



Town of Burlington

PLANNING AND ZONING COMMISSION MINUTES OF REGULAR MEETING NOVEMBER 9, 2023 VIA HYBRID MEETING

PRESENT: Richard Miller- Chair, Rob Wilson, John Hebert, Rudy Franciamore, Rich Miller (left at 7:31pm), Paul Pan, Jay Valigorsky, Eric Lindboe sat for Mohamed Amer.
Jerry Burns, ZEO
Ashlee Goshdigian, Recording Secretary

1. **CALL TO ORDER:**

A. **Attendance and Designation of Alternates**

Chairman Miller was present for the meeting and called the meeting to order at 7:01 p.m. Regular members present were seated for the meeting. Alternates will be assigned to each application, as needed.

B. **Approval of Minutes**

Motion Franciamore, seconded Lindboe to approve the minutes from the October 26, 2023 regular meeting; passed unanimously.

C. **Communications:** Town of Farmington Notice; Capital Region Council of Governments.

2. **CITIZEN COMMENT:** None

3. **OLD BUSINESS:** Public Hearing Scheduled for December 14th: **Application 2199 – Szydlo – 3-Lot Major Subdivision – Ford Rd #70**

4. **NEW APPLICATIONS / NEW BUSINESS:**

A. **Application 2200 – O&G Industries – Special Use Permit – Earth Removal Pavlik Pit – Spielman Hwy MBL# 3-10-61** Richard Warren from O & G was present and addressed the Commission. The bonds are still in place, looking for a 2 year extension. Public Hearing Scheduled for December 14th.

5. **PUBLIC HEARINGS:**

A. **Application 2198 – Ashner – Mixed Use CB Zone Special Permit – Spielman Hwy #221**

Motion Hebert, seconded Franciamore to close the regular meeting and open the Public Hearing at 7:14pm. ALL IN FAVOR.

The Applicant was present and addressed the Commission. He gave an overview of the project. This project has already been completed, and this permitting process is taking place after. The Applicant did advise they used 1 hour fire protection on the walls.

Jerry read his review into record date November 9, 2023.

Citizen Comment: None



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Motion Franciamore, seconded Miller to close the Public Hearing and reopen the regular meeting at 7:29pm. ALL IN FAVOR.

The Commission held a brief discussion. Rich Miller left the meeting at 7:31pm.

Motion Wilson, seconded Franciamore to approve Application 2198 – Ashner – Mixed Use CB Zone Special Permit – Spielman Hwy #221 per the materials submitted for the following reasons:

- The proposed use on this parcel substantially meets our Planning and Zoning Regulations for this Special Permit Use in the Central Business Zone (Section VI.B.5.a), the Central Business Zone Overlay Regulations (Appendix B) and the Burlington Central Business Guidelines (Appendix C).
- The plan favorably meets all the following Planning and Zoning Special Permit Use Regulations (Section VIII in its entirety) in the areas of: Accordance with the Plan of Conservation and Development (POCD); Harmony with the Area; Adequate Access; Adequate Infrastructure; Natural Resource Conservation; Compatible Design; Public Health, Safety & Welfare; Residential Impact.

IN FAVOR: Miller, Wilson, Hebert, Franciamore, Pan, Lindboe, Valigorsky.

OPPOSED: None ABSTAINED: Rich Miller

Permit Granted

6. **OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:** CB Zone Mural Renderings by M. Steiner. The mural consists of stamps which represent the 7 continents. The medium will be acrylic latex paint and will be sealed. She is not painting directly onto the building.
7. **CITIZEN COMMENT:** None
8. **ZONING OFFICER REPORT:** Jerry is still gathering information and speaking to people about the rooster complaint that was filed.
9. **STAFF / COMMISSION COMMENT:** Paul Pan is going to complete his training, and Chairman Miller advised him of openings on IWWC. Jerry gave a brief update on the Halloween attraction in Town that opened without any permits or approval of any kind from the Town.
10. **ADJOURN:**

Motion Franciamore, seconded Hebert to adjourn the meeting at 7:51 p.m.; unanimously approved.

Respectfully submitted,

Ashlee Goshdigian
Planning and Zoning Clerk