



Town of Burlington

**PLANNING AND ZONING COMMISSION
MINUTES OF REGULAR MEETING
FEBRUARY 8, 2018
BURLINGTON TOWN HALL**

PRESENT: Richard Miller - Chairman, Rob Wilson, JP Parente, Lynn Buthe, John Hebert, Rich Miller, Sonia Higley, Eric Lindboe sat for Rudy Franciamore.
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 7:00pm.

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

B. Approval of Minutes

MOTION Wilson, seconded Parente to approve the minutes from the January 25, 2018 regular meeting as submitted; unanimously approved.

C. Communications:

- A. CRCOG – Report on Zoning Referral Z-2018-2: Proposed zoning map and regulation amendments to implement a form based code. Conroy gave handout on form based codes.
- B. NHCOC – Town of Canton – proposing form based code.
- C. NHCOC – Reminder of Feb. 22, 2018 meeting. Will be canceling P & Z for Feb. 22, 2018 and commission will go to NHCOC training that night.
- D. Notice of Exempt Modification – Facility Modification 12 Nepaug Road, Burlington, CT.

2. NEW APPLICATIONS/NEW BUSINESS:

- A. None

3. PENDING APPLICATIONS:

- A. **Application #2126 – B & R Corporation** – Amendment to Zoning Regulations – Driveways-Town of Burlington (Submitted December 1, 2017)
Conroy explains to commission amendment to Zoning Regulations Appendix D and Subdivision Regulations Appendix F. Approving the proposed language now and addition of easement language can be later added when the town has a public hearing to address other regulation amendments.



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MOTION Rich Miller seconded Hebert to approve Application #2126 – B & R Corporation – Driveways - Town of Burlington

IN FAVOR, Richard Miller, Wilson, Lindboe, Hebert, and Rich Miller.

OPPOSED, none.

ABSTAINED, none.

Permit Granted.

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

A. None

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

A. **Carrier Home Builders, Inc. – Maintenance Bond Release**

Conroy states this is a bond release for Alpine Drive. Board of Selectmen approved the road on February 14, 2017. WMC and Tharau have inspected the road and take no issue with releasing the maintenance bond currently held in the amount of \$26,250.

MOTION Wilson, seconded Parente, to release Maintenance bond of \$26,250 to Carrier Home Builders, Inc. for Alpine Drive.; unanimously approved.

B. **8-24 – Town of Burlington Fire Department – 87 Monce Road – Eversource easement for power.**

Tim Tharau, Fire Marshal was present and addressed the commission. Tharau states Cell phone tower project almost done. No easement was ever put in place for Eversource to run power. There is a real estate transaction dependent on a town meeting. Power will not be turned on until this is done. 2nd service needs to be turned on once this is done. This is a standard easement for Eversource.

MOTION Wilson, seconded Parente to positive referral for 87 Monce Road easement for Eversource power.

IN FAVOR, Richard Miller, Wilson, Parente, Hebert, Buthe, Lindboe and Rich Miller.

OPPOSED, none.

ABSTAINED, none.

C. **POCD Discussion**

Conroy states at the last meeting the commission felt it was better to have subcommittees. Conroy made a list of all the topics and summarized them to post on the website and recruit volunteers. Does not feel the commission is ready to ask for volunteers yet. POCD is bulky and sections need to be condensed, it makes sense to cut out bulk, and possibly merge sections. It



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would be more efficient to have 6 committees instead of 7. Miller states if statute calls for 7 sections than 7 committees is we shall have. Richard Miller feels we should leave it like it is. Conroy states example, Economic Development could be a header with Central business as a subsection, thereby merging two sections. Richard Miller explains what happened last POCD committee. Conroy states there is over a 100 pages, much needs to be cut out of POCD, redundant. Conroy states it doesn't make sense to have 2 committees to do the same thing. Parente asks what the game plan that we want to achieve is. Conroy states it makes sense to merge some of these sections together. Miller states instead of reinventing the wheel we use what is there. We should go back to the last 2 plans and other towns plans and implement into the POCD. Conroy states, for the last meeting asked you to familiarize yourselves with 1997 POCD and see what we could take from there. Instead you started assigning the subcommittees and I believe it was a preemptive. Conroy states start at the 1st section, look at how you can and take out what is redundant but also include priorities from the NHCOC regional plan in it. John Crane, 27 Stony Hill Road, representing Burlington Land Trust. There was a survey done at Tavern Day and resident have expressed development in the center of town as a priority. At the last meeting, we talked about other sections in town. Other towns, like Simsbury include this in their POCD. We would love to serve on POCD. I thought last meeting, we were supposed to call 1st Selectman's office to express our interest in being on a committee. I did call and I want to be on Community Character and Paul Rochford wants to be on Conservation. Patty Smaldone, 48 Main St., I have interest in the Economic Development. Miller states sure and I am going to ask that commission take on this. John Crane, 27 Stony Hill Rd., asks so you are not going to have a subcommittee? We want to be involved. Rich Miller asks Conroy are we going to review this first and determine what is going to happen from there. Conroy states yes and explains how that would work. Rich Miller states we went from 40 pages to 160 pages. Parente states we might want to establish where we need to be. Conroy states start with the list I gave you regarding what we shall have and look at how we could merge some of these sections. Take a look at Open Space and Natural Resource, Historical and Cultural Resources and Community Character as an example. There is a lot of overlap there. Ozaki states Dahle would like us to take a look at Town of Canton POCD. Conroy states Town of Litchfield and New Hartford also good to look at as they are recent. Richard Miller states he would like Conroy and Ozaki to look at other towns and bring it back to the commission. Lisa Fabian, 396 George Washington Turnpike, Are these copies available to the public? Ozaki states they will be on the website. Conroy states 1997 isn't on website yet, but we will see what we can do. Jon Crane states Litchfield, Canton, Simsbury POCD are all on their websites. Richard Miller states we are going to implement what is legal to put into POCD.



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John Crane states Whigville would like to have more input into the POCD that reflects Whigville. Conroy explains that Litchfield does that. Crane states that community character is very important to include into the POCD.

Richard Miller states this is a blueprint and we need to keep the process moving.

Conroy states I would like to send the RFP out in July or so. Sections should be finalized by then.

Richard Miller states would like to see this done economically so we save some money.

Continued to March 8, 2018 meeting.

6. **CITIZEN COMMENT:**

Krzysztof Chmielewski, 379 George Washington Turnpike, I read through the last minutes, but couldn't quite make out what is going on with the B & R project. Conroy states right now it was just for an amendment throughout the whole town. Chmielewski asks about the 3' buffer. Conroy explains that was always implemented in town. Wilson states the common driveway to him.

Cindy Fabian, 396 George Washington Turnpike, I will give you a little more back ground about B & R Corporation. After they came in, they clear cut, including near the State Forest. They have a moment of environmentalism and thought "oh let's put less driveways in". They cut it and changed our neighborhood. Sudden thing of consciousness for less impact to the environment.

Chmielewski, was there anything brought up about the State Forest? Conroy explains there is no application in yet for this property.

7. **ZONING OFFICER REPORT:**

A. Temporary Health Care Structures exercise: Let's say someone comes to the counter and they have grandparents and grandpa passed away. Grandma is living alone on 5.6 acres. They want to know how the grandson can build an apartment on the property to take care of grandma. Separate structure detached. According to Accessory apartment regulation states you need to be double the size lot. Conroy goes through the regulations with commission. Run into the challenging 40% of the principle dwelling. 1300 sq. ft. so he can only have 500 sq. ft. Richard Miller states suppose they build a new bigger house next door and use old house as accessory structure? Conroy states you and now spending \$200,000 more than what they wanted to do. Splitting lot and building a new house is not feasible. It challenges living within their means. Conroy states we should review the accessory apartment regulations and possibly amend up to a certain square footage.

B. **Application #2128 - JMA – Resubdivision – Saw Mill Rd. Lots #412, 413, 414**

Conroy states this application just came in and requires a public hearing. Setting public hearing for March 8, 2018.

8. **STAFF/COMMISSION COMMENTS:**

Wilson asks Conroy about Shire Way. Conroy states she put everything in writing for Reale's engineer to assume responsibility. Conroy is waiting for Reale to bring in for Certificate of Occupancy.



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9. **ADJOURN:**

MOTION Parente, seconded Wilson to adjourn the meeting at 8:04pm; unanimously approved.

Respectfully submitted,
Lisa Ozaki
Planning and Zoning Clerk