



## Town of Burlington

### PLANNING AND ZONING COMMISSION MINUTES OF REGULAR MEETING JANUARY 9, 2020 BURLINGTON TOWN HALL

**PRESENT:** Richard Miller-Chair, John Hebert, JP Parente, Sonia Higley, Rudy Franciamore, Barbara Dahle, Eric Lindboe, Stephen Stolarz, Richard Miller. Dahle left at 7:45pm  
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 Rob Wilson.

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

MOTION Higley, seconded Parente to approve the minutes from the December 12, 2019 regular meeting as amended; unanimously approved.  
Amendment: Public Comment: Commissioner Hebert-“requests that greenways map on page 14 should be taken out”. He did not request that statement.

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

- A. CRCOG report on zoning referral for Town of Avon.
- B. Planimetrics invoices to date.
- C. Town of Burlington-Land Use Office-Permits for December 2019.
- D. COG-What’s Legally Required-Feb 4<sup>th</sup> 6:30pm.

##### D. **Elections 2020:**

Motion Dahle, seconded Higley to nominate JP Parente for Chairman.  
Motion Franciamore, seconded Miller to nominate Richard Miller for Chairman.  
Motion by Miller, seconded Parente to nominate Rob Wilson for Vice Chair.  
Motion Miller, seconded Parente to nominate Rudy Franciamore for Secretary.  
Results of vote: Richard Miller, Chairman, Wilson Vice Chair and Franciamore, Secretary.

#### 2. **OLD BUSINESS:**

##### A. **Application 2157**-McCausland-Special Use Permit-Barn/Storage-Hill Top #9.

ZEO read letter dated January 9, 2020 into record.  
Application withdrawn-no special permit or public hearing necessary. Application fee will be refunded through the Land Use Office.



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Motion Parente, seconded Miller to amend agenda to add Application # 2158 to agenda under New Business; unanimously approve.

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

- A. **Application 2158** – Clampett-Evening Sky Subdivision-Lyon Road MBL# 5-13-151.  
Charles Clampett, applicant & Ozzi Torres, Engineer were present.  
ZEO read letter dated January 9, 2020 into record.  
Application is to approve the 12.28 acres subdivision for Farm Brewery Use only, not the content. A special permit and public hearing will be needed for the Farm Brewery.  
The minor subdivision regulations have been met for the land subdivision.  
Bill Allyn-119 Lyon Road stated that this was not an agenda item therefore not informing public.  
Commission stated that this application will be continued to the next regular meeting on January 23, 2020.

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

- A. None

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

- A. **Application 2155**-NTH, LLC-Special Use Permit-Earth Removal-Shrub Road, Bristol.  
MOTION Parente, seconded Franciamore to close the regular meeting and open the public hearing at 7:25pm; unanimously approved.  
Applicant Harry Cleveland and Engineer Rob Hiltbrand were present and addressed the Commission. Hiltbrand stated that public hearing signs were reposted after the last meeting.  
ZEO stated he spoke with Robert Flanagan, Town Planner of Bristol, and proper notifications were sent to Bristol within the required timeframes.  
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.  
The applicant met with Environmental Learning Center to discuss restoration of the upland slope on property and determined that wild flowers and diverse seeding will be used.

#### Public Comment:

Richard Bartosch-95 Shrub Rd-questioned why trucks will not be exiting from Burlington side.  
Harry Cleveland-28 Pine Hill Road- stated that there is no access road from property to Burlington.

Erik Madsem-70 Oak Hill Rd-read and submitted comments into record.

April ?-Shrub Rd-questioned hours of operation.

Commission stated M -F 8am-5pm.

Resident-440 Shrub Rd-questioned the start, length and completion of project.

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Harry Cleveland-28 Pine Hill Rd-stated project is market driven but would like to complete ASAP.

Robert Caplette-352-Shrub Rd-concerned with bike & foot traffic during project.

Harry Cleveland-28 Pine Hill Rd-stated that the timetable is not clear yet. The grant was just approved and the next step is to meet with the City of Bristol & Environmental Learning Center. He assured the resident that the property will not be open to the public during the earth removal project.

Richard Bartosch-95 Shrub Rd- asked if dynamite would be used.

Commission stated no.

Scott Heth-Environmental Learning Center-stated that the grant was just awarded and that the State will require to close within one year.

MOTION Parente, seconded Miller to close the public hearing and reopen the regular meeting at 7:50pm; unanimously approved.

MOTION Parente, seconded Miller to Approve Application #2155-NTH, LLC-Special Use Permit-Earth Removal-Shrub Rd, Bristol per all the plans submitted for the following reasons:

The application substantially meets the requirements for the proposed earth removal per Special Regulations Moving and Processing of Earth Products (Section IX.A, inclusive).

The plan favorably meets all the following P&Z Special Permit Use Regulations:  
Accordance with the POCD; Harmony with the Area; Adequate Access; Adequate Infrastructure;  
Natural Resource Conservation; Compatible Design; Public Health, Safety & Welfare;  
Residential Impact.

And with the following Stipulations:

That all requirements of our Town Regulations section IX.A-Moving and Processing of Earth Products, inclusive, be followed which includes the securing of all permissions, insurance and bonding before earth removal activities commence and following all operational hours and standards.

This Special Permit shall be valid for a period of two years from the date of issuance.

IN FAVOR:Miller, Parente, Franciamore, Hebert, Lindboe, Stolarz, Miller.

OPPOSED:none. ABSTAINED: none.

**Permit Granted.**

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

A. **None.**

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7. **ZONING OFFICER REPORT:**

A. ZEO requested that any remaining POCD packets be sent to Glenn Chalder.

8. **STAFF/COMMISSION COMMENTS-**

A. None

9. **ADJOURN:**

**MOTION** Parente, seconded Lindboe to adjourn the meeting at 8:00pm; unanimously approved.

Respectfully submitted,  
Allison Tharau  
Planning and Zoning Clerk