



Town of Burlington

PLANNING AND ZONING COMMISSION MINUTES OF REGULAR MEETING FEBRUARY 13, 2020 BURLINGTON TOWN HALL

PRESENT: Richard Miller-Chair, John Hebert, JP Parente, Sonia Higley, Rob Wilson, Eric Lindboe and Stephen Stolarz.
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.
Eric Lindboe sat for Rich Miller.

B. **Approval of Minutes**

MOTION Higley, seconded Parente to approve the minutes from the January 23, 2020 regular meeting as submitted; unanimously approved.

C. **Communications:**

- A. Letter dated February 4, 2020 from the City of Bristol regarding proposed zoning regulation.
- B. Copy of Junked Motor Vehicles ordinance.
- C. Copy of Basic Legal Principles and Checklist for Land Use Regulation by Mike Zizka.
- D. Copy of CT Court Decisions from NHCOC meeting 2/4/2020.

2. **PLAN OF CONSERVATION & DEVELOPMENT/CITIZEN COMMENT-Glenn Chalder**

Chalder reviewed with the Commission the POCD Comments Summary summarizing the comments from the public meeting on December 13, 2019; Priority Listing of Policies and Priority Listing of Action Steps and recommended changes or discussion.
Public hearing date scheduled for April 23, 2020.
Target date for adoption is May 13, 2020.

3. **OLD BUSINESS:**

- ##### A. **Greer Road-**
- Several residents from Greer Road & Gilbert Lane addressed the Commission regarding 17 Greer Road with respect to public safety issues, unregistered motor vehicles, blight conditions and septic issues.
ZEO read letter dated February 15, 2019 addressed to homeowner of 17 Greer Road into the record which addressed junk motor vehicles.
Ted Shafer, First Selectman, met with the residents separately that evening, to discuss issues not within PZC jurisdiction.



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4. **NEW APPLICATIONS/NEW BUSINESS:**

A. None

5. **PENDING APPLICATIONS:**

A. None

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

A. **Application 2159 – Hiltbrand-Special Permit-Moving & Processing of Earth Products – Prospect Street – 2 03 33.**

MOTION made, seconded and passed unanimously to close the regular meeting and open the public hearing at 8:12PM (Parente/Hebert)

Rob Hiltbrand, applicant, was present and addressed the Commission.

Submitted mailings & affidavits into the record.

Previously approved permit in 2017 (App # 2116) for the same activity on 1.65 acres which expired.

ZEO read special permit review dated February 13, 2020 into the record.

No public comment.

MOTION made, seconded and passed unanimously to close the public hearing and reopen the regular meeting at 8:25PM. (Wilson/Parente)

MOTION Wilson, seconded Parente to approve Application #2159-Hiltbrand-Special Use Permit- Moving and Processing of Earth Products – Prospect St M-2 B-03 L-33 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.

INFAVOR: Miller, Higley, Parente, Wilson, Lindboe, Stolarz

OPPOSED: none

ABSTAINED: Hebert

Permit Granted



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7. **CITIZEN COMMENT:**

Burt Pompa -44 School House Hill Road-questioned the procedure in which the farm brewery regulation was changed and why weren't residents notified. Asked what the process would be to change a regulation in the future.

Bill Allyn- 119 Lyon Road-has concerns with communications of public hearings and the lack of notice to the residents.

8. **OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:** None

9. **ZONING OFFICER REPORT:**

ZEO stated that a 2007 subdivision approval with conditions has a 9- year window with a 5 - year extension Property transferred ownership and new owner is requesting a modification to the plan. The Commission reviewed the plan and stated that it would need a subdivision approval not just a modification.

10. **STAFF/COMMISSION COMMENTS:**

ZEO to draft letter to BOS requesting that they consider the creation of a Blight Ordinance Citizen Committee based on feedback and direct requests from several Burlington residents.

11. **EXECUTIVE SESSION:** Personnel-Safety

MOTION made, seconded and approved unanimously to go into Executive Session at 8:58pm. (Higley/Parente)

MOTION made, seconded and approved unanimously to come out of Executive Session and reopen the regular meeting at 9:08PM. (Parente/Higley)

12. **ADJOURN:**

MOTION Higley, seconded Parente to adjourn the meeting at 9:12pm; unanimously approved.

Respectfully submitted,
Allison Tharau
Planning and Zoning Clerk