

**PLANNING and ZONING COMMISSION
Monroe, Connecticut**

**MEETING MINUTES
January 7, 2016**

Meeting: Planning and Zoning Commission **Meeting was Video and Audio Recorded**
Regular Meeting – 7:00 p.m.
7 Fan Hill Road, Monroe, Connecticut

Present: Chairman Patrick O'Hara
Vice-Chairman Porter
Secretary Jeremy Hayden
Commissioner David Townson
Commissioner Leon Ambrosey
Commissioner Cathleen Lindstrom (alternate)
Commissioner Michael O'Reilly (alternate)

Absent: Commissioner Paul Lisi (alternate)

Also Present: William Agresta, *Planning and Zoning Administrator*
Scott Schatzlein, P.E. *Land Use Group Director, Town Engineer*
David McCollum, *Recording Secretary*
Cathy Crawford, *Recording Secretary in Training*

OPENING of MEETING

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairman O'Hara called the meeting to order at 7:01 p.m., and invited those in attendance to join in the Pledge of Allegiance.

2. ROLL CALL AND SEATING OF ALTERNATES (if required)

Commissioners were seated on a roll call.

3. GENERAL PUBLIC PARTICIPATION

None

4. GENERAL APPOINTMENTS

1014 Monroe Turnpike – Masuk High School Turf Field Lights – Height Standards

Chairman O'Hara stated that this general appointment would be a non-binding, site-specific discussion with representatives from the Monroe Board of Education.

James Agostine, Superintendent of Monroe Public Schools; Gabriella DiBlasi, Finance Director for the Monroe Board of Education; and Vincent C. McDermott of Milone and MacBroom Inc. of Cheshire, Connecticut, introduced themselves to the Commission as representatives from the Board of Education.

Discussion was focused on:

- The existing stadium was part of an approved Special Exception Permit in 1981, and a renovation project in 2002;
- All of Monroe public schools are in residential zones, where the allowable maximum height for freestanding light poles is 14 feet;
- The existing stadium lights at Masuk High School Benedict Field are presently at about 65 feet high and are nonconforming but may remain as such;
- Modern lights in similar facilities generally run about 80 feet high;
- The Board of Education is considering plans to upgrade the facility with a turf field, including replacement of the existing lights with modern efficient lights;
- The Board of Education requested direction regarding the path to amending the Zoning Regulations to allow the use of light fixtures at a height greater than currently permitted;
- Milone and MacBroom discussed how the distribution of light would be different with modern light fixtures and at a higher elevation;
- Orientation of any such amendment would be limited to schools, not other town facilities such as parks, and should include applicability thresholds relating to stadiums seating so many on lots so big, etc, and to be based on performance standards relative to light emissions;
- The replacement of the existing lights in-kind was discussed as an option (same or less light spillage and same height with no change in bulk);
- It was recognized that the surrounding neighbors would have interest in any potential changes to the field lights;
- Options regarding seeking a variance were not well received and the Commission did not see how a case for hardship could be sustained; and
- Any future zoning amendment should include performance standards and specifications to address potential impacts evaluation and determination of permitted height, noting that two substantial issues would be light spillage comparison and distant visibility of light fixtures due to increased height.

PUBLIC HEARINGS

5. ZONING PETITIONS / SPECIAL EXCEPTION PERMITS

RAA-2015-03, File #947E Zoning Regulations Text Amendment Petition to add as a principal use subject to a Special Exception Permit "Construction Yard" in an Industrial District 2 and to establish/amend Definitions and Special Exception Permit Supplemental Standards relating thereto. Petitioner: Solli Engineering, LLC

Chairman O'Hara read the rules for a Public Hearing, and Secretary Hayden read the Public Hearing Notice. Planner Agresta confirmed the publication of the Legal Notices, and listed Exhibits 1 – 12. Planner Agresta accepted Certified Mail Return Receipts from the Applicant as Exhibit 13.

Kevin Solli, CT licensed Professional Engineer, Solli Engineering of Monroe, Connecticut, introduced himself to the Commission on behalf of the Regulation Amendment Application, noting the following:

- The amendment seeks to allow contractor yards only in an I-2 District (showed a map of the locations of the I-2 Districts within the Town);
- The Pepper Street Business Park was created in part with the intention of relocating specific industrial uses off of Pepper Street into the Business Park;

- Several properties in the Business Park operated by contractors have variances to do so and approved development plans involving buildings which have not yet been built and which for most are too big for their business needs; and
- The change in economic conditions since the establishment of the Business Park has taken a down turn making those buildings even harder to construct.

Questions and discussion with the Commission included:

- The likely types of building/landscaping materials, supplies, and construction equipment to be stored, and the methods used to store such;
- The relative size of existing parcels within the Business Park, and the appropriateness of the parcel size relative to the uses within the proposed amendment;
- The potential for storage of fuel on-site, and the limiting of the stored fuel's usage to the owner or residing tenant of the property where the fuel is stored;
- The handling and processing of contaminants and contaminated materials, including existing standards addressing hazardous wastes and materials, and the need for additional protection and safety standards to be included;
- The current industry standard regarding noise generated on an industrial site;
- The inclusion of operating hours, and if the business hours would vary based on the use;
- The use of minor vehicle repairs to vehicles on sites where a building is not present, and the concern repairs should be contained within a building;
- The concern that the proposal was seeking to make an accessory use a principal business use, and the potential benefit of that to the Town or its consistency with the Plan of Conservation and Development;
- Concerns regarding property and equipment tax revenue and other financial benefits of an accessory business use if a property's business address is not located within Town;
- The potential for increased enforcement issues with regard to the proposed amendments given that existing regulations and existing approvals are currently not being followed, and how the proposed permitted use would aid to address current compliance issues;
- Concerns that sites could still promote aesthetic curb appeal, and the accountability (or lack thereof) without having a building on site;
- Concerns that this use may not be consistent with the vision or other permitted uses of the Business Park, and could adversely impact other permitted uses and incentives to develop the Business Park;
- The associated developmental limitations within the Business Park, including lot size constraints, regulated wetland resources and topography;
- The comparison of jobs generated on a developed site versus a contractor's yard site, and differences in property taxes generated;
- The current allowances and limitations for outdoor storage as an accessory use;

Chairman O'Hara opened the Hearing to Public comment.

Warren Cartmel, property owner of 7 Independence Drive, addressed comments made by the Commission regarding paid property taxes. Commissioner Lindstrom asked Mr. Cartmel if he owned a Monroe business, which Mr. Cartmel affirmed. He stated that he was not trying to skirt the system, and he took great pride in his property. He stated that he did not conduct vehicle maintenance on his property, and that he did not want to own an eyesore. He commented that he was not in an economic position to construct a building, and that he wanted to keep his business in Monroe if possible. He added that he had built masonry walls to delineate his limit of development, and to protect the wetland areas on his property. Secretary Hayden asked if a Wetlands violation was present on the property, which Mr. Solli affirmed. Mr. Solli added that he was representing Mr. Cartmel's property and two others within the Business Park before the Inland Wetlands Commission to address the violation issues.

Chairman O'Hara asked if the Commission had any more questions, to which the Commission replied that there were none at this time.

Mr. Solli requested that the Hearing be kept open so that additional work could be done to the proposed draft text amendments. To which the hearing was adjourned to the next Commission meeting, January 21, 2016.

A brief recess was taken by the Commission.

RAA-2015-04, File #945E Zoning Regulations Text Amendment Petition to add as a principal use subject to a Special Exception Permit "Automobile Service Station" in an Industrial District 2 and to establish/amend Definitions and Special Exception Permit Supplemental Standards relating thereto. Amendments also affect automobile related uses of the Business District 2. Petitioner: Solli Engineering, LLC

Commissioner Ambrose recused himself from this application.

Chairman O'Hara read the Public Hearing Notice (Commissioner Hayden rejoined the meeting with the reading of the Notice). Planner Agresta confirmed the publication of the Legal Notices, and listed Exhibits 1 – 15. Planner Agresta accepted Certified Mail Return Receipts from the Applicant as Exhibit 16.

Kevin Solli, CT licensed Professional Engineer, Solli Engineering of Monroe, Connecticut, introduced himself to the Commission on behalf of the Regulation Amendment Application, noting the following, including questions and discussion with the Commission:

- The amendment seeks to allow automobile service repair and body shops in an I-2 District (showed a map of the locations of the I-2 Districts within the Town);
- The addition of definitions and regulating standards;
- Required parking standards and additional provisions for the outdoor storage of repair vehicles awaiting service or pick-up. The Commission felt that the standards needed to clearly distinguish parking from storage of repair vehicles;
- Standards relative to the selling or rental of vehicles based on permitted state licensing, and the concerns for potential compliance issues with used automobile sales and parking in required minimum parking spaces;
- Need for regulations regarding requiring pitched canopy roof designs;

Chairman O'Hara opened the Hearing to public comment, of which there was none due to an absence of public presence in the audience.

Mr. Solli stated that he desired that the hearing be closed but the Commission felt there were still some outstanding language issues that needed further work and consideration. Planner Agresta noted that he could in addition to assist in the furthering of the text amendments also prepare a draft Approval resolution for the Commission should the project advance at the next meeting sufficiently.

Polling the Commission, Chairman O'Hara adjourned the hearing to the next meeting, January 21, 2016.

Commissioner Ambrose rejoined the meeting at 10:38 pm.

6. EXCAVATION AND FILLING

FFP-2015-01, File #101 36 Main Street – Excavation/Filling Permit, 10 Main Street, LLC

Secretary Hayden read the Public Hearing Notice. Planner Agresta confirmed the publication of the Legal Notices, and listed Exhibits 1 – 13.

Kevin Solli, CT licensed Professional Engineer, Solli Engineering of Monroe, Connecticut, introduced himself to the Commission on behalf of the Regulation Amendment Application, noting the following, including questions and discussion with the Commission; also, Planner Agresta accepted Certified Mail Return Receipts from the Applicant as well as a copy of a Wetlands Delineation letter report, marked as Exhibits 14 and 15, respectively:

- The application proposes 32,600 cubic yards of fill in anticipation for future site development;
- The fact that there are no wetlands or upland review areas on the site;
- The site would be the future subject of a combined development of 10 Main Street and 36 Main Street with retail stores;
- The proposed areas for stockpiling of fill material, employee parking during fill operations, the type of equipment to be used during the fill operation process, duration of fill, the estimated number of trucks, and the proposed method of procedure were discussed and shown on the plans;
- Septic testing was conducted with the Monroe Health Department, noting said areas would need to be protected during the fill operations;
- ART review comments by the Town Engineer and Town Planner were discussed;
- The relationship of proposed grading and the permit requirements for changing topography and maximum allowable slope related to property lines;
- The intent and need to conduct further future filling operations on 10 Main Street was noted;
- The current change in elevation from the front to the rear of both lots, and the proposed level of fill relative to the road level of State Route 25 by some 18 to 25 feet;
- The restriction for on-site crushing and processing on imported materials;
- The proposed operations would be conducted within the limits of Regulated Upland Review and/or Wetlands Areas;
- The desire for a temporary haul route over the abutting 5 Victoria Drive property and the permitted and details needed in relation thereto;
- Reference to a bond estimate recommending \$20,000 by the Town Engineer.

Chairman O'Hara opened the Hearing to public comment, of which there was none due to an absence of public presence in the audience.

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

SITE PLAN REVIEW

7. SITE DEVELOPMENT PLANS

None

DELIBERATIONS AND DETERMINATIONS

8. PERMIT AMENDMENTS / MODIFICATIONS / EXTENSIONS

Permit Amendments / Modifications

SEP-2015-01-A1, File #1551A 5 Victoria Drive – Request to amend Special Exception Permit Approval to eliminate 330 SF building addition, reduce off-street parking and change from two tenant spaces to one tenant recreation use.

This item was tabled to the next Commission meeting, January 21, 2016.

9. Bond Releases or Reductions

14-04-S, File #1414A – 127 Main Street – Assessor Map , Lot ,

OWNER Pond View, LLC

APPLICANT Pond View, LLC

MOTION: Porter – To reduce the existing \$320,000 bond to \$200,000, based on recommendation of the Town Engineer.

SECOND: Hayden

DISCUSSION: The Town Engineer confirmed his review of the current status of the project and recommendation for bond reduction.

VOTE: 5-0-0 – Approved

Ayes O’Hara, Porter, Hayden, Townson, Ambrosey

Nays None

Abstain None

10. MEETING MINUTES

December 17, 2015 Minutes

This item was tabled to the next Commission meeting, January 21, 2016.

11. APPLICATION DELIBERATIONS / DETERMINATIONS

EFP-2015-01, File #101 36 Main Street – Excavation/Filling Permit, 10 Main Street, LLC

Chairman O'Hara asked the Commission if they were inclined to move towards an approval and if any conditions should be included therewith, which the Commission affirmed and reviewed the items as addressed by Planner Agresta and Town Engineer Schatzlein during the public hearing. Staff was directed to prepare a draft Approval for the next Commission meeting.

OTHER BUSINESS

12. REGULATIONS REVIEW / AMENDMENT WORKSESSION

None

12. CORRESPONDENCE / OTHER RECEIVED

None

13. COMMISSION REPORTS

Chairman's Report

None

Commissioner's Report

None

Land Use Staff Reports

None

14. MEETING ADJOURNMENT

Polling the Commission hearing no objections, Chairman O'Hara adjourned the meeting at 11:12 p.m.

Respectfully Submitted,
David McCollum, *Recording Secretary*