

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING MINUTES  
SEPTEMBER 24, 2015 7:00PM  
BURLINGTON TOWN HALL**

**PRESENT:** Richard Miller, Chair, Rob Wilson, Mark DiChiara, Eric Lindboe sat for Jon Parente, Rudy Franciamore, James Lostocco, Barbara Pavlik Dahle sat for Doug DiPaola, Tom Zabel.  
Allison Yudelson, Recording Secretary

**1) CALL TO ORDER:**

**A). Attendance and Designation of Alternates**

Acting Chairman Wilson 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 10, 2015.**

MOTION Wilson, seconded Zabel to approve the minutes from the September 10, 2015 regular meeting with correction to votes & decision on App 2076- DiChiara voted OPPOSED; unanimously approved.

**C). Communications:** none

**2) NEW APPLICATIONS:**

- A) Application 2077-** 8 Covey Road-Applicants: Baillargeon & Scott-Owner: Burlington Academy Properties, LLC-Special Use Permit for Autobody Repair & Detail Shop.  
Commission received application, reviewed letter dated September 24<sup>th</sup> from ZEO/WEO and set public hearing for October 8, 2015.

**3) PUBLIC HEARING(S): None**

**4) PENDING APPLICATIONS:**

- 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.  
(Public hearing set for October 8<sup>th</sup>)

**5) OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:**

A) Application 2073-280 Spielman Highway-BD Properties, LLC-Mixed Use Commercial-Request for Waiver as As-Built Site Plan for Issuance of Certificate of Zoning Compliance/Certificate of Occupancy.

Bob & Diane Rivard were present and addressed the Commission.

Commission reviewed letter dated September 24<sup>th</sup> from ZEO/WEO stating that the site improvements were not complete including grading to driveway; delineation of parking; dumpster on pad; retaining wall; internal directional signs and stabilization of disturbed soil.

Rivard explained that the site was developed per approved plan and driveway has been graded to 5.8% and verified by his Engineer, David Whitney.

Questioned why he needs to stabilize & seed areas in which he did not disturb and stated that Burdick did not specify the “disturbed soil” areas.

Commission agreed to waive the “As-Built” and that the applicant can make the grade notation change from 4% to 5.8% on the plan and initial it.

Commission also will ask Burdick to define on the map the disturbed areas that Applicant needs to stabilize & seed.

MOTION Zabel, seconded Franciamore to approve Application 2073 conditioned upon stabilizing area delineated by ZEO of areas limited to areas that the Applicant disturbed since purchasing the property; and waiver of “As-Built” but modify the existing plan showing the new driveway grade to 5.8% and initialing for submission for Town records; unanimously approved.

B) Discussion of Commercial Vehicles in Residential Zones-Burdick requested that this agenda item be tabled until the next meeting when she is present.

Commission questioned definition of commercial vehicles as stated in our regulations. Can we limit size, number of vehicles or weight? Reach out to other Towns to see what is stated in their regulations for commercial vehicles.

**6) CITIZEN COMMENT-**

Mark Brasche-118 Belden Road

Submitted petition to Commissioners. Petition for cease & desist of Ironclad-K-9 at 121 Belden. Brasche stated that he is running a commercial business in a residential zone. Dogs constantly barking. Contacted Tom Arcari, Animal Control. Petition will be submitted to Burdick on Monday to research and report back at the next meeting.

**7) ZONING OFFICER REPORT-**

A) 9/1/15-9/18/15-Commission reviewed report and commented that Burdick submitted the report with details suggested at the last meeting.

**8) STAFF/COMMISSION COMMENTS-**

Miller commented that he spoke with the Town Engineer and asked to receive reports in a more timely response at least the Monday before the meeting so there is time to review.

**9) ADJOURN**

**MOTION** Zabel, seconded DiChiara to adjourn the meeting at 8:15pm; unanimously approved.

Respectfully submitted,

Allison Yudelson  
Planning and Zoning Clerk