

**PLANNING and ZONING COMMISSION  
Monroe, Connecticut**

**MEETING MINUTES  
August 4, 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 Cathleen Lindstrom (alternate)  
Commissioner Michael O'Reilly (alternate)

**Absent:** Commissioner Leon Ambrosey  
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 7:00 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.

**MOTION:** Vice Chairman Porter made a motion to move Item 9 earlier in the agenda after Item 4.

**SECOND:** Commissioner Townson

**VOTE:** Affirmative 5-0 – O'Hara, Porter, Townson, Ambrosey, O'Reilly (seated for this item)

**3. GENERAL PUBLIC PARTICIPATION PERIOD**

None

**4. GENERAL APPOINTMENTS**

None

4a. **PERMIT AMENDMENT MODIFICATIONS**

**SEP-2016-08, File #1578A**

1014 Monroe Turnpike Masuk High School  
Modification to Parking Lot

James Augustine, Superintendent of Schools, introduced Dan Kroger of Milone & MacBroom, engineering consultant assisting the school study and implement parking lot modifications to better and more safely control traffic at the High School, including improvement of pedestrian sidewalks connecting the existing parking lot to the school. Last year the school installed temporary modifications which it now wants to make more permanent by changes to the traffic floor, involving the recapture of pavement as well as addition of new and displaced parking space. A variety of safety related issues were seen and able to be addressed: students have to walk across traffic as there is no walkway from the parking lot to the school entrance, and there is a landscape island with a five foot elevation change with no stairs. Dan Kroger, Licensed Professional Engineer with Milone & MacBroom, in Cheshire, CT gave a visual presentation of the proposed changes:

- Mr. Kroger explained the current geographic location and traffic pattern on the site;
- The traffic pattern will now be a one-way traffic pattern;
- The existing open connections between parking areas would be closed to create a new one-way traffic flow lane;
- Permanent curbing and new landscape islands will be installed;
- One-way and stop signs will be positioned;
- A sidewalk, stairs and crosswalks will be installed for ease and safety of pedestrian access;
- Parking spaces will be transferred from one location to another;
- There is a minor net loss of impervious surface;
- They will continue to look for areas to plant trees but have been aggressive in pruning due to a variety of limbs being affected with insect deterioration;

**SEP-2016-08, File #1557A– 1014 Monroe Turnpike (Route 111)**

**OWNER:** Town of Monroe

**APPLICANT:** Board of Education

**MOTION:** Porter – To permit alterations to a portion of existing Masuk High School parking lot to formalize one-way parking within the southern reach of the lot, including the addition of a pedestrian sidewalk to improve safe access between parking lot and the High School building.

**SECOND:** Townson

**VOTE:** 5-0-0 – Approved

**Ayes** O’Hara, Porter, Townson, Ambrosey, O’Reilly (seated for this item)

**Nays** None

**Abstain** None

Commissioner Hayden arrived late.

**PUBLIC HEARINGS**

**5. ZONE BOUNDARY CHANGE**

**ZCA-2016-01, File #1006D**

754 Main Street (Assessor Map 95, Lot 51)  
Petition Application of Stone Farm LLC (applicant) for a Zone Boundary Change of approximately 22.59 acres presently classified Residential and Farming District 1 (RF-1) to Industrial District 1 (I-1). Seven Fifty Four Main Street LLC (Owner). *(Reconvened from 7/21/2016)*

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

Attorney Amy E. Souchuns, of Hurwitz, Sagarin, Slossberg, & Knuff, LLC, for the applicant, who also introduced Steve Singlak, Stone Farms LLC, and Doug Reich of Solli Engineering, provided rebuttal response to the Northbrook Condominium Association written comments as follows:

- At the last session Keven Solli summarized the applicant’s responses to Staff comments;
- In rebuttal to Northbrook Condominium Association’s statement that the requested zone change was not consistent with the Town’s Plan of Conservation and Development, and that the request constitutes “spot zoning,” the response is that the POCD does support the rezoning for a number of reasons:
  - In this case, the Town’s POCD is not a controlling document, it is an advisory document, it is only a controlling document as it would relate to a municipal change or other specialized requests that would require mandatory compliance with the POCD;
  - There are a number of elements included in the future land use plan where we believe this site meets all of the policy goals—improving the economic base, maintaining a good quality of life, being a good steward of a green Monroe by reusing an existing vacant developed site and underutilized building;
  - Most notably, this rezoning will return the site to economic viability as this site has been actively marketed in its current format with its current zoning, to church organizations, private educational facilities, theaters, and others, but because of the site constraints, and the amount of work that would need to be done on the building, none of them had been interested this site as a viable option;
  - Allowing for a zone change would facilitate redevelopment of the property;
  - The vast majority of property surrounding this site is not residential but rather Industrial zoning along the Route 25 corridor;
  - The POCD recognized the continuing change in the number and type of uses over time in the last ten years may be repurposed to fit the current need and economic climate;
  - In considering the change, the change must be in accordance with the Town’s comprehensive plan in that the site is appropriate for Industrial use as it has significant limitations as a Residential and Farming District because of the existing wetlands on the site as well as the limited septic system capacity;
  - The intended proposed site use is best served within the regulations and requirements of an I-1 District than a B-1 or B-2 Business District;
  - In response to the relationship of the Commission’s authority to adopt zoning regulations and change zoning districts within the Town, and the regulations that apply to those Districts, the Commission has broad discretion as a legislative action;
  - The site has laid fallow for a number of years under its current zoning, as well as been given the means to a solution that presents the opportunity for redevelopment in a manner consistent with both the existing neighborhood as well as the zoning map and the zoning regulations;
  - In response to the precedential value of supporting this zoning change, because of the constraints of the zone change, and that each application must be evaluated on its own merits, in a case-by-case basis, the case law is very clear that the adoption of a zone change has no precedential value with respect to future applications.

Commissioner Lindstrom inquired about a decision that is made in support of a zone change, while the Commission has the authority to do so, and is not setting precedent in future decisions in doing so, by creating these zone changes, isn’t it also changing the neighborhood. In addition, if Stone Farm LLC moves out of this site, how does that affect the potential use of this land?

Attorney Suchens responded by stating that this was precisely the reason why the POCD is an advisory document and not a binding one, to allow for changes over time, and restated that Mr. Solli had identified key uses for future ownership in the last meeting.

Commissioner Townson inquired how the depth of this lot was a positive attribute. Attorney Suchens responded that it was only a positive attribute for an industrial use such as that intended for the site, where you want it set back from the road, and it did not need the visibility required by general retail establishments.

Vice Chairman Porter stated to Chairman O'Hara that the Commission has been given two opposing position documents, and inquired if it would be beneficial for the Commission to get its own legal counsel on this matter. The consensus was to ask the Town Attorney for his legal input on the two briefs submitted by Northbrook and the rebuttal by the applicant to identify any legal red flags of concern.

Polling the Commission and hearing no objections, Chairman O'Hara closed the Public Hearing on this application.

## 6. SPECIAL EXCEPTION PERMIT

**SEP-2015-15-A1, File #1566A**

**500 Pepper Street (Assessor Map 94, Lot 15)**

Permit Approval Amendment Modification application from Duane Carrubba – Maybrook Properties, LLC (owner/applicant) seeking changes to recently approved SEP-2015-15 consisting of reductions in the building footprint, gross floor area, and total amount of impervious surfaces; substituting and underground stormwater detention system with a surface stormwater detention system; and related changes to parking, loading, and landscaping improvements. The property consists of approximately 7.16 acres located within an Industrial District 2 (I-2). *(Reconvened from 7/21/2016)*

Added exhibits were listed for the record.

Casey Birch, from Solli Engineering stated he would be responding to Staff and Commission comments from the last meeting through his visual and verbal presentation:

- In response to the comments regarding low profile windows, the architect revised the windows to proportion as requested;
- In response to “the windows across the front entry appear to be out of scale with the width across the lower window banks...”, have been revised as requested;
- In response to the front façade, the columns were expanded and inset as requested;
- In response to “the type of screening for the mechanical units on the roof are not evident on the plans,”: the plans have been completed but are not prepared for this meeting; and the applicant would like to make that a condition of approval;
- In response to “guard rail being provided on selected locations, ” that has been provided as requested;
- In response to “a sidewalk along the side of the building should be widened to address the vehicle overhand issue,” has been addressed;
- In response to “grading in the southwest corner of the property and adjacent sections should be more clearly shown,” that has been addressed;
- In response to “micrograding for the handicap accessible parking should be provided,” that has been addressed;

- In response to “grading should be revised to prevent ponding...”, that has been addressed;
- In response to “catch basin or leak off shall be provided...” that has been addressed; and
- In response to the conformance of the retaining wall, it has been addressed.

Dough Reich, Licensed Landscape Architect for Solli Engineering addressed the following additional responses to staff comments:

- The applicant respectfully states that they do not want to shift the parking away from the building and add a landscaping bed along the side wall near the loading area;
- The applicant respectfully declines to plant shrubbery along the guard rail and wetland area;
- In response to filling in gaps with additional plantings, the applicant will instead shift current plants to fill in any gaps along the retention basin area;
- The applicant respectfully responds that they do not wish to plant a tree in the flagpole area;
- There is no irrigation plan proposed on this site, but there will be hose bibs on the exterior of the building for general watering. The applicant has used native plantings that require less irrigation and maintenance;
- The applicant has revised its plans to detail more perennial plantings with some areas of annuals at the site entrances, and provided a design as requested;
- The dumpster was repositioned as recommended by ARB and planted with screening;
- The applicant provided a design for the sign at 8’ wide and 4’3” tall per regulations with the lettering 10” tall and the “C” in Carrubba larger.

Vice Chairman Porter inquired if the guard rail would conform to the timber rail plan and about the cross-hatched area verse making it a landscape island. Mr. Birch indicated that the guard rail would conform, and that they would rather maintain the cross hatch area with striping to allow for maintenance and truck turning.

Chairman O’Hara stated that the Commission is proposing changes to (reducing) the minimum sign letter height, so if the applicant would like to reduce their letter height, they could make a statement to that effect and that could be provided for now so when the changes come on line the applicant could utilize them through staff review. Mr. Birch requested of the Commission that, if the regulation is changed regarding signage prior to the completion of this project, they would like to do a staff approval for using a smaller minimum letter.

Town Engineer Schatzlein commented that there was a standard approval letter from the Inland Wetland Commission as well as a \$35,000 bond recommendation. Mr. Birch agreed with the above.

Commissioner O’Hara opened the meeting for Public Comment, there were no commentators.

Mr. Tom Ceretta, 5 Shawnee Lane, Property Manager for Carrubba, expressed positive comments for this project, stating that the building and business would be an enhancement and addition for Monroe and its tax base.

Mr. Birch thanked the Commission and asked that the project be approved.

Polling the Commission and hearing no objections, Chairman O’Hara closed the Public Hearing.

**SEP-2016-16, File #1576A**

**232, 234 & 236 Main Street (Assessor Map 18, Lot 42)**

Application of 234 Main Street, LLC – Bernard Sippin (applicant/owner) proposing changes in use of existing buildings, associated site and parking related improvements, connection to public water supply, installation of roof-mounted solar panels, lot line revision with abutting 200 Main Street property, site restoration activities and establishment of a Conservation Easement over a portion of the rear of the property. This property consists of approximately 5.22 acres. *(Reconvened from 7/21/2016)*

The application was tabled and adjourned to the August 18, 2016 meeting.

The Commission took a five minute recess at 8:11 p.m.

**7. SUBDIVISION / RESUBDIVISION**

SUB-2016-02, File #1259C

36 Timothy Hill Road – Monroe Tax Assessor Map 114, Lot 6  
Application of New England Materials, LLC (owner/applicant) for a five (5) lot industrial non-residential Resubdivision. Portions of the subject property are disturbed but generally the site is underdeveloped and consists of forested woodlands and wetlands and several intermittent woodland (vernal) pools. The Resubdivision proposes five (5) new Industrial Lots and the construction and conveyance of a new public road to the Town of Monroe providing a through connection to Fan Hill Road. The property is approximately 44.14 acres within an Industrial District 2 (I-2).

The Public Notice was read by the Commission Secretary Hayden read the public hearing notice Planner Agresta listed exhibits for the record.

Casey Birch, Licensed Civil Engineer, Solli Engineering, represented the applicant and presented the following:

- This application came before the Planning and Zoning Commission in February, 2015 and was approved in May, 2015 but since lapsed. The application was also approved by the Inland Wetland Commission in September, 2015;
- This property is part of the Pepper Street Business Park, which continues to be subdivided with continuing development ongoing. This parcel is located in the northeast portion of the Park;
- The property has 44.14 acres and is bounded by significant Pine swamp and wetlands to the north, undeveloped land to the east and south, and industrial land to the west. The applicant is proposing to subdivide the parcel into five industrial lots: Lot 29 (17.44 ac), Lot 30 (3.01 ac), Lot 31 (3.75 ac), Lot 32 (14.35 ac), and Lot 33 (4 ac) including a public road connection from the existing dead-ends of Independence Drive and Timothy Hill Road;
- All access the proposed lots would be via the proposed subdivision road connector, extending approximately 32 feet wide by 1,650 in length, designed to minimize site disturbance by limiting the overall degree of excavation, designed to cross the narrowest portions of wetlands using an open box culvert and arched bridge, with extensive grading, stormwater conveyances, pipes, catch basins, sumps, and water quality basins;
- The soil erosion plan and sediment control measures include sediment traps, silt fences, mulch berm, stone dams;

- The utility plans include water and gas access capped at Timothy Hill Road, electrical, communication, and telephone, and three hydrants; and
- The wetlands plan includes native, deciduous, and evergreen plantings, New England Wetland Mix within the basins and New England Erosion Control and Restoration Mix around the basin slopes.

Commissioner O'Reilly inquired where the quarry was in the Business Park, and if there was an entrance to the quarry on the north side of the Park. Mr. Birch explained that the quarry was located at 64 Cambridge Drive with its access to the south. The proposed subdivision road is to the north and will connect the existing dead-end segments of Independence Drive and Timothy Hill Road to Fan Hill Road. He explained that there was an entrance to the north for the quarry but he did not believe it was operational.

Commissioner Lindstrom inquired if there were any proposed uses for these lots at present, and if Independence would connect to Timothy Hill, and Timothy Hill would then connect to Fan Hill Road, and if that connection was not made, would it affect this development, and when the road connects to Fan Hill Road, and would the potential for industrial traffic increase on Fan Hill Road. Mr. Birch indicated that he was unaware of any proposed plan for the use of the lots at present, agreed that the road connections mentioned were correct, and stated that if the road were not built, it is possible that Lots 32 and 33 would not be able to be accessed. Mr. Birch stated that he believed the location of this road would make it more feasible to travel through the business park than to use Fan Hill Road as a through street.

Planner Agresta added that without this road connection, these lots would not be developable and would not meet the standards for street frontage.

Vice Chairman Porter inquired based on the numbers for cut and fill, whether all the slopes fell within the requirements of the Subdivision Regulations; if the utilities as well as the transformers were going to be underground; and if there were any changes to the application from the application that the Commission previously approved. Mr. Birch stated that slopes fell within the requirements of the Subdivision Regulations; that all utilities would be underground; and that there were no changes from the previous application – this application had to be presented again only due to its being lapsed.

Commissioner Townson inquired if the road was needed to address ingress and egress to the site, or if it was it based on the fact that the lots would not be able to be developed without a road. Mr. Birch responded that the proposed connection was needed to provide required street access and frontage.

Planner Agresta offered that, based on the previous application, the need for the road was twofold, firstly, to provide access to the lots, but secondly, to provide safety emergency access. Town Engineer Schatzlein explained that the original plan was for the creation of an internal loop road, but the plans changed to the present proposal to connect to Timothy Hill Road to provide for that compliance (this is the same as the previous approved but now lapsed application).

Chairman O'Hara explained that no structures currently exist off of Timothy Hill Road, that there is an outstanding grant to repair it, and once it would be connected, it would become Independence Drive, and become an open town road.

Commissioner Hayden inquired how the naming of a road occurs. Town Engineer Schatzlein stated that in his experience, the Planning and Zoning Commission approves the naming of roads as part of Subdivision.

Town Engineer Schatzlein stated that the bonding requirement remains the same, the Inland Wetlands Commission has accepted the proposed Cape Cod style, low profile curbing to allow for amphibian migration to/from the nearby vernal pools, but that the curbing must be accepted by the Planning and Zoning Commission as well as a reminder to the Public Works Department that there was a variation in the curbing and grading.

Chairman O'Hara opened the meeting for Public Comment:

Mr. Lamonica, 391 Fan Hill Road, stated that he and his wife lived on Elm Street from 1978-1983, at which time the trucks traveling on Elm Street from the Renz Mine was unbearable, and it took far too long to get the mine closed through injunctions, and now, the largest mine in Fairfield County is in operation in Monroe, and again, they are faced with the blasting, loading, hauling, and truck transport as they were with the Renz Mine. It is a public safety and health issue that will result in fully loaded dump trucks, in fifteen minute intervals, rumbling down Fan Hill Road, and in front of Fawn Hollow School. The residents of Monroe are currently unaware of the extent of the operation and the impact opening this road up to a residential neighborhood and school will have, until they experience it. I respectfully ask that you not grant this application.

Gracie Lamonica, 391 Fan Hill Road, formerly of 671 Elm Street, stated that Fan Hill Road is a very narrow road, and since opening our hearts to Sandy Hook Elementary School, there was a tremendous increase in buses and car traffic. Please do not add to that level of traffic with relentless 20-ton dump trucks in a regular stream on this narrow tiny little historic road. Please do not access Timothy Hill Road to Fan Hill Road, it would be a horrible thing to do to the families who live there.

Margaret Posvek, 608 Fan Hill Road, inquired if the lots in question were on the lower part of the property or up on the hilly portion. If you open this access up, all the traffic and large 20-ton trucks on Main Street that do not want to wait for lights and turn-offs, will take this route as a short cut. At night, and even with signs that state "no through trucks", you hear the trucks rumbling through Fan Hill Road as a short cut. Please do not open up Fan Hill Road as another access for truck traffic to travel and destroy a neighborhood.

Hearing no further public comments, the Chairman closed the floor to the public.

Mr. Birch responded stating that the lots were located in the hilly portion of the property.

Polling the Commission, Commissioner Ambrosey expressed a desire to keep the hearing open so he could walk the site. Polling the Commission, the consensus was to adjourn the hearing to the August 18, 2016 meeting so Commissioner's could walk the site and if the applicant wished to submit any additional information.

## **SITE PLAN REVIEW**

### **8. SITE DEVELOPMENT PLAN**

**SDP-2016-03, File #119**

342 Monroe Turnpike  
Convert residence to a dentist's office

This application was tabled and adjourned to September 15, 2016.

## **DELIBERATIONS and DETERMINATIONS**

### **9. PERMIT AMENDMENTS / MODIFICATIONS**

This item was moved to earlier in the agenda (see Item 4a).

### **10. EXTENSIONS**

None

**11. Bond Releases or Reductions**

None

**12. MEETING MINUTES**

**July 21, 2016**

Tabled to the August 18, 2016 meeting.

**13. APPLICATION DELIBERATIONS/DETERMINATIONS**

**ZCA-2016-01, File #1006D– 754 Main Street (Assessor Map 93, Lot 51)**

Commissioners Townson and Porter recommended seeking legal opinion/comment from the Town Attorney regarding the positions of both parties to address the Commission if there were any items of concern without adding new material. The Commission agreed with the recommendation, and the application deliberations were tabled.

**SEP-2015-15-A1, File #1566A– 500 Pepper Street (Assessor Map 94, Lot 15)**

The applicant should shift the current plantings to better screen in the front area as discussed during the Public Hearing, rooftop units, if visible from the street, must be screened, the official plan set is part of the condition of approval, if the sign lettering size changes the applicant will be able to be accomplish the sign lettering size change administratively within Staff. There was discussion of site work but no changes proposed. The Consensus of the Commission was for Staff to prepare a draft Resolution of Approval addressing the commentary during the Public Hearing.

**OTHER BUSINESS**

**14. REGULATIONS REVIEW / AMENDMENT WORKSESSION**

**Free-Standing Business Signs**

Chairman O’Hara asked for the Commission’s input regarding sizing and format of signage through discussion and through sharing photographs of varying signs throughout the Town. The Commission members had viewed signage of varying sizes by site, and found the following:

- Planned Agresta noted that the current standard letter size used by the Town Public Works Department for street signs was 6 inches;
- Commissioner O’Reilly was ok with 4 inches;
- Commissioner Lindstrom found that some sign designs worked with 4 inches, while others work better with 6 inches;
- Commissioner Ambrose was ok with 4 inches;
- Vice Chairman Porter felt 4 inches lettering was too small and preferred 6 inches as a standard;
- Commissioner Hayden agreed with Commissioner Lindstrom;
- Commissioner Townson also agreed and stated that if the font and design is outside of the Commission’s control, then he would want 6 inch lettering as a minimum;
- Chairman O’Hara suggested the Commission go to hearing with a minimum of 4 inch size lettering, as the Commission could change it to 6 inches if that was the pleasure of the Commission following a hearing.

**Façade / Wall Signs**

Several size options were discussed. The Commission asked Planner Agresta to develop a proposal for the Commission to focus on this.

**15. CORRESPONDENCE / OTHER RECEIVED**

None

**16. COMMISSION REPORTS**

**Chairman's Report**

None

**Commissioner's Report**

None

**Land Use Staff Report**

None

**17. MEETING ADJOURNMENT**

Polling the Commission and hearing no objections, Chairman O'Hara adjourned the meeting at 10:18 pm.

Respectfully Submitted,  
Rebecca Wood, *Recording Secretary*