

**PLANNING and ZONING COMMISSION
Monroe, Connecticut**

**AMENDED MEETING MINUTES
May 7, 2015**

- Meeting:** Planning and Zoning Commission
Regular Meeting – May 7, 2015
7 Fan Hill Road, Town Hall, Council Chambers
- Present:** Chairman Patrick O’Hara
Vice Chairman William Porter
Secretary Karen Martin
Commissioner Brian Quinn
Commissioner Cathleen Lindstrom (alternate)
- Absent:** Commissioner David Townson
Commissioner Jane Flader (alternate)
Commissioner Pedro Villanueva (alternate)
Scott Schatzlein, Land Use Group Director/Town Engineer
- Also Present:** Will Agresta, Planning and Zoning Administrator
Carol Re, Recording Secretary

OPENING of MEETING

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**
Chairman O’Hara called the meeting to order at 7:06 p.m. and invited those in attendance to join in the Pledge of Allegiance. Chairman O’Hara paused for a moment of silence in memory of Jim White, former Town Attorney.

2. **ROLL CALL AND SEATING OF ALTERNATES** (if required)
Commissioners were seated on a roll call. Commissioner Lindstrom was seated.

3. **GENERAL PUBLIC PARTICIPATION** – None

4. **GENERAL APPOINTMENTS** – None

PUBLIC HEARINGS

5. ZONE CHANGE

- **ZCA-2015-01, Fle# 1004D** – 515 Monroe Turnpike, 216 & 220 Cross Hill Road, zone change for portions of the property currently zoned RF-1 to B-2

Secretary Martin read the public notice and Chairman O’Hara read the instructions for the public hearing. Planner Agresta listed Exhibits 1 through 19 for the record.

Mr. Nobel Allen from the firm of Hinkley, Allen and Schneider, Hartford, CT representing the applicant introduced himself along with Mr. Paul Vitaliano of VHB who is the project professional engineer.

Mr. Vitaliano, a civil engineer explained and pointed out areas on a graphic, with use of an overhead projector, that apply to this application. He showed the three subject properties and the existing zone lines for them in addition to some surrounding and abutting properties. He showed the line which currently separates the two zones and noted that it lies 200 feet offset from the abutting Monroe Turnpike right-of-way line. He explains that the line separating the zones splits the properties, for example 515 Monroe Turnpike is approximately 1.9 acres with the majority of the property in the Business District and approximately 0.8 acres in an RF-1 District. 220 Cross Hill Road which is a residential home is half in the Business District and half in a RF-1 District. The third property at 216 Cross Hill Road is also split between the two zones but only includes 0.3 square feet in the RF-1 District.

Mr. Vitaliano said the total property that they are requesting to change the zoning on is approximately 0.8 acres. If any businesses in the future wanted to purchase and develop the lots they would be restricted by the residential zoning regulations and he feels it would take away from the intent of creating a business corridor on Route 111. He feels that the re-zoning would be in keeping with the Plan of Conservation and Development for a B-2 District.

Commissioner Quinn asked if there were any known structures above or below the property proposed for re-zoning (RF-1). Mr. Vitaliano replied that there are no above ground structures and no below ground to the best of their knowledge based on completed Phase I Environmental Audit conducted for the property. A Phase II study was conducted with the intention of looking at the service station and no underground structures were found.

Planner Agresta said that both he and Town Engineer Schatzlein had prepared memos and comments during the review period, and that all of their comments had been addressed satisfactorily by the applicant.

Chairman O’Hara opened the floor to public comments.

Mr. Leon Ambrosey, owner of 515 Monroe Turnpike said he was approached by CVS some time ago and he feels it would be beneficial to the town to redevelop that corner.

Mr. Don Frey, owner of 505 Monroe Turnpike, an adjoining property, stated that he put this plan together approximately 3 years ago and is in favor of it.

Mrs. Vinch , 244 Cross Hill Road is concerned with the traffic and large trucks that travel by her home. She asked if a traffic study had been done to determine the impact to her and her neighbors.

Chairman O'Hara explained that generally, traffic studies are done as part of an application for a building not necessarily a zone change. The Commission would rely on the applicant to give a response in regard to a traffic study and whether or not one was done. If the Commission has concerns after hearing from the applicant about the traffic they will echo the concerns of the citizen.

Commissioner Porter pointed out that her concerns would be more feasible when discussing Item 6 on tonight's agenda as that deals with approval of a building for the site.

Mr. Vitaliano said a traffic study was not done for the zone change. There was a traffic study done for the application to construct a CVS but he would prefer to keep the issues separate. Mr. Vitaliano said that he feels there would be no adverse effect with the traffic and that it may be improved because they are taking four existing curb cuts out and consolidating them to two curb cuts further away from the existing intersection light signal.

Chairman O'Hara asked if the applicant sees any increase in traffic from the addition of the CVS as opposed to the current uses of that area today. Mr. Vitaliano did not want to answer because he did not have the proper numbers with him to do so, but did indicate that the traffic report prepared for the CVS was balanced with the traffic currently generated with the existing site businesses. The results found no negative impact and did not require any changes to the signals or need for widening of Route 111. In addition, the applicants met with CTDOT and after reviewing their numbers for traffic CTDOT found they did not qualify for establishing a dedicated left turn lane on Route 111. As well, CTDOT did not want Route 111 widened and that it was not justified to do so by the analysis that was done by the applicant. He indicated that CTDOT feels that there is ample room on Route 111 to bypass cars waiting to take a left into the site.

Commissioner Lindstrom asked if there would be an entrance to CVS on Cross Hill Road in addition to an entrance on Route 111. Mr. Vitaliano replied yes.

Mr. Allen gave a brief closing statement requesting the rezoning request be granted.

Polling the Commission hearing no objections, Chairman O'Hara closed the hearing.

6. **SPECIAL EXCEPTION PERMIT**

- **SEP-2015-02, File # 1552A** – 505, 509, 515 Monroe Turnpike & 220 Cross Hill Road, construct CVS retail pharmacy and site improvements, TMC New England, LLC

Chairman O’Hara read a letter from the applicant requesting that the public hearing be opened and adjourned to the 5/21/15 meeting, which the Commission did

SITE PLAN REVIEW

7. **SITE DEVELOPMENT PLAN** - None

DELIBERATIONS and DETERMINATIONS

8. **PERMIT AMENDMENTS / MODIFICATIONS / EXTENSIONS**

SEP-2014-01 – File #15368 - 1428 Monroe Turnpike – Time Extension

OWNER Stone Castle Investments, LLC
APPLICANT Stone Castle Investments, LLC / Kimball Group LLC (sole member)
MOTION: Porter – To grant a 60 day extension to meet conditions of approval for endorsement of final plans.
SECOND: Lindstrom
DISCUSSION: None
VOTE: 5-0-0 – Approve
Ayes O’Hara, Porter, Quinn, Martin, Lindstrom
Nays None
Abstain None

SEP-2014-14, File #1536A – 50 Cambridge Drive & 496 Pepper Street – Time Extension

OWNER Cambridge Drive RE LLC
APPLICANT Cambridge Drive RD LLC / Jacob Axel member
MOTION: Porter – To grant a 90 day extension to meet conditions of approval for endorsement of final plans.
SECOND: Quinn
DISCUSSION: None
VOTE: 5-0-0 – Approve
Ayes O’Hara, Porter Quinn, Martin, Lindstrom
Nays None
Abstain None

9. **BOND RELEASES OR REDUCTIONS** – None

10. MEETING MINUTES

MEETING MINUTES 2/05/15

MOTION: Porter – To approve the draft meeting minutes with corrections.
SECOND: Quinn
VOTE: 3-0-0 – Approve
 Ayes O’Hara, Quinn, Porter
 Nays None
 Abstain None

MEETING MINUTES 4/9/15

MOTION: Porter – To approve the draft meeting minutes with corrections.
SECOND: Quinn
 ▪ Correct owner and applicant referenced in Item #11
VOTE: 5-0-0 – Approve
 Ayes O’Hara, Porter, Quinn, Martin, Lindstrom
 Nays None
 Abstain None

MEETING MINUTES 4/23/15

MOTION: Quinn – To approve the draft meeting minutes as presented.
SECOND: Martin
VOTE: 4-0-0 – Approve
 Ayes O’Hara, Quinn, Martin, Lindstrom
 Nays None
 Abstain None

11. APPLICATION DELIBERATIONS/DETERMINATIONS

ZCA-2015-01, File #1551A – 515 Monroe Turnpike, 216 & 220 Cross Hill Road, zone change for portions of the property currently zoned RF-1 to B-2

The Commission talked about the lots on this property being bifurcated and wanting to eliminate properties such as these in Town. The re-zoning is in keeping with the current property lines and where the zones extend on abutting lots in the area, making the area of rezoning an appropriate zone change, consistent with the Plan of Conservation and Development. The consensus of the Commission was to direct staff to prepare a draft approval for consideration at a subsequent meeting.

OTHER BUSINESS

12. REGULATIONS REVIEW/AMENDMENT WORK SESSION – None

13. CORRESPONDENCE/OTHER RECEIVED

- 30 Cobblers Hill Court (Cell Tower) Ct Siting Council – application withdrawn

14. COMMISSIONER’S REPORTS

- Chairman’s Report - None
- Commissioner’s Reports

Commissioner Lindstrom thanked Planner Agresta for providing copies of a newsletter. She found it interesting and useful. The Commission discussed the amount of flexibility they have with issuing modifications to site plans. Planner Agresta pointed out that, although the Statutes require uniformity, there needs to be some flexibility because no two properties are the same. In addition, he said that the courts think that the ZBA should not be granting 98% of the variances that they do with the exception being in cases of hardship.

- Land Use Staff Reports – None

15. MEETING ADJOURNMENT

With no objections, Chairman O’Hara adjourned the meeting at 8:09 pm.

Respectfully submitted,
Carol Re, Recording Secretary