

MINUTES  
REGULAR MEETING  
ZONING BOARD OF APPEALS  
LISBON TOWN HALL  
TUESDAY, MARCH 22, 2022  
7:00 P.M.

1. Call to Order

The regular meeting of the Zoning Board of Appeals was called to order by Steven Beck, Chairman at 7:23 p.m.

MEMBERS PRESENT: Steven Beck, Leo MacDonald, Robert Jencks, Frederick Kral, III, Ronald Babbitt  
MEMBERS ABSENT: James Contino (Alt)

2. Reading of previous minutes:

A motion was made by F. Kral, III second by R. Jencks, to accept the previous regular meeting minutes of 2/22/2022 as presented.

VOTE: UNANIMOUS, MOTION CARRIED

3. Correspondence

- a. Copy, Memo from Clerk to the Boards Regarding changes in Legal Advertising Publication deadlines
- b. Copy, Profit & Loss Budget vs. Actual 7/21 – 2/22 – LI#51850 (Supplies & Expenses) \$1544.37

4. Bills and action thereon – The Bulletin, (nka Local IQ) \$589.56, Order# 7012711, dated 3/7/22 re: Notice of Public Hearing of Application #22-01 Motion by F. Kral, III second by L. MacDonald to pay.

VOTE: UNANIMOUS, MOTION CARRIED

5. Old Business

- a. Application #22-01 for variance of Section 8.5 and Section 8.5.1C Yard Requirement – Today's Realty, LLC, 240 Paper Mill Road to reduce front yard requirement from 75 feet to 25 feet and reduce side and rear yard requirement from 50 feet to 10 feet to mitigate the restriction of usable acreage on site. Mr. James Rossman of Stadia Engineering Associates, Inc., 516 Vauxhall Street, New London, CT clarified that the request was made for North side variance from 50 feet to 5 feet and the south side variance from 50 feet to 10 feet. No further discussion. Motion by F. Kral, III second by L. MacDonald to approve the variance of Application #22-01 regarding set back & wall height only.

VOTE:

F. Kral YES - In favor to approve. Adequate Front yard and side yard setbacks and wall height precedence

R. Jencks YES – In favor to approve. Cited higher walls approved in town.

R. Babbitt YES – In favor to approve. After site walk and study was in favor.

L. MacDonald YES – In favor to approve. Good use of the property.

S. Beck YES - In favor to approve. Highly unusable piece of property.

VOTE: UNANIMOUS, MOTION CARRIED

- b. Application #22-01 for variance of Section 10.10.4 Specifications for driveways and parking – Today's Realty, LLC, 240 Paper Mill Road to eliminate unnecessary curbing. Motion by F. Kral second by L. MacDonald to approve.

VOTE:

F. Kral YES – In favor to approve. Curb will effect run off – pitch will distribute rainwater adequately.

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PAGE 2 Old Business (cont)

- J. Jencks YES - In favor to approve. No curbing all this time. Not necessary  
R. Babbitt YES - In favor to approve. Curb does not fit in this area. No curb in surrounding area.  
L. MacDonald YES - In favor to approve. No curbing in the area.  
S. Beck YES - In favor to approve. Curbing would retain water and create hazard in road.

VOTE: UNANIMOUS, MOTION CARRIED

- c. Application #22-01 for variance of Section 10.10.6 Outside storage and activities – Today's Realty, LLC, 240 Paper Mill Road to allow maximum outside storage and activities. Motion by F. Kral second by L. MacDonald to approve variance.

VOTE:

- F. Kral YES - In favor to approve. Shown on site plan and proposed open area enhancing the site, not an eyesore.  
R. Jencks YES - In favor to approve. Good use of this vacant property  
R. Babbitt YES - In favor to approve. No impact, proper use.  
L. MacDonald YES - In favor to approve. Nature of the business to process outside.  
S. Beck YES - In favor to approve. Industrial zone, not negatively impacting area.

VOTE: UNANIMOUS, MOTION CARRIED

- d. Application #22-01 for variance of Section 10.10.7 Buffers – Today's Realty, LLC, 240 Paper Mill Road to eliminate requirement for a 25-foot buffer consisting of two rows of trees to provide full screen from adjacent properties. Motion by F. Kral second by L. MacDonald to accept alternate proposal of 5 trees on the northerly end and a 6<sup>th</sup> tree on the southwest corner.

VOTE:

- F. Kral YES - In favor to approve. Industrial zone not Commercial zone, buffer requirement excessive.  
R. Jencks YES - In favor to approve. Alternate proposal adequate.  
R. Babbitt YES - In favor to approve. 25 foot buffer of two rows of trees is overdone, unnecessary.  
L. MacDonald YES - In favor to approve. Proposed alternative is adequate.  
S. Beck YES - In favor to approve.

VOTE: UNANIMOUS, MOTION CARRIED

A letter from the Chairman of the Zoning Board of Appeals sent to the Town of Sprague dated 3/7/22 regarding setback requirements revision to application #22-01 – Today's Realty, LLC, 240 Paper Mill Road was read aloud for the record by Fred Kral. It is noted for the record that there has been no response from the Town of Sprague to date. It is noted for the record, a copy of this letter is in the file.

- e. Application #22-01 for variance of Section 14.2.1.a1 Front Landscaped Area – Today's Realty, LLC, 240 Paper Mill Road to modify 25' requirement of front landscape. Motion by F. Kral second by L. MacDonald to approve as presented.

VOTE:

- F. Kral YES - In favor to approve as on site plan as logical.  
R. Jenck YES - In favor to approve. Adequate as proposed.  
R. Babbitt YES - In favor to approve. Consistent with surrounding property.  
L. MacDonald YES - In favor to approve. Adequate as on site plan  
S. Beck NO - Vote to deny.

MOTION PASSES ALL VARIANCES GRANTED

APPLICATION  
ZONING BOARD OF APPEALS  
Town of Lisbon

APPEAL NUMBER: 22-01

DATE FILED: \_\_\_\_\_

1. I/We hereby appeal to the Town of Lisbon Zoning Board of Appeals from the decision of the Planning and Zoning Commission and/or the Zoning Enforcement Officer whereby X it    he    granted X denied an application to

A.    USE   X   ERECT    ALTER    ADD TO    OCCUPY    OTHER  
B.    LAND ONLY   X   STRUCTURE OR BUILDING    OTHER  
C. FOR USE AS:    FAMILY RESIDENCE   X   BUSINESS    INDUSTRY  
   ACCESSORY BUILDING    OTHER

2. Location of affected premises: LOT NUMBER Block 6 / Lot 0

TITLE OF SUBDIVISION MAP \_\_\_\_\_ IP-1 Zone  
ASSESSOR'S MAP NUMBER Map 5 LOCATED ON THE R- 40 60 80 ZONE  
OF Paper Mill Road STREET 2,500± FEET DISTANT FROM  
THE INTERSECTION OF CT Route #138

Owner Today's Realty, LLC Address 185 Old Canterbury Turnpike - Norwich, CT 06360  
Applicant (See Above) Address \_\_\_\_\_  
Lessee \_\_\_\_\_ Address \_\_\_\_\_  
Agent \_\_\_\_\_ Address \_\_\_\_\_

3. PREVIOUS APPEALS have been made with respect to this property as follows:

Application Number(s) ZBA Application #21-03 Date(s) October 26, 2021 - Application Approval

4. This appeal relates to:    USE    AREA   X   YARD DIMENSIONS    HEIGHT  
   STREET FRONTAGE    NUMBER OF FAMILY UNITS   X   OTHER

DESCRIBE BRIEFLY Today's Realty, LLC proposes to construct a 10,000± SF metal frame contractor maintenance and office facility, including a paved parking are, associated utilities, external bulk storage and processing areas, and a cut/fill balance of the southerly third of the property for material processing. Construction is expected to be completed in Spring 2022.

5. VARIANCE of the following Section of the Zoning Regulations is requested:

Lisbon Zoning Regulations: § 8.5, § 8.5.1C, § 10.10.4, § 10.10.6, § 10.10.7a, & § 14.2.1.a.1 – as annotated on plans

- A. Strict application of the regulations would produce UNDUE HARDSHIP because:

A variance is requested to the yard setbacks in order to allow for the installation of a retaining wall for the leveling of a material processing space. Variances to eliminate unnecessary curbing at the driveway and utilization of the side yard setbacks for the storage of commercial materials. Additionally, a reduction of landscaping variance is requested in order to increase the usability of the site due to it's unique geometry.

- B. The hardship created is UNIQUE and not shared by all properties alike in the neighborhood because:

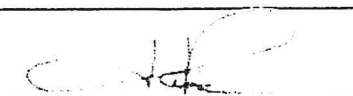
Due to almost half of the site being delineated inland wetlands / upland review area, there being severe slopes running through the center of the site, and a small lot owned by Sprague Paperboard, Inc. within the site along Paper Mill Road, much of the land is not buildable. This unique geometry creates many hardships that require variances in order to use the site appropriately.

- C. The variance would change the CHARACTER OF THE NEIGHBORHOOD because:

The variance will not change the character of the neighborhood due to the subject lots (and adjacent lots)

location within an Industrial Zone according to the Town of Lisbon Official Zoning Map (01/02/2021).

6. The ISSUANCE OF PERMIT NO. \_\_\_\_\_ for the above named premises by the Building Inspector is APPEALED because: \_\_\_\_\_

  
(APPLICANT/AGENT)

James V. Rossman, P.L.S.

Stadia Engineering Associates, Inc. - (Agent)

  
(ZONING ENFORCEMENT OFFICER or P&Z CHAIR)

TOWN OF LISBON  
ZONING BOARD OF APPEALS

NOTICE OF CERTIFICATE OF GRANT OF VARIANCE

This is to certify that on March 22, 2022 the Zoning Board of Appeals of the Town of Lisbon  
Granted Petition Number 22-01 in accordance with the provisions of section 16 of the Lisbon Zoning  
Regulations as follows:

1. Owner of Record: Today's Realty, LLC, 185 Old Canterbury Turnpike, Norwich, CT 06360
2. Applicant: Keith Mackin, 185 Old Canterbury Turnpike, Norwich, CT 06360
3. Description of premises including street address, map, block and lot(s): 240 Paper Mill Road,  
MBL - 05/006/0000
4. Regulation(s) VARIED: REG. Section 8.5. and 8.5.1.c, Yard Requirements; Section 10.10.4,  
Specifications for Driveways and Parking; Section 10.10.6, Outdoor Storage and Activities;  
Section 10.10.7.a., Buffers; and 14.2.1.a.1, Front Landscape Area.
5. Variance(s) GRANTED: Variance to construct a 9,400 +/- SF contractor maintenance/office  
facility and retaining wall at 240 Paper Mill Road.

Date: March 25, 2022

By:  J.L.  
\_\_\_\_\_  
Steven M. Beck, Chairman  
Lisbon Zoning Board of Appeals

**NOTE:** The Connecticut General Statutes and the Lisbon Zoning Regulations require that this NOTICE be  
recorded in the Land Records of the Town of Lisbon located in the office of the Town Clerk, indexed  
under the name of the record owner in order to become effective.

Received for Record \_\_\_\_\_ at \_\_\_\_\_

Attest: \_\_\_\_\_

Lisbon Town Clerk

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6. New Business – NONE

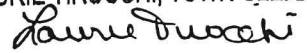
7. Any other business which may come before the Board – NONE

8. Adjournment - Motion by L. MacDonald second by F. Kral to adjourn at 8:10.

VOTE: UNANIMOUS, MOTION CARRIED

  
Janet Lefevre, clerk

APPROVED: \_\_\_\_\_  
Steve Beck, Chairman

RECEIVED FOR RECORD AT LISBON  
CT ON 3/25/2022 AT 10:50am  
ATTEST. LAURIE TIROCCHI, TOWN CLERK  


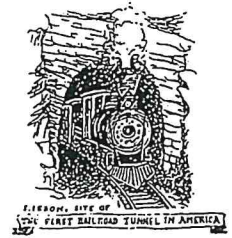


## TOWN OF LISBON

INCORPORATED 1786

### ZONING BOARD OF APPEALS

1 NEWENT ROAD  
LISBON, CONNECTICUT 06351  
TEL. 860-376-3400  
FAX 860-376-6545



*AMENDED*

NOTICE OF DECISION

TOWN OF LISBON

ZONING BOARD OF APPEALS

At the Regular Meeting of the Town of Lisbon Zoning Board of Appeals held on Tuesday, March 22, 2022 the Board took the following action:

Application #22-01 for Variance of Section 8.5 and 8.5.1.c, Yard Requirements; Section 10.10.4, Specifications for Driveways and Parking; Section 10.10.6, Outdoor Storage and Activities; Section 10.10.7.a, Buffers; and 14.2.1.a.1, Front Landscape Area, of the Zoning Regulations in the IP-1 Zone to construct a 9,400 +/- SF contractor maintenance/office facility and retaining wall at 240 Paper Mill Road – Applicant, Today's Realty, LLC, 240 Paper Mill Road.

*APPROVED*

Dated in Lisbon, Connecticut this 25<sup>th</sup> day of March, 2022

Steven Beck, Chairman  
Lisbon Zoning Board of Appeals

RECEIVED FOR RECORD AT LISBON  
CT ON 3/25/2022 AT 10:50am  
ATTEST. LAURIE TIROGCHI, TOWN CLERK 11:50am  
*Laurie Tirogchi*