

MINUTES  
SPECIAL MEETING  
PLANNING AND ZONING COMMISSION  
LISBON TOWN HALL  
TUESDAY, NOVEMBER 13, 2012  
6:00 P.M.

MEMBERS PRESENT: Robert Adams, Ronald Giroux, Kim Sperry, John Dempsey, Benjamin Hull, III, Gary Ritco, Lawrence Alice, Sharon Gabiga. Alternate: David Gagnon  
STAFF PRESENT: James D Rabbitt, AICP, Senior Planner-SCCOG, Lisbon Town Planner

The Planning and Zoning Commission held a Special Meeting in the Lisbon Town Hall, 1 Newent Road, Lisbon, Connecticut beginning at 6:00 PM on Tuesday, November 13, 2012, on the following:

1. Continuation of Public Hearing: Subdivision/ReSubdivision – Brenmor Properties, LLC  
The following Public Hearing was called to order by Chairman Robert Adams at 6:09 PM:

An application to subdivide a 12.92 acre property located on Ames Road and Route 169 (196 South Burnham Highway) into 19 single-family residential house lots. The application for subdivision has been submitted pursuant to Connecticut General Statutes 8-30g. The owner of the property is Brenmor Properties, LLC and listed in the assessor's records as Map 9 / Block 85 / Lot 1.

Attorney Beth Bryan Critton, of Shipman & Goodwin, LLP, One Constitution Plaza, Hartford, Connecticut, was present to represent the applicant, Brenmor Properties, LLC. Atty. Critton submitted copies of a new response booklet, stating it was their final submission, including index and five attachments, and a letter relating to trash removal from Sterling Superior. She then stated that they had no formal presentation to give, and that she respectfully requests that the hearing close tonight.

Staff J. Rabbitt stated for the record in regard to the submission, the Commission just received the booklets, which were also dated tonight. He stated that perhaps the public would like a recess to review the information submitted tonight. He also stated that Staff did not have the opportunity to review it, and that the Public Hearing would have to be closed tonight.

Chairman Adams asked for public comment in favor of the application, to which there was none. He then asked for public comment in opposition of the application.

Peter Danieluk of 61 Ames Road submitted a copy of the P&Z Regulations he felt the application was in violation of. He read from the regulations, saying that the regulations were set up to lesson congestion in the streets, to secure safety from fire, panic, flood and other dangers; to promote health and general welfare, to provide adequate light and air, prevent the overcrowding of land, to avoid undue concentration of population. He stated that two other very large developments were within a mile of this one. He quoted Atty. Hollister from the August Public Hearing and stated that the development does not meet the intent of the town's zoning regulations. He also stated that there are currently homes on the market that fit the criteria of affordable housing as Atty. Hollister originally pointed out in previous Public Hearing. He then quoted Atty. Hollister from the August 7<sup>th</sup> minutes, pertaining to affordable housing and Section 8-30g. He then quoted 8-37 from the State regulations. Mr. Danieluk stated that he feels the project should not be allowed as proposed, because the project does not meet the intent of the town's zoning regulations, and would cause a small section of town to shoulder the burden of a large portion of the town's development. He stated it would further alter the town's character, from open farmland as it was just a few years ago, to suburban type atmosphere. He also

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stated that there should be a traffic analysis done based not on what is already here, but on the projected traffic of the 36 new homes that will be going in on Mel Road.

Tim Hinchey, 199 South Burnham Highway commented on "Murphy's Law" - If anything will go wrong, he stated, it will. He used Hurricane Sandy as an example of what could happen in an emergency, sighting examples of whole city blocks burning down in New York. He stated he is not in favor of this application.

Peter Danieluk submitted for the record correspondence (emails) with Michael Santoro of Human and Economic Development.

Staff J. Rabbitt submitted for the record, correspondence with the Lisbon Fire Marshal dated August 28, 2012, stating that information was forwarded to Atty. Hollister covering the different types of fire apparatus the town has with regard to wheel base.

R. Giroux questioned if the fire code that the applicant stated was not in existence, was clarified to be true by the Town Fire Marshal. Staff stated that the office of the State's Fire Marshal's sent him information regarding the code in reference, that it is in effect in 2012. He stated that state fire prevention code 29-29-1a became effective on July 1, 2010.

Staff J. Rabbitt then read into the record, a letter dated November 12, 2012 from Sterling Superior regarding trash removal. The letter states that they have reviewed the plans dated May 2012 and will be backing down the common road to the subdivision.

L. Alice stated that the Board needs to review this new material, and Staff needs time to review it as well.

Chairman R. Adams asked for any further public comment, to which there was none.

R. Giroux stated that as he is going over tonight's handout, reading a few of the comments, it seems that the applicant is agreeing to disagree with the Town Planner. He stated that the Commission relies on its paid professionals. He stated that they are not dreaming up scenarios, but that the Commission is asking these questions for the public, and listening to the public.

Staff J. Rabbitt then stated that he was willing to meet with Atty. Hollister on Friday to go over any concerns he had after Wednesday's hearing, but that he (Staff) was not contacted for a meeting. He also stated that a lot of the comments in the new booklet might not be technical in nature from the applicant's attorney, in regard to Staff.

Applicant Mark Cohen of Brenmor Properties, Inc. objected to these comments and stated that the public hearing was "closed". R. Adams stated that he had not yet formally closed the public hearing at that point.

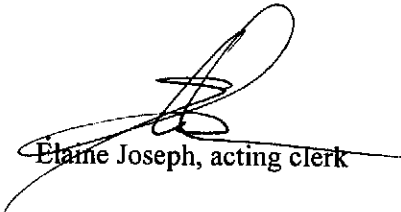
This public hearing was closed at 6:36 P.M.

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2. Discussion and possible action thereon – Motion by L. Alice second by S. Gabiga to have Town's Fire Marshal, Town's Planner, Town's Attorney and Town's Engineer at next meeting.

VOTE: UNANIMOUS MOTION CARRIED

Adjournment – Motion by R. Giroux second by G. Ritacco to adjourn at 6:58 P.M.



Elaine Joseph, acting clerk

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

RECEIVED FOR RECORD AT LISBON  
CT ON 11/20/12 AT 9:02am  
ATTEST. LAURIE TIROCCHI, TOWN CLERK