

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

PRESENT: Richard Miller Chair, James Lostocco, Mark DiChiara,
Eric Lindboe sat for Doug DiPaola, Rudy Franaciamore, Rob Wilson, JP
Parente, Barbara Pavlik Dahle.
Liz Burdick,ZEO
Allison Yudelson, Recording Secretary

1) CALL TO ORDER:

A. Attendance and Designation of Alternates

Chairman Miller called the meeting to order at 7:05pm.
Regular members present were seated for the meeting. Alternates will be
assigned on each application.

B. Approval of Minutes-December 11, 2014.

MOTION Wilson, seconded DiChiara to approve the minutes from the
December 11, 2014 regular meeting as submitted; unanimously
approved.

C. Communications

- a Letter from Mary-Jane Ugalde, Town Clerk, regarding 2015 Meeting
Minutes.
- b. CT Land Use Law for Municipal Land Use-March 21, 2015.
- c. Minutes from EDC
- d. Letter dated January 8, 2015 from Liz Burdick, ZEO, regarding App
2066.

2) PUBLIC HEARINGS:

**A. Application 2066-Green House Café-Special Use Permit-Indoor seating
restaurant-511 Spielman Highway.**

Chairman Miller recused himself. Wilson took over as Chair
MOTION Lostocco, seconded Parente to close the regular meeting and
open the public hearing at 7:07 pm; unanimously approved.
Seated: , Lostocco, DiChiara, Wilson, Parente, Lindboe, Franciamore.
Applicant stated that septic finalized and approved by BBHD & State.
Septic designed for 25 indoor seats. No approval for outdoor activity.

Liz Burdick met with applicant on January 7, 2015 and stated that there are minor site plan revisions. If Commission should act favorably there are several conditions stated in her memo dated January 8, 2015 with a seventh condition to delineate parking of 51 spaces. With respect to noise Burdick spoke to police and they do not have noise meters, we would need to outsource to determine if violation.

Gombos stated that music would be indoors only at this point.

Public Comment:

Gerry Romaniec-514 Spielman Hwy-asked if alcohol would be sold and questioned how many businesses were on the property and if he sold farm equipment. Also, asked about square footage of building.

MOTION Franciamore, seconded Parente to Close the public hearing and re open the regular meeting at 7:40pm; unanimously approved.

MOTION Franciamore, seconded DiChiara to approve Application 2066 for Green House Café-Special Use Permit-for Indoor seating in Restaurant located at 511 Spielman Highway with the following conditions:

1. A revised site plan shall be submitted to staff for review and approval pursuant to 12/29/2014 ZEO memo as follows: a. Revise Site plan parking compliance table to eliminate “take-out restaurant” and revise to show 5 spaces required for “take-out ice-cream shop” as determined by the PZC on 6/13/2007 and; b. Revise site plan to show eight outdoor patio seats for the take-out ice cream shop as shown on a site plan and as approved by the PZC on 6/13/2007.
2. Future additional new or replacement signage requires review and approval by the ZEO and/or PZC.
3. Final Bristol-Burlington Health District approval required for number of indoor seating allowed.
4. Submit revised floor plan showing further reduction to 20 seats per 12/22/2014 Health Department comments or other number of seats as determined by the Health Dept. prior to issuance of zoning or building permits to start the work.
5. Modification of the proposed plan to include future outdoor seating for the restaurant or any additional proposed uses requires further review and approval by the PZC.
6. Indoor or outdoor music/entertainment to be conducted on the site shall comply with zoning regulations regarding Noise ([ZR Sec. III.C.4](#)).
7. Proposed parking spaces in gravel parking areas shall be clearly delineated as approved by the ZEO.

INFAVOR, Wilson, Franciamore, DiChaira, Lostocco, Parente, OPPOSED, none. ABSTAINED, Dahle.

Permit Granted

Miller took over as Chair

3) PENDING APPLICATIONS:

A. none

4) NEW APPLICATIONS:

A. none

5) CITIZEN COMMENT- none

6) ZONING OFFICER REPORT- No report

7) OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

A. Bond Approvals-

1. Clearwater Estates-Town Attorney reviewed and approved language.

MOTION Wilson, seconded Parente to accept bond in the amount of \$105,000 for road improvements and to allow final approval to Clearwater Estates subdivision; unanimously approved.

B. Discussion of Regulations regarding Boarding Horses-Burdick had copies of regulations from other towns with respect to boarding of horses. She stated regulations from the Town of Killingworth. Commissioner suggests the town get input from other residents who own farms in town. Chairman Miller suggested Burdick look into Northwest Collaborative as a resource as well as Joan Nickels, CT Farm Bureau. It was suggested that the Commission look into all livestock not just horses. John Hebert-Conservation Commission-he encouraged Commission not to be so restrictive that every piece of rural land is important to the town. Dwight Harris-Charolais Way-stated that he feel regulation interpretations differ between he and Burdick, ZEO. Asked Commissioners to look at regulations as they stand and how they interpret which will lead to the right decision and regulations may not have to be revised or changed. Felt its important to understand the problem before trying to fix it.

8) STAFF/COMMISSION COMMENTS-Dahle commented on FOI with respect to public meetings and who & when people can speak. Also felt that all applicants should have application and approvals in place prior to submitting application to commission as not to waste commissioners and applicant time.

9) EXECUTIVE SESSION-none

MOTION Wilson, second Parente to adjourn the meeting at 8:45pm; unanimously approved.

Respectfully submitted,

Allison Yudelson
Planning and Zoning Clerk

