



The Commission had no questions.

**OWNER:** Monroe Housing Authority  
**APPLICANT:** Monroe Housing Authority (Monica Bonczek on behalf of the Girl Scouts)  
**MOTION:** Porter – To approve Permit Modification to Special Exception Permit 01-84-S to permit the construction of a 10 feet by 20 feet open air wooden pergola accessory structure on an existing concrete terrace associated with the common building of the Monroe Housing Authority Fairway Acres complex.  
**SECOND:** Hayden  
**VOTE:** 5-0-0 – Approved  
**Ayes** O’Hara, Porter, Hayden, Townson, Ambrosey  
**Nays** None  
**Abstain** None  
**DISCUSSION:** None

## **PUBLIC HEARINGS**

### **6. ZONE BOUNDARY CHANGE**

**ZCA-2016-03, File #1008D**      **146 Cutlers Farm Road (Assessor Map 21, Lot 19B)**  
**269 Purdy Hill Road (Assessor Map 21, Lot 18)**  
**287 Purdy Hill Road (Assessor Map 21, Lot 19A)**  
Petition Application of Beaver Brook, LLC (applicant) for a Zone Boundary Change of three lots with an area of approximately 10.204 acres from Residential and Farming District 1 (RF-1) to Age Restricted Residence (ARR) District. Kenneth Twombly (Owner).

The public hearing notice was read and exhibits listed. Chairman O’Hara recused himself leaving Vice Chairman Porter as acting Chairman. Mr. Dave Bjorklund, PE of Spath-Bjorklund and Associates summarized the applicant’s responses to comments by Staff and the Commission:

- The three parcels on the property have been combined into one parcel by a map recording on the Monroe Land Records.
- The traffic generation from a nine-lot subdivision (non-age restricted/detached/single family houses) vs. fifteen homes on the property vs. an attached development of up to fifty units will not require off-site mitigation.
- Wastewater disposal and storm water impacts would involve DEEP with a higher density proposal.

There was no public comment. Polling the Commission and hearing no objections the Public Hearing was closed.

Chairman O’Hara resumed as Chairman of the meeting.

## **7. SPECIAL EXCEPTION PERMIT**

**SEP-2016-07-A1, File #1577A**

### **754 Main Street (Assessor Map 93, Lot 51)**

Special Exception Permit application from Stone Farm LLC, Steve Singlak (applicant) for change of use of an existing 20,648 square foot former church building into an industrial manufacturer, office and warehouse facility on property consisting of approximately 22.59 acres presently classified Residential and Farming District 1 (RF-1) with separate application to reclassify as Industrial District 1 (I-1). Seven Fifty Four Main Street LLC (Owner).

The public hearing notice was read and exhibits listed. Chairman O'Hara requested Town Engineer Schatzlein to provide an update as to the Inland Wetlands Permit application for this project. Mr. Schatzlein stated that the public hearing was closed and the Inland Wetlands Commission had requested the preparation of a draft Letter of Approval for the September 28, 2016 IWC meeting.

Douglas Reich, Landscape Architect, Solli Engineering introduced Casey Birch, Engineer of Solli Engineering and Steve Singlak (applicant and future owner), submitted copies of the mailed notices of hearing to the neighbors and provided a review of the application and site:

- Figures 5 & 6 illustrate the necessity of removing the front island in order to allow truck traffic to enter and exit the site;
- The construction of a new sign with a stone base with stone embellishment to showcase the craftsmanship of the business along with lighting would be proposed;
- The existing entrance gate will remain;
- The existing light poles in the outer meadow areas will be removed;
- The outdoor storage area is three pallets deep with 4,100 sq. ft. of storage allowed under the current gross square footage of the building but will only request 3,400 sq ft of storage space for now;
- The outdoor patio area will showcase three concrete pads which will include an outdoor fireplace, an outdoor pizza oven, and an outdoor kitchen as current product offerings while at the same time functioning as a patio area for both his employees as well as outdoor company events;
- There will be a 25' x 75' sunken truck well at the back of the building to provide access for tractor trailers to back-in to the adjacent loading areas and new overhead doors;
- The elimination of the curbing, islands, and lighting in the rear is to provide ease of truck access and will be repaved;
- Proposing a new refuse enclosure with a screened wooden enclosure;
- Large boulders at 10' intervals are proposed along the edge of the outdoor storage area to block storage creep from occurring;
- Minor improvements: structural and aesthetic landscape pruning, removing non-functioning uprights, wetland remediation plantings, selective plantings, mulch beds, wetland mitigations, 5' area of pavement removal, usage of Conservation Mix for seeding, meadow maintenance, wooded wetland buffers and a robust woodland buffer;
- A visual presentation describing the wetland plantings and a landscape plan for the property was provided.

Casey Birch presented a summary of the proposed drainage features for the site:

- Proposed stormwater treatment will result in a decrease in the total amount of pavement on site with replacement by lawn area resulting in a peak discharge decrease. Initial proposals for this application had a net increase in impervious surface but there is now a net decrease in impervious surface due to the elimination of pavement based on both this Commission's request, the Inland Wetland Commissions request, and Staff comments;
- The current drainage pipes and catch basins will be utilized with proposed improved catch basin outlets;
- The drainage for the truck well will travel through a trench drain and through a 6" pipe, entering into an oil-water separator where sediments will settle, traveling to another 6" pipe to be discharged into secondary treatment prior to entering wetlands;
- A six foot trench test pit was dug to determine the efficacy of the location; no water, ledge, or other factors were at issue regarding water level;
- The sediment control features proposed with this project include silt fence along the wetland edges including where the new concrete pads are being proposed, additional silt fencing with hay bale backing at discharge areas, and silt sacks for inlet basins;

Doug Reich presented the existing floor plans with identified areas of use:

- Office Spaces (1<sup>st</sup> and 2<sup>nd</sup> floor approximately 10,000 sq ft);
- Small Retail Component (900 sq ft) in front area;
- Light Manufacturing/Industrial (about 90,000 sq ft)(former auditorium area);
- One new window on south side;
- Relocation of overhead doors; and
- Replacing non-dark sky compliant lighting with compliant lighting.

Planner Agresta stated that there were concerns about superfluous pavement. Much of the existing pavement has no purpose under the current proposal, and how does the building contain the noise and effects of its business under zoning. Mr. Reich indicated that only natural stone products would be stored outside; all chemicals will be stored inside the building. Vice Chairman Porter voiced his concern over the large expanse of blacktop with no apparent purpose creating unnecessary and other ecologically detrimental affects on the environment, and would like the applicant to review this before the next meeting. Commissioner O'Hara indicated his agreement with Vice Chairman Porter regarding the excess of asphalt with no apparent purpose.

Regarding sidewalks, the Commission sees no need to install sidewalks at the street. The Town Engineer expressed his concern over funding for sidewalk placements that fill in the areas between the businesses.

The Chairman opened the floor to the public:

Margaret Lee, 26 Overlook Drive, Monroe, CT, President of Northbrook Condominium Association, questioned the noise abatement of grinding of stonework, questioned whether a true traffic impact study had been done, pollution abatement, back up signals of the vehicles and the issues that people would like to have addressed. Mr. Singlak addressed some of the comments stating that no stone grinding took place on site, the manufacturing occurred indoors. Concrete is poured into moulds, and the truck traffic is limited to about four times a week.

The Commission took a 10 minute recess.

## **SITE PLAN REVIEW**

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

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

**342 Monroe Turnpike (Assessor Map 22, Lot 13)**

Site Development Plan application from Jose Madera to convert former residence to a dentist's office.

The public hearing notice was read and exhibits listed. Larry Edwards, Professional Engineer for the applicant, summarized the application:

- The application is for a small (approximate ¼ acre) piece of property which contains an existing dwelling which is proposed to become a small dentist's office in an LOR zone;
- There will be ten parking spaces on site, one handicap accessible space;
- The construct a new well and septic system, which has been approved by the Health Department;
- An underground storm retention facility has been designed to manage the runoff from the parking area for all storms through a 100 year storm;
- Variances were obtained from the Zoning Board of Appeals relating to setbacks for the handicap accessible ramp and the subsurface storm retention system; and

In response to staff comments (Town Planner):

- The material for the screen enclosures will be changed from plastic to wood;
- No generator is proposed;
- More detail will be provided for the dumpster;
- A new utility pole will be required on the site with all service then being underground;
- The size of the landscape plantings will be complied with;
- The lighting pole and building light will be compliant with regulations;
- The street sign and building signage will be compliant; and
- A blue plastic cover over the sign support for the handicap parking marker will be provided;

In response to staff comments (Town Engineer):

- The easement that may be required for the driveway will be discussed with the DOT;
- The grade of the handicap accessible ramp will be compliant; and
- The bond estimate of \$7,600 is acceptable.

## **DELIBERATIONS and DETERMINATIONS**

### **9. 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 (f) 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).

**SUB-2016-02, File #1259C – 36 Timothy Hill Road (Assessor Map 114, Lot 6)**

**OWNER:** New England Materials, LLC  
**APPLICANT:** New England Materials, LLC  
**MOTION:** Porter – To approve Resubdivision SUB-2016-02 as set forth in the Draft Approval Resolution dated September 15, 2016 as drafted.  
**SECOND:** Townson  
**VOTE:** 4-1-0 – Approved  
**Ayes** O’Hara, Porter, Townson, Ambrosey  
**Nays** Lindstrom  
**Absent** None

**10. ZONE BOUNDARY CHANGE**

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

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

**OWNER:** Seven Fifty Four Main Street LLC  
**APPLICANT:** Stone Farm LLC  
**MOTION:** Porter – To approve Zoning Boundary Change Petition ZCA-2016-01 as set forth in the Draft Approval Resolution dated September 15, 2016 as drafted.  
**SECOND:** Hayden  
**VOTE:** 5-0-0 – Approved  
**Ayes** O’Hara, Porter, Hayden, Townson, Ambrosey  
**Nays** None  
**Absent** None

**11. SEP APPROVAL PLAN MODIFICATION**

**SEP-2014-13-A1, File #1549A 462, 464, 466, and 470 Main Street –**  
Amendment Modifications: Revise driveway restricting right turn only, relocation of septic system, add underground propane tanks and eliminate neighbor easements.

At the request of the applicant, this item has been postponed until the next meeting.

**12. EXTENSIONS**

**SEP-2015-01-A1, File #1551A – 5 Victoria Drive** - Request for a 180 day extension  
The Commission discussed the outstanding items yet to be completed and expressed much of this could have been completed. The Commission asked the applicant to provide for its next meeting an accounting of all that was incomplete, as well as a proposed schedule to complete.

**13. BOND RELEASES / REDUCTIONS**

None

#### 14. MEETING MINUTES

##### September 1, 2016 Minutes

**MOTION:** Porter – To approve the meeting minutes for September 1, 2016 as drafted.

**SECOND:** Hayden

**VOTE:** 5-0-0 – Approved

**Ayes** O’Hara, Porter, Hayden, Townson, Ambrosey

**Nays** None

**Abstain** None

#### 15. APPLICATION DELIBERATIONS/DETERMINATIONS

##### SDP-2016-03, File #119 -342 Monroe Turnpike – Convert residence to a dentist’s office

Staff was directed to prepare a draft letter of approval for the next meeting.

ZCA-2016-03, File #1008D – 146 Cutlers Farm Road, 269 Purdy Hill Road & 287 Purdy Hill Road – Petition Application of Beaver Brook, LLC (applicant) for a Zone Boundary Change of three lots with an area of approximately 10.204 acres from Residential and Farming District 1 (RF-1) to Age Restricted Residence (ARR) District. Kenneth Twombly (Owner).

Deliberations were tabled pending Commissioner Hayden time to listen to the hearing tape for the 8/18/16 meeting.

#### OTHER BUSINESS

#### 16. REGULATIONS REVIEW / AMENDMENT WORKSESSION

##### **Signage: Wall Signs:**

- Store frontage linear feet: 0-60’ = a maximum 18’ sign
- Store frontage linear feet: 60’- 150’ = a maximum of a 32’ sign
- 150’ + allows a maximum 1sf/1lf

**Signage: Lettering Size: 4”**

#### 17. CORRESPONDENCE / OTHER RECEIVED

None

#### 18. COMMISSION REPORTS

Chairman’s Report -None

Commissioner’s Reports: There are currently no Food Truck regulations in town but Food Trucks are being used by Veracious Brewery Company in Monroe. The Commission determined that the Zoning Enforcement Officer address the issue first with a visit, and secondly with a letter.

Land Use Staff Reports: None

#### 19. MEETING ADJOURNMENT

Polling the Commission and hearing no objections, Chairman O’Hara adjourned the meeting at 9:55 pm.

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**

**01-84-S-A1, File #983A – Amendment Modification**  
**Monroe Housing Authority Fairway Acres (Applicant/Owner)**  
**10' x 20' Open Air Wooden Pergola (Girl Scouts)**

September 19, 2016

Bonnie A. Schneider  
Monroe Housing Authority  
358 Wheeler Road  
Monroe, CT 06468

VIA CERTIFIED MAIL: 7015 1730 0001 9993 2443

RE: **SPECIAL EXCEPTION PERMIT – AMENDMENT MODIFICATION (01-84-S-A1)**  
01-84-S, File #983A – SEP Approval, March 27, 1984  
358 Wheeler Road – Monroe Housing Authority, Fairway Acres  
Addition of Open Air Wooden Pergola on Existing Concrete Terrace

Dear Ms. Schneider:

Please be advised, at the September 15, 2016 Planning and Zoning Commission meeting, the Commission approved the Special Exception Permit Amendment Modification (01-84-S-A1) to authorize the following site development change:

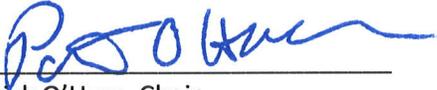
- Construction (Girl Scout project) of proposed 10 feet by 20 feet open air wooden pergola accessory structure on existing concrete terrace associated with the common building within the Monroe Housing Authority Fairway Acres complex, as detailed and shown on the application plans.

This SEP Amendment Modification Approval is subject to the following:

1. A copy of this amendment approval (01-84-S-A1) shall become effective upon its recording on the Monroe Land Records (Planning and Zoning Department will complete this condition).
2. Final Plans shall be endorsed by the Commission Chair (Planning and Zoning Department will complete this condition).

3. Prior to any construction, all applicable administrative permits (Health, Fire, Zoning, Building, etc) shall be obtained by owner/applicant.
4. Said administrative permits shall be implemented and completed by the owner/applicant, as evidenced by issuance of a Permanent Certificate of Zoning Compliance from the Zoning Enforcement Officer and Certificate of Occupancy/Use from the Building Inspector, within six (6) months of the date of approval. If not, this SEP Permit Modification Approval shall be null and void with an expiration of March 15, 2017.
5. All other prior conditions, requirements, bond and time periods of the original Special Exception Permit Approval dated March 27, 1984 shall remain unchanged and in full force and effect.

**MONROE PLANNING AND ZONING COMMISSION**



Patrick O'Hara, Chair

cc: Monica Bonczek



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

---

**RESUBDIVISION APPROVAL**  
**SUB-2016-02 – File #1259C**  
**(Superseding SUB-2014-03 – File #1255C)**  
**36 Timothy Hill Road**  
**Assessor Map 114, Lot 6 – I-2 District**

**New England Materials LLC (applicant/owner)**

**September 15, 2016**

---

<b>Date of Approval</b>	<b>September 15, 2016</b>
<b>Final Plans to be Signed &amp; Recorded</b>	<b>Within 90 days(*)</b>
<b>5-Year Expiration</b>	<b>September 15, 2021</b>

*(\*) from expiration of appeal period*

**WHEREAS**, the Monroe Planning and Zoning Commission (Commission) is considering an application for a five (5) lot non-residential resubdivision from New England Materials LLC (applicant/owner), including dedication and conveyance of approximately 1,650 linear feet of new dedicated public street within associated road right-of-way parcels, including related drainage, sight and slope rights easements, as detailed in the associated application materials, including:

**Application:**

- Application SUB-2016-02 – Resubdivision 5-Lots, 36 Timothy Hill Road;
- Project Narrative;
- Neighbors List within 100-feet;
- Bond Estimate;
- Engineering Report, Solli Engineering, 09/09/14, revised 06/22/15;
- Draft Drainage Easements (0/378 acres and 0.099 acres);
- Draft Declaration of Access Easement and Maintenance Agreement;
- Draft Warranty Deeds – Parcel A and Parcel C;
- Draft Sight Line Easements – Lots 31 and 32;
- Draft Slope Right Easements – Lots 29, 30, 31, 32 and 33;

**Plans:**

- 0.00 – Cover Sheet (1/23), Solli Engineering, 09/09/14, revised 06/01/16;
- Boundary & Topographic Survey (2/23), Accurate Land Survey, LLC, 10/10/14, revised 06/01/16;
- Resubdivision Map (3/23), Accurate Land Survey, LLC, 09/08/14, revised 06/01/16;
- 1.40 – Property Radius Map (4/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 2.10 – Overall Lot Layout & Area Map (5/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 4.10 – Overall Roadway Layout (6/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 4.21 – Roadway Layout, Grading and Drainage Plan (7/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 4.31 – Soil Erosion and Sediment Control Plan (8/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 4.41 – Soil erosion and Sediment Control Notes and Details (9/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 4.51 – Roadway Utility Plan (10/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 4.61 – Planting Plan (11/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 4.71 – Road Profile Sta. 0+00 – 9+50 (12/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 4.72 – Road Profile Sta. 9+50 – 18+00 (13/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 4.81 – Road Sections Sta. 0+00 – 8+50 (14/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 4.82 – Road Sections Sta. 8+50 – 12+50 (15/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 4.83 – Road Sections Sta. 12+50 – 18+00 (16/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 4.90 – Potential Lot Development Plan (17/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 4.91 – Intersection Sight Distance Plan (18/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 4.92 – Intersection Sight Distance Plan (19/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 5.01 – Detail Sheet (20/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 5.02 – Detail Sheet (21/23), Solli Engineering, 09/09/14, revised 06/01/16;
- 5.03 – Detail Sheet (22/23), Solli Engineering, 12/10/14, revised 06/01/16;
- 5.04 – Detail Sheet (23/23), Solli Engineering, 01/12/15, revised 06/01/16; and

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

- The subject property consists of approximately 44.14 acres zoned Industrial District 2 (I-2) and is commonly referred to as Section 6 of the Pepper Street Industrial Business Park;
- Portions of the subject property are disturbed but generally the site is undeveloped and consists of forested lands and wetlands, including several intermittent woodland (vernal) pools;
- The subject property is not located within 500 feet of a Town boundary;
- The subject property includes small areas of 100-year floodplain and is situated within the mapped West Pequonnock Watershed, a protected public watershed area, for which the applicant completed the required notices to the State Commissioner of Public Health and the Aquarion Water Company of Connecticut pursuant to Connecticut General Statutes §8-3i;
- The resubdivision proposes five (5) new Industrial lots and a through public road connection from existing Independence Drive on the west to Timothy Hill Road (currently a closed town roadway which is to be rehabilitated in conjunction with the completion of public improvements required per this resubdivision) and eventually Fan Hill Road on the east;
- Construction of the proposed resubdivision road involves two (2) major wetland crossings, for which a Wetland Permit is required and has been obtained by the applicant (IWC-2014-09, File #888, as approved dated December 10, 2014). Future development activities on all five (5) proposed individual resubdivision lots will also likely require individual Wetland Permits;
- Existing public water main service will be extended to serve the proposed resubdivision lots, while individual lots would be served by onsite private subsurface septic systems;

- The subject property is more particularly proposed to be divided as follows:

**PROPOSED PUBLIC ROAD**

- A dedicated public road with a 60-foot right-of-way parcel, extending approximately 1,650 linear feet, connecting an existing cul-de-sac terminus of Independence Drive at the site's western boundary through to the existing cul-de-sac terminus of Timothy Hill Road to the east (thereby providing through connection to Fan Hill Road), is proposed;
- Drainage, Sight Line and Slope Rights Easements are planned on certain of the proposed resubdivision lots;
- A stormwater conveyance system is proposed including three (3) water quality basins and two (2) open-bottom culvert/bridge crossings;
- Drainage improvements are proposed within an existing Drainage Easement located on an abutting lot to the west (Lot 27);
- Sidewalks are not proposed, except for along one side of the roadway within the limits of the culvert/bridge crossings;

**PROPOSED RESUBDIVISION LOTS**

- Lot 29 – 17.44 acres, including slope rights easement;
  - Lot 30 – 3.01 acres, including slope rights easement;
  - Lot 31 – 3.75 acres, including drainage, slope rights and sight line easements;
  - Lot 32 – 14.35 acres, including drainage, slope rights and sight line easements;
  - Lot 33 – 4.00 acres, including slope rights easement;
  - New public road right-of-way Parcel A and Parcel C to be conveyed to the Town of Monroe – 1.63 acres;
  - Conveyance Parcel B to 64 Cambridge Road – 0.08 acres;
  - An access easement is proposed over Lot 32 to be shared in common with Lot 33 for the future construction and use as a single common driveway to both lots;
- According to the Monroe Health District *“The soils on site are suitable and meet the Connecticut Public Health Code...additional test work and formal engineered plan review”* is required and the individual lots must be connected to the public water service to be extended via the resubdivision improvements;
  - The proposal includes a wavier request to modify the street tree standards. The requested waiver seeks acceptance of alternative proposed site plantings in lieu of typical soldier coursing of street trees along with a stated requirement on the resubdivision map requiring that each of the individual resubdivision lots provide a streetscape planting plan as part of its subsequent required development application, subject to the review and approval of the Commission;
  - The proposed Resubdivision is identical to that previously approved (SUB-2014-03, File #1255C) in 2015 but which has since lapsed. The current application supersedes the previous; and

**WHEREAS**, the Commission considered the proposed Resubdivision Application at a duly noticed public hearing, which hearing was opened and adjourned on August 8, 2016, and reconvened and closed on August 18, 2016. Notice of the public hearing was filed with the Monroe Town Clerk on July 13, 2016, and was published in the Monroe Courier on July 21 and 28, 2016;

**NOW THEREFORE BE IT RESOLVED**, that the Commission, in accordance with §111-202 of the Subdivision of Land Regulations, hereby finds that the proposed Resubdivision, associated development plans and accompanying certificates, documents and data conform to the requirements of the Land Subdivision Regulations; and

**BE IT FURTHER RESOLVED**, consistent with Connecticut General Statutes (CGS) §8-25 and the Monroe Land Subdivision Regulations, the Commission at a meeting held on **September 15, 2016**, upon motion by **WILLIAM PORTER** and seconded by **DAVID TOWNSON**, following deliberations conducted on **September 1 and 15, 2016**, voted **FOUR (4)** in favor, **ONE (1)** in opposition to **Approve** the proposed Resubdivision Application, subject to modifications and requirements as set forth herein, as follows:

<i>Vote:</i>	<b>PATRICK O’HARA</b>	<b>AYE</b>	<i>For the Commission:</i>
	<b>WILLIAM PORTER</b>	<b>AYE</b>	
	<b>DAVID TOWNSON</b>	<b>AYE</b>	
	<b>LEON AMBROSEY</b>	<b>AYE</b>	
	<b>CATHLEEN LINDSTROM (seated)</b>	<b>NAY</b>	
			_____
			<i>Patrick O’Hara, Chair</i>

**BE IT FURTHER RESOLVED**, that this Approval includes waiver of the following requirements of the Land Subdivision Regulations:

- To the extent a waiver is needed, the Commission finds acceptable the alternative landscape treatment in lieu of soldier coursing of street trees [§111-310], as approved herein;

**BE IT FURTHER RESOLVED**, that this Approval only relates to the resubdivision and related improvements as described in the Resubdivision Application and as shown on the final Resubdivision Map and Resubdivision Construction Plans as subsequently endorsed by the Commission Chair; and

**BE IT FURTHER RESOLVED**, that the Commission hereby authorizes the publishing of a Notice of Decision consistent with the requirements set forth in CGS §8-26(d); and

**BE IT FURTHER RESOLVED**, that the Commission hereby approves of the final naming of the connected road as ***Independence Drive***, thereby eliminating the use of the name Timothy Hill Road over the portion of existing Town owned road connection to Fan Hill Road; and

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

## **RESUBDIVISION APPROVAL MODIFICATIONS**

### **A. TO BE COMPLETED WITHIN 90 DAYS of EXPIRATION of APPEAL PERIOD**

---

*The following shall be completed within ninety (90) days of the expiration of the appeal period set forth in CGS §8-8, 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. If appealed, said ninety (90) days shall run from the termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant/owner. Failure to comply with the conditions of this approval or failure to file and record the approved Resubdivision Plans within the prescribed time shall render this Approval null and void without any further written notice, except that the Commission may extend the time for such for two (2) additional periods of ninety (90) days and the Resubdivision Approval shall remain valid until the expiration of such extended time.*

#### **1. Required Revision of the following Final Resubdivision Plans:**

The applicant shall submit a **SINGLE (1)** complete set of final Resubdivision Plans consisting of the following sheets (the plan set shall be full size 24"x 36", collated and bound) for review by the Planning and Zoning Department, revised as below:

- 0.00 – Cover Sheet (1/23)
- Boundary & Topographic Survey (2/23)
- Resubdivision Map (3/23)
- 1.40 – Property Radius Map (4/23)
- 2.10 – Overall Lot Layout & Area Map (5/23)
- 4.10 – Overall Roadway Layout (6/23)
- 4.21 – Roadway Layout, Grading and Drainage Plan (7/23)
- 4.31 – Soil Erosion and Sediment Control Plan (8/23)
- 4.41 – Soil erosion and Sediment Control Notes and Details (9/23)
- 4.51 – Roadway Utility Plan (10/23)
- 4.61 – Planting Plan (11/23)
- 4.71 – Road Profile Sta. 0+00 – 9+50 (12/23)
- 4.72 – Road Profile Sta. 9+50 – 18+00 (13/23)
- 4.81 – Road Sections Sta. 0+00 – 8+50 (14/23)
- 4.82 – Road Sections Sta. 8+50 – 12+50 (15/23)
- 4.83 – Road Sections Sta. 12+50 – 18+00 (16/23)
- 4.90 – Potential Lot Development Plan (17/23)
- 4.91 – Intersection Sight Distance Plan (18/23)
- 4.92 – Intersection Sight Distance Plan (19/23)
- 5.01 – Details (20/23)
- 5.02 – Details (21/23)
- 5.03 – Details (22/23)
- 5.04 – Details (23/23)

a. **General Plan Revisions**

- (1) The plans shall each be signed and sealed providing live (original signature and seal) certification thereof by the professional(s) responsible for the preparation of each sheet.
- (2) The plans shall each include a common revision date of September 16, 2016 or later.
- (3) The following signature block shall be added to each sheet with an original signature of the property owner and applicant:

***The property owner and applicant acknowledge that all work as shown on these plans shall be completed as shown and 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 all other applicable State and Federal laws, requirements and regulations.***

\_\_\_\_\_  
**Owner/Applicant**  
**{INSERT PRINTED NAMES}**  
**{INSERT PRINTED ADDRESSES}**

b. **Resubdivision Map**

- (1) The dates referenced in General Survey Note #10 shall be updated accordingly.
- (2) In addition to the minimum square, compliance with the minimum lot width requirements as set forth in Zoning §1.9.6B shall be noted and graphically demonstrated for each lot.
- (3) The following notes shall be added:
  - ***DATE OF EXPIRATION: This Resubdivision Approval shall automatically expire on September 15, 2021, unless the applicable conditions of the referenced Resubdivision Approval have been fully complied with.***
  - ***Reference is hereby made to the corresponding Wetland Permit as issued by the Monroe Inland Wetlands Commission (IWC-2014-09, File #888, as approved dated December 10, 2014) and corresponding Wetland Permit Plans on file with the Monroe Inland Wetlands Department.***
  - ***Reference is hereby made to the corresponding Resubdivision Approval as issued by the Monroe Planning and Zoning Commission (SUB-2016-02, File #1259C, approved on September 15, 2016) and the corresponding Subdivision Construction Plans on file with the Monroe Planning and Zoning Department.***
  - ***Roadway right-of-way Parcels A and C as shown hereon shall be conveyed in fee-simple to the Town of Monroe subject to and following its official acceptance by the Town of a suitably improved road within said right-of-way parcels consistent with the Monroe Planning and Zoning Commission approval of this Resubdivision.***
  - ***A Right-of-Way Parcel pertaining to the existing portion of constructed Independence Drive shall prior to or simultaneously be conveyed to the Town of Monroe with Roadway Right-of-Way Parcels A and C, subject to the same Town acceptance process.***

- *Reference is hereby made to the Associated Legal Instruments which have been recorded simultaneously herewith on the Monroe Land Records relating to the easements shown hereon.*
- *Access to Lots 32 and 33 shall be shared over a single common driveway within the Access Easement as shown hereon.*
- *All public utility lines (electric, communications) shall be installed underground within conduit pipe, including lines crossing the street. Transformers and other related equipment shall also be installed underground. The final location of all lines, transformers and other related equipment shall be coordinated with the Town Engineer consistent with the standards of §111-308 of the Land Subdivision Regulations.*

c. **Resubdivision Construction Plans**

- (1) Show protection (rip rap stabilization) to be provided within the roadway swale and add as a contingency note on the final drawings, that this requirement can be evaluated in the field during construction off the northeast bridge wing wall (Station 7+20).
  - (2) Provide additional details for the bridge structures (footings dimensional chart of numbered dimensions, abutments, foundation block, wing walls, fencing, parapets, guide rails, support structure, waterproofing, etc.).
  - (3) Provide layout information for all underground utilities.
  - (4) Note on Sheet 4.51: *All public utility lines (electric, communications) shall be installed underground within conduit pipe, including lines crossing the street. Transformers and other related equipment shall also be installed underground. The final location of all lines, transformers and other related equipment shall be coordinated with the Town Engineer consistent with the standards of §111-308 of the Land Subdivision Regulations.*
2. **Required Revisions to Drainage Report:** The Drainage Report shall be revised to include the 100-year hydrographs and sketch of the drainage areas.
3. **Required Revisions and Approval of Associated Legal Instruments:**
- a. The applicant shall provide final draft legal instruments to the Planning and Zoning Department pertaining to the following declarations, conveyances and easements, subject also to acceptance by the Town Attorney:
    - (1) **Resubdivision Road Right-of-Way Conveyance Deeds** including resubdivision road Parcel A and Parcel C to be conveyed to the Town of Monroe, which shall also address:
      - (a) The Schedule A for resubdivision road Parcel A and Parcel C shall each indicate final plan and revision dates as approved.
      - (b) The Schedule A descriptions shall be revised to reflect alternate directions of curvature so that the descriptions match the direction taken.

- (2) **Independence Drive Conveyance Deed** with appropriate Schedule/description detailing the conveyance of a suitable complete road and right-of-way to the Town.
- (3) **Parcel B Conveyance Deed** with appropriate Schedule/description detailing the conveyance and merger of said parcel to property at 64 Cambridge Drive (Assessor Map 94, Lot 15).
- (4) **Drainage Easement** on Lots 31 and 32 to be conveyed to the Town of Monroe.
- (5) **Declaration of Sight Line Easement** on Lots 31 and 32, which shall also address:
  - (a) Include clarification that the responsibility/liability for maintaining acceptable conditions lies with the respective property owners.
  - (b) Complete Paragraph “ii” on Page 1.
  - (c) The perimeter description pertaining to Lot 32 shall be revised to indicate the point of beginning being the ***northwesterly*** corner of Lot 32 in lieu of the “southwesterly corner,” and the ***northeasterly*** corner of 64 Cambridge Drive in lieu of the “southwesterly” corner.
  - (d) The perimeter descriptions should be consistent in listing the direction of curves to match the direction of the perimeter description.
  - (e) Revise the perimeter description pertaining to Lot 31 to include the data of the first leg of the easement 4.18 feet; thence ***N 5 53 57 W***.
- (6) **Declaration of Slope Rights Easement** on Lots 29, 30, 31, 32 and 33.
- (7) **Declaration of Access Easement and Maintenance Agreement** affecting Lots 32 and 33 to be conveyed to Lot 33, which shall also indicate the Lot 33 owner percentage of the annual maintenance costs.

#### 4. **Final Plans and Final Associated Legal Instruments**

- a. Upon satisfactory revision and acceptance of the “final” Resubdivisions Map and Resubdivision Construction Plans, the applicant shall submit the following for authorized endorsement of same by the Commission Chair:
  - **One (1)** fixed line mylar and **One (1)** paper copy of the Resubdivision Map; and
  - **SEVEN (7)** complete sets of all final Resubdivision Construction Plans – Plan sets shall be full size 24”x 36”, collated, bound and folded, **except ONE (1) set shall be rolled.**
  - **Three (3)** copies of a final Drainage Report, certified by a Connecticut licensed Professional Engineer and revised to include the 100-year hydrographs and sketch of the drainage areas.

- b. Upon satisfactory revision and acceptance of the “final” associated Legal Instruments, the applicant shall provide **One (1)** set of final copies awaiting their required recording as set forth herein.

5. **Bond and Recording of Resubdivision Map and Associated Legal Instruments**

- a. **Bond Prior to Road Construction** – In the event the applicant selects to establish with the Town of Monroe a Financial Guarantee (Bond) relating to the construction of the resubdivision road and related resubdivision improvements, the applicant shall comply with the requirements and standards as set forth in **Section B** herein.
- b. **Build Prior to Bond and Deferred Recordings** – In the event the applicant selects to construct the resubdivision road and related resubdivision improvements prior to establishing with the Town of Monroe a Financial Guarantee (Bond) relating thereto, the applicant shall comply with the requirements and standards as set forth in **Section C** herein.

**B. BOND POSTED PRIOR to CONSTRUCTION of ROAD and RELATED IMPROVEMENTS**

---

*The following shall apply in the instance that the resubdivision road and related resubdivision improvements are to be constructed pursuant to the prior posting of a Financial Guarantee (Bond):*

- 1. Prior to the expiration of the time period set forth above in **Section A**, and prior to any vegetation removal or site disturbance, or authorized recording of the Resubdivision Map on the Monroe Land Records, the following shall be completed:
  - a. **Resubdivision Map and Resubdivision Construction Plans** – The Resubdivision Map and related Resubdivision Construction Plans shall be revised as required above in **Section A** herein and deemed complete by the Planning and Zoning Department and the Town Engineer.
  - b. **Associated Legal Instruments** – The associated Legal Instruments shall be revised as required above in **Section A** herein and deemed complete by the Planning and Zoning Department in consultation with the Town Engineer and Town Attorney.
  - c. A **Financial Guarantee (Bond)** in the amount of **\$2,700,000.00** shall be provided, which shall assure that all required resubdivision road and related resubdivision improvements shall be completed in compliance with this Approval, subject to the requirements pursuant to **Section D** herein.
  - d. **Recordings and Filings**
    - (1) The following shall be simultaneously recorded by the applicant at its sole cost and expense in the Office of the Monroe Town Clerk on the Monroe Land Records and copies of such showing all markings of recording shall be filed in the Office of the Planning and Zoning Department:

- (a) An original copy (as provided by the Planning and Zoning Department) of this Approval as endorsed by the Commission Chair.
  - (b) The final Resubdivision Map as endorsed by the Commission Chair.
  - (c) A conveyance deed acceptable to the Town Attorney for Parcel B to be merged with property at 64 Cambridge Drive.
  - (d) All other associated Legal Instruments, **except** the conveyance Warranty Deeds for resubdivision road and right-of-way Parcel A and Parcel C, and for existing Independence Drive.
- (2) The final Resubdivision Construction Plans as endorsed by the Commission Chair shall be filed in the Office of the Planning and Zoning Department.
- e. **Zoning Permit Required** – The applicant shall apply for a Zoning Permit relating SOLELY to the construction of the resubdivision road and related resubdivision improvements according to the final endorsed Resubdivision Construction Plans.
  - f. **Pre-Construction Meeting** – 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 above noted required Zoning Permit shall be issued following the satisfactory completion of the Pre-Construction Meeting. Additional construction meetings may be called as deemed necessary throughout construction.

**C. NO BOND – ROAD CONSTRUCTION PRIOR to RECORDING of RESUBDIVISION MAP**

---

***The following shall apply in the instance that the resubdivision road and related resubdivision improvements are to be constructed by the applicant without the prior posting of a Financial Guarantee (Bond) and prior to the recording of the Resubdivision Map on the Monroe Land Records:***

- 1. Prior to the expiration of the time period set forth above in **Section A**, and prior to any vegetation removal or site disturbance, the following shall be completed:
  - a. **Resubdivision Map and Resubdivision Construction Plans** – The Resubdivision Map and related Resubdivision Construction Plans shall be revised as required above in **Section A** herein and deemed complete by the Planning and Zoning Department and Town Engineer.
  - b. **Associated Legal Instruments** – The resubdivision associated Legal Instruments shall be revised as required above in **Section A** herein and deemed complete by the Planning and Zoning Department in consultation with the Town Engineer and Town Attorney.

- c. An **Erosion Stabilization and Restoration Bond (“Restoration Bond”)** in the amount of **\$95,000.00** shall be provided (either by adding to or replacing the existing held bond to achieve the total amount as set forth herein), which shall assure adequacy of erosion controls, site stabilization measures and restorative measures, subject to the requirements pursuant to **Section D** herein.
- d. **Recordings and Filings**
- (1) An original copy (as provided by the Planning and Zoning Department) of this Approval as endorsed by the Commission Chair shall be recorded by the applicant at its sole cost and expense in the Office of the Monroe Town Clerk on the Monroe Land Records. Copies of same showing all markings of recording shall be filed in the Office of the Planning and Zoning Department.
  - (2) The following shall be held by the Planning and Zoning Department until their release is authorized pursuant to satisfaction of the conditions set forth in **Condition C2b** below:
    - (a) The final Resubdivision Map as endorsed by the Commission Chair.
    - (b) A conveyance deed acceptable to the Town Attorney for Parcel B to be merged with property at 64 Cambridge Drive.
    - (c) All other associated Legal Instruments, **including** conveyance Warranty Deeds for the resubdivision road and associated right-of-way Parcel A and Parcel C, and for existing Independence Drive.
  - (3) The endorsed Resubdivision Construction Plans shall be released to the applicant and circulated as appropriate to other Town Departments, with copies retained on file in the Office of the Planning and Zoning Department, for the construction of the resubdivision road and other resubdivision improvements by the applicant and inspection and monitoring thereof by the Town.
- e. **Zoning Permit Required** – The applicant shall apply for a Zoning Permit relating SOLELY to the construction of the resubdivision road and related resubdivision improvements according to the final endorsed Resubdivision Construction Plans filed with the Planning and Zoning Department.
- f. **Pre-Construction Meeting** – 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 above noted required Zoning Permit shall be issued following the satisfactory completion of the Pre-Construction Meeting. Additional construction meetings may be called as deemed necessary throughout construction.

2. Prior to the expiration of the time period set forth above in **Section A**, and prior to the authorized recording of the Resubdivision Map, the following shall be completed:
  - a. The resubdivision road and related resubdivision improvements shall be fully completed, deemed complete by the Town Engineer, recommended for acceptance by the Commission, and accepted by the Town Council for conveyance to the Town of Monroe, including conveyance of the existing roadway and right-of-way for existing Independence Drive, in accordance with the standards and requirements set forth in **Section F and Section G** herein.

***If the resubdivision road and related resubdivision improvements are not complete, the following shall be completed:***

- The applicant shall provide a certified Engineer’s Map and Report indicating the status of the completed resubdivision road and related resubdivision improvements, along with an identification of remaining work and a cost estimate associated therewith.
  - Town staff shall review and report to the Commission accordingly.
  - The Commission shall determine a remaining work bond amount.
  - The applicant shall provide a **Financial Guarantee (Bond)** in said amount and pursuant to **Section D** herein.
- b. Upon satisfactory completion of **Condition C2(a)** above, the following shall be simultaneously recorded by the applicant at its sole cost and expense in the Office of the Monroe Town Clerk on the Monroe Land Records, subject to the acceptance by and coordination with the Town Attorney, and copies of same showing all markings of recording shall be filed in the Office of the Planning and Zoning Department:
    - (1) The held final Resubdivision Map as endorsed by the Commission Chair.
    - (2) A conveyance deed acceptable to the Town Attorney for Parcel B to be merged with property at 64 Cambridge Drive.
    - (3) All other associated Legal Instruments including the conveyance Warranty Deeds for the resubdivision road and associated right-of-way Parcel A and Parcel C, and for existing Independence Drive. If the resubdivision road and related resubdivision improvements are not complete, the conveyance Warranty Deeds shall not recorded and be held accordingly.

## **D. STANDARDS RELATING TO ESTABLISHMENT OF FINANCIAL GUARANTEE (BOND)**

---

***Any Financial Guarantee (Bond) established pursuant hereto shall be subject to the following:***

1. A properly executed Town of Monroe Bond Agreement shall be completed.
2. The Bond shall be in the form of cash (bank check), Letter of Credit, or surety bond, and all other applicable standards and requirements as set forth in §111-202 of the Land Subdivision Regulations, as may be amended from time to time.

3. The required Bond Agreement shall remain in full force and effect until such time as the Commission authorizes its release and/or cancellation.
4. Any change in ownership of the resubdivision relating to bonded improvements shall comply with the requirements set forth in §111-202(C)(4) of the Land Subdivision Regulations, as may be amended from time to time.
5. Partial and/or final release of any held Financial Guarantee (Bond) shall be completed in accordance with the standards and requirements set forth in **Section G** herein.

## **E. STANDARDS RELATING TO AUTHORIZED CONSTRUCTION**

---

1. This Approval does not authorize, or grant development or alteration improvements beyond that shown on the final Resubdivision Map and Resubdivision Construction Plans as endorsed by the Commission Chair.
2. No individual resubdivision lot vegetation clearing, site preparation, grading, construction or other site alteration or disturbance is authorized under this Approval. Each respective Lot owner shall be responsible for obtaining all required approvals and permits from Federal, State and local agencies, and ensuring compliance thereto.
3. There shall be no clearing, grading, removal of vegetation or other site construction inconsistent with that shown on the endorsed Resubdivision Map and Resubdivision Construction 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 approved plans. All other changes require the prior review and approval of the Commission as a change pursuant to **Section H** herein.
4. Significant field changes shall not be initiated by the applicant/owner or its representatives prior to their review and approval by the Commission as a change pursuant to **Section H** herein.
5. 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 associated with the Resubdivision;
  - Notifying any new owner and/or contractor(s) and/or consultants of all construction requirements including all job meeting notes and inspection notes produced up to the date of any such change in project related personnel;
  - Notifying and informing its contractors, employees, agents and assigns of their responsibility to comply with the modifications and requirements set forth in this Approval; and
  - Adherence with the standards and requirements as set forth in the aforementioned pre-construction meeting (Report of Pre-Construction Meeting) and any subsequent construction meetings and inspections.

6. All new or replacement utilities shall be installed underground in accordance with the approved plans.
7. Erosion and sedimentation controls and temporary stormwater management measures shall be properly installed and maintained until construction is completed, and all disturbed areas have been stabilized. Said controls and measures shall be periodically inspected by the applicant, continually maintained throughout the construction phase and supplemented by the applicant to ensure their proper maintenance 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.
8. Appropriate measures shall be maintained at no cost or expense to the Town to ensure proper and safe snow removal so there is no plowed snow stored within travel lanes or connecting driveways, until the road is officially accepted by and conveyed to the Town. A duly executed **Hold-Harmless Agreement** with the Town may otherwise be proposed and approved pursuant to §111-202(H) of the Land Subdivision Regulations, as may be amended from time to time.
9. Snow from individual lot driveways shall not be pushed into or across the street right-of-way.
10. All work subject to regulation and permit by the Inland Wetlands Commission shall be in compliance with Wetland Permit IWC-2014-04, File #888, approval dated December 10, 2014. Any amendments or changes affecting or altering the approved public improvements of the Resubdivision, as may be granted by the Inland Wetlands Commission subsequent to this Approval, shall require the prior review and approval by the Commission as a change pursuant to **Section H** herein.

## **F. PRIOR to ACCEPTANCE OF PUBLIC IMPROVEMENTS**

---

***The following shall be completed prior to the authorized acceptance of completed Resubdivision public improvements or release of final bond:***

1. All public improvements according to the approved plans shall be completed and operational, including but not limited to all road and utility improvements, associated stormwater improvements, associated Wetland Permit activities and mitigation measures, streetscape plantings, stabilization and revegetation (landscaping) of all disturbed areas in accordance with the approved plans as endorsed by the Commission Chair and the standards of the Land Subdivision Regulations.
2. Inspections of said improvements shall be performed by the applicant's design professional(s) who shall be a licensed State of Connecticut professional engineer, and a report certifying the acceptable completion of said improvements shall be provided accompanied by a "Final As-Built Plan" including a second copy of same superimposed on the original approved layout plan (to be shown in red or varied shading) and 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 professional certifications shall also be consistent with the standards and requirements set forth in §111-108 of the Land Subdivision Regulations, as may be amended from time to time.

3. The applicant shall provide post construction verification of the installation of all roadway survey monuments in addition to all property and easement corner pins in the form of an As-Built Plan that includes the entire resubdivision road and associated right-of-way and resubdivision lot/property line layout.
4. The applicant shall provide verification of the abandonment and subsequent deeding of portions of the existing Timothy Hill Road turnaround (cul-de-sac) to the respective (adjacent) proposed lots/properties (Lots 31 and 33), and existing land N/F Teresa Goclowsk.
5. The applicant shall obtain a permanent Certificate of Zoning Compliance from the Zoning Enforcement Officer, which shall require completion of the following:
  - All Wetland Permit related activities shall be complete, as evidenced by written confirmation of completion by the Inland Wetlands Commission or their authorized agent.
  - All utilities shall be connected and operational.
  - All disturbed areas shall be stabilized and all erosion controls removed.
  - The site shall be clean of construction related equipment, materials and debris.
  - A Certificate of Substantial Completion shall be obtained from the Town Engineer.
6. Upon the satisfactory completion of **Conditions F1 through F5** above:
  - The Commission may consider issuance of a recommendation to the Town Council of acceptance of the resubdivision public improvements and eligibility of final release of any active Bond pursuant to **Section G** herein.
  - No resubdivision public improvements shall be accepted prior to issuance of a written recommendation relating thereto by the Commission, or between October 31 and April 1.
  - The Town Attorney shall coordinate with the Planning and Zoning Department, the Commission, Town Council, the Town Engineer, and the applicant/owner in regard to the process of road acceptance and recording of said deed(s).
7. Within ten (10) days of acceptance of the public improvements by the Town Council, the held Warranty Deeds conveying to the Town of Monroe the resubdivision road and associated right-of-way Parcel A and Parcel C, including the road and associated right-of-way for existing Independence Drive, all subject to the acceptance by the Town Attorney, shall be recorded in the Office of the Monroe Town Clerk on the Monroe Land Records at the sole cost and expense of the applicant. Copies of such showing all markings of recording shall be provided to the Planning and Zoning Department.

**G. PRIOR TO PARTIAL OR FINAL RELEASE OF FINANCIAL GUARANTEE (BOND)**

---

***The following shall be completed prior to the authorized partial or full release of any Financial Guarantee (Bond):***

1. Submission of a written request for either partial or final release of bond, including a commensurate As-Built Plan detailing and certifying completed improvements relating to such partial or final release request shall be provided.

2. Submission of a statement, with live signature and seal of the applicant’s professional engineer, licensed in the State of Connecticut, certifying conformance as set forth in §111-202(F)(2) and (3) of the Land Subdivision Regulations, as may be amended from time to time.
3. The installation of survey markers (iron pins at all property corners, and concrete monuments at all changes in alignment or points of curvature along the property/streetline frontage) shall be shown and verified on the required As-Built Plan. Permanent Bench Marks shall be indicated at both ends of the roadway established on permanent roadway monuments, which shall be shown and labeled on the final As-Built Plan.
4. All related requirements as set forth and agreed to as part of the preconstruction conference, and any subsequent construction meeting or inspection shall be completed.
5. Verification through inspection shall be provided that all related drainage facilities (including drainage ditches/swales) are clean, and in proper condition and working order.
6. All related construction shall be completed; related disturbed areas stabilized; and related siltation and erosion control measures removed.
7. **Partial Release of Bond** - Shall be processed pursuant to the standards set forth in §111-700 of the Land Subdivision Regulations, as may be amended from time to time.
8. **Final Release of Bond** – Shall be processed pursuant to the standards set forth in §111-701 of the Land Subdivision Regulations, as may be amended from time to time, and shall be conditioned upon the following:
  - a. Formal Town Council acceptance of the Resubdivision Road (and associated stormwater improvements) and other related Resubdivision public improvements.
  - b. Acceptance and recording of associated conveyance deeds and easements, including provision of copies of such recordings showing all marks of recording.
  - c. Posting of a **Maintenance Bond** and signing of a **Maintenance Contract** pursuant to the standards set forth in §111-702 of the Land Subdivision Regulations, as may be amended from time to time.
9. **Release of Maintenance Bond** – Shall be processed pursuant to the standards set forth in §111-703 of the Land Subdivision Regulations, as may be amended from time to time.

## **H. APPROVAL ACCEPTANCE / CHANGES / COMPLIANCE / EXPIRATION**

---

### **1. Applicant/Owner Acceptance**

- a. All representations by the applicant and their representatives in the presentation of the Resubdivision Application and discussion reflected in the public hearing 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 in perpetuity upon the applicant/owner, and any heirs, assigns and/or successors, as well as the subject property and premises (lots), unless otherwise amended by a subsequent act of the Commission.
  - c. The acceptance of this Approval by the applicant/owner shall be evidenced by the completion of the required recordings and filings set forth herein, indicating the applicant's/owner's agreement that said Approval is contingent upon strict compliance with Town Regulations and all modifications and requirements set forth herein and on the Final Resubdivision Plans.
3. **Changes.** Any additions or changes to the approved activities, the plans, the site or the land use activities and site improvements, systems or facilities thereon, shall require the prior review and written approval of the Commission. All related permits and approvals shall be maintained as current throughout the duration of permitted use.
4. **Lot Sale or Lease, and Approval Compliance.**
- a. No new lot shown on the approved Resubdivision Map may be sold or leased until the Resubdivision Map has been recorded on the Monroe Land Records and filings have been completed as set forth herein.
  - b. Individual Resubdivision Lot Development:
    - (1) No individual resubdivision lot vegetation clearing, site preparation, grading or construction shall commence prior to the issuance of a duly authorized Zoning Permit and Building Permit.
    - (2) Prior to the authorized issuance of an individual lot Zoning Permit the following shall be provided to the Zoning Enforcement Officer (no Building Permit shall be issued prior to a Zoning Permit):
      - Approval and compliance with an individual lot Site Development Plan and/or Special Exception Permit from the Commission.
      - A satisfactorily complete application for a Certificate of Zoning Compliance, including associated Commission approved Site Development Plan and/or Special Exception Permit plans endorsed by the Commission Chair.
      - A statement certification from the Town Engineer indicating installation of the binder course of pavement on the resubdivision road has been satisfactorily installed, if the resubdivision road is subject to a Financial Guarantee (Bond), otherwise the resubdivision road shall have been accepted by and conveyed to the Town of Monroe.
      - A statement certification from the Fire Marshal indicating satisfactory installation and functioning of all fire protection controls and related appurtenances.
      - A duly issued individual lot Wetland Permit (if applicable).
      - A duly issued Driveway Permit.
      - A duly issued permit approval to connect to a public water supply main.
      - A duly issued permit approval to install an individual subsurface septic disposal system.

- (3) Prior to any clearing of brush, vegetation, trees and stumps, or grading for any individual lot development, the primary and reserve septic disposal areas of the affected individual lot shall be staked by a licensed surveyor and protected by orange poly, snow-fencing or similar to prevent disturbance thereto.
  - (4) Occupancy and use of any individual lot improvement shall not be authorized until the applicant/owner obtains a permanent Certificate of Zoning Compliance and Building Department Certificate of Occupancy. It shall be the applicant's/owner's responsibility to coordinate and request all inspections and the issuance of said final certificates.
  - (5) Prior to the authorized issuance of an individual lot Permanent Certificate of Zoning Compliance, the following shall be completed (no Building Department Certificate of Occupancy shall be issued prior to a Permanent Certificate of Zoning Compliance):
    - The individual driveway serving said lot shall be completed to the satisfaction of the Town Engineer and Department of Public Works.
    - All Wetland Permit related activities (if applicable) shall be completed.
    - All utilities serving the individual lot shall be connected and operational.
    - Connection to the public water supply main shall be installed and operational, subject to verification of acceptance by the water utility.
    - The individual subsurface sewage disposal system shall be installed, connected and operational, which system shall comply with all applicable separation distances. Written acceptance by the Trumbull Monroe Health District (or any successor) of the installation and use shall be provided.
    - All disturbed areas shall be stabilized and all erosion controls removed.
- c. 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 and/or Subdivision of Land 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.
5. **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 September 15, 2021**), unless an extension as may be granted by the Commission is obtained. 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, and shall include assurance acceptable to the Commission that any bond obligation will be covered by the extension period. In considering any such request, the Commission may require a public hearing.



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

---

**ZONE BOUNDARY CHANGE APPROVAL**  
**RF-1 District to I-1 District**  
**ZCA-2016-01 – File #1006D**

**754 Main Street – Assessor Map 93, Lot 51**

**Petition Applicant – Stone Farm LLC**  
**Property Owner – Seven Fifty Four Main Street LLC**

---

<b>Date of Approval</b>	<b>September 15, 2016</b>
<b>Date Final Plans to be Signed and Recorded by</b>	<b>December 14, 2016</b>
<b>Expiration</b>	<b>December 14, 2016</b>

**WHEREAS**, the Monroe Planning and Zoning Commission (hereinafter “Commission”) is considering a Zone Boundary Change Petition from Stone Farm LLC (“petition applicant”) and Seven Fifty Four Main Street LLC (“property owner”), as shown and detailed on the associated petition application materials, including:

**Application:**

- Application ZCA-2016-01 – Zone Boundary Change;
- Attachment to Zone Change Application, Solli Engineering, 05/04/16, revised 06/29/16;
- Response to ART Comments, Solli Engineering, 06/29/16;

**Plans:**

- Cover Sheet (1/5), Solli Engineering, 05/04/16, revised 06/29/16;
- Zone Change Map (2/5), Accurate Land Surveying, 05/04/16, revised 06/29/16;
- Area and Existing Conditions Map (3/5), Solli Engineering, 05/04/16, revised 06/29/16;
- Potential Development Plan (4/5), Solli Engineering, 05/04/16, revised 06/29/16;
- Slope Area Map (5/5), Solli Engineering, 05/04/16, revised 06/29/16; and

**WHEREAS**, the proposal seeks the rezoning of the subject lot which is located on the easterly side of Main Street (Route 25) and consists of approximately 22.59 acres presently zoned Residential and Farming District 1 (RF-1) to Industrial District 1 (I-1) – (the new zone boundary line would extend to the centerline of the Route 25 right-of-way); and

**WHEREAS**, in the course of its review of the rezoning petition, the Commission has noted the following:

- The site is not within 500 feet of a Town boundary;
- The site is located within the West Pequonnock watershed, for which the applicant completed required notices to the Commissioner of Public Health and the Aquarion Water Company of Connecticut pursuant to Connecticut General Statutes §8-3i;
- The site includes substantial area of wetlands and associated 100-foot upland review area, affecting approximately 20 acres or 89% of the overall site area;
- The site includes a few small pockets of steep slopes (15% or greater) with the majority of the site (approximately 21 acre or 93%) being relatively flat with slopes of 0 to 10%;
- The site includes areas of mapped 100-year floodplain;
- The site includes an existing approximately 20,648 sf two-story building formerly used as a Church (Miracle Faith World Outreach, Inc.), which building has been vacant for several years;
- It is noted that numerous aspects of the former granted Special Exception Permit (3-93-S, File #1225A) were never completed and since expired. Furthermore, it should be noted that a church or other place of worship is not a permitted use in the proposed I-1 District;
- The site is served by connection to existing public water service in the bed of Main Street;
- Site facilities are served by an existing onsite subsurface septic disposal system; and

**WHEREAS**, on July 11, 2016, a copy of the proposed Zone Boundary Change Petition was filed in the office of the Monroe Town Clerk; and

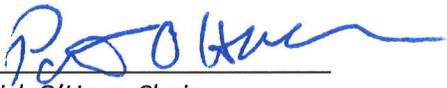
**WHEREAS**, the applicant provided written notice of the proposed Zone Boundary Change Petition to abutting property owners within 500 feet of the subject properties, as evidenced by submission of certified mail receipts (and subsequent returned “green” cards); and

**WHEREAS**, pursuant to Connecticut General Statutes §8-7d and §9.2.4 of the Monroe Zoning Regulations, the Commission considered the proposed Zone Boundary Change Petition at a duly noticed public hearing (which hearing notice was duly recorded in the office of the Monroe Town Clerk on July 5, 2016 and published in the Monroe Courier on July 7 and 14, 2016), which hearing was opened and adjourned on July 21, 2016, reconvened and closed on August 4, 2016;

**NOW THEREFORE BE IT RESOLVED**, consistent with Connecticut General Statutes §8-3 and the Monroe Zoning Regulations, the Commission, at its regular meeting held on **September 15, 2016**, upon motion by **WILLIAM PORTER** and seconded by **JEREMY HAYDEN** following deliberations conducted on **September 1 and 15, 2016**, voted **FOUR (4)** in favor, **NONE (0)** in opposition to **APPROVE** the above referenced **Zone Boundary Change Petition**, as follows:

Vote:	<u><b>PATRICK O'HARA</b></u>	<u><b>AYE</b></u>
	<u><b>WILLIAM PORTER</b></u>	<u><b>AYE</b></u>
	<u><b>JEREMY HAYDEN</b></u>	<u><b>AYE</b></u>
	<u><b>DAVID TOWNSON</b></u>	<u><b>AYE</b></u>

*For the Commission:*

  
\_\_\_\_\_  
*Patrick O'Hara, Chair*

**BE IT FURTHER RESOLVED**, that the Commission relies on the following reasons in granting the requested rezoning set forth herein:

- The requested rezoning is consistent with the goals and recommendations of the 2010 Town of Monroe Plan of Conservation and Development (“POCD”) relative to the extension and expansion of areas zoned for industrial/commercial development along the Route 25 corridor;
- The subject property was previously used for non-residential use. Due to site constraints and limited septic capacity across the site, the future development potential of the site for traditional RF-1 residential subdivision lots is minimal;
- North and northeast of the subject property are other lands presently zoned Industrial 1, Industrial 2 and Industrial 3, while the lands to the west are presently zoned Business District 1;
- Abutting Main Street infrastructure is generally supportive of commercial development, noting that any subsequent development activity would still need to confirm the adequacy of same to support any future project specific development use and density;
- The requested rezoning may help advance and support increased economic development opportunities within an existing business corridor along Main Street, and which may provide increased tax revenues and potential creation of new business jobs within the Town by the re-utilization of the existing vacant non-residential building; and

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

**BE IT FURTHER RESOLVED**, that this approval shall not become effective until a final Zone Boundary Change Map, revised as required herein, is endorsed by the Commission Chair and a copy of same, along with an endorsed copy of this approval document shall be recorded in the Monroe Land Records, and copies thereof showing all markings of recording are filed in the office of the Planning and Zoning Department as required below according to the time period provided; and

**BE IT FURTHER RESOLVED**, that the final Zone Boundary Change Map shall not be authorized to be recorded in the Monroe Land Records until its approval has been endorsed thereon by the Commission Chair (any recording or filing of same without such endorsement shall be null and void); and

**BE IT FURTHER RESOLVED**, within **NINETY (90) DAYS** (**Expiration of December 14, 2016**) of this approval, the applicant shall be responsible for completing the following, 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) and subsequent Commission approval of said extension request is granted, or this approval shall become null and void without further notice:

1. The applicant shall submit **ONE (1)** complete plan set consisting of the following (the plan set shall be full size 24"x 36", collated and bound) for review by the Planning and Zoning Department, revised as below:

- Cover Sheet (1/5)
- Zone Change Map (2/5)
- Area and Existing Conditions Map (3/5)
- Potential Development Plan (4/5)
- Slope Area Map (5/5),

a. Each plan sheet shall be signed and sealed providing certification thereof by the professional(s) responsible for the preparation of each sheet.

b. Each plan sheet shall include a common revision date of September 16, 2016 or later.

c. Each plan sheet shall include the following signature blocks with original signatures of the applicants / property owners affixed thereon:

\_\_\_\_\_  
**Owner**  
 {INSERT PRINTED OWNER NAME}  
 {INSERT PRINTED ADDRESS}

\_\_\_\_\_  
**Applicant**  
 {INSERT PRINTED APPLICANT NAME}  
 {INSERT PRINTED ADDRESS}

d. The Zone Change Map shall be revised to include the following note prominently thereon:

***Reference is hereby made to Town of Monroe Planning and Zoning File #1006D, ZCA-2016-01, which file includes the complete plan set (Sheets 1 through 5) relating to this Zone Boundary Change, as approved by the Monroe Planning and Zoning Commission on September 15, 2016.***

2. Upon acceptance of the revised final plan set, the applicant shall complete the following in the order listed:

a. Provide the following plans signed and sealed for endorsement by the Commission Chair:

- **ONE (1)** fixed line mylar original of the Zone Change Map; and
- **SEVEN (7)** complete paper plan sets of all five (5) sheets (each set shall be full size 24"x 36", collated, bound and folded, **except ONE (1) set shall be rolled**) of the following:

- b. The endorsed Mylar will be returned to the applicant, along with an original of this approval document also endorsed by the Commission Chair, for recording both on the Monroe Land Records.
- c. Within **THREE (3) DAYS** that the original mylar and original of this approval, both endorsed by the Commission Chair, are released to the applicant, the applicant shall record same on the Monroe Land Records and provide evidence of such recording to the Planning and Zoning Department (Staff will accompany the applicant upon recording with the Town Clerk).

**BE IT FURTHER RESOLVED**, that the Planning and Zoning Department is hereby authorized to revise the official Zoning Map of the Town of Monroe to change the affected area of the subject lots to Industrial District 1 (I-1) upon the completion of recording as required herein above.