

**PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
OCTOBER 8, 2015 7:00PM
BURLINGTON TOWN HALL**

PRESENT: Richard Miller, Chair, Rob Wilson, Mark DiChiara, Eric Lindboe sat for Doug DiPaola, Rudy Franciamore, James Lostocco, Barbara Pavlik Dahle sat for Jon Parente until 7:15pm, Tom Zabel. Jon Parente arrived at 7:15pm.

Liz Burdick, ZEO/WEO

Allison Yudelson, Recording Secretary

1) CALL TO ORDER:

A). Attendance and Designation of Alternates

Chairman Miller called the meeting to order at 7:00pm.

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

B). Approval of Minutes-September 24, 2015.

MOTION DiChiara, seconded Wilson to approve the minutes from the September 24, 2015 regular meeting with correction to 1A.Chairman Miller; unanimously approved.

C). Communications:

1. PZC 2016 Meeting Schedule

2) NEW APPLICATIONS: None

3) PUBLIC HEARING(S):

A) Application 2075-Larson's Garden Center-Special Use Permit & Site Plan Modification for Mixed Use Commercial/Residential for Retail Garden Center-26 Covey Road.

MOTION DiChiara, seconded Wilson to close regular meeting and open public hearing at 7:03pm; unanimously approved.

Kaitlyn Larson was present and addressed the Commission.

Larson stated that she is proposing to modify approved site plan dated December 20, 2001 adding two greenhouses; reconstructing detached garage and addition for additional storage/coverage for equipment.

Burdick stated that the site is not being used as proposed in 2011.

Larson submitted revised site plan received in Land Use Office on October 6th in which the plan was referred to the Town Engineer for review & comment.

Burdick submitted comments in letter dated October 7, 2015 and reviewed with Commission.

Town Engineer completed a review of the revised plans and submitted comments in letter dated October 8, 2015.

Burdick suggested the Larson revise site plan to encompass all she wants to include.

The Commission reviewed the old versus proposed plans with respect to parking; outside storage; buffered landscape; waiver of architectural review.

Public Comment:

Gerry Bryant-91 Pine Hill Road-residential property (Hearthstone Townhouses) abuts Larson's property. Commented on the current conditions of material being stored outside and proximity to the property line; pile of logs right on the property line where animals have been habitating; debris in the form of plastic sheets and Styrofoam blowing onto his property ; and a water drainage problem discharging onto his property.

Larson commented that no additional run off has been coming off the site Mark Ramponi-Covey Road-commented that both Larson & Bryant have improved the site and they need to work together to resolve any issues.

Commission asked Larson to address issues from Town Engineer & ZEO on the new proposed plans.

MOTION Zabel, seconded Wilson to continue the public hearing and reopen the regular meeting at 8:00pm; unanimously approved.

- B) **Application 2077-** 8 Covey Road-Applicants: Baillargeon & Scott-Owner: Burlington Academy Properties, LLC-Special Use Permit for Autobody Repair & Detail Shop.

Public hearing was re-noticed and will be opened on October 22, 2015.

4) PENDING APPLICATIONS: None

5) OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

A) Request for Bond Release & Acceptance of Roads-Clearwater Creek-Phase 1-Clearwater Creek & West Ledge Roads

Gerry Bryant was present and addressed the Commission.

Commission reviewed letter from Burdick, ZEO/WEO dated October 2, 2015.

MOTION Zabel, seconded Parente to release the Clearwater Creek Phase 1 Public Improvement bond in the amount of \$181,000 with the condition the Applicant/Owner posts Public Improvement Maintenance bond in the amount of \$20,000 for a period of one year; unanimously approved.

B) Request for Acceptance of Road-Section 5&7-Angelas Way
Commission reviewed letter from Burdick, ZEO/WEO dated October 8, 2015.
Commissioner Lostocco recused himself.

MOTION Zabel, seconded Parente that the Planning & Zoning Commission authorize that the available bond funds in the amount of approximately \$45,000 be called/liquidated and applied to the costs of the project to complete the public improvements and accepts Angela's Way roadway to Section 7 as a Town Road; unanimously approved.

C) Discussion of Commercial Vehicles in Residential Zones-handouts of other town's regulations with respect to Commercial Vehicles were distributed and Commissioners were asked to review for the next meeting.

6) CITIZEN COMMENT-none

7) ZONING OFFICER REPORT-

A) 9/1/15-9/30/15-Emailed to Commissioners prior to meeting for review and/or questions.

B) Petition for cease & desist Of Iron clad-K9-121 Belden Road.

Mark Brasche, 118 Belden Road & Ronald Cash 121 Belden Road were present. Burdick stated that there was no zoning violation the home occupation was not being conducted at 121 Belden Road the business operates in Litchfield CT; three dogs reside at residence (not defined as a kennel) which are all licensed and a copy of the petition has been forwarded to the Animal Control Officer for the complaint of barking dogs.

Brasche stated that he accepts the Commission's determination but is not satisfied with the Animal Control Officers investigation. He did state that the barking has been tolerable in the last several weeks.

Cash commented that the dogs have never been left outside all night and showed the Commission a picture of the kennel where the dogs are kept.

8) STAFF/COMMISSION COMMENTS-

Wilson commented on the resignation of Liz Burdick and that she was an asset to the Commission and the Town and wishes her well in her new endeavors.

9) ADJOURN

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

Respectfully submitted,

Allison Yudelson
Planning and Zoning Clerk

