

**PLANNING and ZONING COMMISSION
Monroe, Connecticut**

**MEETING MINUTES
October 6, 2016**

Meeting: Planning and Zoning Commission **Meetings are Video and Audio Recorded**
Regular Meeting
7 Fan Hill Road, Monroe, Connecticut

Present: Chairman Patrick O'Hara
Vice Chairman William Porter
Secretary Jeremy Hayden
Commissioner David Townson
Commissioner Leon Ambrosey
Commissioner Paul Lisi (alternate)
Commissioner Michael O'Reilly (alternate)

Absent: Commissioner Cathleen Lindstrom (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 7:15 p.m., and invited those in attendance to join in the Pledge of Allegiance.

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

Commissioners were seated on a roll call.

3. GENERAL PUBLIC PARTICIPATION PERIOD

None

4. GENERAL APPOINTMENTS

None

PUBLIC HEARINGS

5. SPECIAL EXCEPTION PERMIT

SEP-2016-07, 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).

Chairman O'Hara read the Notice and Rules of Public Hearing. Town Planner Agresta listed Exhibits.

Douglas Reich, Landscape Architect with Solli Engineering, representing the applicant, reviewed the changes made to the plans based on comments from Staff and the Commission, as follows:

- The outdoor event area will be used for Company picnics and outdoor events, with no general public outdoor events;
- The excess space between the building and the outdoor storage area will be utilized for the efficient maneuverability of the entering and exiting of trucks to the truck well, with the back portion of the storage area (narrative will note that it has been reduced from 36 sq. ft. to 33 sq. ft as a result of the refuse area shifting from lawn to pavement area) delineated by boulders and the front side delineated with striping to avoid creep into the wetland area that will be placed then backfilled upon the removal of asphalt;
- The outdoor interior landscape requirement of islands to break up the mass of pavement area resulting in four additional interior islands for a total of six;
- Delivery schedules will vary by season, with the most frequent deliveries occurring in the spring and summer months;
- Regarding the level of noise created by truck alarms backing up, the large scale of the rear service area will allow the majority of flatbed trucks that arrive to drive forward to get loaded, alleviating the majority of back up alarm noise, no vehicle will idle for more than 3 minutes;
- The interior use of the building is now shown on the proposed floor plan and storage area;
- Requested updates to the tables and additional data were added;
- Regulation signage for the handicap parking area along with detail sheets and dimensional data has been included;
- Regarding the use of the business on this proposed site in terms of the regulations the facility will manufacture, compound, assemble, and treat products, principally from previously prepared materials for both the concrete and the stone products. The accessory uses would be the administrative offices, the retail component, and the outdoor storage;
- There are no toxicity levels to any of the products, either stored or produced based on the Safety Data Sheets for all the components;
- Regular hours of operation (Monday – Friday) will be between 7 a.m. – 6 p.m. during the peak season and between 8:30 a.m. – 5 p.m. during off season, Saturday deliveries will take place during the hours of 8 a.m. – 12 noon;
- All manufacturing will take place within the building;
- The applicant will speak with TLC Nurseries to remove product that has encroached onto the site;
- Signage is acceptable as proposed with narrative modifications;
- The narrative on the landscape plan is agreed to with added plantings;
- The survey will match the flood plain;
- There will be striping by the outside storage;
- No sidewalk will be required;
- Plans will be updated to show new required detail;
- The application will be completed in phases with most exterior work in Phase I, the outdoor Patio area in Phase II and a third phase including the front parking area – which would need a performance bond from the applicant;

Chairman O'Hara opened up the Public Meeting to Public participation:

Lee Hossler, 272 Stanley Road, spoke in favor of the proposal stating that it would be an improvement for the town. Margaret Lee, 26 Overlook Drive, indicated that she had no further comments other than what she had previously presented. Polling the Commission and hearing no objections, the Public Hearing was closed.

SITE PLAN REVIEW

6. SITE DEVELOPMENT PLAN

None

DELIBERATIONS and DETERMINATIONS

7. SEP APPROVAL PLAN MODIFICATION

SEP-2014-13-A1, File #1549A

462, 464, 466 & 470 Main Street

Amendment Modifications: Revise driveway restricting right turn only, relocation of septic system, add underground propane tanks and eliminate neighbor easements.

Kevin Solli of Solli Engineering representing the applicant presented the following:

- A new septic system and area is located north of the building which has been approved by both Inland Wetlands and the Health Department, eliminating need for an off-site drainage easement;
- Natural gas service was unavailable so a 1,000 gallon buried propane tank, approved by the Fire Marshall is proposed to be installed in a landscape island in the front of the facility. The Commission discussed how the fill port should be better screened.
- A sight distance easement to the north was not obtained so in the alternative a “right-out only” driveway is proposed with a raised concrete island preventing unauthorized left turns out of the driveway along with approved striping, and no easement is required to the south either;
- An 85th percentile speed analysis was submitted along with correspondence from the DOT.

SEP-2014-13-A1, File #1549 – 462, 464, 466 & 470 Main Street

OWNER: JV462 Main St LLC, JV464 Main St LLC, JV466 Main St LLC & JV470 Main St LLC

APPLICANT: JV464 Main St LLC

MOTION: Porter – To approve Permit Modification to Special Exception Permit SEP-2014-13 to permit a revised driveway configuration with restricted right-turn egress eliminating need for an off-site sight line easement to the north; relocation of the septic system eliminating the need for an off-site drainage easement; and installation of a 1,000 gallon subsurface propane fuel storage tank, all subject to staff coordination of final septic design and location, and screening of propane fill port, as well as CT DOT approval of driveway curb cut improvements.

SECOND: Hayden

VOTE: 5-0-0 – Approved

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

Nays None

Absent None

SEP-2014-14-A2, File #1550A

50 Cambridge Drive

Axel Plastics, Amendment Modification: Concrete sidewalk to replace planting strip in rear parking area and relocation of inkberry plants.

Dave Bjorklund representing the applicant, presented the following:

- There is a conflict between the S1 Site Plan and the Landscape Plan that were approved for a planting strip which is also noted as a sidewalk;
- The applicant is proposing to relocate the Inkberry plantings that were designated for the planting strip to allow for the sidewalk in its place, the location of which is to be worked out on site with Staff prior to plantings.

SEP-2014-14-A2, File #1550A – 50 Cambridge Drive

OWNER: Cambridge Drive RE LLC

APPLICANT: Cambridge Drive RE LLC

MOTION: Porter – To approve Permit Modification to Special Exception Permit SEP-2014-14-A2 to permit the replacement of a landscape island with a concrete sidewalk and relocation of related plantings to other portions of the site, subject to staff approval of final location of relocated plantings.

SECOND: Hayden

VOTE: 5-0-0 – Approved

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

Nays None

Absent None

8. SITE DEVELOPMENT PLAN

SDP-2016-01, File #119 – 342 Monroe Turnpike

OWNER: Jose E. Madera

APPLICANT: Jose E. Madera

MOTION: Porter – To approve Site Development Plan SDP-2016-01 as set forth in the draft Resolution of Approval dated October 6, 2016 to permit the conversion of an existing non-conforming residence use to a new conforming professional dental office, for property consisting of approximately 0.27 acres within a Limited Office Retail (LOR) District.

SECOND: Hayden

VOTE: 5-0-0 – Approved

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

Nays None

Absent None

9. EXTENSIONS

SEP-2015-01-A2, File #1551A – 5 Victoria Drive

John Kimball, representing the applicant presented what work had been completed on the site:

- Extensive top soil removal and remediation;
- A delay in the work rests as a responsibility of John Kimball, and not the owner;
- Plantings and extensive landscaping work has been completed;
- The additional topsoil and the delays caused by soccer field use are resulting in a delay.

Kevin Solli, representing the applicant presented the following:

- Trees have been planted;
- Parking landscaping has been added;
- Dumpster pad has been shifted five feet to enhance vehicle maneuverability;
- The fence contractor has been scheduled for next week;
- Fencing has been installed on three sides of the field, omitting the wetland side;
- The 20’ high netting that has been installed on top of the chain link fence is in violation as it is within setback, and the applicant needs direction from the Commission for remedy;
- The applicant is in agreement with the construction schedule as submitted;
- The applicant is requesting a Permit of Modification from the Commission to allow the netting in the area outside of the setback;

The Vice Chairman and Commission and Staff responded that the netting is considered to be a fence, or an extension of the fencing, and not a separate structure; Commissioner Hayden stated that the Courts also consider fences to be structures.

Vice Chairman Porter responded to Mr. Solli that he agreed that this was an appropriate use of the fence extension, but it is a fence, and the current regulations state that fencing cannot exceed 6 feet and that is what needs to be followed. Chairman O'Hara stated that while the fencing and fencing extension is up, the dumpster is not done, the lights were just taken down in the last few days, and the landscape was just completed as a result of the Commission. Vice Chairman Porter inquired if the parking ratio needs to be evaluated since the unauthorized bleachers are now utilizing several spaces, there is debris/trash being stored outside of the building needs to be removed, as well as the removal of the bleachers and their new permanent location

SEP-2015-01-A2, File #1551A – 5 Victoria Drive

OWNER Victoria Drive Associates LLC
APPLICANT Victoria Drive Associates LLC
MOTION Porter – To grant an extended expiration to December 31, 2016 to complete all previously approved site and use improvements relating to Special Exception Permit SEP-2015-01 and Amended Special Exception Permit SEP-2015-01-A1.
SECOND Hayden
VOTE: 5-0-0 – Approved
Ayes O'Hara, Porter, Hayden, Townson, Ambrosey
Nays None
Abstain None

SEP-2016-03 & SEP-2016-03-A1, File #1572A – 585 & 591 Fan Hill Road

Commission Ambrosey recused himself; no one was seated.

SEP-2016-03 & SEP-2016-03-A1, File #1572A – 585 & 591 Fan Hill Road

OWNER P+M Realty Inc.
APPLICANT Cross Hill Service
MOTION Porter – To grant a 90 day extension to comply with Conditions of Approval.
SECOND Hayden
VOTE: 4-0-0 – Approved
Ayes O'Hara, Porter, Hayden, Townson
Nays None
Recused Ambrosey

SEP-2014-13, File #1549A – 462, 464, 466 & 470 Main Street

OWNER JV462 Main St LLC, JV464 Main St LLC, JV466 Main St LLC & JV470 Main St LLC
APPLICANT JV464 Main St LLC
MOTION Porter – To grant a 90 day extension to comply with Conditions of Approval.
SECOND Hayden
VOTE: 5-0-0 – Approved
Ayes O'Hara, Porter, Hayden, Townson, Ambrosey
Nays None
Abstain None

10. BOND RELEASES / REDUCTIONS

None

11. MEETING MINUTES

The September 15, 2016 minutes were tabled until the October 27, 2016 meeting.

12. APPLICATION DELIBERATIONS/DETERMINATIONS

ZCA-2016-03, File #1008D-146 Cutlers Farm Road, 269 & 287 Purdy Hill Road

Chairman O'Hara recused himself, non one was seated.

Commission Hayden stated that he listened to the August 18, 2016 meeting tape and was prepared to deliberate. Commission expressed that the rezoning was in keeping with the recent revision to the regulations for age-restricted housing and it was acknowledged that the traffic impacts would be generally minimal in comparison of a conventional subdivision, though not so much if the development was for attached units but then a DEEP approval would be needed and it was not thought such a density and septic would be proposed due to cost and time associated with same.

SEP-2016-07, File #1577A-754 Main Street

The Commission discussed approval with conditions agreed on in the meeting, signage, bonding, the outdoor useable display events, DOT access, and outdoor storage, four more additional islands to the ends of the rows within the front parking area, plan view additions, and the phase in timing. Phase 1: Outside storage, drainage, truck well and loading dock, Phase 2: Parking lot islands and other landscaping by June 1, 2017 including a Performance Bond, Phase 3: Outdoor display area. If the Phase 2 work is not completed it would be a zoning violation with the issuance of a citation. The Commission directed Staff to prepare a draft approval for the next Commission meeting.

OTHER BUSINESS

13. REGULATIONS REVIEW / AMENDMENT WORKSESSION – None

14. CORRESPONDENCE / OTHER RECEIVED – None

15. COMMISSION REPORTS

Chairman's Report

Chairman O'Hara inquired if the Commission wanted the Zoning Enforcement Officer to begin action regarding food trucks at Veracious. The decision was made to have the ZEO visit the location and discuss that the allowance of food trucks were in discussion, but were not presently allowed in town.

The Chairman discussed a Chalk Hill School violation whereby on October 20, 2016 the Social Services Department of the Town was holding a Wellness Fair. In order to utilize the building, a Special Exception Permit should have been in place for the building now that it no longer serves as a public school. The Chairman voiced that the Town of Monroe is setting precedent with zoning violations; the Commission requested the Chairman prepare correspondence to the First Selectman and Town Council identifying violations and voicing concerns.

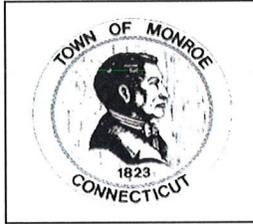
Commissioner's Report – None

Land Use Staff Report – None

16. MEETING ADJOURNMENT

Polling the Commission and hearing no objections, Chairman O'Hara adjourned the meeting at 10:22 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

SEP-2014-13-A1, File #1549A – Amendment Modification
JV464 Main St LLC (Applicant) – Cross Road Center

October 7, 2016

Christopher B. Russo
Q & R Associates, LLC
1 Post Road
Fairfield, CT 06824

VIA CERTIFIED MAIL: 7015 1730 0001 9989 7629

RE: **SPECIAL EXCEPTION PERMIT – AMENDMENT MODIFICATION (SEP-2014-13-A1)**
SEP-2014-13, File #1549A – SEP Approval, April 23, 2015
462, 464, 466 and 470 Main Street

Dear Mr. Russo:

Please be advised, at the October 6, 2016 Planning and Zoning Commission meeting, the Commission approved Special Exception Permit Amendment Modification (SEP-2014-13-A1) to authorize the following site development changes:

- Revised driveway configuration with restricted right-turn egress eliminating the need for an off-site sight line easement to the north.
- Relocation of the septic system eliminating the need for an off-site drainage easement.
- Installation of a 1,000 gallon subsurface propane fuel storage tank.

This SEP Amendment Modification Approval is subject to the following, in the order of sequence as set forth below:

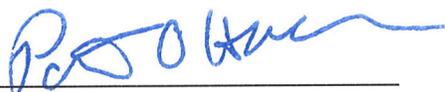
1. The applicant shall submit **SEVEN (7)** complete plan sets (plan sets shall be full size 24" x 36", collated, bound and folded, **except ONE (1) set shall be rolled**) for the authorized re-endorsement of same by the Commission Chair, revised as follows:
 - a. The final Site Plans shall each be signed and sealed providing live certification thereof by the professional(s) responsible for the preparation of each sheet; and shall each include a common revision date, dated later than October 7, 2016.

SEP AMENDMENT MODIFICATION – SEP-2014-13-A1 – File #1549A

462, 464, 466 & 470 Main Street – Cross Road Center

- b. The revision date for each of the plans as listed on Sheet T-1.0 shall be updated accordingly with the common revision date as required above.
 - c. The following note shall be added to Sheets T-1.0 and SP-1.1
 - ***Reference is hereby made to the corresponding Special Exception Permit Amendment Modification Approval as issued by the Monroe Planning and Zoning Commission (SEP-2014-13-A1, File #1549A) on October 6, 2016.***
 - d. The revised plans shall include all revisions as may otherwise be required by CTDOT (subject to Staff confirmation and Commission approval if deviated from that presented).
 - e. The revised plans shall include the final Health Department septic design and location, subject to staff confirmation and approval.
 - f. The revised plans shall include adequate screening of the propane fuel storage tank fill port subject to staff approval.
2. A copy of this amendment approval (SEP-2014-13-A1) shall become effective upon its recording on the Monroe Land Records; same shall be coordinated simultaneously with the recording of the original SEP-2014-13 approval. The applicant is responsible for collecting all original approvals from the Planning and Zoning Department and recording same on the Land Records, as well as providing a copy of said recordings to the Planning and Zoning Department.
 3. All other prior conditions, requirements, bond and time periods of the original Special Exception Permit Approval SEP-2014-13 shall remain unchanged and in full force and effect; all time periods of this amendment approval shall be those set forth in the original approval.

MONROE PLANNING AND ZONING COMMISSION



Patrick O'Hara, Chair

cc: JV462 Main St LLC
JV464 Main St LLC
JV466 Main St LLC
JV470 Main St LLC
Solli Engineering, LLC



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

SEP APPROVAL AMENDMENT MODIFICATION

SEP-2014-14-A2, File #1550A – Amendment Modification Cambridge Drive RE LLC (Applicant) – Axel Plastics

October 7, 2016

Nicholas D. Clark, P.E.
Spath-Bjorklund Associates, Inc.
PO Box 324
Monroe, CT 06468

VIA CERTIFIED MAIL: 7015 1730 001 9989 7605

RE: **SPECIAL EXCEPTION PERMIT – AMENDMENT MODIFICATION (SEP-2014-14-A2)**
SEP-2014-14, File #1550A – SEP Approval, February 5, 2015
50 Cambridge Drive – Axel Plastics

Dear Mr. Clark:

Please be advised, at the October 6, 2016 Planning and Zoning Commission meeting, the Commission approved Special Exception Permit Amendment Modification (SEP-2014-14-A2) to authorize the requested modification to convert a rear landscape planting bed to a concrete sidewalk, subject to the following:

1. **Within ninety (90) days** of this Amendment Approval and prior to any Zoning Certificate of Compliance, an original copy of this Amendment Approval (SEP-2014-14-A2) shall be recorded on the Monroe Land Records by the applicant, thereby making said Amendment Approval effective. The applicant is responsible for collecting an original copy of this Amendment Approval from the Planning and Zoning Department and recording same on the Land Records, as well as providing a copy of said recording to the Planning and Zoning Department.
2. The relocation of the related displaced plantings shall be planted in a location as field reviewed and approved by Planning and Zoning Department staff prior to the installation, which installation shall be completed to the satisfaction of staff prior to the issuance of a Zoning Certificate of Compliance.
3. All other prior conditions, requirements, bond and time periods of the original Special Exception Permit Approval SEP-2014-14 shall remain unchanged and in full force and effect; all time periods, except as noted above, for this Amendment Approval shall be those set forth in the original Approval.

MONROE PLANNING AND ZONING COMMISSION

Patrick O'Hara, Chair

cc: Cambridge Drive RE LLC, Jacob Axel, MBR, 4A Cherry Lane, Westport, CT 06880



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

**SITE DEVELOPMENT PLAN APPROVAL
(SDP-2016-01 – File #119)**

**PROFESSIONAL DENTAL OFFICE
342 Monroe Turnpike – Assessor Map 22, Lot 13
Limited Office Retail District (LOR)**

APPLICANT / PROPERTY OWNER

Jose E. Madera

Date of Approval	October 6, 2016
Date Final Plans to be Signed by	April 4, 2017
5-Year Expiration	October 6, 2021

WHEREAS, the Monroe Planning and Zoning Commission (Commission) has considered a Site Development Plan application received from Jose E. Madera (applicant and property owner) relating to property located on the easterly side of Monroe Turnpike (Route 111), consisting of approximately 0.27 acres within a Limited Office Retail (LOR) District; and

WHEREAS, the project proposes the conversion of a pre-existing residential dwelling into a professional dental office including 817 square feet on the first floor and 540 square feet on the second floor; and

WHEREAS, the project also includes the following:

- Demolition and total removal of an existing detached garage building;
- Abandonment of the existing septic system and installation of an entirely new subsurface septic disposal system with 1,000 gallon septic tank (H-20 load rating);
- Abandonment of an existing dug well and installation of entirely new private water supply well;
- Onsite burial of existing overhead electric and communication lines;

SITE DEVELOPMENT PLAN APPROVAL

SDP-2016-01– File #119 – 342 Monroe Turnpike – Jose E. Madera – Professional Dentist Office

- Widening of the existing site driveway to 24 feet to accommodate ingress and egress traffic movements;
- Construction of 10 off-street parking spaces (including 1 handicap accessible space) with construction of an approximately 2.5-foot high modular block retaining wall along the southerly property line parallel to a portion of the parking spaces;
- Installation of a subsurface stormwater infiltration system consisting of 144 liner feet of 2-foot high concrete galleries to be installed under the proposed paved parking area with H-20 load rating, for which Zoning Area Variances were obtained (ZBA-2016-01 File #1381 and ZBA-2016-05 File #1385) to permit a 12-foot south side yard setback and 26-foot front yard setback, respectively.
- Construction of a wooden handicap accessible ramp to the rear of the new dentist office building, for which a zoning area variance was obtained (ZBA-2016-01 File #1381) to permit a 10-foot north side yard setback;
- Installation of landscaping, as well as site identification and traffic control signage; and

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

Application:

- Application SDP-2016-01 – Site Development Plan;
- Drainage Narrative, J. Edwards & Associates, 06/01/16, revised 07/28/16;

Plans:

- Proposed Site Plan (1/2), J. Edwards & Associates, 10/01/15, revised 08/18/16;
- Construction Details (2/2), J. Edwards & Associates, 06/01/16, revised 08/18/16;
- LP-1.0 – Landscape Plan (1/1), Robert Sherwood, 11/10/15, revised 08/22/16;
- Lighting Plan, 08/18/16;
- A-1 – Proposed Elevations, Barry Unger Associates, 09/02/15, revised 08/23/16;
- A-2 – Proposed First & Second Floor Plans, Barry Unger Associates, 09/01/15, revised 08/23/16;
- A-3 – Existing Elevations, Barry Unger Associates, 07/29/16, revised 08/23/16;
- A-4 – Existing First & Second Floor Plans, Barry Unger Associates, 07/29/16, revised 08/23/16; and

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

- The subject lot has approximately 69.44 linear feet of street frontage on Monroe Turnpike, a State Highway (Route 111);
- The subject lot is shown on Subdivision Record Map #532, as recorded on November 20, 1957;
- The subject lot is rectangular (long and narrow) in shape. The applicable setbacks provide only a limited and narrow area (measuring 17' wide by 69' long) for new buildings and structures;
- The subject lot includes an existing residence building (circa 1931) and detached garage structure. Both existing buildings are partially located within the applicable LOR District yard setbacks. The residence building is partially within the front and north side yard setbacks, while the garage building (to be removed) is partially within the south side yard setback;
- The subject lot's existing lot acreage, street frontage and buildings in the setback are existing nonconforming conditions;

SITE DEVELOPMENT PLAN APPROVAL

SDP-2016-01– File #119 – 342 Monroe Turnpike – Jose E. Madera – Professional Dentist Office

- The subject lot is not within 500 feet of a Town boundary, is not within a mapped 100-year floodplain, nor is it subject to a Conservation Easement;
- The subject lot does not include any wetlands proper but does include an area (0.07 acres or approximately 24.4% of the total site area) of 100-foot upland review area associated with an off-site wetland located on abutting lands to the south, for which a separate Inland Wetlands Agent permit application has been approved (IAA-2016-14, File #1023);
- The subject lot is located within the Farm Mill River watershed, for which the applicant completed required notices thereof to the Commissioner of Public Health and the Aquarion Water Company of Connecticut (Aquarion) pursuant to Connecticut General Statutes §8-3i;
- Proposed site utilities include a new private water supply well, construction of a new onsite subsurface septic system, construction of a subsurface infiltration system and onsite burial of existing overhead power and communication lines;
- A favorable review and recommendation has been received from the Monroe Architectural Review Board (July 31, 2016), which recommendations have been incorporated into the project Site Development Plans by the applicant; and

WHEREAS, the Commission considered the proposed Site Development Plan application during several duly noticed regular meetings, including an extension of statutory time as granted by the applicant;

NOW THEREFORE BE IT RESOLVED, the Commission at its regular meeting held on **October 6, 2016**, upon motion by **WILLIAM PORTER** and seconded by **JEREMY HAYDEN** following deliberations conducted on **September 15 and October 6, 2016**, voted **FIVE (5)** in favor, **NONE (0)** in opposition, to **APPROVE** the above referenced application for **Site Development Plan**, subject to modifications as set forth below, as follows:

PATRICK O'HARA	AYE
WILLIAM PORTER	AYE
JEREMY HAYDEN	AYE
DAVID TOWNSON	AYE
LEON AMBROSEY	AYE

For the Commission:



Patrick O'Hara, Chair

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

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

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

MODIFICATIONS AND REQUIREMENTS OF APPROVAL

A. TO BE COMPLETED WITHIN 180 DAYS (EXPIRATION TERM DATE of April 4, 2017)

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

1. Required Revision of Final Site Plans

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

- Proposed Site Plan (1/2)
 - Construction Details (2/2)
 - LP-1.0 – Landscape Plan (1/1)
 - Lighting Plan
 - A-1 – Proposed Elevations
 - A-2 – Proposed First & Second Floor Plans
 - A-3 – Existing Elevations
 - A-4 – Existing First & Second Floor Plans
- a. The final Site Plans shall each be signed and sealed providing live certification thereof by the professional(s) responsible for the preparation of each sheet (the architectural plans shall be signed and sealed by an architect).
- b. Each plan set sheet shall include a common revision date of October 7, 2016 or later.
- c. Each plan set sheet shall include the following signature block with original signature of the applicant/owner affixed thereon:

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

Owner:
{INSERT PRINTED OWNER NAME}
{INSERT PRINTED ADDRESS}

Applicant:
{INSERT PRINTED APPLICANT NAME}
{INSERT PRINTED ADDRESS}

- d. The following notes shall be added to the “Proposed Site Plan” (Sheet 1 of 2):
- *Reference is hereby made to the corresponding Inland Wetlands Permit Agent Approval (IAA-2016-14, File #1023) and these corresponding Wetland Permit Site Plans on file with the Monroe Inland Wetlands Department.*
 - *Reference is hereby made to the corresponding Site Development Plan Approval as issued by the Monroe Planning and Zoning Commission (SDP-2016-01, File #119, approved on October 6, 2016) and these corresponding Site Plans on file with the Monroe Planning and Zoning Department.*
 - *There shall be NO outdoor display or sale of merchandise.*
 - *Approved Site Use: Professional Dental Office.*
- e. The plans shall be revised to address the following:
- (1) The notation/text “to be approved by design engineer prior to starting construction” shall be eliminated from the Survey Plan.
 - (2) The zoning standards table on the Site Plan shall be revised as follows:
 - In regard to the row for “Minimum Front Yard Drainage System” add a footnote (***10**) to the “proposed conditions” column entry. Add the following footnote at the bottom of the table: **(*10) Reduced from 50’ to 26’ by ZBA area variance ZBA-2016-05 –file #1385 dated September 6, 2016.**
 - In regard to the row for “Maximum Building Coverage” revise the “proposed conditions” column entry to read: **Net -2.8%.**
 - In footnotes (*1) and (*2) change “wavier application” to instead read: **area variance.**
 - (3) The location and screening of HVAC mechanicals shall be shown and detailed per Zoning §7.2.9C. The Architectural Plans and Site Plan shall be revised to be consistent to both indicate the utility screen construction of “wood.”
 - (4) The Site Plans shall detail the burial of the existing overhead electric and communication lines, including any new street pole, which shall not hinder driveway sightlines.
 - (5) The sizes of the proposed trees and shrubs shall be revised to be consistent with the minimum size standards in Zoning §6.2.2(E)(12).
 - (6) The pole light detail shall be revised to include an additional dimension measurement indicating the combined total height of the pole and fixture.
 - (7) A detail for the shown (and any other) exterior wall mounted light shall be provided. Any such light(s) should be of similar character as the pole light, as well as demonstrated to be dark sky compliant.
 - (8) The Landscape Plan shall delineate the applicable front landscape buffer area.

SITE DEVELOPMENT PLAN APPROVAL

SDP-2016-01– File #119 – 342 Monroe Turnpike – Jose E. Madera – Professional Dentist Office

- (9) The pitch (profile slope) of the sidewalk ramp off the southeast corner of the building shall be revised to provide a maximum 8.33% slope (it is currently 8.66%).
- (10) The freestanding sign detail shall be expanded to address the following:
- Identify the size of the letters consistent with Zoning §6.3.7A(5).
 - Note the panel and post materials, finish and colors.
 - The sign does not need the street address line; the street number at top of the sign is sufficient but its size needs to be larger.
- (11) Construction details shall be included for the following:
- Sidewalk Pavement.
 - The HC sign detail shall note a blue plastic sleeve over a concrete bollard support, and shall detail the support post and foundation.
 - Building Wall Sign – specifying the dimensions, letter sizing, mounting, coloring, lighting, etc. consistent with the sign standards in Zoning §6.3 and §7.2.12. The sign shall be labeled with additional specification to address the cited standards.
 - Dumpster Enclosure – detailing a concrete pad, enclosure and gate, which detail shall be designed to match the building architecture. The construction detail shall also detail foundation supports and structural/reinforcement/bracing hardware.
 - Additional details and dimensions shall be provided for the gallery detail.
 - Details of the retaining wall shall be included. Indicate block size (12”) and the distance between the face of curb and the property line (21 min. inches plus room for silt fencing needed, but the Site Plan shows only 18” available??).
- (12) Elevations of the gallery system shall be adjusted to eliminate the conflict of the outlet pipe conflicting with the top of the gallery units.
- (13) An outlet structure with a discharge pipe larger than the 4 inch gallery orifice outlet (having more capacity than the orifice) shall be included, or the routing calculations shall include a 40 foot long, 4 inch, 1% flat, discharge pipe in lieu of just the 4 inch orifice.
- (14) Site grading shall be revised to increase the freeboard between the bottom of the crushed stone bedding and the recorded water table (only 3 inches provided where 18 inches is recommended), or the volume of said bedding shall be eliminated from the calculations.

2. Filing of Final Stormwater Management Report

The applicant shall provide three (3) copies of a “final” **Drainage Report**, as certified by a Connecticut licensed professional engineer, acceptable to the Town Engineer, which Report shall be revised to include a stage Storage Discharge table and tabular hydrograph for the detention system (DET.1).

3. Filing of Final Site Plans

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

B. PRIOR TO AUTHORIZED ISSUANCE OF ZONING AND BUILDING PERMITS

Prior to the authorized commencement of any site or building work or construction, the authorized issuance of a Zoning and Building Permit, or the holding of the required preconstruction meeting, the following shall be completed:

1. Procurement of Involved Agency Permits and Approvals

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

- a. The applicant shall provide written approval as obtained from the Monroe Health Department in regard to final design and construction of the onsite septic disposal system and water supply well.
- b. The applicant shall provide verification of the procurement of a Highway Encroachment Permit from the State of Connecticut Department of Transportation. Further, considering the current State roadway/bridge replacement project impacting the area, the provision of the driveway sightline shall be coordinated with the Connecticut Department of Transportation and the Town Engineer, in order to provide the best possible conditions.
- c. The applicant shall provide verification of a temporary easement from the abutter (N/F Modular Homes of Westchester) for installation of the retaining wall and/or placement of siltation control, if applicable.

2. Required Posting of Bond

- a. A site restoration and stabilization bond in the amount of **seven thousand six hundred (\$7,600.00)** dollars shall be provided to the Town of Monroe.
- b. The bond shall be in the form of cash (bank check), Letter of Credit, or surety bond, and all other applicable standards and requirements of the Zoning Regulations and CGS §8-3. The applicant shall complete a properly executed Bond Agreement.

SITE DEVELOPMENT PLAN APPROVAL

SDP-2016-01– File #119 – 342 Monroe Turnpike – Jose E. Madera – Professional Dentist Office

- c. The required Bond Agreement shall remain in full force and effect until such time as the Commission authorizes its release and/or cancellation.
- d. Any changes in ownership of the subject property and premises relating to bonded conditions shall comply with the requirements set forth in §111-202(C)(4) of the Subdivision Regulations, as may be amended from time to time.

3. Required Recording of Approval

- a. Upon satisfactory completion of **Sections B1 and B2** above, the applicant shall record an ***original*** copy of this Approval Resolution (***as provided by the Planning and Zoning Department***) in the Monroe Land Records. The applicant shall be responsible for providing a copy of said recording, showing all marks of recording to the Planning and Zoning Department.
 - b. Consistent with §7.4.1(A) of the Zoning Regulations, this Site Development Plan Approval shall be effective (for the purpose of obtaining zoning and building permits) upon endorsement of the Site Plans as final and the recording of the original Approval Resolution in the Monroe Land Records as set forth herein.
4. No **Zoning Permit or Building Permit** relating to this Approval shall be authorized or issued until the recordings as set forth in **Condition B3** above have been completed and a copies thereof as recorded have been provided to the Planning and Zoning Department, and until the final Site Plans are filed with the Planning and Zoning Department as required herein. All required **recordings and filings** as set forth above shall be confirmed by the Zoning Enforcement Officer as completed.
5. Prior to the authorized issuance of a Zoning Permit, the following shall be provided to the Zoning Enforcement Officer (**no Building Permit shall be issued prior to a Zoning Permit – Zoning and Building Permits are not issued until the required pre-construction meeting is held**):
- Application for a Certificate of Zoning Compliance based on the signed final Site Plans.
 - Verification of completion of **Conditions B1 through B3** above.
6. A **Pre-Construction Meeting** shall be held with the applicant/owner and/or general contractor, engineer and architect as the case may be, and with the land use and building officials of the Town of Monroe, at which time Zoning and Building Permits will be issued. The pre-construction meeting shall not be scheduled until all requirements set forth above have been completed by the applicant/owner. Additional construction meetings may be called as deemed necessary throughout construction.

C. DURING SITE CONSTRUCTION

The following shall be addressed during construction:

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

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

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

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

SITE DEVELOPMENT PLAN APPROVAL

SDP-2016-01– File #119 – 342 Monroe Turnpike – Jose E. Madera – Professional Dentist Office

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

E. PRIOR TO PARTIAL OR FINAL RELEASE OF BOND

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

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

F. CONTINUING CONDITIONS OF OPERATION FOLLOWING AUTHORIZED OCCUPANCY/USE

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

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

G. ACCEPTANCE / CHANGES / COMPLIANCE / EXPIRATION

1. **Applicant/Owner Acceptance.**

- a. All representations by the applicant/owner and their representatives and discussion reflected in the Commission meetings record shall be binding upon this Approval and are incorporated herein by reference, except to the extent as may have been modified herein by the Commission in the issuance of this Approval.

SITE DEVELOPMENT PLAN APPROVAL

SDP-2016-01– File #119 – 342 Monroe Turnpike – Jose E. Madera – Professional Dentist Office

- b. This Approval and all required modifications and requirements specified herein shall be binding upon the applicant/owner, and any heirs, assigns and/or successors, as well as the subject property and premises, unless otherwise amended by a subsequent act of the Commission.
 - c. The acceptance of this Approval by the applicant/owner shall be evidenced by completion of the required recordings and filings set forth herein, indicating agreement that said Approval is contingent upon strict compliance with Town Regulations and all modifications and requirements set forth herein and on the signed final Site Plans.
2. **Changes.** Any additions or changes to the approved land uses activities, the final signed Site Plans, the site and site improvements, systems or facilities thereon shall require prior review and authorized approval and permit.
 3. **Approval Compliance.** Failure to maintain compliance with any specified requirement of this Approval shall constitute a violation of the terms of this Approval and a violation of the Zoning Regulations enforceable and subject to any and all remedies prescribed by applicable State and local laws, including but not limited to the ordered suspension of the use of the premises in full or part until such time as the failure or noncompliance has been satisfactorily resolved, and/or the revocation of said Approval or the revocation of any issued Zoning or Building Permits or Certificate of Zoning Compliance or Certificate of Occupancy/Completion.
 4. **Expiration.** This Approval shall expire and be null and void without further written notice **five (5) years** from the date of this Approval (**expiration date of October 6, 2021**), unless an extension as may be granted by the Commission is obtained, not to exceed an additional period of **five (5) years**. Any request for an extension shall be submitted to the Commission in writing a minimum of **forty-five (45) days** prior to the expiration date for which an extension is requested and shall state the reasons and circumstances for the requested extension. In considering any such request, the Commission may require a public hearing and shall review the adequacy of any held bond.