



Town of Burlington

PLANNING AND ZONING COMMISSION MINUTES OF REGULAR MEETING NOVEMBER 12, 2020 VIA TELECONFERENCE

PRESENT: Richard Miller-Chair, Sonia Higley sat for Rob Wilson, Rich Miller, Rudy Franciamore, Eric Lindboe sat for JP Parente, John Hebert.
Jerry Burns, ZEO
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 7:03pm. Regular members present were seated for the meeting. Alternates will be assigned on each application, as needed.

B. **Approval of Minutes**

Motion Miller, seconded Hebert to approve the minutes from the October 22, 2020 regular meeting as submitted; unanimously approved.

C. **Communications:**

- A. Executive Orders 7i extended to February 9th.
- B. Letter dated October 23, 2020 to PZC from Pullman & Comley re: Solar Project-Siting Council-Prospect Street, Burlington

2. **OLD BUSINESS:**

- A. None

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

- A. None

4. **PENDING APPLICATIONS:**

- A. None

Motion Higley, seconded Hebert to amend the agenda to move Agenda item 5B before 5A; unanimously approved.

5. **PUBLIC HEARINGS:**

- A. **Application 2168**-Patel-Special Use Permit-Liquor Retail-Spielman Hwy #276.

Motion Higley, seconded Hebert to close the regular meeting and open the public hearing at 7:30PM; unanimously approved.



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David Markowitz, Attorney, Pranav Patel, Applicant, David Whitney, Engineer, Jeff LaChance, Builder were present and addressed the Commission.

Submitted into the record: Revised Engineer presentation; Building Presentation; BBHD approval of revised site plan for Phase 1; Letter dated November 11, 2020 from resident to Commission and Site Photometric Plan.

David Markowitz referred the Commission to Maps 1 and 2 noting the number of parking spaces as required by regulations; Phase 1 and 2 buildings will be connected to meet set back requirements; water serviced by municipal water and BBHD has approved septic system for Phase 1.

David Whitney reviewed revisions with the Commission:

Sheet 1-Map of Existing Site-latest revision date-November 5, 2020

Sheet 2-Site Layout Plan for Phase 1:

Relocated Phase 1 building; 22 parking spaces as required; land to be deeded to Town for future widening of Library Lane; maximum front yard setbacks from edge of street; second driveway possible future one-way exit.

Sheet 3-Site Grading and Utilities:

Proposed telephone, electric and cable conduits; handicap space not to exceed 2% BBHD approved septic system; proposed stormwater infiltration system.

Sheet 4 – Site Layout Plan for Phase 2:

Additional 36 parking spaces; added 4 additional Maple trees; light pole with downward casting fixture.

Sheet 5-Site Grading and Utilities Plan:

Site utilities for Phase 2

Sheet 6 – Details:

No changes

Sheet 7- Future Improvements to Library Lane

Future widening of Library Lane; installation of sidewalk.

Public Comment:

Charles Clampett-24 Bittersweet Lane-spoke for Amanda Cole who wrote a letter of good character of Pranav Patel and felt the project will be an asset to the community.

Dwight Harris-22 Charolais Way-Jerry Burns, ZEO, read letter submitted by Mr. Harris dated November 10, 2020 into the record.

Jon Crane-27 Stony Hill Road-asked if the Commission would require sidewalks as they did for Grad Bros project on George Washington Tpke.

ZEO and Building Inspector still need to review plans and revisions and will submit a report for next meeting.

Jeff LaChance, Builder, provided a Building presentation:

4650 SF New England style building; renderings from parking lot; rendering from Library Lane; building with connector shown; Phase 1 & Phase 2 building renderings; materials list and lighting.



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David Markowitz reviewed and commented on all 8 sections of Special Use permit regulations as they pertain to the proposed project.

Motion Higley, seconded Miller to continue the public hearing to the next regular meeting and reopen the regular meeting at 8:30PM; unanimously approved.

B. Application #2171-O&G Industries Excavation Renewal – Pavlik Pit-Spielman Hwy

Motion Higley, seconded Miller to close the regular meeting and open the public hearing at 7:10PM; unanimously approved.

Richard Warren, O&G Industries, was present and addressed the Commission.

Applicant requesting a two-year permit for an existing operation located on Spielman Highway at the Pavlik Pit.

Applicant submitted Special Use Permit-Application 2141; Letter dated October 27, 2020 sent to abutting property owners; Letter dated November 4, 2020 to PZC submitting application; Certificate of Liability Insurance; Site Plan; Letter of Credit and Letter dated October 7, 2020 from Streeter Engineering in support of project.

Area of activity is approximately 5 acres with operations internal and not within 400 feet of any property line. Portable screen will be used for dry screening only no crushing will be done. Reclamation will be done at completion of project.

Jerry Burns, ZEO, read review into record.

Public Comment-none

Motion Higley, seconded Hebert to close the public hearing and reopen the regular meeting at 7:25PM; unanimously approved.

Motion Higley, seconded Miller to approve Application 2171-O&G Industries-Special Use Permit-Moving & Processing of Earth Products-Spielman Highway-Pavlik Pit 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; Public Health, Safety & Welfare; Residential Impact.

And with the following conditions:

The Developers Agreement from the Town Attorney is agreed to and signed prior to work commencing at the site.

INFAVOR: Miller, Higley, Lindboe, Franciamore, Hebert, Miller. OPPOSED: none ABSTAINED: none.

Permit Granted

C. Application #2169-Hogan-Ground Mounted Solar System-Equestrian Lane#66-~~Withdrawn~~

200 Spielman Highway ☎ Burlington, CT 06013-1735 ☎ 860-673-6789



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

A. 2021 PZC Meeting Schedule-Commission discussed and determined the Commission will continue to meet on the 2nd & 4th Thursdays of each month at 7PM in the Auditorium.

7. **CITIZEN COMMENT:**

Dwight Harris-22 Charolais Way-Jerry Burns, ZEO, read letter dated November 9, 2020 from Dwight Harris to the Commission regarding the "Guide for Applicants in the CB Zone" be corrected to mention that a review by the Commission as per the CB Overlay Zone requirements be conducted. The Rivco building was not an agenda item on the April 9th meeting and no one was able to comment on the building project. Felt procedurally it was done wrong.

ZEO stated that going forward it will be an agenda item

Bob Rivard-Rivco- Stated that Dave Whitney designed his rear building in harmony with the area and that when traveling east or west the building is not seen.

8. **ZONING OFFICER REPORT:** None

9. **STAFF/COMMISSION COMMENTS:** None.

10. **ADJOURN:**

Motion Higley, seconded Miller to adjourn the meeting at 8:45pm; unanimously approved.

Respectfully submitted,
Allison Tharau
Planning and Zoning Clerk