

**PLANNING and ZONING COMMISSION
Monroe, Connecticut**

**MEETING MINUTES
February 18, 2016**

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

Present: Chairman Patrick O'Hara
Secretary Jeremy Hayden
Commissioner David Townson
Commissioner Leon Ambrosey
Commissioner Cathleen Lindstrom (alternate) (seated)
Commissioner Paul Lisi (alternate)

Absent: Vice-Chairman Porter
Commissioner Michael O'Reilly (alternate)

Also Present: William Agresta, *Planning and Zoning Administrator*
Scott Schatzlein, P.E. *Land Use Group Director, Town Engineer*
Donna Suszynski, *Recording Secretary*

OPENING of MEETING

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairman O'Hara called the meeting to order at 7:05 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. Commissioner Lindstrom was seated.

3. GENERAL PUBLIC PARTICIPATION

None

4. GENERAL APPOINTMENTS

None

PUBLIC HEARINGS

5. ZONING PETITIONS / SPECIAL EXCEPTION PERMITS

RAA-2015-03, File #974E 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 (reconvened from 01/07/16)

Chairman O'Hara reconvened the hearing. A letter received from Kevin Solli, CT licensed Professional Engineer, Solli Engineering of Monroe, Connecticut, was read granting an extension by the applicant that the public hearing be held open and reconvened at the next regularly scheduled meeting on March 3, 2016. Polling the Commission and hearing no objections, Chairman O'Hara adjourned the public hearing to the March 3, 2016 meeting per the request of and time extension granted by the applicant.

6. ZONE BOUNDARY CHANGE

ZCA-2015-02, File #1005D 205 Monroe Turnpike (Assessor Map 6, Lot 10) Zone Boundary Change of 8.8 acres Limited Office Retail (LOR) to Business District 2 (B-2)

The legal notice was read, noting the dates and place of publication. The file exhibits were listed.

Kevin Solli, CT licensed Professional Engineer, Solli Engineering of Monroe, Connecticut, submitted return receipts for abutter notification and then gave an overview of the application noting the purpose of changing the zone from LOR to B-2 would give the property owners more flexibility in terms of development potential. The parcel is approximately 8.43 acres made up of 3 properties which have been in existence by Deed since the 1950's under common ownership. There was a question as to the status of the property as a single lot or three separate lots. While most of the uses in an LOR are allowed in a B-2 zone; a B-2 zone would allow the development of a Gas Station/Convenience Store, among other additional auto centric uses. It was noted that a gas stations was recently approved for a B-2 zoned property in another part of Town on Main Street.

Mr. Solli also reviewed how the change would fit in with the Plan of Conservation and Development for the town by generating revenue for the tax base, jobs, and by the diversity of development allowed in the zone.

Potential traffic impact conditions were generally discussed and it was noted that any development would have to have a traffic study done and any development would be reviewed and developed in keeping with the character of the Town. A conceptual plan was submitted to shown how the property might be developed.

Commissioner Lindstrom inquired about the uses allowed in the B-2 zone and was referred to the Town Planner's comments which included a list of uses allowed by Special Exception Permit in a B-2 zone.

Commissioner Townson questioned if the tax revenue generated by B-2 zoning would really any more than that which could be generated by the current LOR zoning? Mr. Solli felt it would as the development potential increases with the change.

Chairman O'Hara asked Mr. Solli to review the wetland area on the property and grading restrictions, also if the lots were to be combined or if they are to remain three individual parcels.

Mr. Solli showed the general wetland area on the property and noted that because of the topography and the wetlands that any potential development would have to be reviewed by the Inland Wetlands Commission and would likely restrict encroachment into the upland review area. He also mentioned that the request for the zone change encompassed the area of all three parcels. He did not think the need to combine the lots but thought there would be lot line revisions during the process to foster the intended development. The Commission did not resolve if the property was one lot or three.

Several members of the public came forward to comment, all spoke in opposition to the application:

Robert Zumbo – 330 Spring Hill Road was concerned about traffic, trash, well impacts, erosion and changes in property value.

Barbara Yeager – 302 Spring Hill Road was concerned about setback issues, well and septic. Wondered why the property was clear-cut, noting that it has already eliminated the vegetative buffer that existing for the residences to the rear of the property. The buffer is gone and one can see right through to Route 111 now.

Ed Congolla – 348 Spring Hill Road stated that if the main reason for the zone change is for the addition of a gas station he was opposed. He was concerned about environmental impact issues associated with such uses, ground contamination, and it doesn't appear that the existing neighboring development in Trumbull impacts the residential areas as this change would.

Gloria Mix – 344 Spring Hill Road was opposed to commercial use.

John Yeager – 302 Spring Hill Road indicated that when Home Depot was developed it impacted his well. He was concerned that this site being even closer, would cause even greater impacts, particularly should they need to blast.

Sally Cozi – 312 Spring Hill Road was concerned that development would expose her property to unwanted elements.

Mr. Solli responded by noting:

- Recently adopted zoning regulations would strictly address and require a landscape buffer be provided and address lighting concerns.
- Regardless of the zone, any development would need to go through the permit process and address architectural design and site issues.
- If blasting was needed, protective measures would be in place including well testing per permit requirements.

Mr. Solli provided closing remarks asking the Commission to approve the application.

Polling the Commission and hearing no objections, the public hearing was closed.

7. RESUBDIVISION

SUB-2015-02, File #1257C 64 Cambridge Drive (Assessor Map 94, Lot 15) Resubdivision, including a portion of dedicated but not yet accepted public street right-of-way

The legal notice was read, noting the dates and place of publication. The file exhibits were listed.

Kevin Solli, CT licensed Professional Engineer, Solli Engineering of Monroe, Connecticut, submitted return receipts for abutter notification. The proposal would shorten the length of Cambridge Drive and create a cul-de-sac at the end and establish a paved driveway to access the property and install a detention basin and grading. The proposal has been approved by the Inland Wetlands Commission. Curbing is not being proposed, as with the rest of Cambridge Drive as form of incorporating low impact development. The design allows for sheet flow to drain and be diverted through swales and berms into the detention basin, which has been designed and sized for the stormwater events to the satisfaction of the Town Engineer. A letter was submitted requesting a waiver of the curbing requirement. Included in the submission of an extensive planting plan which is compensation for the wetland crossing which was approved by the Inland Wetlands Commission.

Mr. Solli indicated the desire to incorporate a “build or bond” provision as part of an approval. The applicant is requesting that it be allowed to complete the work before filing the Subdivision map on the Land Records because essentially he can perform this work in the time allotted without the need to post the \$175,000 Bond recommended by the Town Engineer.

The applicant also suggested that the Site Stabilization and Restoration Bond required be combined with that required by the Inland Wetlands Commission, as appears to be redundant. The Town Engineer thought they may be some overlap but not as much as the applicant thinks. Also, he did not recommend combining them since each agency is independent and the permit focus and timing are different.

Commissioner Lindstrom wanted to know the total acreage of the property and how will they make sure the plantings get done properly. Mr. Solli explained that the property is approximately 53 acres and the planting plans would have to be followed and that the Planning and Zoning Commission and the Inland Wetlands Commission have the authority to check to make sure it was planted according to the approved plans.

Chairman O’Hara asked if the cul-de-sac meet the town requirements, which Mr. Solli said yes that the cul-de-sac, the right of way and the drainage have all been designed in accordance with the Subdivision Regulations standards.

Town Engineer Schatzlein mentioned that he was concerned that because the “new” driveway is so wide, that people will drive down to the end of the cul-de-sac and keep driving thinking that the road continues. He wants to see a delineation of the driveway from the cul-de-sac, such as a lip, texture signage or gate.

No one from the public came forward to comment on this application.

Mr. Solli provided closing remarks asking the Commission to approve the application.

Polling the Commission and hearing no objections, the public hearing was closed.

SITE PLAN REVIEW

8. SITE DEVELOPMENT PLANS

None

DELIBERATIONS AND DETERMINATIONS

9. PERMIT AMENDMENTS / MODIFICATIONS / EXTENSIONS

Permit Amendments / Modifications

SEP-2015-17, File #1568A 455 Main Street – Amendment Modification to add a front door vestibule and relocation of ADA access ramp and parking spaces

Planner Agresta told the Commission the applicant requested the matter be rescheduled on the next meeting as they were contemplating some suggestions that staff had made to them.

10. EXTENSIONS

SEP-2015-15, File #1566A – 500 Pepper Street

OWNER Carrubba Inc.
APPLICANT Carrubba Inc.
MOTION Hayden – To grant a 90 day extension to meet the Conditions of Approval.
SECOND Townson
VOTE: **5-0-0 – Approved**
 Ayes O’Hara, Hayden, Townson, Ambrosey, Lindstrom
 Nays None
 Abstain None

13-12-SEP, File #1532A – 2 Victoria Drive

OWNER Kimball Land Holdings, LLC and Kimball Development, LLC
APPLICANT Kimball Land Holdings, LLC and Kimball Development, LLC
MOTION Hayden – To grant a 90 day extension to meet the Conditions of Approval.
SECOND Townson
VOTE: **5-0-0 – Approved**
 Ayes O’Hara, Hayden, Townson, Ambrosey, Lindstrom
 Nays None
 Abstain None

1-07-S, File #1453A– 74 Enterprise Drive

OWNER Michael N. and Mary E. Infante
APPLICANT Michael Infante
MOTION Hayden – To grant a 1 year extension per CGS. § 8-3(i)
SECOND Townson
DISCUSSION: Commissioner Lindstrom questioned whether it was prudent not to grant the extension. Chairman O’Hara explained that the Commission could granted less than 5 years and his intent for one year was trying to use the tools allowed by the Regulations to get the applicant to get his property in order. Planner Agresta explained that the Commission could choose how they wanted to grant an extension; also clarifying that one year would be from February 8, 2016 with an expiration of February 8, 2017.
VOTE: **5-0-0 – Approved**
 Ayes O’Hara, Hayden, Townson, Ambrosey, Lindstrom
 Nays None
 Abstain None

11. Bond Releases or Reductions

SUB-06-5, File #1234D – 1380 Monroe Turnpike/Birdseye Road

OWNER Estate of John Stoffan

APPLICANT Wayne Stoffan

MOTION: Hayden – To release the existing \$25,000 bond pending final consultation by staff with the Town Attorney and appropriate required filings and/or recordings regarding status/expiration of the Subdivision.

SECOND: Townson

VOTE: 5-0-0 – Approved

Ayes O’Hara, Hayden, Townson, Ambrose, Lindstrom

Nays None

Abstain None

12. MEETING MINUTES

January 21, 2016 Minutes

MOTION: Porter – To approve the meeting minutes for January 21, 2016 as drafted.

SECOND: Hayden

VOTE: 5-0-0 – Approved

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

Nays None

Abstain None

13. APPLICATION DELIBERATIONS / DETERMINATIONS

ZCA-2015-02, File #1005D 205 Monroe Turnpike (Assessor Map 6, Lot 10) Zone Boundary Change of 8.8 acres Limited Office Retail (LOR) to Business District 2 (B-2)

Deliberations was commenced with Commissioner Lindstrom (alternate seated in Vice Chairman Porter’s absence). Commissioner Lindstrom voiced concern that other LOR owners will request to change to the B-2 zone. She noted that the change from LO to LOR was still new and maybe more time was needed to see if that change is effective.

Commissioner Townson also voiced the same concern, and noted that he did not think the tax or job generation would be materially any different by changing the zone.

Chairman O’Hara noted that LO was fine when Monroe Turnpike was a two lane road and Trumbull wasn’t developing. The Town added retail because nothing was being done. The B-2 zone comes down to a change of 20 feet between the properties. The landscaping and buffers are much more substantial than they have been in the past and complimented this improvement to Planner Agresta. There is also protection between the properties based on a grade change. There is no prohibition of clear cutting.

Commissioner Ambrose was concerned with shielding the neighbors, which the Commission is charged with doing. The need to maintain and ensure a buffer for the neighbors was discussed and acknowledged.

Commissioner Lindstrom wanted additional time to digest the information before determining a direction of action, to which other Commissioners agreed that more time would be helpful. With that, the Chairman tabled the deliberation to resume at the next meeting.

SUB-2015-02, File #1257C 64 Cambridge Drive (Assessor Map 94, Lot 15) Resubdivision, including a portion of dedicated but not yet accepted public street right-of-way

Chairman O’Hara polled the commission on whether they were in agreement to allow the waiver of curbing, to which they were. It was also agreed that any potential bond overlap should be worked out with the Town Engineer and the applicant; otherwise the performance bond would be set at \$107,000.00 and the Site Stabilization and Restoration Bond at \$26,000.00. It was also suggested to waive the Street Tree requirement, to which the commission agreed. The Commissioner directed staff to prepare a draft approval for the next meeting incorporating these points, the items in the staff memorandums and other issues agreeable by the applicant as covered in the public hearing.

OTHER BUSINESS

14. REGULATIONS REVIEW / AMENDMENT WORKSESSION

None

15. CORRESPONDENCE / OTHER RECEIVED

A folder from the ZEO was circulated, which included reports and letters of items the ZEO has been working on.

Planner Agresta handed out information regarding the intentions of GPT to install a bus stop shelter opposite Stop and Shop on Route 111. The Commission discussed the need for a coordinated review with the recently started traffic planning study being conducted, the need for cross walks and a better understanding on its placement and maintenance.

16. COMMISSION REPORTS

Chairman's Report

None

Commissioner's Report

None

Land Use Staff Reports

None

17. MEETING ADJOURNMENT

Polling the Commission hearing no objections, Chairman O'Hara adjourned the meeting at 10:12 pm.

Respectfully Submitted,
Donna Suszynski, *Recording Secretary*