

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING MINUTES  
MARCH 10, 2016 7:00PM  
BURLINGTON TOWN HALL**

**PRESENT:** Richard Miller-Chair, Rob Wilson, Mark DiChiara, Eric Lindboe sat for Rudy Franciamore, Doug DiPaola, Tom Zabel, Barbara Dahle sat for Kim Holden.  
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-February 11, 2016.**

MOTION DiChiara, seconded Zabel to approve the minutes from the February 11, 2016 regular meeting as submitted; unanimously approved.

**C). Communications:**

1. Letter dated March 8, 2016 from Martin Connor regarding 8-24 referral-Johnnycake Mountain parcel.
2. NHCOC-request to designate a regional PoCD rep from our town.

**2) NEW APPLICATIONS/NEW BUSINESS:**

- A). 8-24 Referral-Johnnycake Mountain Parcel-**Martin Connor, Certified Planner representing the Town, was present and read his letter addressed to the Commission dated March 8, 2016 into the record. He stated that a favorable recommendation per Section 8-24 of the CT General Statutes was needed from the Commission to the Board of Selectmen. The recommendation should be made within 35 days.
- Town Attorney Duncan Forsyth was present and addressed the Commission. He submitted a map of the parcel. Forsyth stated that the Town of Burlington reached an agreement to purchase the 60 acres of land for \$1.675 million from Johnnycake Mountain Associates. The Town approved 2.18 million for land acquisition. The sale is subject to resident approval and a town meeting adjourning to referendum would be needed and four info sessions would be held prior to the vote.

He asked the Commission to look at this with their “zoning hats” on and that any projects in the future development of this parcel would need to come before the Commission. At which time the Commission would address traffic patterns, parking, light noise etc. He asked the Commission to review the POC and consider if this in the best interest of the town. Tricia Twomey, Parks & Rec Director, was present and addressed the Commission. She addressed the possible uses of the property both active and passive. A mailing will be sent to each resident with info session dates and facts.

Dwight Harris, Johnnycake Mountain Associates, stated that appraisals were done and he is getting fair market value for the parcel. He also said that he did not ever represent that the farm would remain the same forever. Paul Stawartz, P&R Chairman, stated the need to additional fields as well as passive recreational needs. He explained that development will take time and they would preserve what Dwight has established.

Gary Nicksa, 34 Mountain Top Pass- stated that he had no idea of plan except for press release but does not want to see 23 homes.

Dwight Harris Jr-stated that if a conceptual plan was shown to the public that the public would be voting on that plan and if it was developed exactly to plan then residents would be angry.

This agenda item will continue to the next meeting.

### 3) **PUBLIC HEARING(S):**

- A) **Application 2082**-Cusson-Special Use Permit-Construction of a four car garage with pole barn-71 Deer Run.  
Seated:Miller, Wilson, DiPaola, DiChiara, Dahle, Lindboe, Zabel.  
MOTION DiChiara, seconded Wilson to close the regular meeting and open the public hearing at 8:30pm; unanimously approved.  
Charles Cusson, applicant, was present and addressed the Commission. He submitted proof of mailings and list of abutting owners.  
He is proposing a four car garage, 24 X48 feet, 2 ½ stories, with pole barn. Commission referred to regulations Section 4.e. giving the Commission the ability to modify regulation to comply with regulations.  
Public:  
Dan Wartschow-Hart Ridge-no concerns and feels it fits with the character of the neighborhood.  
MOTION Zabel seconded DiChiara to close the public hearing and reopen the regular meeting at 8:38pm; unanimously approved.  
MOTION DiChiara, seconded DiPaola to approve Application 2082-Cusson-Special Use Permit-Construction of a four car garage with pole barn-71 Deer Run in accordance with Section 4e. of regulations to modify to comply with regulations.  
IN FAVOR, Miller, Wilson, Zabel, DiPaola, DiChiara, Lindboe, Dahle.  
OPPOSED, none  
ABSTAINED,none.  
**Permit granted**

4) **PENDING APPLICATIONS:** None

5) **OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:**  
**232 Spielman Highway-** Bill Ponte, Harwinton, addressed the Commission explaining that he is interested in opening a package store in the former Cassille's building. He currently has a store in Torrington. Per our regulations you cannot be within 300 feet from the property line to any residence. He asked the Commission for clarification is it from the building or property line? Commission came to a consensus that it was the building but the applicant needs to find out whether the house next door is CB or R-44 and come back to the Commission under a special permit.

6) **CITIZEN COMMENT-**none

7) **ZONING OFFICER REPORT-** none

8) **STAFF/COMMISSION COMMENTS-** none

9) **ADJOURN**

**MOTION** Wilson, seconded Zabel to adjourn the meeting at 9:08pm; unanimously approved.

Respectfully submitted,

Allison Yudelson  
Planning and Zoning Clerk