



Town of Burlington

**PLANNING AND ZONING COMMISSION
MINUTES OF REGULAR MEETING REVISED
July 13, 2017
BURLINGTON TOWN HALL**

PRESENT: Richard Miller-Chair, Rob Wilson, Tom Zabel. Michael D'Amato, Rudy Franciamore, John Hebert, JP Parente, Barbara Dahle and Eric Lindboe
Marty Connor, Town Consulting Planner and Abby Conroy, ZEO,
Lisa Ozaki, Recording Secretary.

1. CALL TO ORDER:

A. Attendance and Designation of Alternates

Chairman Miller called the meeting to order at 7:02pm.

Regular members present were seated for the meeting. Alternates will be assigned on each application, as needed.

B. Approval of Minutes

MOTION Parente, seconded Franciamore to approve the minutes from the June 22, 2017 regular meeting as submitted; unanimously approved.

C. Communications:

A. Town of Farmington, Zoning Board of Appeals variance application for 58 Alpine Drive, Unionville, CT 06085 for a pool house.

3. NEW APPLICATIONS/NEW BUSINESS:

A. Application #2118 – Northwest Asset Management, LLC – Special Use – 25 unit Multifamily townhouse rentals – Covey Road #29 (Submitted July 7, 2017)

Gerry Bryant, applicant was present and addressed the commission. 25 unit multifamily town house rentals on 5.8 acres of Covey Road. Andrews Perry previously graveled the land and obtain approval for 4 lot commercial subdivision. No development ever done on land. Central Business zone. North side is Tree Service Company and O&G gravel pit. South side is the Burlington Center Cemetery. 350' of frontage on Covey Road. Rentals are like Hearthstone Village, but units will be smaller. 2 bedroom units about 1600 sq. ft. each. 50 parking spaces with 23 other spaces. There is a waiting list for rentals at Hearthstone Village. 2009 residential study rated Burlington dead last in rentals. There is a huge need for rentals in this town. We need businesses to come to town and residential rentals are needed in the central business zone to demand it. Higher density residential is suitable in central business. Tax revenue is good for town on rentals. Hearthstone Village brings in \$65,000 in taxes. Meadowbrook will bring in \$100,000 for town taxes. Private road and private maintenance. City water with hydrant at



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entry. Soils are well suited for septic. Burlington needs this kind of housing. Rental units will be market rate not in low income housing. Commission would like Bryant to look into a walking path to Library Lane. Commission spoke of future road to connect to Library Lane. Bryant mentioned of Right of Way could be done to access central business and Library Lane from Covey Road. BBHD and Fire Marshal have reviewed the proposal.

Public Hearing set and scheduled for August 10, 2017.

4. **PENDING APPLICATIONS:**

A. None

5. **PUBLIC HEARING(S):**

A. **Application #2115 – King** – Subdivision 23 lots – Jerome Ave. Lot #2-05-47, 2-05-51, 2-05-54 (Submitted May 5, 2017) (Public Hearing 6/8/2017)

MOTION: Zabel, seconded Wilson to close the regular meeting and open the public hearing at 7:28pm; unanimously approved.

Ryan McEvoy, Engineer from Milone & McBroom was present and addressed the commission for the applicant. McEvoy met with the Town staff in the field. Has reviewed WMC & Planner's comments. Revisions were made to plans and explained to commission. 25' gravel strip adjusted to allow access to Open Space area and for maintenance of basins by the town. More dry wells were added to all points on Jerome Avenue to reduce water runoff. Modified the entrance grades to border retaining wall. Site lines were reviewed by WMC and Tharau, Highway director and have met the town requirements. Phasing Plan reviewed by WMC. Jerome Avenue entrance to northern detention basin is Phase I and Phase II continues the build out to the south. King discussed Open Space with the town and they interested to take over. WMC letter dated 7/12/17 takes no exception to proposal. Connor letter dated 7/12/17 read into record. Applicant agrees to the terms of letter. McEvoy submits waiver into record dated 7/13/17, read into record regarding 2 items in Connor's letter. Conservation letter from John Hebert dated June 21, 2017 read into record. Commission asked about the neighbor across street, Knox who had drainage issues. McEvoy states he met with the Knox's, Town Engineer, Highway Director and Conroy at 119 Jerome Avenue to discuss. More dry wells have been installed at Stone Ridge Road and the high points have changed to reduce the drainage back into subdivision. ½ of drainage will go into drywall and other ½ will connect the drainage. Reduced significantly. Average size houses will be 2400 to 2800 sq. ft..



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Public Comment:

Steve Eckert, 124 Jerome Avenue submitted packets into the record. 1. Asking for a buffer along road into Stone Ridge. Requesting 6' arborvitaes 4' apart to be planted. 2. Requesting to developer to install stockade fence in back yard for privacy.

King was present and stated he asked neighbors about trees. As he builds each lot, he plans to put white pine to buffer in between houses. States he was never asked about a fence. McEvoy states King is not going to commit to anything right now, as it is not within the preview of the commission.

David Platt, 114 Jerome Avenue lives next to entrance of Stone Ridge. Would like roadway to be pleasing to everyone; Lessen the impact of the new road on neighboring properties through plantings. All parties can work together.

MOTION: Wilson, seconded Hebert to closed Public Hearing.

B. **Application #2116 – Hiltbrand** – Gravel – Prospect St. #33 (Submitted May 8, 2017)

MOTION: Zabel, seconded Parente to open the public hearing at 8:21pm; unanimously approved.

Robert Hiltbrand, applicant present; Addressed the commission. Hebert recused himself from Public Hearing. Town Engineer and Highway Director inspected the bridges. Both agreed that bridges are fine for trucks to go over, but since one is posted, and signage should be considered. Hiltbrand hired noise consultant and did a day's worth of test runs. Installed white noise back up beepers to loader. Conroy inspected the white noise beepers last Thursday. Tests were performed at the 4 property lines and were below residential standards. 150' away from loader, no noise. Proposed operation is 800' away from neighboring residents. Hiltbrand requested an extension to Public Hearing to stay open so noise report can be submitted. Hiltbrand submitted an extension to next meeting on July 27, 2017. Would like to finish his operation at South Main Street first before starting this operation. Dahle stated Marinellis came in to rezone too and we said "no, no, no". Commission states has nothing to do with application. Dahle wanted it on record. Dahle states she heard a rumor about DEEP. She called DEEP and they told her to submit a FOIA letter to ask for Tilcon's 30 years of information. Dahle states Tilcon supposedly hit water. Dahle will not write the FOIA letter but advises the public and commission to do their due diligence. States in First Selectmen minutes you can read about it. If it is a rumor and we give approval, then FOIA comes in, Town could have a law suit. Dahle states Tilcon rezoned to industrial and graveled it. Need to know the facts. Chairman Miller explained Hiltbrand came before commission for informal discussion about a zone change for a parcel of land on Prospect to build his own single family house. Hiltbrand stated he spoke with Frank from Tilcon, the property manager. DEEP began in 1970s. Tilcon stopped mining property because of quality of materials on parcel. Hiltbrand FOIed his own request to DEEP last week and will get



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information for commission. Letter from Patricia Smaldone dated July 3, 2017 read into record.

Public Comment:

Shari M. Krawiec, 38 Prospect Street asked where is Hiltbrand building his house? South Main Street? Prospect Street? Will he sell his house on Stone Road?

Commission explains he came for an informal discussion. Questions do not pertain to this application.

Robert Lamothe, 89 Stone Road. It wasn't feasible for Tilcon to continue mining on Prospect. Hiltbrand is proposing 1 acres to gravel. Let him finish cleaning up the project started by Tilcon and follow the rules of the town. Rural character of land might change. He will proceed carefully.

Tony Krawiec, 22 Prospect Street states he appreciates the installation of the backup alarms.

MOTION: Zabel seconded Parente to continue Public Hearing to July 27, 2017, unanimously approved.

C. **Application #2117 – FDF Properties** – Special Use Permit – Selling Diesel – Spielman Hwy #227 (Submitted June 7, 2017)

Conroy explained that FDF did not put up sign for Public Hearing.

MOTION: Zabel seconded Parente to continue Public Hearing to July 27, 2017 and to reopen the regular meeting at 8:52pm; none abstained, unanimously approved.

6. **OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:**

None

7. **CITIZEN COMMENT:**

A. Robert Lamothe, 89 Stone Road. Right to Farm Act is important. Submitted Farming Magazine July 2017 to commission to read page. 40 about Putting Down Roots: Golden Acres Farm. It's a farm in Harwinton. Farming is diversified now. Today's farming has changed with water and electric systems. People would not have enough food if something happened. We need to encourage young people to farm. Leave a legacy for our children and family.

Connor explained the 2 ordinances he wrote for Torrington and Goshen.

Miller explains what happened in Ordinance Commission.

Dahle explained what went wrong with ordinances.

Robert Lamothe, 89 Stone Road make sure you take a look at what you talking about.

8. **ZONING OFFICER REPORT:**

None



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9. **STAFF/COMMISSION COMMENTS:**
None

10. **ADJOURN:**
MOTION Zabel, seconded Parente to adjourn the meeting at 9:00pm; unanimously approved.

Respectfully submitted,
Lisa Ozaki
Planning and Zoning Clerk