



## Town of Burlington

**PLANNING AND ZONING COMMISSION  
MINUTES OF REGULAR MEETING  
NOVEMBER 10, 2016  
BURLINGTON TOWN HALL**

**PRESENT:** Richard Miller-Chair, John Hebert, Eric Lindboe sat for John Parente, Michael D'Amato, Tom Zabel, Robert Wilson, Abby Conroy, ZEO, Martin Connor, Consulting Town Planner, Lisa Ozaki, Recording Secretary.

**1) CALL TO ORDER:**

**A. Attendance and Designation of Alternates**

Chairman Miller called the meeting to order at 7:01pm.

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

**B. Approval of Minutes – October 27, 2016**

MOTION Wilson, seconded Zabel to approve the minutes from the October 13, 2016 regular meeting as submitted; unanimously approved.

**C. Communications:**

1. City of Bristol Referral of Proposed Amendment to Bristol Zoning Map.
2. Town of Plymouth – Zoning Regulation Amendment – 500 Feet of Municipal Boundary Notification.

**2) NEW APPLICATIONS/NEW BUSINESS:**

**A. Application #2103 – Brycorp Builders – Re-Subdivision – Clearwater Creek Section 3 – 12 lots (submitted 11/7/2016)**

Miller recused himself. Gerry Bryant, applicant present and spoke of 75 acre parcel of land with 35 lots in total. Brycorp came before P&Z in 2012 for approval of roadway. Brycorp built all roads and drainage before starting on Subdivision. All 35 lots, Section 1-3 already have IWWC approval and BBHD approval. Sections 1 & 2 have already been approval through P&Z. Now on to Section 3 that has 18 acres and 12 lots. Clearwater Creek has 3 lots left on it and 1 more on Foote Road for later development. 1,100 to 1,200 more ft. of new road to be built with drainage, utilities and gravel. Bryant explained that this is a Conservation subdivision where 40% of the land is open space and there are markers on trees. Road is built around the topography of the land. Section 3 Storm water management systems already in place. Road has not been paved, no curbs in yet, but everything seeded and growing. IWWC Approval and BHHD Approval letter submitted into record.



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Public Hearing set for next regularly scheduled meeting, December 8, 2016.

- B. Application #2104 – O&G – Gravel – Spielman Hwy (submitted 11/7/16).**  
Ken Faroni present for the applicant. This is a renewal application. Front and back graded and seeded already. New 2 year permit for 5 acres. Still have letter of credit of \$40,000 in place that renews itself continuously. Connor would like to walk it with Faroni.  
Public Hearing set for next regularly scheduled, December 8, 2016.

**3) PUBLIC HEARING(S):**

- A. Application #2096 – MDR Contractors - Re-subdivision – Riverview Estates Section 1, Shire Way Lot #6**

Matt Reale, applicant present. BBHD approval letter has been submitted into record. Conservation easement will remain in new home owner's name. WMC letter dated November 10, 2016 read into record. Steve McDonnell's email read into record regarding guard rail installed before CO of house instead of before construction starts. Reale states temporary boulders will stay there during construction only to be moved and put back in place to move construction material that is over width. There will be 12 to 15 boulders in place during construction.

MOTION: Zabel seconded D'Amato to close the public hearing and reopen the regular meeting at 8:07pm; Wilson abstained, unanimously approved.

MOTION Zabel, seconded Hebert: Approved: Application 2096 – MDR Contractors – Resubdivision – Riverview Estates Section 1, Shire Way Lot #6 - approved with the following conditions per letter from Martin Connor, Town Planner, dated November 9, 2016:

1. Prior to filing the Recording Mylar Resubdivision Map, the proposed iron pipes and monuments marking lot corners and lot lines shall be installed and a letter from the surveyor shall be submitted indicating the iron pipes and monuments have been installed in accordance with the approved resubdivision map.
2. The 3 ½ ft. retaining wall, required on the north side of the driveway shall be properly designed and once constructed inspected by a licensed professional engineer. The 275 ft. of timber beam rail as designed by Hrica Assoc. on Site Plan, Lot #6 dated 6/16/2016 with revised dated 11/9/2016, shall be installed on the south side of the driveway prior to issuance of a Certificate of Occupancy on New dwelling. The guiderail shall be inspected and certified as properly installed in accordance with the plans by a licensed professional engineer.
3. An A-2, As-built Survey of the house, driveway, (including grades), and drainage on lot 6 shall be submitted to the Town Engineer and Zoning Enforcement Officer for their review and approval prior to issuance of a Certificate of Occupancy for the dwelling on lot 6.



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4. The Town Engineer and Zoning Enforcement Officer shall approve the stabilization of the embankments and steep slopes prior to issuance of Certificate of Occupancy for the dwelling on lot 6.
5. The Conservation Easement area shall be shown on the Resubdivision Plan and Site Development Plans. The Conservation Easement Area shall be marked in the field prior to the filing of the Recording Mylar Resubdivision Map. The Conservation Easement document for the proposed open space area on lot 6 shall be reviewed and approved by the Town Attorney and filed on the land records along with the Recording Mylar Resubdivision Map.
6. Safeguards are the responsibility of the Developer and are to be in place at all times except when oversized materials are brought in. In the instance that temporary safeguards (boulders) must be removed to facilitate construction, they will be replaced within 24 hours.

IN FAVOR, Miller, Zabel, D'Amato, Lindboe, Hebert. OPPOSED, none. ABSTAINED, Wilson.

**Permit Granted.**

4) **PENDING APPLICATIONS:**

A. None

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

A. **Brycorp Builders – Clearwater Creek Subdivision Phase 2 – Bonding:**

Received letter from Steve McDonnell, Town Engineer dated November 8, 2016 and read into record. Commission asked that with next section of Subdivision, applicant's engineer write a letter stating everything done correctly. Recommending the Board of Selectmen make Clearwater Creek Section 2 town road at next meeting.

MOTION Zabel, seconded D'Amato approval of Maintenance Bond for Phase 2 Public Improvements for \$15,000. Unanimously approved.

B. **Informal Discussion – Angellilo – Stone Road #117**

David Angellillo, owner and Rich Green, engineer present. Angellilo is in process of getting permits to build a house on Stone Road. IWWC sent him to ask about driveway slope. The driveway right now is 350' of 14% grade. Green asks if 100' is 15% and goes down to 10% for how long. Commission says another 100'. Angellilo will be back once he is done with IWWC.

6) **CITIZEN COMMENT:**

None



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**7) ZONING OFFICER REPORT:**

4 Laurel Crest – Notice of Violation. R.K. Gupta has taken care of and has a Certificate of Compliance for In-law Apt with renters on file.

31 Black Walnut – Notice of Violation Sean Farmer has finally brought in As-built so CO can now be issued for NSF.

41 Deerfield Trace – Zoning permit #156723 Charles Putnam – 10' x 12' shed.

**8) STAFF/COMMISSION COMMENTS:**

Miller sets meeting schedule for 2017. Schedule will remain the same 2<sup>nd</sup> and 4<sup>th</sup> Thursdays of the month.

Conroy explains that P&Z Commission will act as agent for Aquifer Protection.

**9) ADJOURN**

**MOTION** Wilson, seconded Zabel to adjourn the meeting at 8:40pm; unanimously approved.

Respectfully submitted,

Lisa Ozaki  
Planning and Zoning Clerk