



## Town of Burlington

### ZONING BOARD OF APPEALS

Minutes of the Regular Meeting of Tuesday April 21, 2015

#### I.

##### A. Attendance, Call to Order:

Greg Szydlo, Chairman called the meeting to order at 7:02PM. In attendance were Greg Szydlo, Peter Perkins, Lori Arel, Chris Argiropolous, Robert Sussdorff, Clayton Aiudi, Cheryl Byrne.

Liz Burdick, ZEO

Attorney Ken Slater

Allison Yudelson, ZBA Secretary

##### B. Act on Meeting Minutes:

MOTION Perkins, seconded Aiudi to approve the minutes from the March 17, 2015 regular meeting as submitted; unanimously approved

##### C. General Communications:

a. none

MOTION Perkins, seconded Byrne to amend the agenda to move Agenda Item V. before II; unanimously approved.

#### III. **Public Hearing(s)**

- a a. Application 2014-531-Appeal from Order Decision of the ZEO-location of affected premises-48 Claire Hill Road-submitted by Bruce Cady.  
MOTION Perkins, seconded Byrne to close the regular meeting and open the public hearing at 7:18pm; unanimously approved.  
Sussdorff recused himself.  
Seated:Szydlo, Perkins, Argiropolous, Arel, Aiudi.  
Szydlo read the following letters into the record:  
Letter dated April 2, 2015 to ZBA from Bruce Cady & Kim Cyr  
Letter dated April 15, 2015 to ZBA from Attorney Shansky  
Letter dated April 20, 2015 to ZBA from Attorney Tracy  
Letter dated April 21, 2015 to ZBA from Attorney Slater, Town Counsel  
Attorney Casey O'Donnell (Law firm of Attorney Shansky) addressed the Commission submitted photos and copy of deeds & maps (Exhibits A2, A3, A4). Stated that the purpose of providing the initial deeds is to demonstrate the difference between these lots as they exist in the Burlington Land records and the lots you see described in 2014. The Commission needs to determine whether these lots are the same or different.  
Attorney Tracy addressed the Commission referring to the language in the deed stating that the state did not intend in putting these two lots together.



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Attorney Slater addressed the Commission stated that the Board needs to consider if there is evidence demonstrating that the State intended to merge the lots; whether a parcel(s) was in existence prior to 10/1/83 and whether the reconfigured lots are in compliance with the regulations.

Public:

Barbara Pavlik Dahle-Spielman Hwy-stated history and facts of parcels. Referred to zoning regulations page 29. Submitted Exhibit A5 into record.

Kimberly Cyr-Claire Hill Road-talked about the size of the lots that the state recorded and the size of the remnants after the highway was built reiterating what Attorney Shansky discussed in the first public hearing.

There was lengthy discussion between the Board and Attorneys.

MOTION Perkins, seconded Argiropolous to close the public hearing and reopen the regular meeting at 9:07pm;unanimously approved.

MOTION Perkins, seconded Aiudi to uphold

**Application#2014-531**- Appeal of Administrative Decision of the Zoning Enforcement Officer Letter dated November 7, 2014 relating to 48 Claire Hill Road & Canton Road-Map Entitled "Map Showing Revised Property Lines, Land Owned by GM Retirement, LLC, 48 Claire Hill Road-Conn. Route 179, Burlington, CT, Prepared by Neriani Surveying, dated May 22, 2014, Revised to July 8, 2014 ("Lot Line Revision Map")".

IN FAVOR,Arel. OPPOSED, Szydlo, Perkins, Aiudi, Argiropolous.  
ABSTAINED,None.

### Appeal Denied

- b. **Application 2014-532**-Appeal from Order Decision of the ZEO-regarding regulations relating to farms, farming and livestock-206 Johnnycake Mountain Road- submitted by Johnnycake Mountain Associates.  
MOTION Perkins, seconded Byrne to open the public hearing for App 2014-532 & 2014-533; unanimously approved.  
Attorney Tracy submitted into the record letter withdrawing both applications.  
MOTION perkins, seconded Byrne to accept the letter of withdrawl; unanimously approved.  
MOTION Perkins, seconded Byrne to close the public hearing and reopen the regular meeting at 9:10pm; unanimously approved.
- c. **Application 2014-533**-Appeal from Order Decision of the ZEO-regarding regulations relating to farms, farming and livestock-Map 6-9 Lot 25-submitted by Johnnycake Mountain Associates.

## IV. Unfinished Business

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- a. none

### V. New Business:

- a. **Application 2015-535**-Application for variance from Section IV.B.5 of the Zoning Regulations for proposed construction of a pre-fab garage on property known as 16 Silver Drive. Submitted by Christopher & Maranda Reynolds. Applicant was present. Commission reviewed application. Location of the well is needed for the public hearing. Public hearing set for May 19, 2015.
- b. **Application 2015-536**-Application for variance from Section IV.B.5 of the Zoning Regulations for proposed construction of a covered front porch and an enclosed side porch on property known as 24 Burlington Ave submitted by Eric & Christine Greene. Applicant was present. Commission reviewed application. Need date house was built for the public hearing. Public hearing set for May 19, 2015.

### VI. Adjourn:

MOTION Perkins, seconded Argiropolous to adjourn the meeting at 10:50pm; unanimously approved.