



## Town of Burlington

### PLANNING AND ZONING COMMISSION MINUTES OF REGULAR MEETING JUNE 13, 2019 BURLINGTON TOWN HALL

**PRESENT:** Richard Miller-Chair, Rob Wilson, JP Parente, John Hebert, Sonia Higley, Lynn Buthe, Barbara Dahle, and Eric Lindboe.  
Jerry Burn, Zoning Enforcement Officer.  
Allison Tharau, Recording Secretary.

#### 1. **CALL TO ORDER:**

##### A. **Attendance and Designation of Alternates**

Chairman Miller was present for meeting and called the meeting to order at 7:00pm.  
Regular members present were seated for the meeting.  
Eric Lindboe sat for Rudy Franciamore and Sonia Higley sat for Rich Miller.

##### B. **Approval of Minutes**

MOTION Parente, seconded Hebert to approve the minutes from the May 9, 2019 regular meeting as submitted; unanimously approved.

##### C. **Communications:**

- A. Letter dated May 22, 2019 from David Whitney, PE, regarding approved 3 lot subdivision #4 - #12 Covey Road.
- B. Letter dated May 10, 2019 from WMC regarding Apps 2148, 2149 & 2150.
- C. Letter dated May 21, 2019 from ZEO regarding Apps 2148, 2149 & 2150
- D. Certified letter dated June 4, 2019 from City of Bristol regarding referral of proposed amendment to Zoning Regs.

2. **ZEO APPOINTMENT-MOTION** Parente, seconded Higley to accept Jerry Burns as the authorized agent for the Town of Burlington's PZC effective immediately; unanimously approved.

#### 3. **NEW APPLICATIONS/NEW BUSINESS:**

- A. **Burlington Academy-#4-#12 Covey Road-Extension Request**-requesting a 90 day extension to file mylars. Letter dated May 22, 2019 from David Whitney read into record.  
**MOTION** Wilson, seconded Parente to extend the mylar filings for 90 days to September 15, 2019; unanimously approved.

#### 4. **PENDING APPLICATIONS:**

- A. **None**



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

#### **A. Application 2148-Gradbros LLC-Special Use Permit – Multi-family housing-Geo Wash Tpke #759 –Units A & B.**

MOTION Buthe, seconded Parente to close regular meeting and open public hearing for Applications 2148, 2149 & 2150; unanimously approved.

Seated: Miller, Wilson, Parente, Hebert, Higley, Buthe & Lindboe.

#### **B. Application #2149 - Gradbros LLC – Special Use Permit - Multi-family housing – Geo Wash Tpke #759 – Units C & D**

#### **C. Application #2150 - Gradbros LLC – Special Use Permit – Multi-family housing – Geo Wash Tpke-#759 – Units E & F**

Attorney William Tracy, Engineer Robert Hiltbrand and Applicants were present.

Engineer Hiltbrand addressed the Commission stating that there are 3 existing lots with a two family dwelling on each lot. Each unit will have 3 bedrooms, water is public and septic engineered. One driveway accessing the 3 buildings, pulling slope back for best site lines. A sidewalk is proposed along the frontage which could be connected in future. Drainage in place with no run off onto Geo Washington Tpke. Applicant addressed all concerns of Town Engineer.

Read into the record were the review from the Town Engineer, BBHD approval, signed affidavits from the abutters and ZEO, Jerry Burns review.

No public comment.

**MOTION** Parente, seconded Higley to close public hearing and open the regular meeting for Applications 2148, 2149 & 2150; unanimously approved.

**Motion** Wilson, Seconded Parente to Approve Application #2148 – Gradbros LLC - Multi-Family Housing – Geo Wash Tpke #759 – Units A & B per the plans submitted for the following reasons:

The lot of record meets or exceeds our P&Z Regulations for the R-15 Zone (Section IV.4.b.4, pages 50 & 51) including the:

- Lot of Record area and width;
- Each dwelling unit minimum living area;
- Gross Ground Floor Area;
- Bristol-Burlington Health District review and findings;
- Torrington Water Company public water hookup;
- External single-family residence appearance.

Further; the plan favorably meets all of the following P&Z Special Permit Use Regulations (Section VIII in its entirety, pages 76 & 77):

- Accordance with the Plan of Conservation and Development (POCD);
- Harmony with the Area;
- Adequate Access;
- Adequate Infrastructure;
- Natural Resource Conservation;



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- Compatible Design;
- Public Health, Safety & Welfare
- Residential Impact

IN FAVOR: Miller, Parente, Wilson, Higley, Lindboe, Buthe & Hebert.

OPPOSED: None

ABSTAINED: None

**PERMIT GRANTED**

**MOTION** Wilson, seconded Parente to Approve Application #2149 – Gradbros LLC - Multi-Family Housing – Geo Wash Tpke #759 – Units C & D per the plans submitted for the following reasons:

The lot of record meets or exceeds our P&Z Regulations for the R-15 Zone (Section IV.4.b.4, pages 50 & 51) including the:

- Lot of Record area and width;
- Each dwelling unit minimum living area;
- Gross Ground Floor Area;
- Bristol-Burlington Health District review and findings;
- Torrington Water Company public water hookup;
- External single-family residence appearance.

Further; the plan favorably meets all of the following P&Z Special Permit Use Regulations (Section VIII in its entirety, pages 76 & 77):

- 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, Parente, Wilson, Higley, Lindboe, Buthe & Hebert.

OPPOSED: None.

ABSTAINED: None.

**PERMIT GRANTED**

**MOTION** Wilson, seconded Parente to Approve Application #2150– Gradbros LLC - Multi-Family Housing – Geo Wash Tpke #759 – Units E & F per the plans submitted for the following reasons:

The lot of record meets or exceeds our P&Z Regulations for the R-15 Zone (Section IV.4.b.4, pages 50 & 51) including the:

- Lot of Record area and width;
- Each dwelling unit minimum living area;

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- Gross Ground Floor Area;
- Bristol-Burlington Health District review and findings;
- Torrington Water Company public water hookup;
- External single-family residence appearance.

Further; the plan favorably meets all of the following P&Z Special Permit Use Regulations (Section VIII in its entirety, pages 76 & 77):

- 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, Parente, Wilson, Higley, Lindboe, Buthe & Hebert.

OPPOSED: None.

ABSTAINED: None

**PERMIT GRANTED**

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

A. None

7. **CITIZEN COMMENT:**

A. None

8. **ZONING OFFICER REPORT:**

- A. **Regulations-Outdoor Illumination, Short Term Rentals**-ZEO stated that regs need to be updated defining glare levels, light source, foot candles and maximum heights with respect to illumination. Currently, no regs on AirB&B's, no case law other towns working on.
- B. **Regulations Update Process**-Commission stated that a public hearing is needed to update/change terminology in regs.
- C. **Johnnycake Mountain Park Phase 1**-Engineers beginning to survey property, wetlands will be flagged.

9. **STAFF/COMMISSION COMMENTS-**

Miller questioned whether once a topic has been resolved and comes out of executive session can it go public?

Parente asked if ZEO keeps record of complaints ? ZEO stated yes but written complaints.



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**10. ADJOURN:**

**MOTION** Wilson, seconded Higley to adjourn the meeting at 8:25pm; unanimously approved.

Respectfully submitted,  
Allison Tharau  
Planning and Zoning Clerk