

**PLANNING and ZONING COMMISSION
Monroe, Connecticut**

**MEETING MINUTES
April 7, 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
Vice-Chairman Porter
Secretary Jeremy Hayden (arrived late)
Commissioner David Townson
Commissioner Leon Ambrose (recused in part)
Commissioner Paul Lisi (alternate) (seated in part)
Commissioner Michael O'Reilly (alternate) (seated in part and left early)

Absent: Commissioner Cathleen Lindstrom (alternate)

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

OPENING of MEETING

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairman O'Hara called the meeting to order at 7:04 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 O'Reilly was seated pending arrival of Commissioner Hayden.

3. GENERAL PUBLIC PARTICIPATION

None

4. GENERAL APPOINTMENTS

- Guerra Construction Company, Ryegate Terrace & Monroe Turnpike, Route 111 Bridge Replacement Construction Staging

Canceled

- Nicholas Santarsiero, 572 Main Street – Existing B-1 District

Mr. Santarsiero explained that his business was the sale, installation and service of building alarm systems. He indicated his interest in a building and property located in a B-1 District. Based on the description of the business, the Commission identified it as a trade contractor which is a use permitted in the B-2 and not a B-1 District. The Commission did not have the sense that such business would be appropriate in the B-1 and encouraged that a B-2 property be found. The Commission indicated that should a rezoning of the property in question be sought that it was highly encouraged that some time be spent with staff to better understand that and what would be involved in applying for such a change. The Chairman noted that the property was surrounded by other B-1 zoned parcels.

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 03/17/16)

Chairman O'Hara read a letter from the applicant withdrawing its application from further consideration, thereby closing the matter.

RAA-2016-01, File #976E Zoning Text Amendment Petition "School Stadium Lighting" to add new definitions to §2.2.1 and to amend and add new supplemental standards to §6.2.2 relating to lighting in general and school stadium lighting specifically. Petitioner: Town of Monroe Public Schools.

The public notice was read and exhibits listed for the record.

James Agostine, Superintendent of Monroe Schools, introduced the principal in charge of the project, Vince McDermott of Milone and MacBroom, Inc. of Cheshire, CT. Mr. McDermott discussed the current limitation regarding the height of the lighting fixtures, discussing that the regulations were currently silent on this matter. Mr. McDermott offered that adding a new subsection (g) would allow for exterior lighting to avoid excessive spillover with reduced light sighting levels, and to manage when the lighting would be on.

Mr. McDermott read through the various zoning provisions proposed to be amended or added, explaining what each provision addressed in regard to changes or additions to the zoning regulations. Utilizing an overhead presentation, Mr. McDermott explained in more detail the provisions relative to the light standards specific to stadium playing fields, noting that the lighting intensity was variable based on where you were located on a site, that better manufacturers had systems that can automatically adjust based upon established parameters. He then described the difference in lighting from what is presently there to what the newly proposed lighting standards would permit and achieve. The key differences are in the hooded/shielded luminaire which provides protection from direct glare while producing dispersed light to a chosen area (on the field), another feature is the ability to angle the luminaire itself to provide for a more controlled dispersal of light to prevent horizontal spillage to the neighbors.

Commissioners Porter asked if the fixtures for the field lighting could not be full cut off fixtures thereby striking the proposed provision which would allow directional shielding that would only be partially cut-off lighting. It was agreed that the text could be modified to require all lights to be full cutoff fixtures only.

Mr. McDermott also detailed how the maximum light level would be an average of 50 lumens but that some flexibility was needed to adjust for the life of the light, which over time would fluctuate and which would be mechanically tweaked to maintain the desired light levels on the fields. The options suggested were 105 or 110 percent of the average 50 lumen maximum.

Public comments:

Kevin Solli, Crown View Drive, Monroe inquired with regard to certification for the lighting plan, voicing concern over the relatively few numbers of professionals meeting the certification. Planner Agresta responded that the certification required was specific to stadium lighting only and not general lighting plans.

Mr. McDermott closed by thanking the Commission for its consideration. Polling the Commission and hearing no objections, Chairman O'Hara closed the public hearing.

SEP-2016-04, File #1573A 1014 Monroe Turnpike, Monroe Tax Assessor Map 109, Lot #28
Masuk High School – Conversion of existing field from natural grass to a synthetic turf surface, and other track improvements and replacement of existing field lights (60 to 80 feet) per the separately proposed text amendment application (RAA-2016-01. The property consists of 42.6 acres and is located within a Residential & Farming District (RF-2). Owner: Town of Monroe.

The public notice was read, and exhibits listed for the record, including submission of receipts of the public hearing notices as mailed to adjoining property owners within 100 feet.

Vincent McDermott of Milone and MacBroom, Inc. of Cheshire, CT, the principal in charge of this project, presented an overhead presentation illustrating the Masuk High School field explaining that the current condition of the field was poor and limiting. The project proposes two additional sprinting lanes but within the confines of the existing developed area, a relocated shot put area, new track and revised drainage system for the field tying into the existing outlet facilities, removal of the existing scoreboard and its enlarged replacement at the other side of the field on the north side, to which the new audio speakers would be attached transmitting the audio across the length of the field as opposed towards the residences to the east as current. The construction of the proposed synthetic turf with organic infill and polyethylene fibers was described, noting how it would allow for cushioning and drainage. The four new proposed lights were also described in regard to their specifications for shielding and control, and were compared to the existing lights. Mr. McDermott noted that existing field light readings were taken at various locations on the field and ranged from 11.6 to 22.1 lumens at midfield. The current field cannot accommodate the level of physical activities and demand for that space under the existing lights in a safe manner. The proposed lighting system includes 80-foot high light poles (existing about 60 feet high) with an average of less than 1 lumen (foot-candle) at the property line, dropping down to zero in many locations. In the evening you do not see glare but instead a diffused glow, on the easterly side you see the light fixtures but no glare as the lights are shielded and angled. The new light fixtures would be higher into the tree canopy and better shielded to direct the light to the field.

It was noted that the field lights were left on for the past several evenings which provided the Commissioners and the public an opportunity to visit the area and see the existing lights in operation.

Commissioner O'Hara, Commissioner Lisi, and Commissioner Porter had the following inquiries:

- How does the new lighting compare to the present lighting in terms of light intensity and dispersion?
- What are the benefits of the newly proposed turf over the current organic field?
- Will you be adding or replacing galvanized fencing?
- Where will the sound system be located?
- What will be the hours of operation, and will that change with type of usage?

Mr. McDermott responded as follows:

- With the current lighting, even though it is not as tall, and has less illumination, its design has no shielding or varied angle, so you are always in view of the glare of the light. With the new design, they are shielded and angled so the light is directed, dispersed, and not glaring.
- The current organic field has poor drainage. The new turf is not a traditional field cover. It is a short synthetic material filled with silica sand as ballast with cork and coconut. These are safe materials regarding leeching and runoff, and player friendly, designed to reduce the force of impact with a G-force of 90 to substantially reduce head injuries on the field.
- The fence on the westerly side will be replaced as well as any damaged fencing with galvanized chain link to match the existing fencing to remain.
- The sound system will be located on the new scoreboard. Jack Zmary, Monroe IT Director explained that the audio system would be on a limiter that reduces the decibel level which cannot be manually overridden by the user or exceeded. At present, the sound reflects back out and results in a higher decibel level for adjacent neighbors. The new system would be directed across the length of the field in the direction away from the neighbors.
- The hours of operation will be no use from 10 p.m. – 7 a.m. on weekdays and 11 p.m. – 7 a.m. on weekend nights. The first users will be Masuk secondary education, and secondly community groups and State Tournament Booster Club opportunities. Chairman O’Hara asked the School to better define the various groups that would have access to the fields and lights, and if any changes to the current restrictions which were recently amended are proposed.

Public comment:

Henry Banville, 16 Greenlawn Road, Monroe questioned whether the location of the bulb within the luminaire would provide the angle of shielding provided, and wondered whether the polyethylene fabric backing was inert. Mr. McDermott stated that to their knowledge and research, polyethylene is inert and non-carcinogenic. The cutoff of the light fixture was again discussed.

It was noted that there were a few comments of staff which needed to be addressed and that the hearing would need to remain open pending resolve of the separate application for zoning text amendment regarding the lighting aspect of the project.

Polling the Commission and hearing no objections, Chairman O’Hara adjourned the public hearing to be reconvened at the April 21, 2016 meeting.

A short break was taken by the Commission

Upon reconvening it was noted that Commissioner O’Reilly had left the meeting and Commissioner Lisi was seated in his place.

SEP-2016-02, File #1571A 34 Enterprise Drive, Monroe Tax Assessor Map 104, Lot #002/10. School Bus Parking Facility (Phase 1: 45 bus spaces; 49 standard spaces; 2,000 sf office building, as well as gasoline fuel storage and dispenser facilities; and Phase 2: 24 standard spaces and separate 4,000 sf office building). The property consists of 12.64 acres and is located within an Industrial District 2. All Star Transportation (applicant); Owner: Fox Group LLC.

The public notice was read, and exhibits listed for the record, including submission of receipts of the public Hearing notices as mailed to adjoining property owners within 100 feet.

Kevin Soli, P.E. of Solli Engineering, representing the applicant, All Star Transportation and Owner Fox Group LLC, described the geographic location of the property and site for 34 Enterprise Drive and the two phases as follows:

Phase I

- 45 parking spaces for school buses paved with millings.
- Small 2,000 sqft office building and storage shed with a proposed fueling area located away from regular traffic passage. Fueling would be done off hours by trained designated personnel. The fueling station would include concrete pad with grooves for catchment, an above-ground 6,600 gallon diesel fuel tank.
- Grading and drainage (as illustrated) with a wet bottom basin for additional storm water discharge into adjacent wetlands.
- Monument sign at street with a solar light strip at top.
- Use of the same granite stone block will be used in retaining walls as in the monument sign.

Phase II

- Second, 4,000 sqft office building with 22 parking spaces; waiver of a separate loading space is requested.
- Landscaping, building mounted lights and one pole light.

Town Engineer Schatzlein commented in regard to the following:

- The driveway radius.
- Asphalt to asphalt curbing at main entrance and exit.
- Low profile curbing with wetland approval in the parking area.
- Guardrail vs. boulders in parking areas.

Mr. Solli responded:

- The parking area would be controlled with curbing in some areas, preferably a guardrail in the grassy boundary area or boulders on the downslope.
- Increase the driveway radius from 35' to 40'.
- Asphalt curbing applied to an asphalt strip for adherence (the Town Engineer disagreed and said that the entry/exit locations require a more durable concrete).
- Small LED strip light for signage with no other lighting.
- Off-street parking 94 spaces: 49 passenger cars, 45 buses and that fewer spaces were needed for the main office which could be discussed further with staff.

Commissioners Ambrosey and Lisi inquired about the following:

- Is the fuel pump on a gravity flow?
- Can this building be leased for any other purpose?
- Are millings an approved and safe paving material?

Mr. Solli responded as follows:

- The fuel pump is gravity fed with a double wall containment system alarm monitor with spill catchment with auxiliary feed requiring State permits.
- This building could be leased for office space any change would require further approval.
- Thirty two studies concluded that recycled asphalt has no adverse VOC leaching impact, with only a higher content of lead from product taken from roads used over fifty years.

Commissioner Porter indicated that he did not recall the Commission ever approving millings as a suitable paving material or the building's proposed vinyl exterior. Commissioner Townson concurring, and adding that in his interpretation the studies noted by Mr. Solli suggested that recycled asphalt may have safe uses in certain circumstances, e.g.: when used as a base material which is capped by asphalt, etc. Commissioner Townson further noted that he was aware of more recent studies that have suggested that the dust generated by recycled asphalt may have hazardous respiratory effects and this should be considered carefully.

Commissioner O'Hara recommended keeping this application open until the next meeting on April 21, 2016 to allow the applicant to address the Commission's questions and concerns and further discuss the application with staff.

Public comment:

Michael Infante, 74 Enterprise Drive, Monroe asked what type of fuel was to be used.

Margaret Posvek, Fan Hill Road, Monroe inquired whether there would be leaching from the millings into the water system?

Commissioner Ambrosey inquired whether the buses would be inspected at this facility.

Mr. Solli responded by stating the fuel would be diesel; that to his knowledge there would be no adverse affect from stormwater runoff from millings; and that the buses would not be serviced at this location but was unsure if they would be inspected at this location or another location.

Polling the Commission and hearing no objections, Chairman O'Hara adjourned the public hearing to reconvene at the next meeting on April 21, 2016.

Commissioner Hayden joined the meeting; while Commissioner Ambrosey recused himself; Commissioner Lisi remained seated.

SEP-2016-03, File #1572A Application of Leon Ambrosey (Cross Hill Service Station) (applicant) for a change of use from Industrial Manufacturing and Warehouse to automobile service shop and warehouse use, with the automobile service shop use to be developed in two phases (including two service bays in Phase I and two additional service bays and related parking and site improvements in Phase II). The property consists of approximately 1.47 acres within an industrial district (I-2) Property Owner: P & M Realty, Inc. (*reconvened from 3/17/16*)

Mr. Solli, Professional Engineer of Solli Engineering, LLC for the applicant summarized response to the Commission's questions and concerns voiced at the last meeting, indicating that front parking area would be paved; the entrance radius would be widened; a water quality structure (oil/water separator) was added; additional plantings were added in Phase 1 and a sign detail was provided.

The following questions were raised by the Commission and staff:

- Is there a lease and does the Commission have a copy of it?
- Will Phase II actually happen?
- Can the plans note the specific number of vehicles stored?
- Provide a floor plan for Building A (warehouse).

Mr. Solli responded as follows:

- Unsure of lease agreement.
- There is a five year timeline to complete Phase II.
- The plan can be revised to note the number of vehicles stored.
- A floor plan can be provided.

Public comment:

Several persons voiced their support for the project: Hank Banville, 16 Greenlawn Road; Alex Palmieri, 25 Owl Hill Road; Lichtenstein; Anthony Piscero, 329 RT 110; Martin Galiperi, 610 Monroe Turnpike; Mary Galivori, 27 Nonawalk Meadows.

Margaret Posnek, 608 Fan Hill Road, Monroe, CT, voiced concerns about noise and water pollution.

In closing Mr. Solli thanked the public and Commission.

Upon polling of the Commission and hearing no objections, Chairman O'Hara closed the public hearing.

Commissioner Ambrosey returned to the meeting, unseating Alternate Lisi.

SITE PLAN REVIEW

6. SITE DEVELOPMENT PLANS

None

DELIBERATIONS AND DETERMINATIONS

7. PERMIT AMENDMENTS / MODIFICATIONS / EXTENSIONS

Permit Amendments / Modifications

None

8. EXTENSIONS

None

9. Bond Releases or Reductions

None

10. MEETING MINUTES

March 17, 2016 Minutes

Tabled to next meeting.

11. APPLICATION DELIBERATIONS / DETERMINATIONS

RAA-2016-01, File #976E Zoning Text Amendment Petition "School Stadium Lighting" Town of Monroe Public Schools.

The consensus of the Commission was to approve the proposed zoning text amendments relative to lighting and supplemental standards for stadium lighting with the edits requiring all lights be full cut off and to permit the average light level be footnoted as having a maximum of 105% of the table amounts. The Commission directed staff to prepare a draft approval resolution for a subsequent meeting.

SEP-2016-01, File #1570A 35 Cambridge Drive (Assessor Map 94, Lot 15), Mondial Automotive

OWNER New England Materials, LLC

APPLICANT Kalboys LLC – Mondial Automotive

MOTION: Hayden – To approve Special Exception Permit application SEP-2016-01 as set forth in the Draft Approval Resolution dated April 7, 2016.

SECOND: Hayden

VOTE: 5-0-0 – Approved

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

Nays None

Abstain None

SEP-2016-03, File #1572A 585 Fan Hill Road (Assessor Map 122, Lot 1), Cross Hill Service

The consensus of the Commission was to approve the application. The Commission directed staff to prepare a draft approval resolution for a subsequent meeting with the condition of bond as recommended by the Town Engineer and revision of plans to address the outstanding items as discussed during the public hearing and agreed to by the applicant.

OTHER BUSINESS

14. REGULATIONS REVIEW / AMENDMENT WORKSESSION

None

15. CORRESPONDENCE / OTHER RECEIVED

None

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 11:00 pm.

Respectfully Submitted,
Rebecca Wood, *Recording Secretary In-Training*



Town of Monroe Planning and Zoning Commission
7 Fan Hill Road, Monroe, CT 06468
Phone (203) 452-2812 – Fax (203) 261-6197

APPROVAL

**SPECIAL EXCEPTION PERMIT
(SEP-2016-01 – File #1570A)**

**Mondial Automotive
35 Cambridge Drive – Assessor Map 94, Lot 15
Industrial District 2 (I-2)**

APPLICANT

KALBOYS LLC

PROPERTY OWNER

NEW ENGLAND MATERIALS, LLC

<u>Date of Approval</u>	<u>April 7, 2016</u>
<u>Date Final Plans to be Signed by</u>	<u>October 4, 2016</u>
<u>5-Year Expiration</u>	<u>April 7, 2021</u>

WHEREAS, the Monroe Planning and Zoning Commission (Commission) has considered a Special Exception Permit application received from Kalboys LLC (applicant – Mondial Automotive) and New England Materials, LLC (property owner) relating to property consisting of approximately 3.0 acres within an Industrial District 2 (I-2); and

WHEREAS, the project is for the development of an industrial building and use consisting of 17,319 square feet to be constructed in two phases (14,519 sf in Phase I and 2,800 sf in Phase II) proposed to be configured (used) as follows:

- Office 3,214 sf (in two stories);
- Manufacturing 1,825 sf;
- Warehouse 9,480 sf (Phase I);
- Warehouse 2,800 sf (Phase II); and

SPECIAL EXCEPTION PERMIT APPROVAL
SEP-2016-01– File #1570A – 35 Cambridge Drive – Mondial Automotive

WHEREAS, the proposal is shown and detailed in the associated application materials, including:

Application:

- Application SEP-2016-01 – Special Exception Permit;
- Project Narrative, Solli Engineering;
- Engineering Report, Solli Engineering, 01/12/16, revised 03/09/16;
- Response to ART Comments, Solli Engineering, 03/09/16;

Plans:

- 0.00 – Cover Sheet (1/19), Solli Engineering, 01/12/16, revised 03/09/16;
- 2 of 19 – Zoning Location Survey (2/19), Accurate Land Surveying, 01/06/16;
- 1.40 – Property Radius & Site Area Map (3/19), Solli Engineering, 01/12/16, revised 03/09/16;
- 2.11 – Phase I Site Layout Plan (4/19), Solli Engineering, 01/12/16, revised 03/09/16;
- 2.12 – Phase 2 Site Layout Plan (5/19), Solli Engineering, 01/12/16, revised 03/09/16;
- 2.21 – Phase 1 & 2 Grading & Drainage Plan (6/19), Solli Engineering, 01/12/16, revised 03/09/16;
- 2.31 – Phase 1 & 2 Soil Erosion & Sediment Control Plan (7/19), Solli Engineering, 01/12/16, revised 03/09/16;
- 2.41 – Soil Erosion & Sediment Control Notes & Details (8/19), Solli Engineering, 01/12/16, revised 03/09/16;
- 2.51 – Phase 1 & 2 Site Utility Plan (9/19), Solli Engineering, 01/12/16, revised 03/09/16;
- 2.61 – Phase 1 & 2 Landscape Plan (10/19), Solli Engineering, 01/12/16, revised 03/09/16;
- 2.62 – Wetland Mitigation and Basin Planting Plan (11/19), Solli Engineering, 01/12/16, revised 03/09/16;
- 2.71 – Phase 1 & 2 Lighting Plan (12/19), Solli Engineering, 01/12/16, revised 03/09/16;
- 3.01 – Detail Sheet (13/19), Solli Engineering, 01/12/16, revised 03/09/16;
- 3.02 – Detail Sheet (14/19), Solli Engineering, 01/12/16, revised 03/09/16;
- 3.03 – Detail Sheet (15/19), Solli Engineering, 01/12/16, revised 03/09/16;
- 3.04 – Detail Sheet (16/19), Solli Engineering, 01/12/16, revised 03/09/16;
- A1 – Phase 1 & 2 First Floor Plan (17/19), Solli Engineering, 01/13/16, revised 03/02/16;
- A2 – Phase 1 & 2 Second Floor Plan (18/19), Solli Engineering, 01/13/16, revised 03/02/16;
- A3 – Phase 1 & 2 Elevations (19/19), Solli Engineering, 01/13/16, revised 03/02/16; and

WHEREAS, in the course of its review of the application, the Commission has noted the following:

- The undeveloped site consists of approximately 3.0 acres located on the northeast side of the intersection of Enterprise Drive and Cambridge Drive within an Industrial District 2 (I-2);
- The site includes frontage on both Enterprise Drive and Cambridge Drive;
- The site is not within 500 feet of a Town boundary and is not within a mapped 100-year floodplain;
- The site is located within the West Pequonnock watershed, for which the applicant completed required notices thereof to the Commissioner of Public Health and the Aquarion Water Company of Connecticut (Aquarion) pursuant to Connecticut General Statutes §8-3j;
- The site is vacant but previously disturbed by former site excavation activity;
- The site includes and is flanked by regulated wetlands and consists substantially of upland review area, for which a separate application to the Inland Wetlands Commission was submitted and an approval relating thereto granted (IWC-2016-03, File #987, February 24, 2016);
- Proposed site utilities include connection to the public water supply main in Cambridge Drive, construction of an onsite subsurface septic system and construction of a series of water quality control basins;

SPECIAL EXCEPTION PERMIT APPROVAL

SEP-2016-01– File #1570A – 35 Cambridge Drive – Mondial Automotive

- Two (2) separate access driveways are proposed via Cambridge Drive with the easterly most driveway for site ingress truck traffic only;
- A favorable review and recommendation has been received from the Monroe Architectural Review Board (March 10, 2016), which recommendations have been incorporated into the project Special Exception Permit Site Plans by the applicant; and

WHEREAS, the applicant provided a copy of the public hearing notice to abutting property owners within 100 feet of the subject property as evidenced by submission of certified mail receipts (and subsequently returned “green” cards); and

WHEREAS, the Commission has considered the proposed application at a duly noticed public hearing, which hearing was opened and closed on March 17, 2015. Notice of the public hearing was published in the Monroe Courier on March 3 and 10, 2016;

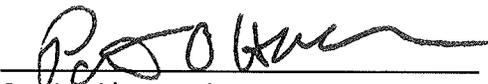
NOW THEREFORE BE IT RESOLVED, the Commission, in accordance with §8.2.2 of the Zoning Regulations, hereby finds the following in respect to the **Special Exception Permit General Standards**:

- A. The subject property is and has been zoned I-2 District, which zoning district permits the proposed manufacturing/office/warehouse uses as principal uses subject to Special Exception Permit approval. The use and operations of the new industrial facility are consistent with other existing, approved and permitted uses of the I-2 District. The hours of operation would be similar to those of other area uses. Site access will be provided via Cambridge Drive. No roadway improvements except driveway cuts are required or proposed to support the new site development. The new facilities have been designed consistent with the applicable I-2 District zoning bulk and supplemental standards (the proposed site development does not seek any zoning variance modifications). Anticipated trip traffic to the new facility is expected to be minimal.
- B. The proposed action is consistent with the Plan of Conservation and Development (POCD) in that it proposes to develop a vacant industrial zoned lot. A separate Wetland Permit has been obtained from the Monroe Inland Wetlands Commission for proposed regulated activities affecting wetland resources of the site. The architecture of the new facility has been designed to provide vertical and horizontal details which have been reviewed and recommended favorably by the Town’s Architectural Review Board. The new use will generate temporary construction jobs and permanent jobs, as well as annual increased commercial tax revenue to the Town. As such, the proposed action is consistent with the Plan of Conservation and Development.
- C. The location, nature, height and design of the proposed building is consistent with applicable I-2 District standards, and will be enhanced by a comprehensive landscape program. A minimum 50-foot landscape buffer will be maintained and enhanced along the front property line. Mechanical equipment will be screened to ensure they are not visible from off-site locations. Site landscaping will be provided throughout the site, including screening and buffer plantings along the lot’s street frontages. As such, the proposed improvements are not anticipated to hinder or discourage the appropriate development and use of adjacent lands and buildings;

SPECIAL EXCEPTION PERMIT APPROVAL
SEP-2016-01– File #1570A – 35 Cambridge Drive – Mondial Automotive

- D. Proposed exterior lighting will be dark sky compliant and signage will comply with applicable zoning size and design standards. The proposed facilities do not include components which are known or anticipated to generate impacts by reason of glare, intensity or flashing of light, fumes, smoke, dust, vibration or noise – all operations will occur within the principal enclosed building. The proposed use also will include facilities which clean diesel particulate filters (“Diesel Particulate Ash”), which cleaning process occurs within a self-contained unit (the filter is fully enclosed in the unit while cleaned) that will be operated and maintained within the enclosed principal building;
- E. A subsurface sanitary septic system will be constructed to accommodate both phases of development. The final design and construction of this system will require approval by the Monroe Health Department. Connections to existing public water, natural gas, electric and communications mains in the bed of the abutting streets are also proposed;
- F. Adequate and compliant off-street parking and loading facilities are proposed for each Phase. All site access and parking areas will be paved and lined with curbing, with facilities for the collection and treatment of stormwater runoff;
- G. The design of the proposed action has incorporated the comments and recommendations of Town staff and applicable reviewing agencies;
- H. Other required permits or approvals as may be needed to support the proposed facilities and site modifications will be required to be obtained accordingly by the applicant;
- I. The proposed use involves the use of private property, the changes to which are not anticipated to generate significant new demands for police, fire and emergency services. The Fire Marshall and Police department have reviewed the project plans and facility operations, which reviews have been incorporated into the design of the project; and

BE IT FURTHER RESOLVED, that the Commission at its regular meeting held on **April 7, 2016**, upon motion by **JEREMY HAYDEN** and seconded by **DAVID TOWNSON**, following deliberations conducted on **March 17 and April 7, 2016**, voted **FIVE (5)** in favor, **NONE (0)** in opposition, to **APPROVE** the above referenced application for **Special Exception Permit**, subject to modifications as set forth below, as follows:

Vote:	PATRICK O’HARA	AYE	<i>For the Commission:</i>
	JEREMY HAYDEN	AYE	
	DAVID TOWNSON	AYE	
	LEON AMBROSEY	AYE	
	PAUL LISI (seated)	AYE	 <hr style="width: 100%;"/> <i>Patrick O’Hara, Chair</i>

BE IT FURTHER RESOLVED, this approval is specific only to the uses and site improvements as described in the application and as shown on the final Special Exception Permit Site Plans as signed by the Commission Chair; and

BE IT FURTHER RESOLVED, the Commission hereby authorizes the publishing of a Notice of Decision consistent with the requirements set forth in Connecticut General Statutes §8-3c(b); and

BE IT FURTHER RESOLVED, as set forth above, this Approval shall be subject to the following modifications and requirements:

MODIFICATIONS AND REQUIREMENTS OF APPROVAL

A. TO BE COMPLETED WITHIN 180 DAYS (EXPIRATION TERM DATE of October 4, 2016)

Prior to the authorized endorsement on the final Special Exception Permit Site Plans by the Commission Chair, the following shall be completed within one-hundred (180) days of the date of this Approval, unless a written request for an extension is submitted by the applicant prior thereto (the Commission shall consider said request at its next available meeting, which may be past the date of expiration), or this Approval shall become null and void without further notice:

1. Required Revision of Final Special Exception Permit Site Plans

The applicant shall submit a **SINGLE (1)** complete set of final Special Exception Permit Site Plans consisting of the following plans for review by the Planning and Zoning Department, revised as set forth and required below, subject to acceptance by the Planning and Zoning Department staff:

- 0.00 – Cover Sheet (1/19)
 - 2 of 19 – Zoning Location Survey (2/19)
 - 1.40 – Property Radius & Site Area Map (3/19)
 - 2.11 – Phase I Site Layout Plan (4/19)
 - 2.12 – Phase 2 Site Layout Plan (5/19)
 - 2.21 – Phase 1 & 2 Grading & Drainage Plan (6/19)
 - 2.31 – Phase 1 & 2 Soil Erosion & Sediment Control Plan (7/19)
 - 2.41 – Soil Erosion & Sediment Control Notes & Details (8/19)
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 - 2.71 – Phase 1 & 2 Lighting Plan (12/19)
 - 3.01 – Detail Sheet (13/19)
 - 3.02 – Detail Sheet (14/19)
 - 3.03 – Detail Sheet (15/19)
 - 3.04 – Detail Sheet (16/19)
 - A1 – Phase 1 & 2 First Floor Plan (17/19)
 - A2 – Phase 1 & 2 Second Floor Plan (18/19)
 - A3 – Phase 1 & 2 Elevations (19/19)
- a. The final Special Exception Permit Site Plans shall each be signed and sealed providing live certification thereof by the professional(s) responsible for the preparation of each sheet.
- b. Each plan set sheet shall include a common revision date of April 8, 2016 or later. The Cover Sheet shall also be revised to reflect all of the plans within the set listed above and original dates of preparation and the common revision date required herein.

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- c. Each plan set sheet shall include the following signature block with original signature of the applicant/owner affixed thereon:

The owner/applicant acknowledges that all work shown on these Special Exception Permit Site Plans shall be completed in compliance with the Planning and Zoning Commission approval relating thereto, and in accordance with all applicable Town of Monroe Codes and Regulations, as well as other applicable State and Federal laws, requirements and regulations.

Owner:

**{INSERT PRINTED OWNER NAME}
{INSERT PRINTED ADDRESS}**

Applicant:

**{INSERT PRINTED APPLICANT NAME
{INSERT PRINTED ADDRESS}**

- d. The following notes shall be added to the Cover Sheet, Sheet 2.11 and Sheet 2.12:
- ***Reference is hereby made to the corresponding Inland Wetlands Permit Approval as issued by the Monroe Inland Wetlands Commission (IWC-2016-03, File #987, approved on February 24, 2016) and these corresponding Wetland Permit Site Plans on file with the Monroe Inland Wetlands Department.***
 - ***Reference is hereby made to the corresponding Special Exception Permit Approval as issued by the Monroe Planning and Zoning Commission (SEP-2016-01, File #1570A, approved on April 7, 2016) and these corresponding Special Exception Permit Site Plans on file with the Monroe Planning and Zoning Department.***
 - ***There shall be NO outdoor display or sale of merchandise. The extent and volume of permitted onsite interior retail sales is accessory in nature only.***
- e. The plans shall be revised to address the following:
- (1) Drainage Related: Indicate a trash rack configuration that will include a shape that will encourage floatables to ride up (rise with water level) the rack and not plug it.
 - (2) Add the traffic information from the Project Narrative and title: ***Anticipated Traffic Generation Summary.***
 - (3) Revise Sheets A1, A2 and A3 to include corresponding Phase II plans/details (either as separate sheets or inset plans on the respective sheets).
 - (4) Revise the sheet titles referenced on the Cover Sheet to match the unchanged titles on Sheets A1 through A3.
 - (5) Provide additional shrub plantings to screen the spillway within the front landscape buffer, which may include a variety of species.
 - (6) The size of the sign lettering shall be detailed consistent with the applicable minimum and maximum standards in Zoning §6.3.7(A)(5).
 - (7) Include an elevation of the accessory shed structure on the plans.

- (8) Revise the Zoning Compliance Table on Sheet 2.12 to reflect Phase I in the “existing conditions” column; the Phase II warehouse building addition in the “proposed conditions” column; and the “resultant conditions” column to reflect the cumulative of Phase I and Phase II. Revise the Phase 2 column entries to be reflective of only that which is added in Phase 2 (not the cumulative of Phase 1 and 2, as that is the resultant column).

2. Filing of Final Stormwater Management Report

The applicant shall provide two (2) copies of a “final” **Stormwater Pollution Control Plan**, as certified by a Connecticut licensed professional engineer.

3. Filing of Final Special Exception Permit Site Plans

Upon satisfactory revision of the final Special Exception Permit Site Plans as required above under **Section A1** and the filing under **Section A2**, the applicant shall submit **SEVEN (7)** complete plan sets (full size 24”x 36”, collated, bound and folded, **except ONE (1) set shall be rolled**) for the authorized endorsement of same by the Commission Chair. This Approval does not authorize, or grant development or site improvements beyond that shown on the signed final Special Exception Permit Site Plans.

B. PRIOR TO AUTHORIZED ISSUANCE OF ZONING AND BUILDING PERMITS

Prior to the authorized commencement of any approved work or construction and the authorized issuance of a Zoning and Building Permit, the following shall be completed:

1. Procurement of Involved Agency Permits and Approvals

The applicant/owner shall be responsible for the procurement of all applicable local, State and Federal permits and approvals prior to the commencement of construction. Any substantive changes to the approved site uses, or to the overall final Special Exception Permit Site Plans as a result, shall require modified review and approval by the Commission, which review may include the submission of a new application and/or the holding of a Public Hearing.

- a. The applicant shall provide verification of acceptance by the State of Connecticut Department of Energy and Environmental Protection for coverage under the State’s “Construction General Permit” for Stormwater.
- b. The applicant shall provide written approval as obtained from the Monroe Health Department in regard to final design and construction of the onsite septic disposal system.
- c. The applicant shall provide verification of Aquarion’s approval of plans to connect to the public water supply main in the bed of Cambridge Drive.
- d. The applicant shall provide verification of the procurement of a Street Modification Permit from the Monroe Public Works Department.

2. Required Posting of Bond

- a. A site restoration and stabilization bond in the amount of **nine (\$9,000.00)** dollars shall be provided to the Town of Monroe.
- b. The bond shall be in the form of cash (bank check), Letter of Credit, or surety bond, and all other applicable standards and requirements of the Zoning Regulations and CGS §8-3. The applicant shall complete a properly executed Bond Agreement.
- c. The required Bond Agreement shall remain in full force and effect until such time as the Commission authorizes its release and/or cancellation.
- d. Any changes in ownership of the subject property and premises relating to bonded conditions shall comply with the requirements set forth in §111-202(C)(4) of the Subdivision Regulations, as may be amended from time to time.

3. Required Recording of Approval

- a. Upon satisfactory completion of **Sections B1 and B2** above, the applicant shall record an **original** copy of this Approval document (**as provided by the Planning and Zoning Department**) in the Monroe Land Records. The applicant shall be responsible for providing a copy of said recording, showing all marks of recording to the Planning and Zoning Department.
 - b. Consistent with §8.1.6(A) of the Zoning Regulations and CGS §8-3c(b), this Special Exception Permit Approval shall be effective (for the purpose of obtaining zoning and building permits) upon endorsement of the Special Exception Permit Site Plans as final and the recording of this approval document in the Monroe Land Records as set forth herein.
4. No **Zoning Permit or Building Permit** relating to this Approval shall be authorized or issued until the recordings as set forth in **Condition B3** above have been completed and a copies thereof as recorded have been provided to the Planning and Zoning Department, and until the final Special Exception Permit Site Plans are filed with the Planning and Zoning Department as required herein. All required **recordings and filings** as set forth above shall be confirmed as completed.
5. Prior to the authorized issuance of a Zoning Permit, the following shall be provided to the Zoning Enforcement Officer (**no Building Permit shall be issued prior to a Zoning Permit – Zoning and Building Permits are not issued until the required pre-construction meeting is held**):
- Application for a Certificate of Zoning Compliance based on the signed final Special Exception Permit Site Plans.
 - Verification of completion of **Conditions B1 through B3** above.
6. A **Pre-Construction Meeting** shall be held with the applicant/owner and/or general contractor, engineer and architect as the case may be, and with the land use and building officials of the Town of Monroe. The pre-construction meeting shall not be scheduled until all requirements set forth above have been completed by the applicant/owner. Additional construction meetings may be called as deemed necessary throughout construction.

C. DURING SITE CONSTRUCTION

The following shall be addressed during construction:

1. There shall be no clearing, grading, removal of vegetation or other site or building construction inconsistent with that shown on the signed final Special Exception Permit Site Plans, except reasonable field changes as approved by the land use and building inspection staff in consultation with the Town Planner and Town Engineer. Field changes may only be permitted where they do not substantively alter the intent or design of the signed final Special Exception Permit Site Plans or increase the size of the footprint of any structure or use of land. All other changes shall require the prior review and approval of the Commission as a change pursuant to **Section G** below.
2. Erosion and sedimentation controls and temporary stormwater management measures as may be required shall be properly maintained until construction is completed and all disturbed areas have been stabilized. Said controls and measures shall be periodically inspected, continually maintained throughout the construction phase and supplemented to ensure their proper installation and functions. The Zoning Enforcement Officer, Building Inspector and Town Engineer or their duly authorized representatives may require additional controls as deemed necessary or appropriate based on changing site conditions during construction.
3. The applicant/owner shall be responsible for the following:
 - Notifying the Planning and Zoning Department of changes in the status of ownership and/or contractor(s) and/or professional design or inspection consultants involved in the construction and/or subsequent facility operations;
 - Notifying any new owner and/or contractor(s) and/or consultants of all construction requirements including all job meeting notes and inspection notes produced up to the date of any such change in project related personnel;
 - Notifying and informing its contractors, employees, agents and assigns of their responsibility to comply with the modifications and requirements set forth in this Approval; and
 - Adherence with the standards and requirements per the pre-construction meeting (Report of Pre-Construction Meeting) and any subsequent construction meetings and inspections.

D. PRIOR TO CERTIFICATE OF ZONING COMPLIANCE / CERTIFICATE OF OCCUPANCY/COMPLETION

The following shall be completed prior to the authorized issuance of a ZEO Certificate of Zoning Compliance and a Building Department Certificate of Occupancy/Completion:

1. Use and/or occupancy of approved site improvements shall not be authorized until the applicant/owner obtains a Permanent Certificate of Zoning Compliance and Building Department Certificate of Occupancy/Completion. It shall be the applicant's/owner's responsibility to coordinate and request all inspections, and to request and obtain a Permanent Certificate of Zoning Compliance and Building Department Certificate of Occupancy/Completion.

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2. Prior to the issuance of a Permanent Certificate of Zoning Compliance and/or a Building Department Certificate of Occupancy/Completion, the following shall be completed consistent with the final Special Exception Permit Site Plans as endorsed by the Commission Chair:
 - Verification of the satisfactory completion in compliance with associated permit approvals of the following shall be provided:
 - Satisfactory completion of the site driveway connections with Cambridge Drive and any required or needed restoration of said Cambridge Drive and associated right-of-way lands.
 - Installation and functional operation of onsite septic disposal system as certified by the applicant’s professional engineer, with acceptance by the Monroe Health Department.
 - Installation and functional operation of the water supply service connection as certified by the applicant’s professional engineer, with acceptance by Aquarion, the Fire Marshal and the Monroe Health Department.
 - Installation and functional operation of stormwater management facilities as certified by the applicant’s professional engineer, with acceptance by the Town Engineer.
 - Acceptance by the Monroe Fire Marshal.
 - All improvements consistent with the signed final Special Exception Permit Site Plans shall be completed, as well as all related requirements as set forth and agreed to during the pre-construction meeting and subsequent construction meetings or inspections.
 - All disturbed areas shall be stabilized; the site shall be clean of construction related equipment, materials and debris; and all erosion controls shall be appropriately removed.
 - The applicant shall provide an accepted final As-Built Plan detailing and certifying completed improvements, including a second copy of same superimposed on the original approved layout plan (to be shown in red or varied shading), including adequate information to verify that all work is completed in compliance with this Approval, in quantities as specified by the Planning and Zoning Department.

E. PRIOR TO PARTIAL OR FINAL RELEASE OF BOND

The following shall be completed prior to the authorized partial or full release of any posted bond:

1. Submission of a written request for either partial or final release of bond shall include a commensurate “As-Built Plan.”
2. An As-Built Plan shall detail and certify completed improvements, superimposed on the original approved layout plan (to be shown in red or varied shading) and including adequate information to verify the completion of related work as authorized by this Approval.
3. Prior to the final release of bond, all associated requirements as set forth and agreed to as part of the preconstruction conference, and any subsequent construction meeting or inspection shall be completed; and all related construction shall be completed, disturbed areas stabilized, and siltation and erosion control measures removed.

F. CONTINUING CONDITIONS OF OPERATION FOLLOWING AUTHORIZED OCCUPANCY/USE

The following shall be adhered to as conditions of operation following acceptance pursuant to a ZEO Certificate of Zoning Compliance and Building Department Certificate of Occupancy/Completion:

1. The premises and improvements shall be maintained in good working order and shall be regularly maintained to function as designed in a neat and orderly manner, free of debris, sediment and litter.
2. All permits and approvals shall be maintained as current throughout the duration of permitted use.
3. Appropriate measures shall be maintained to ensure snow removal so there is no plowed snow stored within travel lanes, parking spaces or over landscaping to its detriment. No snow shall be plowed into or upon any abutting street right-of-way.
4. There shall be NO outdoor display or sale of merchandise. There shall be NO outdoor manufacturing or warehouse operations except loading activities in designated areas as set forth on the final signed site plans.
5. No new or changes to exterior signs or other materials or devices shall be permitted to be installed, supported, hung, flown or otherwise attached to site buildings, structures, light posts or site grounds or vegetation without prior authorized approval and permit.
6. No subsequent changes to the appearance, coloring or physical dimensions, rooflines, materials, trim or facades of the site buildings, accessory uses and structures, fencing, signs, lights and other accessory site improvements relating to the operations and functions of the site use shall be permitted or authorized without the prior authorized review and permit.
7. All new landscaping and existing vegetation to remain shall be maintained in a healthy growing condition consistent with the signed final Special Exception Permit Site Plans. Dead, damaged or diseased landscaping shall be replaced promptly consistent with the original landscaping plans set forth in the signed final Special Exception Permit Site Plans.
8. All parking and loading shall occur completely onsite, and shall be restricted to designated areas and to patrons and employees of the facility during the normal course of patronage or service lasting less than any continuous 24 hour period. There shall be no on-site overnight parking or storage of vehicles, except in-transit trucks in the designated loading area. No parking or loading area, or other exterior area, shall be utilized for outdoor storage, sale or display of merchandise, equipment, refuse, recycling, donations or other purposes. There shall be no construction equipment or vehicle parking or storage on the premises, nor any storage of building or construction materials.

G. ACCEPTANCE / CHANGES / COMPLIANCE / EXPIRATION

1. **Applicant/Owner Acceptance.**
 - a. All representations by the applicant/owner and their representatives and discussion reflected in the Commission meetings record shall be binding upon this Approval and are incorporated herein by reference, except to the extent as may have been modified herein by the Commission in the issuance of this Approval.
 - b. This Approval and all required modifications and requirements specified herein shall be binding upon the applicant/owner, and any heirs, assigns and/or successors, as well as the subject property and premises, unless otherwise amended by a subsequent act of the Commission.
 - c. The acceptance of this Approval by the applicant/owner shall be evidenced by completion of the required recordings and filings set forth herein, indicating agreement that said Approval is contingent upon strict compliance with Town Regulations and all modifications and requirements set forth herein and on the signed final Special Exception Permit Site Plans.
2. **Changes.** Any additions or changes to the approved land uses activities, the Special Exception Permit Site Plans, the site and site improvements, systems or facilities thereon, shall require prior review and authorized approval and permit.
3. **Approval Compliance.** Failure to maintain compliance with any specified requirement of this Approval shall constitute a violation of the terms of this Approval and a violation of the Zoning Regulations enforceable and subject to any and all remedies prescribed by applicable State and local laws, including but not limited to the ordered suspension of the use of the premises in full or part until such time as the failure or noncompliance has been satisfactorily resolved, and/or the revocation of said Approval or the revocation of any issued Zoning or Building Permits or Certificate of Zoning Compliance or Certificate of Occupancy/Completion.
4. **Expiration.** This Approval shall expire and be null and void without further written notice **five (5) years** from the date of this Approval (**expiration date of April 7, 2021**), unless an extension as may be granted by the Commission is obtained, not to exceed an additional period of **five (5) years**. Any request for an extension shall be submitted to the Commission in writing a minimum of **forty-five (45) days** prior to the expiration date for which an extension is requested and shall state the reasons and circumstances for the requested extension. In considering any such request, the Commission may require a public hearing and shall review the adequacy of any held bond.