

**PLANNING and ZONING COMMISSION
Monroe, Connecticut**

**MEETING MINUTES
May 19, 2016**

Meeting: Planning and Zoning Commission
Regular Meeting – 7:00 p.m.
7 Fan Hill Road, Monroe, Connecticut

Meetings are Video and Audio Recorded

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

Absent: Secretary Jeremy Hayden
Commissioner Paul Lisi (alternate)

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

OPENING of MEETING

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairman O'Hara called the meeting to order at 7:00 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 with Alternate O'Reilly being seated with the absence of Commissioner Hayden.

A motion was made by Vice Chairman Porter, seconded by Commissioner Townson, to amend the Agenda by the addition under Item 7, Permit Amendment Modifications project review of Special Exception Permit Amendment Application SEP-2016-03-A1, File #1572A – 585 Fan Hill Road, Monroe Tax Assesor Map 122, Lot 1. Leon Ambrosey (Cross Hill Service) (applicant); Property Owner: P & M Realty, Inc. On roll call the motion was passed, 4-0-1 – O'Hara, Porter, Townson and O'Reilly voting Aye; Ambrosey abstained by reason of recusal.

3. GENERAL PUBLIC PARTICIPATION

None

4. GENERAL APPOINTMENTS

None

PUBLIC HEARINGS

5. SPECIAL EXCEPTION PERMITS

SEP-2016-05, File #1574A

178 Main Street, Monroe Tax Assessor Map 19, Lot 2
John Lilly – Sound View Capital Partners LLC (applicant/owner)
proposed expansion of an existing retail drive-through car wash
facility for property consisting of approximately 1.0 acre within a
Business District 1 (B-1) (reconvened from 4/21/2016)

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

Jim Swift, Licensed Landscape Architect and Professional Engineer located at 102 Village Drive, Shelton, Connecticut responded to questions and comment letters voiced by Staff after the previous presentation and explained for the Commission the changes made to the plans. Chairman O'Hara inquired about the status of water---whether it would be well water or connection to public water would be made? Mr. Swift indicated that if either the Monroe Health Department or the Connecticut Health Department requires connection to public water it would do so. Planner Agresta indicated that there were two items noted on the table on Page Two that still required attention; on Page Three, (d) and (e) all information needs to be included on the plans; the Applicant agree to complete the items.

Chairman O'Hara indicated that under off street parking, the Applicant is requesting a waiver from the Commission for a loading space, but is required to illustrate the space on the plans; the Applicant agreed to do so at the back side of the building, behind the addition, on the paved area, near the dumpster. The Commission was polled regarding their thoughts on granting such a waiver, none were opposed.

Commissioner O'Hara voiced Planner Agresta's Staff Comments regarding the building doors, requesting that the doors be upgraded to a more architecturally pleasing choice. John Lilly, Applicant and Owner of Soundview Capital Partners LLC, introduced himself and voiced that the the garage doors recommended by the Town Planner were to too fancy for his business. Planner Agresta voiced that the doors the Applicant has chosen offer no aesthetic appeal facing the road and again recommended an improved architectural design. Chairman O'Hara suggested that the Applicant review specific door choices to perhaps select a door design compromise. The Town Planner would review and if still not in agreements send it to the Commission for its review. The Applicant agreed. The Applicant was also in agreement with the recommended bond amount.

Town Engineer Schatzlein voiced a concern over the exit turning radius and expressed that an Encroachment Permit from CTDOT was already required due to other site work in the State right-of-way, thus did not see the problem with correcting the turning radius to alleviate larger vehicles from crossing the yellow middle line. Mr. Swift responded that most oversized vehicles would be heading south, alleviating the need for an increased turning radius, secondly, that the Applicant can time the arrival and departure of oversized vehicles so not to coincide with times when customers are also there. Both Chairman O'Hara and Vice Chairman Porter stated that the Commission has typically deferred to the direction of CTDOT in issues such as these but thought the turning radius correction made sense. Mr. Lilly stated that if the CTDOT requires a narrowing of the exit lane, it would provide serious issues resulting from cars exiting from self service vacuums as well as those exiting from the car wash, so that width is critical to proper exiting of cars from the business. Engineer Schatzlein expressed that the proposal before the Commission was for two exit lanes only, not three, and the applicant should go to CTDOT, get the permit, and increase the radius. CTDOT usually communicates and works with the Town to come to a reasonable agreement and compromise between the State, the Town, and the Applicant.

Chairman O'Hara expressed that he would prefer to waive a sidewalk for this site, as to the south, there is only one additional property and then wetlands where no sidewalks could be continued. The Commission was polled and agreed that a sidewalk would not be needed at this site. The Commission also agreed that the use of boulders along the rear driveway area instead of a guard rail would be ok. The Applicant also agreed to add the dumpster enclosure detail onto the plan. Mr. Swift then addressed the Commission regarding a reiteration of those items relating to drainage, water quality, and in support of their plan:

- The property is located in a floodplain which cannot take fill yet requires water flow management.
- An infiltration system has been included in the rain garden basin.
- The rain garden has been designed to take consideration of water quality issues.
- There are three existing catch basins on the site, one which is elevated and functioning as intended.
- Water quality management is proposed by allowing water to flow through a natural landscape area.
- The Wetlands Commission has approved the drainage plan.

Chairman O'Hara inquired if ponding currently occurred on the site. Mr. Lilly stated that some ponding occurs in one area and the sheetflow will drain into the rain garden. Mr. Swift stated that the underground infiltration system proposed will hold all the water from the roof of the new structure in a 100-year storm. Chairman O'Hara inquired if the Applicant would be willing to change the grading on the site to address the comments of the Town Engineer. Mr. Lilly stated "no, he would not."

Town Engineer Schatzlein agreed that while this site was a challenge, he offered the following:

- 90% of the time the flood plain zone will not flood and only has a 1% chance per year of flooding to that extent.
- A catch basin placed at approximately elevation 330 feet will allow water to flow over the spillway and fill the catch basin because of the difference in elevation, building up a head pushing the water pressure through piping under the driveway.
- A 12" pipe under the driveway with 2' of cover, an elbow in the basin which acts as a baffle, keeping the oils in the basin is recommended.
- When it stops raining, the perforated drain will drain the basin relatively quickly.
- The current plan includes filling of the floodplain which is not allowed without addition of compensatory storage.
- The addition could be constructed about one-foot lower, allowing site drainage to more easily flow into the lowest point and into a catch basin vs. the grass island.
- The Inland Wetlands Commission made a strong recommendation that stormwater quality, in addition to what they approved, be provided.
- The elevation will handle a 10-year storm, which is over 80% of the storms experienced.
- Oils and sediment should not be permitted to flow into Pequannock River.

Commissioner O'Hara inquired if Mr. Swift was familiar with Mr. Schatzlein's proposal. He replied that he was not, and disagreed that flooding did not occur prior to a 100 year storm. Town Engineer Schatzlein responded that the ground saturates with a normal storm but that flooding (above the ground) would only occur rarely (like during a 100-year storm). Commissioner Lindstrom inquired if a third opinion could be acquired. Chairman O'Hara stated that the Commission could hire an additional engineering expert but that might not be necessarily the optimal solution here. Commissioner Ambrose asked why the Applicant would not want to install a catch basin as he was concerned with water quality and icing in the winter from sheet flow across the driveway. Mr. Swift stated that he believed the drainage plan he presented was sufficient. Commissioner Porter inquired if there would be enough parking spaces if amendments to the site are made. Commissioner Porter also inquired if there were enough parking spaces without the vacuum stalls. Planner Agresta responded that current parking calculations are 1.5 spaces per employee. Commissioner Porter inquired how many employees were working on a standard Saturday shift. Mr. Swift responded that there were 10 employees on a standard shift. Mr. Lilly stated that there were currently 4-5 employees who drove; the others either car- pool or were bused.

Planner Agresta and Commissioner Porter questioned the difference between the formerly stated 4-5 employees and the now stated 10 employees which result in a parking deficiency based on the 1.5 spaces for every employee.

A ten minute recess was taken at 8:35 p.m. and resumed at 8:45 p.m.

Upon reconvening, the Applicant requested the hearing be adjourned to the June 2, 2016 meeting and that it would follow up with written correspondence granting an extension of time for the hearing as would be needed.

SITE PLAN REVIEW

6. SITE DEVELOPMENT PLANS

None

DELIBERATIONS AND DETERMINATIONS

7. PERMIT AMENDMENTS / MODIFICATIONS / EXTENSIONS

Commissioner Ambrosey recused himself; Alternate Lindstrom was seated.

Permit Amendments / Modifications

SEP-2016-03-A1, File #1572A– 585 Fan Hill Road (Map 122, Lot 1)

Chairman O’Hara instructed the Commission that they were being requested to amend and modify the Special Exception Permit recently issued by this Commission to permit the following:

- Approve a new Certificate of Location Appropriateness for a Used Car Dealer’s License; and
- To amend SEP-2016-03 to permit accessory used car sales as limited by zoning section 8.2.3 (f)(8)(d), to allow for no more than the sale of no more than six used cars on site to be sold at one time, with no visible display, and stored in the designated area as set forth in the plan.

OWNER: P&M Realty, Inc.

APPLICANT: Leon Ambrosey – Cross Hill Service

MOTION: Porter – To approve amendment request SEP-2016-03-A1 including determination of Certificate of Appropriateness (location for a Limited Used Car Dealer License at 585 Fan Hill Road) and amendment of SEP-2016-03 to permit limited used car sales from the premises subject to the limitations set forth in the Zoning Regulations and as detailed on the approved Site Plans.

SECOND: Townson

VOTE: 5-0-0 – Approved

Ayes O’Hara, Porter, Townson, O’Reilly, Lindstrom

Nays None

Abstain None

Commissioner Ambrosey resumed his seat in place of Alternate Lindstrom.

8. EXTENSIONS

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

MOTION: Porter – To approve a 90-day extension to meet conditions of approval.
SECOND: Townson
VOTE: 5-0-0 – Approved
Ayes O’Hara, Porter, Townson, Ambrosey, O’Reilly
Nays None
Abstain None

9. Bond Releases or Reductions

None

10. MEETING MINUTES

May 5, 2016 Minutes

MOTION: Porter – To approve the meeting minutes for April 21, 2016 as amended.
SECOND: Townson
VOTE: 5-0-0 – Approved
Ayes O’Hara, Porter, Townson, Ambrosey, O’Reilly
Nays None
Abstain None

11. APPLICATION DELIBERATIONS / DETERMINATIONS

SEP-2016-02, File #1571A– 34 Enterprise Drive (Map 104, Lot 2/10)

Commissioners O’Hara, Porter, Townson, Ambrosey were seated for continued deliberations (Alternate Lisi was absent but was seated on this matter at the previous meeting). Chairman O’Hara requested comments from the Commission regarding the issue of millings being used as a parking lot surface treatment. Vice Chairman Porter reiterated that his position had not changed and believes that millings used as a surface treatment without a topcoat is highly inadvisable. Commissioner O’Hara polled the Commissioners and the others concurred. Commissioner Ambrosey reflected that after reviewing the studies included in the record file, he now believed that millings used as a surface treatment should be capped.

OWNER Fox Group LLC
APPLICANT All Star Transportation
MOTION: Porter – To approve application SEP-2016-02, with inclusion of the second alternative condition “m” requiring complete coverage with conventional asphalt paving for all automobile and bus access driveways and parking areas, as set forth in Draft Approval Resolution dated May 19, 2016 granting Special Exception Permit.
SECOND: Townson
VOTE: 4-0-1 – Approved
Ayes O’Hara, Porter, Townson, Ambrosey
Nays None
Absent Lisi

OTHER BUSINESS

12. REGULATIONS REVIEW / AMENDMENT WORKSESSION

Chairman O'Hara stated that the subcommittee was discussing the possibility of food trucks in the Town of Monroe. The Town Council recently amended the Town Code regarding vendors, which requires such food vendors to obtain approval from the Health Department. Commissioner Lindstrom inquired if the Commission could set standards for parameters for food trucks. Chairman O'Hara stated that the Commission had the right to set those standards for operation.

Vice Chairman Porter listed a number of factors and issues the Commission should consider:

- From a Planning and Zoning perspective, what would be the advantage to the Town and town residents by allowing food trucks in town?
- What is the financial benefit to the Town, if any?
- What advantage/disadvantage do food trucks present to our current tax paying brick and mortar businesses?
- What is the benefit to all the tax paying members of the Town?

The Commission was polled and most thought that food trucks could be allowed in town with appropriate standards and parameters for operation.

13. CORRESPONDENCE / OTHER RECEIVED

Chairman O'Hara read a letter from the First Selectman and Monroe Economic Commission inviting all Commission members to attend a two-hour 2016 Municipal Training Session to be held on Wednesday, June 1, 2016, Town Hall Council Chambers, 6 p.m. to 8 p.m.

14. COMMISSION REPORTS

Chairman's Report

None

Commissioner's Report

None

Land Use Staff Report

None

15. MEETING ADJOURNMENT

Polling the Commission hearing no objections, Chairman O'Hara adjourned the meeting at 9:15 p.m.

Respectfully Submitted,
Rebecca Wood, *Recording Secretary*



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

SEP APPROVAL AMENDMENT MODIFICATION

SEP-2016-03-A1 – Amendment Modification
P&M Realty, Inc (Owner)
Leon Ambrosey – Cross Hill Service (Applicant)

May 23, 2016

Douglas R. Reich, RLA
Solli Engineering, LLC
501 Main Street, Suite 2A
Monroe, CT 06468

VIA CERTIFIED MAIL: 7015 1730 0001 9993 1781

RE: SPECIAL EXCEPTION PERMIT – AMENDMENT MODIFICATION (SEP-2016-03-A1)
SEP-2016-03, File #1572A – SEP Approval April 21, 2016
585 Fan Hill Road – Cross Hill Service
Certificate of Appropriateness (Location for Limited Used Car Dealer License) and Special Exception Permit amendment to permit limited used car sales from the premises

Dear Mr. Reich:

Please be advised, at the May 19, 2016 Planning and Zoning Commission meeting, the Commission approved the requested Special Exception Permit Amendment Modifications (SEP-2016-01-A1) to authorize the following:

- Approval of a Certificate of Appropriateness for Location of a “limited” Used Car Dealer License for the premises at 585 Fan Hill Road; and
- Amendment of SEP-2016-03 to permit limited used car sales subject to the limitations set forth in the Zoning Regulations.

This SEP Amendment Modification Approval is subject to the following:

1. The previously approved Special Exception Permit Site Plans shall be revised accordingly to incorporate the approved amendment modifications as presented to the Commission and to list the applicable “limited used car sales” restrictions on said Site Plans (and on the State Used Car Dealer License Application as authorized to be endorsed by the Monroe Zoning Enforcement Officer) to the satisfaction of the Town Planner.

585 Fan Hill Road

2. Said revised Site Plans shall be coordinated with the acceptance of the final Special Exception Permit Site Plans as set forth in the original April 21, 2016 approval resolution.
3. A copy of this amendment approval (SEP-2016-03-A1) shall become effective upon its recording on the Monroe Land Records, which recording shall be the applicant's sole responsibility and which shall occur simultaneously with the recording of the original SEP-2016-03 Approval Resolution per the terms and conditions of said original Approval Resolution, or this amendment approval shall be null and void. Coordinate with the Planning and Zoning Department for recording the original copy.
4. All other prior conditions, requirements, bond and time periods of the original Special Exception Permit Approval dated April 21, 2016 shall remain unchanged and in full force and effect.

MONROE PLANNING AND ZONING COMMISSION



Patrick O'Hara, Chair

cc: Leon Ambrosey – Cross Hill Service (Applicant)
P&M Realty, Inc. (Property Owner)



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-2016-02 – File #1571A)

School Bus Parking Facility
34 Enterprise Drive – Assessor Map 104, Lot 2 - 10
Industrial District 2 (I-2)

APPLICANT

ALL STAR TRANSPORTATION

PROPERTY OWNER

FOX GROUP CT LLC

Date of Approval	May 19, 2016
Date Final Plans to be Signed by	November 15, 2016
5-Year Expiration	May 19, 2021

WHEREAS, the Monroe Planning and Zoning Commission (Commission) is considering an application for Special Exception Permit (SEP-2016-02, File #1571A) received from All Star Transportation (applicant) and Fox Group CT LLC (property owner) relating to property consisting of approximately 12.64 acres within an Industrial District 2 (I-2); and

WHEREAS, the site is located on the northeast side of Enterprise Drive and presently is undeveloped consisting of woodlands and several areas of wetlands; and

WHEREAS, the project proposes a School Bus Parking Facility to be implemented in two phases:

- Phase 1 – 45 bus spaces, 49 standard spaces and 2,360 sf office building (single story);
- Phase 2 – 24 standard spaces and 4,000 sf office building (single story); and

SPECIAL EXCEPTION PERMIT APPROVAL

SEP-2016-02– File #1571A – 34 Enterprise Drive – All Star Transportation School Bus Parking Facility

WHEREAS, proposed site utilities include connection to public water supply, electric, communication and gas mains, construction of an onsite subsurface septic system and construction of stormwater management and treatment controls; and

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, 01/26/16, revised 03/29/16;

Plans:

- 0.00 – Cover Sheet (1/20), Solli Engineering, 01/26/15, revised 03/29/16;
- 1.11 – Zoning Location Survey (2/20), Accurate Land Surveying, 01/26/16;
- 1.40 – Site Area & Radius Map (3/20), Solli Engineering, 01/26/16, revised 03/02/16;
- 2.11 – Site Layout Plan (4/20), Solli Engineering, 01/26/16, revised 04/28/16;
- 2.12 – Phase II Site Layout Plan (5/20), Solli Engineering, 01/26/16, revised 04/28/16;
- 2.21 – Grading & Drainage Plan (6/20), Solli Engineering, 01/26/16, revised 03/22/16;
- 2.31 – Soil Erosion & Sediment Control Plan (7/20), Solli Engineering, 01/26/16, revised 03/22/16;
- 2.41 – Soil Erosion & Sediment Control Notes & Details (8/20), Solli Engineering, 01/26/16;
- 2.51 – Site Utility Plan (9/20), Solli Engineering, 01/26/16, revised 03/14/16;
- 2.61 – Landscape Plan (10/20), Solli Engineering, 01/26/16, revised 04/28/16;
- 2.62 – Landscape Notes & Details (11/20), Solli Engineering, 01/26/16, revised 04/28/16;
- 2.71 – Lighting Plan (12/20), Solli Engineering, 01/26/16, revised 03/29/16;
- 3.01 – Details (13/20), Solli Engineering, 01/26/16, revised 04/28/16;
- 3.02 – Details (14/20), Solli Engineering, 01/26/16, revised 04/28/16;
- 3.03 – Details (15/20), Solli Engineering, 01/26/16, revised 04/28/16;
- A1.0 – First Floor Plan (16/20), White Architects, 01/29/16, revised 03/14/16;
- A1.1 – Second Floor Plan (17/20), White Architects, 01/29/16, revised 03/14/16;
- A2.0 – Floor Plan, Notes, Abbreviations (18/20), White Architects, 01/29/16, revised 04/28/16;
- A2.0 – Exterior Elevations (19/20), White Architects, 01/29/16, revised 03/14/16;
- A2.1 – Exterior Elevations (20/20), White Architects, 01/29/16, revised 03/14/16; and

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

- The site is not within 500 feet of a Town boundary and does not include areas of 100-year floodplain;
- The site is located within the Pequonnock public watershed area, for which notifications to Aquarion Water Company of Connecticut and the Connecticut Commissioner of Public Health were completed by the applicant;
- The site includes regulated wetlands and associated 100-foot upland review area, for which a separate application has been submitted to and approved by the Inland Wetlands Commission (IWC-2016-04, File #988, approved on March 23, 2016);
- A favorable review and recommendation has been received from the Monroe Architectural Review Board (March 10, 2016); 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

SPECIAL EXCEPTION PERMIT APPROVAL

SEP-2016-02– File #1571A – 34 Enterprise Drive – All Star Transportation School Bus Parking Facility

WHEREAS, the Commission has considered the proposed application at a duly noticed public hearing, which hearing was opened and adjourned on April 7, 2016, reconvened and closed on April 21, 2016. Notice of the public hearing was published in the Monroe Courier on March 24 and 31, 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** (*numbering sequence follows that in the Zoning Regulations*):

- A. The subject property is zoned I-2 District, which Zoning District permits the proposed School Bus Parking Facility as a principal use subject to a Special Exception Permit. The use and operations of the proposed facility is consistent with other industrial uses of the surrounding area. Site access will be limited to a single new curb cut. No roadway improvements are required or proposed except clearing for driveway sightlines. The new facilities have been designed consistent with the applicable I-2 District zoning bulk and supplemental standards;
- B. The proposed action is consistent with the Plan of Conservation and Development (POCD) in that it proposes to develop an existing undeveloped industrial zoned parcel within the Pepper Street Industrial Park, thereby creating a new economic development activity generating temporary construction jobs and new tax generating improvements;
- C. The location, nature, height and design of the proposed facilities are consistent with other industrial parcels of the surrounding area. Proposed buildings will be single-story and in a basic colonial style with vinyl clapboard siding. The new buildings are relatively small in comparison to other buildings within the Industrial Park, while the majority of the site development relates to providing a parking area for school buses when not in use. Fuel storage for the buses is proposed by installation of an above ground fuel storage tank (double wall tank with 110% spill containment). The fuel dispenser and storage tank will be located on a concrete pad with spill containment grooves. Fueling of the buses will be conducted by a trained individual (as opposed to the bus operators). As such, the proposed improvements are not anticipated to hinder or discourage the appropriate development and use of adjacent lands and buildings;
- D. Proposed exterior lights are minimal and will be dark-sky compliant. Building and site signage will not be lighted. The proposed facilities and use does not include components which are known or anticipated to generate impacts by reason of fumes, smoke, dust, vibration, glare, intensity or flashing of lights;
- E. An onsite subsurface sanitary septic system is proposed, as well as connection to existing public water supply facilities;
- F. Adequate off-street parking and loading facilities are proposed;
- 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;

SPECIAL EXCEPTION PERMIT APPROVAL

SEP-2016-02– File #1571A – 34 Enterprise Drive – All Star Transportation School Bus Parking Facility

I. The proposed use is 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, the Commission, in accordance with §8.8.3(F) of the Zoning Regulations, hereby finds the following in respect to the **Special Exception Permit Supplemental Standards** specific to a School Bus Parking Facility use (*numbering sequence follows that in the Zoning Regulations*):

- (1) The proposed school bus parking facility is privately owned and serves the Monroe Public Schools;
- (2) The subject parcel does not abut a residential zone;
- (3) All vehicles parked at the premises will be required to be registered with the Connecticut State Department of Motor Vehicles;
- (4) Accessory uses include an above ground double-wall fuel storage tank and dispenser to refuel the parked school buses only;
- (5) The proposed fueling facility is detailed on the project plans;
- (6) No onsite bus repairs, service, washing or maintenance is proposed or approved; and

BE IT FURTHER RESOLVED, that the Commission at its regular meeting held on **May 19, 2016**, upon motion by **WILLIAM PORTER** and seconded by **DAVID TOWNSON**, following deliberations conducted on **May 5 and 19, 2016**, voted **FOUR (0)** in favor, **NONE (0)** in opposition, ONE (1) absent, to **APPROVE** the above referenced application for **Special Exception Permit**, subject to modifications as set forth below, as follows:

	<u>PATRICK O'HARA</u>	<u>AYE</u>
Vote:	<u>WILLIAM PORTER</u>	<u>AYE</u>
	<u>DAVID TOWNSON</u>	<u>AYE</u>
	<u>LEON AMBROSEY</u>	<u>AYE</u>
	<u>PAUL LISI (seated)</u>	<u>ABSENT</u>

For the Commission:



Patrick O'Hara, Chair

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 November 1, 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 (1/20)
 - 1.11 – Zoning Location Survey (2/20)
 - 1.40 – Site Area & Radius Map (3/20)
 - 2.11 – Site Layout Plan (4/20)
 - 2.12 – Phase II Site Layout Plan (5/20)
 - 2.21 – Grading & Drainage Plan (6/20)
 - 2.31 – Soil Erosion & Sediment Control Plan (7/20)
 - 2.41 – Soil Erosion & Sediment Control Notes & Details (8/20)
 - 2.51 – Site Utility Plan (9/20)
 - 2.61 – Landscape Plan (10/20)
 - 2.62 – Landscape Notes & Details (11/20)
 - 2.71 – Lighting Plan (12/20)
 - 3.01 – Details (13/20)
 - 3.02 – Details (14/20)
 - 3.03 – Details (15/20)
 - A1.0 – First Floor Plan (16/20)
 - A1.1 – Second Floor Plan (17/20)
 - A2.0 – Floor Plan, Notes, Abbreviations (18/20)
 - A2.0 – Exterior Elevations (19/20)
 - A2.1 – Exterior Elevations (20/20)
- 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 May 20, 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.

SPECIAL EXCEPTION PERMIT APPROVAL

SEP-2016-02– File #1571A – 34 Enterprise Drive – All Star Transportation School Bus Parking Facility

- 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 and Sheet 2.11:

- *Reference is hereby made to the corresponding Inland Wetlands Permit Approval as issued by the Monroe Inland Wetlands Commission (IWC-2016-04, File #988, approved on March 23, 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-2016-02, File #1571A, approved on May 19, 2016) and these corresponding Special Exception Permit Site Plans on file with the Monroe Planning and Zoning Department.*
- *All vehicles parked at the premises shall be registered with the Connecticut State Department of Motor Vehicles.*
- *The fuel storage tank and dispenser shall be used solely for refueling the school buses owned and parked at the facility only.*
- *There shall be no onsite repairs, service, washing or maintenance of the parked school buses.*

- e. The parking calculation shall be revised as follows:

Bus Storage	45 bus spaces	
Office	2,000 sf	8 spaces (*) 1,000 sf office; 1,000 sf common area
Car Spaces for Bus Storage	45 buses	45 spaces
Shed Storage	236 sf	N/A accessory use
Total Standard Spaces	53 spaces gross (*) – 49 spaces net	
(*) 1,000 sf Common Area – 4 office spaces required but provided in Car Spaces for Bus Storage		

- f. The Freestanding Sign Detail shall be revised to also detail compliance with minimum and maximum letter sizing consistent with the standards set forth in Zoning §6.3.7(A)(5); also the street number shall be incorporated at the top of the sign panel as set forth in Zoning §6.3.7(A)(4).

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- g. The Architectural drawings shall specify a building siding material of a *premium grade* vinyl.
- h. A loading space (painted cross-hatched line striping) with end dumpster enclosure shall be provided at the northwest corner of the Phase 2 building with appropriate landscape island separation from the adjacent parking area as approved by the Planning and Zoning Administrator; and verification of location acceptance by the Inland Wetlands Commission.
- i. The center island within the bus parking area may be eliminated provided stormwater drainage water quality measures and required minimum interior landscaping area are otherwise adequately provided for, subject to the approval of the Planning and Zoning Administrator and Town Engineer. If eliminated, the following shall also be addressed:
 - The plans shall show an alternate drainage pipe and catch basin system in place of the swale, and the sizing of said system shall be included in the Engineer Report / Drainage Report.
 - Details and notations shall be provided indicating the cross section depth and materials for the alternate pavement application in lieu of the center island swale.
- j. Details and notations shall be provided indicating the transition between concrete curbing and asphalt curbing being at the point of curvature and point of tangency for the driveway entrance/exit radii.
- k. Details and notations shall be provided for the installation of fencing over all retaining walls four (4) feet or more in height, subject to the approval of the Planning and Zoning Administrator.
- l. Correction/clarification of the grate elevation in the outlet control structure detail shall be revised to match the Drainage Report elevation of **410.75** in lieu of “411.75” or said calculations shall be revised accordingly.
- m. All driveways, car and bus parking areas, and loading areas shall be finished with conventional bituminous asphalt pavement. The fueling station shall be concrete pavement with grooved sections around the perimeter.

2. 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**, 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.

3. Filing of Final Stormwater Management Report

The applicant shall provide three (3) copies of a “final” **Engineering Report / Drainage Report**, as certified by a Connecticut licensed professional engineer, including sizing calculations for the other pipe systems (main entrance/exit drive cross culvert, and road drainage culvert extension off the westerly corner of the site development).

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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.

2. Required Posting of Bond

- a. A site restoration and stabilization bond in the amount of thirty-eight thousand (\$38,000.00) shall be provided to the Town of Monroe.
- b. The bond(s) 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 **Section 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 recording as set forth in **Section B3** above has been completed and a copies thereof as recorded have been provided to the Planning and Zoning Department. All required **recordings and filings** as set forth above shall be confirmed as completed.

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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.
 - Copy of Town of Monroe Highway Modification Permit.
 - 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

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- 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.
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 completion of all approved phase related wetlands activities and related site restoration activities shall be provided.
 - Certified verification by a Professional Engineer of the satisfactory installation and functional operation of the drainage facilities.
 - A phased 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.
 - All phase related improvements shall be completed consistent with the signed final Special Exception Permit Site Plans, 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.

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.

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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. All permits and approvals shall be maintained as current throughout the duration of permitted use. 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. 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.
3. There shall be NO outdoor display or sale of merchandise.
4. 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, lights or site grounds or vegetation without prior authorized approval and permit.
5. 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.
6. 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.
7. 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 only. On-site overnight parking and storage shall be limited to the school buses owned by the facility in the designated areas shown on the Special Exception Permit Site Plans only. 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 inconsistent with the Special Exception Permit Site Plans.

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 May 19, 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.