



Town of Burlington

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

PRESENT: Richard Miller - Chairman, Rob Wilson, JP Parente, John Hebert, and Eric Lindboe sat for Rich Miller.
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 Parente, seconded Wilson to approve the minutes from the February 8, 2018 regular meeting as submitted; unanimously approved.

C. Communications:

- A. State of Connecticut Siting Council letter dated February 20, 2018 for Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 12 Nepaug Road, Burlington, CT.
- B. Town of New Hartford – Proposed Amendment to Town of New Hartford Zoning Regulations to Section 4.5 Special Use Provisions B Mixed Uses to add “B or C” Districts and to delete “existing on the effective date of zoning in New Hartford being June 3, 1957. Dated February 16, 2018.
- C. City of Bristol – Referral of Proposed Subdivision Plan – Application #409 – Subdivision Ridgeview, Perkins Street (8 lots; proposed extension of Great Pyrenees Way) dated February 12, 2018.

2. NEW APPLICATIONS/NEW BUSINESS:

A. Application #2130 – B&R Corp – Site Plan Shared Driveway – George Washington Tpke. Lot #4, 5, & 6 (Submitted February 22, 2018)

Atty. William Tracy present and addressed the commission for the applicant. B & R is waiting for IWWC approval. IWWC is next week. Application is for a proposed shared driveway off George Washington Turnpike that will serve 4 lots on the south side. There is a brook with wetlands on the south side of the turnpike. Shared driveway will provide access to house



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locations without crossing several wetlands. All frontage is on George Washington this eliminates the separate wetland crossings for each. 1200' of shared driveway going south then proceeding east. The driveway will accommodate fire trucks and oil trucks with turn radius. Wetlands drain down the hill not intermittent watercourses. WMC letter will be addressed. Parente asks what requirements have been addressed. Conroy explains Fire Marshal has been spoken with. 18' driveway width encouraged by Fire Marshall. Plan shows where the fire tank location will be. Wetlands and location of existing wood road. B & R is just here for the shared driveway not the houses themselves. Timber rail details will be included in Site Plan. Soil testing for location of tank.

Hebert asks did Fire Marshal look at turn radius. Tracy states yes.

Lindboe asks will this driveway serve other houses. Tracy states lot #3 continues to the west. Miller asks how many houses. Tracy states 4 or possibly 5 houses. There will be unground utilities.

Miller states 5 houses is approaching my comfort zone.

Continued to next meeting on March 22, 2018

3. **PENDING APPLICATIONS:**

A. None

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

A. **Application #2128 – JMA** – Resubdivision – Saw Mill Rd. Lots #415, 416, 417 (Submitted February 5, 2018) (Public Hearing March 8, 2018)
Motion Parente, seconded Wilson to open Public Hearing at 7:28pm; unanimously approved.

DJ Harris applicant present and addressed the commission. Road is in and has been approved. 1st 3 lots all frontage lots with 150' of frontage. BBHD approval already for septic and wells. IWWC approval is all set. Application is pretty straight forward.

Hebert asks is road is in. Harris states road roughed in and paving as soon as plants open and it's warm. WMC has reviewed.

Lindboe asks if other side of the road will have more houses on it. Harris states not designed yet and might just house cows.

Citizen comment:

Jon Stiefel, 35 Saw Mill Road asks if other side of road will be done at the same time. Harris states BBHD hasn't approved yet and there is nothing planned as of yet. Would like to see you do all of it at once.

Motion Wilson, seconded Parente to close Public Hearing at 7:41pm; unanimously approved



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Wilson asks if all set. Conroy explained about IWWC approval and if houses change, she will take care of review or bring them back to Wetlands if significant change happens.

Hebert asks the site work that has been done and road way, has Tharau been up there to inspect. Harris states yes.

Hebert asks about open space and if conservation commission has discussed yet. Conroy explains there is nothing firm in place. Ozaki states Harris Sr. stated in original road application Open space will happen. Blue Trail has been previously mentioned.

Motion Wilson, seconded Parente to approve Application #2128_– JMA – Resubdivision – Saw Mill Rd. Lots #415, 416, 417.

IN FAVOR, Miller, Wilson, Lindboe, Hebert, and JP Parente.

OPPOSED, none.

ABSTAINED, none.

Permit Granted.

B. Application #2129 – JMA – Resubdivision – Saw Mill Rd. Lots #412, 413, 414 (Submitted February 12, 2018) (Public Hearing March 8, 2018)

Motion Parente, seconded Wilson to open Public Hearing at 7:42pm; unanimously approved.

DJ Harris applicant present and addressed the commission. 3 lots at the end of road where Saw Mill Rd. cul de sac is.

Miller states he finds this interesting no significant impact to wetlands.

Citizen comment:

Jon Stiefel, 35 Saw Mill Road states road is low lying, wet. Mostly underwater, maybe make a couple of feet higher. Miller states he should go speak to IWWC next week. Conroy explains the already determined no significant impact and Stiefel cannot discuss as no public hearing and already an item on the agenda. Harris explained that proposed grading plan has already been reviewed. There was a heavy rain storm recently, just gravel washed out. Once road is paved all water issues will be resolved. Construction not yet completed interim structures acting as designed, a berm was put in and directs water to drainage. Harris also states there was water pools to catch the water and allow sediment to settle out.

Miller believes there is an overall subdivision plan. Conroy and Harris states no. The road was only put in. Miller argues that there should be an overall subdivision plan. Conroy states you cannot require them to do that. Hebert believes we could ask, but don't have to. Jon Stiefel asks if road will go through once road is paved. Harris states yes and Town said they would maintain and repave cul-de-sac. Harris states they would like to fix the cul-de-sac. Once again Stiefel would like to see it all done together instead of pieces. Wilson states we don't have the right to require the developer do that.



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Motion Wilson, seconded Parente to close the Public Hearing at 7:48pm; unanimously approved
Continued to next regular scheduled meeting on March 22, 2018.

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

A. **POCD Discussion**

Miller states Conroy and the First Selectman Shafer met. NHCOC with Jocelyn Ayer will be helping the town out with POCD. Consulting work would begin November 2018. Conroy asks if everyone did the reading and were so enthralled they couldn't put it down. The commission laughed. Ayer talked about 2 ways to approach the POCD. 1st way is to snip up 2009 POCD, but not intention of POCD. There is an importance of getting other people involved. Passionate ideas that are seen through until the end. POCD doesn't need 100+ pages. There will be workshops and focus groups.

Hebert found it interesting that we are not attracting our younger people. Losing all young and aging population is just staying here.

Miller states he asked Ayer and staff to look over another town's POCD and see if we can incorporate them into ours. Low impact development should be looked into. Sustainable CT is important also.

Miller states we shall keep this on agenda and get together towards the end of the year.

Conroy asks if anyone has a concern with Ayer helping us. It's in the budget and it's lower than we were thinking. Ayer would like to give her all on this.

Miller states he also asked staff to help look at other towns.

John Cranes thanks us and sounds good to him.

6. **CITIZEN COMMENT:**

None

7. **ZONING OFFICER REPORT:**

A. Garages in R44 regulations – garages, sheds and barns. Conroy quotes page 45. 10' lot line and behind the house. Conroy asks to clarify is that intended for detached garage. Commission states it's detached and needs to be fixed.

B. Determination on what it means to house animals. Does that mean to provide housing for them? A 3-sided lean to. Conroy reads Pg. 46 F 2 Keeping of Livestock. 100' from street. Housing to provide shelter from elements even though can be on the property line.

Miller states there have been more complaints from dogs and chickens. Need to look at this in more detail.

Hebert asks if this would affect farm activity. Conroy states yes. What exactly is a definition of a Farm? You have requirements.

Conroy states someone asks if they can put up a lean to. Need to come up with a definition for



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housing of animals.

Miller needs to review this further.

Conroy explains there might be an application coming to us for this.

- C. Pilot Farm Brewery with 20 or 25% CT grown products. Brew beer. Parente states there is a regulation that you can't brew alcohol except hard cider. Parente reads Section 3Ea regarding cooking. Conroy states this application is coming up. Is it a home occupation? Under statute defined as farm use is it still not allowed? Does he have to have 2 acres to be a farm?

Wilson states microbreweries are becoming quite popular.

Conroy states should I make him bring in a Text Amendment. Conroy is going to speak with attorney about this. Applicant has already been to BBHD and State. Conroy will send out state statute about farm breweries.

- D. Conroy will send out regulations about engineer review.

8. **STAFF/COMMISSION COMMENTS:**

- A. Wilson asks about Vineyard Road, Neil O'Keefe. Conroy explains that ZBA denied variance. Application was never complete. A certified mail was sent to him with another notice of violation. We will give him a couple of weeks and then Farrell is getting ready for arrest warrant. This is very frustrating since it's been going on for over a year. Conroy can only take care of structures that are up for 3 years or less.
- B. Miller asks we can get a building report about new houses. Ozaki said I can take care of it.
- C. Miler states there is great point at the seminars at NHCOC. We should go more.
- D. Parente asks if new application really need the prep and dog show. The first question should be if the application is complete. If the answer is no, we should move on to the next one. Conroy states we did ask them to wait, but they did not and showed up with application for this week. We can't tell someone they can't apply. There application has been received and clock starts ticking.

9. **ADJOURN:**

MOTION Wilson, seconded Parente to adjourn the meeting at 8:45pm; unanimously approved.

Respectfully submitted,
Lisa Ozaki
Planning and Zoning Clerk