

**PLANNING and ZONING COMMISSION
Monroe, Connecticut**

**MEETING MINUTES
June 2, 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
Secretary Jeremy Hayden
Commissioner David Townson
Commissioner Leon Ambrosey
Commissioner Cathleen Lindstrom (alternate)
Commissioner Michael O'Reilly (alternate)

Absent: Commissioner Paul Lisi (alternate)

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

OPENING of MEETING

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chairman O'Hara called the meeting to order at 7:05 p.m., and invited those in attendance to join in the Pledge of Allegiance.

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

Commissioners were seated on a roll call.

3. GENERAL PUBLIC PARTICIPATION PERIOD

None

4. GENERAL APPOINTMENTS

- **John Kimball, 1430 Monroe Turnpike:** Plan for re-use of former Convent building as multi-unit residential development with adjacent single family conservation cluster housing.

Mr. Kimball presented his concept of repurposing the former convent building as apartments to avoid its demolition and loss. The former convent building was built to institutional quality but includes a substantial amount of asbestos and other hazardous materials that are now in the process of remediation. Mr. Kimball has been looking for an appropriate reuse over the past two years. The property has been shown to assisted living organizations who find it to be outside of their desired demographic radius, as well as to schools and retreat centers, whose demand is now in decline.

The property serves well for apartments, with a total of 36 total units: eighteen two-bedroom/two bath units, and eighteen one-bedroom/one bath units, dependent on the septic capacity. Density would be calculated at 2.5 bedrooms per acre which would be consistent with the current zoning utilizing a five bedroom house on a two-acre lot, combined with the land approximating twenty two acres to enable its development. Driveway access would be relocated to provide a new access driveway or road from Monroe Turnpike. The structure itself is of such high quality that few structural elements will have to be demolished, but instead new load bearing elements added, new windows, new mechanicals, new insulation, and general upgrading to current standards.

One way to address would be to expand the existing Landmark Property regulations by adjusting the eligible structure age and other currently limiting standards but to still offset other apartment applications in the residential districts.

There would be potentially two septic systems for the building along with a new field that is adjacent to a wetland area. Commissioner Lindstrom thought these units would be a good and inquired about the outside building aesthetics, levels, and design and if there was a drawing, and if these were rental only units. To which, Mr. Kimball described the building as fairly institutional looking with yellow, brick, limestone sills, and outdated landscaping that will require architectural redesign. The front of the building is two levels with the rear of the building three levels, all accessible by elevators.

The initial plan would be to repurpose the lower level to add garage space in the rear above ground, maintain the existing pool for the residents, add and repurpose additional parking, maintain and repurpose the current maintenance and lawn equipment building.

Mr. Kimball added that he has received a great deal of interest for quality rental units by town residents who wish to remain in town but, no longer want the maintenance, upkeep, and cost of a stand alone home. The two bedroom units will rent between \$1,500. and \$1,600. a month. Mr. Kimball added that these apartments would remain in his family as a long- term investment and not to be sold or turned into condominium units to provide much needed lower cost, quality rental living within Fairfield County.

Commissioners Townson and Porter inquired whether the Iroquois Gas Pipeline ran through this property and if the proposed septic system would impact the pipeline, whether the garage would be one level or two, and if additional parking would be required. Mr. Kimball responded that the Iroquois Gas Pipeline did run through the property and through the proposed septic field, that he had performed previous replacement/repair work crossing this gas line which is five feet down, and will require hand digging, and that the garage would be one level so as not to impede any window views. He added that additional parking would be created by repurposing present parking areas as well as creating new additional areas.

Commissioner O'Hara inquired about the proposed access road and if it would be public or private, and serve both apartments as well as abutting cluster housing also contemplated for the property, if water runoff/engineering had been discussed with Staff as of yet, reminded Mr. Kimball that Landmark regulations stated that a property not only had to meet the timeline standards but had to meet uniqueness standards.

Mr. Kimball responded that based on Staff's comments, he would not burden the Monroe taxpayers with maintaining an access road for this property and would keep the access road private; in addition, the access roads to the cluster housing complex, the apartments, and the castle would be offshoots to one main access road, built to public access standards, to review the property acreage per unit standards, and inquired if the cluster housing would also be looked at under the Landmark provision.

Mr. Kimball responded that his staff had not as yet spoken with Town Staff regarding the water Engineering issues, but would be doing so in the near future, and agreed that this structure was not unique in its beauty, only in its uniqueness, and stated that the cluster housing portion of this development design would not be considered under the Landmark provision, but instead be a requested subdivision, and the front portion of the current proposed Landmark parcel from the Convent toward Route 111 would be an access road and greenspace.

Commissioner Ambrose inquired whether this property would be age restricted, and if it would have an outside maintenance firm or have on-site maintenance. Mr. Kimball stated that this property would not be age restricted and would have on-site maintenance.

Commissioners Hayden, Townson, O'Reilly, Porter, and O'Hara are also in favor of this proposed residential rental unit development plan moving forward.

Mr. Kimball then introduced and presented his proposed plan for cluster housing for this site. The cluster housing would be built to the same density as conventional housing but utilize a smaller footprint with more compact lots; for instance, build twenty five 1,700-1,800 square foot energy efficient homes with a master bedroom on the ground floor and two bedrooms upstairs on a smaller lot while conserving the balance of the acreage, allowing each home to be able to have its own garden, community maintenance, and septic disposal. This cluster housing area would be located in an area already cleared, preserving the area where the Blue Trail is which is already adjacent to other town open space. The more compact lots shorten the road length, and gives adequate septic disposal on each lot, keeping in mind that the total number of lots will be determined by the septic capacity of the property and lots. Whereas Whitney Farms homes are centered on a golf course, these homes would be centered on open space preservation.

Vice Chairman Porter questioned if this property would be similar to the Great Oak Farm concept. Mr. Kimball stated that property donated open space lands to Wolfe Park, this concept would be similar but less dense, and the open space land may be recreational but foremost conserved lands, protecting sensitive site resources.

Commissioner Lindstrom questioned whether these homes would be single or two-family detached homes, if there would be a recreational play area for children, how their ownership would differ from the apartments, and if the cluster housing would be a separate parcel from the apartment complex. Mr. Kimball stated that he has not as yet fully developed the recreational plan for this property, but that the homes would be single family detached with common maintenance. The apartments would be rental only, but the cluster housing would be a "for sale" product, while providing maintenance and grounds management.

Commissioner Hayden inquired if Mr. Kimball was looking at the cluster housing as a condominium plan with shared pool and services as there are some members of an association who contribute to the maintenance of a complex and others who do not, which affects the presence of the entire association. Mr. Kimball agreed, noting that the Town likes the idea of not having the cost of maintenance borne by the town, but also worries about consistency and aesthetics when maintenance is borne by association members. This portion has not been decided as of yet.

Commissioner O'Hara inquired if any discussions had taken place about the type of districting that this development would fall under. Mr. Kimball stated that in discussions with Staff, they continually ran into problems trying to force this property concept into one of the existing district categories. The current plan is to propose a new Conservation District that would not affect any other properties under currently existing zoning, for instance, Great Oak Farm, Northbrook, etc.

Chairman O'Hara inquired if Mr. Kimball would be interested in donating the portion of the property adjacent to Lake Zoar to the Town of Monroe as open space. Mr. Kimball stated that he would be open to this, along with an abutting property that he had purchased which has Indian caves on it as a means to conserve and protect them. These open space parcels would be adjacent to other lots that the Town of Monroe owns that could be combined into one large open space area.

- **Kevin Solli, PE, Solli Engineering:** Sign Regulations.

Item 1 : Minimum Letter Size: The current minimum letter size for signage is 10" based on visibility and traffic speed. We have been able to design signs for various sites based on sign size requirements, but in order for that text to fit into the signage, it needs to be less than 10" in height. For the size of our sign, the lettering would only need to be 5 or 6" in height, but with the 10" height requirement, Mr. Solli believes that this parameter artificially increases the size of the sign much larger than what is needed to accommodate these requirements. If your business name is more than four letters, it does not fit within the current regulations. He believes that a smaller minimum size would be more appropriate.

Mr. Solli surveyed signs throughout the town to view what was in existence and found a very wide range of sizes, ranging from 1" to 7" tall with most lettering between the 3" to 5" range. Many signs have the name of the shopping center in larger text with the names of the individual stores in a range of smaller texts. The text in the 1" to 3" range is much more difficult to read.

Planner Agresta stated that you had to not only measure the text sizes but also be able to see and read the text from a distance, and, in addition, many signs were noticeable due to their branding rather than their readability.

Vice Chairman Porter stated that when determining these regulations, part of the decision was based on the posted speed limit, and the recommendation to choose lettering height based on that factor, not an arbitrary factor, but it could most certainly be looked at again.

Chairman O'Hara concurred and added that when they were developing the regulations for lettering size, they did not have the sampling available that is being provided at this meeting, which would have helped immensely; the Commission's intention was not to create a restrictive and prohibitive lettering regulation, but rather a level of reasonable uniformity. Chairman O'Hara then suggested that Mr. Solli prepare some samples and bring them to the sub-committee for review.

Commissioner Lindstrom stated that it was not only the height of the lettering that is not working but also the design element and aesthetic appearance of the signage that is lacking; Chairman O'Hara concurred and again recommended that Mr. Solli be added to a subcommittee meeting where he will work with Planner Agresta to bring an alternative letter size option to the Commission.

Item 2: signage on private roads. There are currently no provisions for signs on private road parcels. There are only a couple of instances where this would apply, and in discussion with Planner Agresta, some language was drafted to address this. One of these examples is a recently approved sign on Victoria Drive recently approved for Walmart and Swiss Army, and Mr. Solli wanted to insure that there would be a provision for any business that would have frontage on a private road to properly direct customers to the correct location.

Signage such as this would also apply to the Industrial Park on the north end of Pepper Street where you could put a sign on the private road parcel and then have individual panels for any business that has frontage on that private road.

Vice Chairman Porter inquired if businesses that had frontage on both the main road and the private road would also belong on the private road sign. In addition, based on our current sign regulations, this would be an 80 sf sign, and he was not at all sure this would be desirable. Mr. Solli stated that, "no, not necessarily," and thanked Vice Chairman Porter for the feedback, and noted that current regulations state that no individual tenant sign could exceed 40 sf.

Commissioner O'Hara inquired if the sign was located on a center island, how many square feet would be proposed for the island in relation to the sign, and stated that a higher level of aesthetic landscaping would be desirable.

Mr. Solli stated that the detail of a center island has not been worked out as yet, but could state that if a sign is located on a center island, the island would have to be "X" square feet.

Planner Agresta voiced some concerns: zoning regulations in Connecticut are supposed to be applied uniformly, but by providing signage for uses off premises, where you have signage on a parcel which is not related in any way to the parcel it is located on, and which is not permitted anywhere else in town, it is not uniform.

Chairman O'Hara submitted that the businesses whose signage we were allowing would be doing us a service by reducing the number of cars on Route 25 and by maintaining their own private road.

Planner Agresta stated that businesses such as Benedict's and those in the Pepper Street Business Park would also like to have signage on the main road as well, the only difference being that both of their streets are public vs. private. You might be able to address this by placing signage with a destination such as Victoria Place rather than individual business names.

Item 3: wall signage. Mr. Solli recommended wall signage calculated based on the linear footage on the building itself. The current regulations state that you cannot have a sign larger than 32 square feet. A 32sf sign on Walmart would be dwarfed by the sheer size of the building, and would be better served by signage that is more balanced to its linear dimensions. The current sign approved for Walmart is 292 sf approved under the regulations at that time.

Both Chairman O'Hara and Vice Chairman Porter voiced that the Commission was working to bring aesthetics and uniformity to the regulations which had operated under very different guidelines for over thirty years prior, and recommended that Mr. Solli work with Planner Agresta to develop some reasonable language to address the signage issues at the next subcommittee meeting.

Mr. Solli agreed to do so and thanked the Commission.

PUBLIC HEARINGS

5. SPECIAL EXCEPTION PERMIT

SEP-2016-05, File #1574A

178 Main Street (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 5/19/2016)*

Added exhibits since the prior session were 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. Mr. Swift went to the Institute of Traffic Engineers to research parking requirements regarding car washes such as this and found them silent. In further research there continued to be inconsistent findings for both self-service and automated car washes in regard to parking. Mr. John Lilly, owner, addressed the Commission and stated that he researched surrounding towns, finding those with car washes, and performing a site search on each of those car wash businesses to determine their parking requirements as the majority of these businesses were full service car washes. Mr. Lilly compared those businesses to his own to find commonalities and differences.

In a full-service car wash, the customer leaves their vehicle, walks through a tunnel, and waits in a retail waiting area for their vehicle to finish being vacuumed and cleaned. There is staff that drives each car onto and off the track, there is a cashier who processes transactions, and signs customers up for various promotions and services. These types of services require more and different staffing levels than our car wash will. Our car wash will have kiosks that remove the need for additional staff to drive vehicles on or off tracks, the customer will not be leaving the car, there will not be any retail sales area—all of the transactions will be handled at the kiosk, from washes, to gift cards, to detailing. If a customer has a question about detailing, they can watch a 15 second video at the kiosk describing the process and options. There will be a staff member to assist a customer who may be having difficulty at the kiosk.

The difference in staffing numbers from our original staffing estimate of five to the ten staff members spoken about at our last meeting, signify the total number of staff employed, not the total number of staff onsite at any one time. Staff scheduling is variable dependent on time of day and weather. The business has fifteen peak days per year, and it is during those days that it would operate under peak staffing.

Planner Agresta agreed that in his research there is a difference between the two types of car washes and the question is, “how often and what is the peak demand of the use?” Planner Agresta stated that there were eight spaces on the plan, with a location for one more space which could bring the total number to nine, the lawn area could potentially be converted or deferred, the vacuum stations could be used. Chairman O’Hara stated that it was the applicant’s responsibility to make the case for their application to the Commission. Mr. Swift stated that one parking space for every 1.5 employees with the provision that it be a self-service facility with kiosks for services and no retail sales within the waiting room would be an effective standard for this facility.

Mr. Swift responded to Staff’s comments describing the proposed stormwater features, including a curtain drain to allow water to seep out of the rain garden into the Pequannock River; a galley system to handle roof water; drainage, piping, or vortex chambers are installed, nothing will flow due to the elevation; water does not flood as we have not had a 100 year flood.

Vice Chairman Porter questioned whether any pollutants would filtrate into the Pequannock River through the rain garden, and if there was a rain event that produced a level higher than 329.8’ elevation where would those pollutants disperse to. Mr. Swift responded that he could not state unequivocally that pollutants would not disperse or filtrate into the Pequannock River through the rain garden under either condition.

Chairman O’Hara stated that for the additional 5,000 square feet of building space in addition to additional parking and asphalt space, the storm water treatment appeared to be inadequate. They have an infiltrator for the new roofing, but the old roofing is discharging as it has been, and they are proposing two items for water quality: 1) a grass swale area, and 2) the remainder of the area is flowing into the rain garden.

Town Engineer Schatzlein reviewed his recommendations for stormwater control and noted that with the type of system he suggests that the rain garden will fill up with water, but when the water in the rain garden recedes the water will flow out of the piping system. It will not have to be empty to flow as you would find with a hose in a pool. Oils will remain in the catch basin. He recommended a septic tank type system for a low flow situation and cost effectiveness. The basin will qualify as low level storm quality control, but the grass swale will not.

Commissioner O'Hara stated that in his experience, the site type and location that is being presented, usually has an advanced water treatment system, and this proposal does not. The Commission is seeking something more from this proposal. Mr. Swift respectfully requested that the Commission approve the project.

Mr. Schatzlein recommended a bond of \$13,000 the applicant concurred with the amount.

There was no public in attendance. Hearing no further comments, Chairman O'Hara closed the public meeting.

6. SUBDIVISION & REUBDIVISION

SUB-2016-01, File #1258CA 716 Wheeler Road (Assessor Map 117, Lot 14)
Application of Gary Howden (applicant/owner) for a two (2) lot residential Resubdivision. The property consists of approximately 5.1 acres located within a Residential and Farming District 2 (RF-2).

Chairman O'Hara read a letter from Gary Howden (owner/applicant) requesting a postponement and the granting of a time extension to the June 16, 2016 meeting.

SITE PLAN REVIEW

7. SITE DEVELOPMENT PLAN

None

DELIBERATIONS and DETERMINATIONS

8. PERMIT AMENDMENTS / MODIFICATIONS

13-8-SEP, File #1527A 1430 Monroe Turnpike (Assessor Map145, Lot 24)
Request for modification of December 5, 2013 SEP Condition of Approval F.4 requiring demolition of former Convent building within six (6) months of Certificate of Occupancy.

OWNER Sisters of the Holy Family of Nazareth
APPLICANT Sisters of the Holy Family of Nazareth
MOTION: Porter – To approve an additional one (1) year extension of time (total of 18 months) to meet conditions of approval relative to demotion of the former convent building.
SECOND: Hayden
VOTE: 5-0-0 – Approved
Ayes O'Hara, Porter, Hayden, Townson, Ambrosey
Nays None
Abstain None

9. EXTENSIONS

SEP-2015-15, File #1566A – 500 Pepper Street (Carrubba, Inc.)

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

SEP-2015-02, File #1257C – 64 Cambridge Drive

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

10. Bond Releases or Reductions

None

11. MEETING MINUTES

May 19, 2016 Minutes

MOTION: Porter – To approve the meeting minutes for May 19, 2016 as amended.
SECOND: Townson
VOTE: 4-0-1 – Approved
Ayes O’Hara, Porter, Townson, Ambrosey
Nays None
Abstain Hayden

12. APPLICATION DELIBERATIONS/DETERMINATIONS

01-5A, File #1194C– Birdseye Estates Subdivision – Subdivision Road Bond

OWNER Quaranta Brothers Inc
APPLICANT EG Home LLC
MOTION: Porter – To approve and set the amount of the required resubdivision performance bond in the amount of \$835,000.00.
SECOND: Hayden
VOTE: 5-0-0 – Approved
Ayes O’Hara, Porter, Hayden, Townson, Ambrosey
Nays None
Absent None

OTHER BUSINESS

13. REGULATIONS REVIEW / AMENDMENT WORKSESSION

None

14. CORRESPONDENCE / OTHER RECEIVED

None

15. COMMISSION REPORTS

Chairman's Report

None

Commissioner's Report

None

Land Use Staff Report

None

16. MEETING ADJOURNMENT

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

Respectfully Submitted,
Rebecca Wood, *Recording Secretary*