

**PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
SEPTEMBER 10, 2015 7:00PM
BURLINGTON TOWN HALL**

PRESENT: Rob Wilson Acting Chair, Mark DiChiara, Eric Lindboe,
Rudy Franciamore, Jon Parente, James Lostocco, Barbara Pavlik Dahle
Doug DiPaola, Tom Zabel.
Liz Burdick, ZEO
Allison Yudelson, Recording Secretary
Ken Slater, Town Attorney

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-August 27, 2015.

MOTION DiChiara, seconded Parente to approve the minutes from the August 27, 2015 regular meeting; unanimously approved.

C). Communications: none

2) EXECUTIVE SESSION-Litigation Status-Angela's Way

MOTION DiPaola, seconded DiChiara to adjourn regular meeting and go into executive session at 7:03pm; unanimously approved.

Commission invited Ken Slater, Liz Burdick, Allison Yudelson, Jim Chard & Gerry Mullen into Executive Session.

MOTION Parente, seconded Franciamore to come out of executive session and re-open the regular meeting at 7:55pm; unanimously approved.

3) OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

A) Angela's Way –Section 8-Request for extension of time of Resubdivision Approval with Modification.

MOTION DiChiara, seconded Parente to approve the request of 5862 Angela's Way, LLC to grant a five-year extension of time to April 8, 2020 to complete public improvements associated with the following resubdivision:

Application 1988 (Application 1954) –Reapproval of 5-lot Subdivision. Table Rock Estates Section 8-North Side of George Washington Turnpike approximately 3000 feet north of intersection with Angela’s Way.
Applicant/Owner: Robert McCallum/GWT Associates, LLC.

And to modify the requirements of the subdivision to allow phased completion of the portion of Angela’s Way shown on the plans such that if the portion of that road in Section 8 is completed to the point where it meets the northeast corner of Lot 60 and the northwest corner of Lot 61 and unpaved temporary cul-de-sac/turnaround is improved at the end of that completed portion of Angela’s Way such that the Highway Superintendent determines the temporary cul-de-sac is sufficiently accessible to permit snow removal and other municipal services to Section 8 building lots, certificates of occupancy may be issued for any lot within Section 8 pursuant to Section 9-06 (Certificates of Occupancy during Construction of Improvements) of the Burlington Subdivision Regulations.

IN FAVOR, Wilson, Parente, DiPaola, DiChiara, Zabel. OPPOSED, none.
ABSTAINED, none. Lostocco recused himself.

B) 8 Covey Road-Pre-App Review & Request for waiver of professional site plan for Autobody Repair and Detail Shop at existing site.
Jeremy Baillargeon & Patrick Scott were present and addressed the Commission.

Requesting a waiver of approval of site plan from the Commission before they can apply for special permit. If waiver is granted the next step would be to go before ZBA for certificate of approval and then apply for special permit.

MOTION DiPaola, seconded Parente to grant waiver of requirement of professional site plan; unanimously approved.

4) PUBLIC HEARINGS: none

5) PENDING APPLICATIONS: none

6) NEW 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.

Kaitlyn Larson was present and addressed the Commission. She explained she will be modifying original special use permit.

Burdick stated that her office received a letter from an abutting owner requesting a public hearing on this application originally.

Commission received the application and set a public hearing for October 8th.

B). Application 2076-BVFD-Site Plan Permit for Accessory Structure for Training-100 Thompson’s Way.

Andy Mercieri, BVFD Chief, was present and addressed the Commission. Mercieri explained that the structure of Connex trailers(metal boxes) have been placed on the side of the fire house and will be used for live fire training, ventilation training and stretching hose lines. Cost of structure \$40,000. Pallets & hay will be used for to fuel fires for heat & smoke.

Commission requested that the structure be painted a uniform color.

MOTION Lostocco, seconded Franciamore to approve Application 2076-BVFD-Site Plan Permit for Accessory Structure for Training-100 Thompson's Way conditioned upon the structure be painted a uniform color.

IN FAVOR, Wilson, Franciamore, Lostocco, Parente, DiPaola, DiChiara.

OPPOSED,none. ABSTAINED,none

Permit Granted

7) CITIZEN COMMENT-

Gerry Romaniec-11 Rock Street-has a business in Canton and have attended several Commission meetings there and stated that the Commissioners don't get packets of info on the same night as the meetings so there is sufficient time to review before making any decisions.

Also Chair runs the meeting not staff. Felt that the Board needs to tighten up and get packets of info earlier.

Burdick commented that deadlines are needed in place for applicants to apply-15 days prior to meeting so staff & commission has time to review application.

8) ZONING OFFICER REPORT-

A) August Report-Burdick asked Commissioners to review and questions can be addressed at the next meeting.

Dahle suggested we get ZEO report every two weeks and dates approved be added to the report.

B) 26 Strong Street-Byrne-Discussion of project permitting requirements-Cheryl Byrne was present.

Burdick provided the Commissioner's & Byrne with a packet of information showing three sets of plans & timelines submitted by Byrne.

Commission reviewed all three sets of plans and timeline associated.

Burdick stated that Byrne can build plan #1, plan #2 & #3 need variances.

If she chooses to build #3 requires additional variances and IWWC approval.

Task List: Obtain variance for house plan #3; reapply to IWWC for permit and new application for building permit & zoning permit.

MOTION DiChiara, seconded Parente to waive the fee for new application of zoning permit; unanimously approved.

C) Discussion of commercial vehicles in residential zone for Sept 24th meeting.

9) STAFF/COMMISSION COMMENTS-

Burdick commented on an article that was published in the Valley Press this week. She provided a handout regarding Rivard application at 280 Spielman Highway stating that construction/site work had been started without permits; no CO has been issued and a Karate School has already moved into building; site inspection completed by Burdick finding no grading, gravel of parking area.

Burdick has since sent letter requesting voluntary compliance and the Building Inspector sent Notice of Code Violation.

Site work needs to be completed including grading of driveway (doesn't meet maximum grade) and as built needs to be submitted.

10) ADJOURN

MOTION DiPaola, seconded DiChiara to adjourn the meeting at 9:40pm; unanimously approved.

Respectfully submitted,

Allison Yudelson
Planning and Zoning Clerk