



Town of Burlington

PLANNING AND ZONING COMMISSION MINUTES OF REGULAR MEETING DECEMBER 12, 2019 BURLINGTON TOWN HALL

PRESENT: Richard Miller-Chair, John Hebert, JP Parente, Sonia Higley sat for Rudy Franciamore, Rob Wilson.
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.
Sonia Higley sat for Rudy Franciamore.

B. **Approval of Minutes**

MOTION Higley, seconded Parente to approve the minutes from the November 14, 2019 regular meeting as submitted; unanimously approved.

C. **Communications:**

- A. Letter dated October 21, 2019 from Rudolph & Joanne Poglitsch read into the record.
- B. CRCOG report on zoning referral for Town of Canton.
- C. Planimetrics Invoice dated November 24, 2019-submitted to Accounting November 26, 2019.
- D. Town of Burlington-Land Use Office-Permits for November 2019.
- E. NHCOC report on zoning regulation amendments for Town of New Hartford.

D. **PZC 2020-21 Budget**-The PZC 2020-21budget was discussed and submitted with a zero increase.

2. **PLAN OF CONSERVATION AND DEVELOPMENT/CITIZEN COMMENT-**

Glenn Chalder submitted the revised POCD document dated November 2019 stating that it is an advisory document to help guide the community and is looking for public input.
Chalder provided a power point presentation of the 6 major parts of the POCD:

- 1. Introduction
- 2. Conservation-Related Strategies
- 3. Sustainability-Related Strategies
- 4. Development-Related Strategies
- 5. Infrastructure-Related Strategies
- 6. Looking Ahead



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Public Comment:

Jon Crane – 27 Stony Hill-Whigville Preservation Group wished to withdraw request dated September 17, 2019 to modify language in regulations regarding the Whigville NB Zone.
Referred to page 43 - dirt/incomplete roads and possible future right of ways .

Patricia Miller-11 Cricket Lane- Commented/Questioned the following:

The letter from the Poglitschs read into the record under communications.

Felt map on page 14 should be taken out.

Questioned why open space from 15% to 20% referring to page 16.

Purchase of Class 3 land (page 9)-additional funds in town budget for purchases.

Open space obligation for subdivisions 10 lots or more.

Land in 100 year flood zone.

High density & low density housing.

Industrial Zones

Definition of Conservation Development

Karen Hebert-168 Stone Road-Commented/Questioned the following:

Open space-what is an acceptable level. Requirement of 20%

Greenways map on page 14-should be removed

Scott Heth-Environmental Learning Center

Expressed appreciation for POCD document and offered assistance if needed.

Karen Matheson-133 Rock Road-stated that it might be helpful to the Commission to prioritize action steps in each area.

Michael Siek-47 Charolais Way-as new resident he asked for description where Burlington downtown was located.

Commissioner Parente commented on adding an index to POCD and removing the greenway map if majority agrees.

Commissioner Wilson stated that comments received from residents were valuable and should be taken into consideration.

Commissioner Higley-commented on open space as it is classified a lot of water company land.

Commissioner Hebert-requests that greenways map on page 14 should be taken out. Thought more thought should be given to business zone in center of town.

Andrew Chapo-56 Main St-suggested that traffic zones/patterns in the town center should be looked at. More access to public transportation should be available for higher density housing areas.



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First Selectman Ted Shafer-commented on capturing the visual values of the town and submitted a photo of the Burlington Brook.

Commissioner Stolarz-stated that the town should be more forward thinking on development in the center of town.

Glenn Chalder- will collect all comments from residents and commissioners and provide draft document in February in hopes for a public hearing in April 2020.

The Commission took a brief recess at 8:07pm.

The Commission came out of recess at 8:20pm.

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

- A. **Application 2157** – McCausland-Special Use Permit-Barn/Storage-Hill Top#9
MOTION Wilson, seconded Parente to set public hearing for Application 2157 for January 9, 2020; unanimously approved.

4. **PENDING APPLICATIONS:**

- A. None

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

- A. **Application 2155**-NTH, LLC-Special Use Permit-Earth Removal-Shrub Road, Bristol.
MOTION Wilson, seconded Parente to close the regular meeting and open the public hearing at 8:20pm; unanimously approved.
Applicant Harry Cleveland and Engineer Rob Hiltbrand were present and addressed the Commission. Certified mailing receipts were submitted into the record.
The area of proposed activity is 6.8 acres and proposed activity is to remove existing stockpiles, utilize material on site and spread seed to restore site. Access and removal of materials thru access on Shrub Road. Access road is paved. There will be a pre-construction meeting with Bristol DPW.
ZEO read review dated December 10, 2019 into record.
Commission commented/questioned the following:
Hours of operation; time frame of project- two year permit; Involvement of City of Bristol and City of Bristol's DPW keeping communications open; Burlington has no jurisdiction over Bristol.
Public Comment:
Robert Caplette-352 Shrub Road, Bristol-resides across from entrance/exit road into site. Concerned with noise, dirt, diesel fumes, pot holes and drainage. Wants assurance that applicant/Bristol DPW will take care of any issues.
Erik Madsen-70 Oak Hill Drive, Bristol-supporter of Save Pigeon Hill-read letter dated December 12, 2019 and submitted letter into record.



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Jon Crane-27 Stony Hill Road-Whigville Preservation Group supports the application for open space.

Jim Pryor -7 Wildes Way-questioned if wetlands were flagged that there are areas of pools of water on the floor of the previous mining project. Asked if concrete pipes/slabs will be taken out that site should be remediated to original state.

Allison Pryor-7 Wildes Way-stated that letter received stated that stock piles of debris would be removed. Feels two year permit is too long. Bristol and Burlington do need to worry about each other.

Jim Quick-Bristol resident-concerned with sand running into the wetlands.

Dave McDonald-Burlington Ave, Bristol-stated that he has walked the property and open space will be policed better if the application is approved. Taking out the stockpiles should eliminate motorized recreational vehicles.

Harry Cleveland-28 Pine Hill Road- stated that the existing slopes are not part of application and that Burlington was satisfied with remediation of previous graveling project and that they released the bond that was in place. Concrete pipes are not part of application.

Scott Heth-Environmental Learning Center-working with NTH and City of Bristol to preserve entire 67 acres as open space.

MOTION Parente, seconded Wilson to continue the public hearing to the next regular meeting and reopen the regular meeting at 9:20pm; unanimously approved.

B. Application 2156-Pelletier-Special Use Permit-Massage & Wellness Practice-Spielman Hwy #258 Unit 1.

MOTION Parente, seconded Wilson to close the regular meeting and open the public hearing at 9:25pm; unanimously approved.

Applicant Meagan Pelletier was present and addressed the Commission.

ZEO read review dated December 9, 2019 into the record.

Public Comment:

First Selectman Ted Shafer- stated he was in favor and supports new business in town.

MOTION Wilson, seconded Parente to close the public hearing and reopen the regular meeting at 9:30pm; unanimously approved.

MOTION Wilson, seconded Parente to approve Application 2156-Pelletier-Special Use Permit-Massage & Wellness Practice -Spielman Highway #258 Unit 1 per the plans submitted for the following reasons:

This application for the proposed use meets or exceeds our PZC Regulations for the following reasons: This personal services use is allowed by Special Permit in the CB Zone; This activity was reviewed by BBHD with no issues identified concerning health, safety and

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licensing; The proposed lease of space from the already approved Burlington Green Shoppes & Offices plaza requires no expansion of space.

The plan favorably meets all the following P&Z Special Use Permit Use Regulations:

Accordance with the POCD; Harmony with the area; Adequate Infrastructure; Natural Resource Conservation; Compatible design; Public Health, Safety & Welfare; Residential Impact.

IN FAVOR: Miller, Parente, Wilson, Higley, Hebert, Stolarz.

OPPOSED: none ABSTAINED: none.

PERMIT GRANTED

6. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

A. **Performance Bond Release**-Stone Ridge Crossing Subdivision Phase 1

MOTION Wilson, seconded Parente to approve the final release of the performance bond for Stone Ridge Crossing Phase 1 and that the approval be conveyed to the Board of Selectman; unanimously approved.

7. ZONING OFFICER REPORT:

A. **None**

8. STAFF/COMMISSION COMMENTS-

A. **None**

9. ADJOURN:

MOTION Parente, seconded Higley to adjourn the meeting at 9:40pm; unanimously approved.

Respectfully submitted,
Allison Tharau
Planning and Zoning Clerk