

MINUTES
PUBLIC HEARING
PLANNING AND ZONING COMMISSION
LISBON TOWN HALL
TUESDAY, MAY 7, 2019
6:30 P.M.

The Planning and Zoning Commission held the following Public Hearing in the Lisbon Town Hall, 1 Newent Road, Lisbon, Connecticut beginning at 6:30 PM on Tuesday, May 7, 2019:

6:30 P.M.: Application by Joshua E. Armstrong, 196 Preston Allen Road, Lisbon, CT to amend the Town of Lisbon zoning regulations to allow by special permit the use of a Contractor's Home Enterprise in the R-40, R-60 and R-80 zoning districts pursuant to the provisions of a new section 4.2.22, a new section 10.28, inclusive, a parking standard in section 13.9.4, and the addition of a new definition in section 19.3 for Contractor's Home Enterprise.

MEMBERS PRESENT: Robert Adams, Ron Giroux, Kim Sperry, Ben Hull, III, Garry Ritacco, Trevor Danburg, Sharon Gabiga, Cheryl Blanchard, John Dempsey, Timothy Minor (ALT)

The Public Hearing was called to order by Chairman Robert Adams at 6:33 PM.

The applicant, Joshua E. Armstrong, was present at this public hearing.
Also present was Stuart Norman, Esq., 19 Slater Avenue, Jewett City, Connecticut 06351, representing the applicant.

Chairman Robert Adams read the following items into the record:

- a. Letter in response to the Town's referral letter, from Sam Alexander, South Eastern CT Council of Governments, dated April 22, 2019 re: no comment regarding the proposed text amendments.
- b. Letter in response to the Town's referral letter with amendments to the application, from Sam Alexander, South Eastern CT Council of Governments, dated May 1, 2019 re: no comment regarding the proposed text amendments.
- c. Comments regarding the proposed text amendments, from Michael A. Zizka, Lisbon Town Attorney, dated April 30, 2019.
- d. Staff Memo, from Michael J. Murphy, AICP, Lisbon Town Planner, dated May 7, 2019 re: Staff recommendations.

Mr. Armstrong stood and read a statement into the record (see file). He stated that his family has been longtime Lisbon residents, and that his father started their business 47 years ago. The business, out of necessity, is currently located out of town but they are hoping that these text amendments will allow them to operate from a home property, not yet purchased, here in town. He stated that these text amendments would allow small contracting businesses to better excel in their business while allowing them to be more present with their growing families.

Chairman Adams reminded the applicant that this is for a text amendment to the Town's regulations, and that it is not site specific and the decision will affect the entire town. Should it be approved, the applicant would then be required to come back before the Commission seeking a Special Permit.

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Attorney Stuart Norman stood to address the Commission, showing concern regarding the language recommended by Mr. Murphy for Section 10.28.11, which reads, in part, "Waste Materials generated off-site shall not be brought to the home enterprise and shall be disposed of properly in accordance with law." Mr. Norman questions if our Zoning Regulations have a definition of "Waste Materials". Mr. Armstrong explained how any contractor of any kind would need to bring waste materials back and dispose of them in a dumpster.

B. Hull asked what the definition of "outdoor storage" was.

R. Giroux stated that in his opinion, a contractor would need to bring waste materials back but that the intent of the language, in his opinion, is to keep contractors from dumping materials in their yard, or no outdoor storage of those waste materials. In his opinion, he stated, a small dumpster would be sufficient.

Mr. Armstrong stated that the language saying "only waste materials generated off-site" is of concern to him. That particular language is the only concern he has with the changes as recommended by Mr. Murphy.

Carl Brown, ZEO, stated that the language of the text amendment should give the Commission control for when it comes time for a site plan and review. He would want the Commission to have control of where the dumpsters are placed on the property.

Mr. Armstrong suggested that any waste material would come back to the site and would be sorted and stored inside the building.

Mr. Giroux reminded the applicant that we need to stay on track with this, that it is a Text Amendment application, not a site specific Special Permit application.

Mr. Armstrong said that there is a very high standard here, that everything, equipment included, would be required to be stored indoors.

Chairman Adams asked for comments in support of the application, to which Don Armstrong of 34 Dogwood Drive stood to speak in favor of the application. He said that by approving this application, it would allow for properties to be maintained, that may otherwise over time fall into disrepair for lack of use.

Chairman Adams asked if there was anyone to speak in opposition to the application, to which there was none.

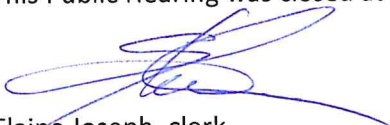
K. Sperry asked about the language in proposed section 10.28.2, where it states "... a Contractor's Home Enterprise may only be approved upon properties having frontage on an arterial classified road as per the Plan of Conservation and Development." She would like a better definition because the Plan of Conservation

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and Development, under road classification, states that the principal arterial is Route 395, and minor is Route 12. She stated that Route 169, Route 138, Kinsman Hill, and State 660 or Papermill Road, are collector roads. Although it may be semantics, she said, it needs to be correct. Mr. Adams stated that he feels it was the intent of the Town's Attorney and Planner for it to be all those roads. Mrs. Sperry then asked if there was a ball park figure of properties that would potentially be utilized under these amendments.

Mr. Armstrong submitted for the record, a list of properties that would potentially fit the criteria. Of the ten properties throughout the Town that would meet the criteria, two are owned by the Town. Of the remainder, only five have homes already built on them, and only three of those properties also have outbuildings already constructed (see file).

This Public Hearing was closed at 7:22 P.M.



Elaine Joseph, clerk

Approved: _____
Robert Adams, Chairman

RECEIVED FOR RECORD AT LISBON
CT ON 05/13/2019 AT 9:10am
ATTEST. LAURIE TIROCCHI, TOWN CLERK
Margaret Wakely, Asst