) rear lots as part of a 30-lot subdivision of land on land known as Barber Farm Subdivision. The land is located on the west side of Route 12 and the south side of Mell Road. Map Lot(s) . Applicant - Josh Comerford (Tucker Development Group, LLC).

Testimony from Public Hearing #1 to apply to this hearing.

Member R. Brown questioned whether the dimensions could be altered after close of the hearing. J. Rabbitt replied that they meet the minimum requirements per public regulations, and is consistent with both special permit criteria and regulatory requirements.

No public comment.

This Public Hearing was closed at 7:40PM.

Third public hearing was called to order by Chairman R. Adams at 7:43PM.

3. 6:45 PM - An application for a nine (9) lot subdivision of land with a 1,200 cul-de-sac road. The land is located at 65 Sullivan Road. Map 6, Lot 4 Applicant - Randy Brown, President (GC Lisbon LLC).

Brian Long, Project Engineer, submitted revised plans dated July 6, 2010, addressing recent comments and comments from the June 1 Public Hearing.

In addition, Mr. Long submitted for the record, deed language for the road easement and drainage easement. He also submitted a copy of the revised bond estimate, and the latest revisions in the drainage calculations.

Fee in lieu of open space – met with Mr. Rabbitt and established two alternatives:

Option 1: a fee of \$52,000.00, or \$6500.00 per each additional developed lot.

Option 2: a fee in lieu of open space of \$48,000.00, or \$6000.00 per each additional developed lot,

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showing conservation easements deeded to the town of Lisbon.

Mr. Long requested a sidewalk waiver, and asked that the road width be reduced to 24'. Member R. Browne questioned if the reduction to 24' was with the understanding of putting in sidewalks.

Member L. Alice asked where was the intended access to the open space, of which the answer was none.

Member R. Brown questioned the proposed easement section between lots 5 & 6, and asked if the proper permits were pulled for the wetlands. Mr. Long confirmed they were.

Member R. MacDonald questioned who would be responsible for the land, including the beaver pond. Mr. Long said the buyer of the land would be responsible.

J. Rabbitt stated that he had a revised report from the applicant dated July 6, 2010, but that there were still many outstanding comments that had not been addressed: #6, #8, #12, #14, #15, #16, #17, #19 and #20.

Member R. Brown suggested the applicant write a request of extension, at which point Mr. Long hand wrote his request and presented it at the hearing. The request for an extension for the next public hearing, in August, was accepted.

No public comment.

At 8:14PM, Mr. Adams continued the proceedings on this public hearing to August 3, at 6:30PM.

Fourth public hearing was called to order by Chairman R. Adams at 8:14PM.

4. 6:50PM – An Application for Text Amendment - Planning and Zoning Commission, Outdoor Dining

The application is for text amendment for outdoor dining appropriate to the size of the restaurant, to be designed as part of the structure.

No public comment.

This public hearing was closed at 8:15PM.

(Tape 2 side 1)

Fifth public hearing was called to order by Chairman R. Adams at 8:15PM.

5. 6:55PM – An application by Leannndra S. Maynard, 63 Strawberry Street, for a special permit for a home based travel agency.

Ms. Maynard submitted for the record the following items:

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1. Copies of letter and receipts to abutting neighbors.
2. Letter to Lisbon Health Director Mr. Goslin and his response.
3. Special Permit Application, including the A-2 survey from the town and the approved site plan to a recent addition.
4. A request for a waiver of formal site plans

Member R. Browne questioned whether or not the business would generate visitors to the location, for which the applicant stated the traffic to the home should be normal.

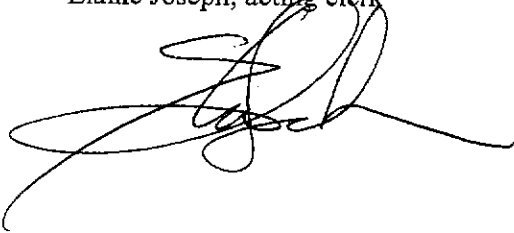
J. Rabbitt said that a site plan is required of the applicant, at which point original house plans were submitted for review.

Hours of operation were requested of the applicant, as well as a proposal for signage, to be presented at the next hearing.

At 8:45PM, Mr. Adams continued the proceedings on this public hearing to August 3, 2010, at 6:40PM.

Robert D. Adams, Chairman

Elaine Joseph, acting clerk



RECEIVED FOR RECORD AT LISBON.
CT ON 7/8/2010 AT 2:50pm
ATTEST. BETSY M. BARRETT, TOWN CLERK