

7. SEP APPROVAL PLAN MODIFICATION

11-11 SEP-A3, File #1503A

585 Main Street

Amendment Modifications: To eliminate the installation of trap hoods within site catch basin

OWNER: Five Eighty Five Main Street LLC

APPLICANT: Monroe Muffler, LLC, Vazhayil Babu

MOTION: Porter – To approve Permit Modification to Special Exception Permit 11-11-SEP authorizing the elimination of trap hoods within site catch basins.

SECOND: Hayden

VOTE: 5-0-0 – Approved

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

Nays None

Absent None

7. ZONE BOUNDRY CHANGE

Commissioner O’Hara recused himself.

ZCA-2016-03, File #1008D

146 Cutlers Farm Road

Also 269 & 287 Purdy Hill Road

Petition Application of beaver Brook, LLC (applicant) for a Zone Boundary Change of approximately 10.204 acres from Residential and Farming District 1 (RF-1) to Age Restricted Residence (ARR) District. Kenneth Twombly (Owner).

OWNER: Kenneth L. and Priscilla G. Twombly

APPLICANT: Beaver Brook, LLC

MOTION: Hayden – To approve Zone Boundary Change Petition ZCA-2016-03 as set forth in the draft Resolution of Approval dated October 27, 2016 to permit the rezoning of approximately 10.204 acres from Residential Farming District 1 (RF-1) to Age Restricted Residence (ARR) District.

SECOND: Townson

VOTE: 4-0 – Approved

Ayes Porter, Hayden, Townson, Ambrosey

Nays None

Absent None

8. SPECIAL EXCEPTION PERMITS

SEP-2016-07, File #1577A

754 Main Street

Special Exception Permit Application from Stone Farm LLC, Steve Singlak (applicant) proposing a change of use of an existing 20,658 square foot former church building into an industrial manufacturer, office and warehouse facility on property consisting of approximately 22.59 acres within an Industrial District 1 (I-1). Seven Fifty Four Main Street LLC (Owner).

OWNER: Seven Fifty Four Main Street LLC
APPLICANT: Stone Farm LLC, Steve Singlak
MOTION: Porter – To approve Special Exception Permit SEP-2016-07 as set forth in the draft Resolution of Approval dated October 27, 2016 to permit the establishment of a Manufacturer and Storage of Building Materials use and associated site/building improvements, for property consisting of approximately 22.59 acres within an Industrial District 1 (I-1).
SECOND: Hayden
VOTE: 5-0-0 – Approved
Ayes O’Hara, Porter, Hayden, Townson, Ambrosey
Nays None
Absent None
Absent None

9. EXTENSIONS

SUB-2016-01, File #1258C – 716 Wheeler Road

OWNER: Gary N. and Heidi S. Howden
APPLICANT: Gary N. and Heidi S. Howden
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
Absent None

10. BOND RELEASES / REDUCTIONS

SEP-2015-03, File #1554A – 288 Monroe Turnpike

OWNER Kay2J, LLC
APPLICANT Monroe Learning, LLC, The Goddard School, Denise Brown
MOTION Porter – Phased full (final) release of Bond, \$18K now and \$5K balance upon completion of outstanding site improvements subject to Staff acceptance.
SECOND Hayden
VOTE: 5-0-0 – Approved
Ayes O’Hara, Porter, Hayden, Townson, Ambrosey
Nays None
Absent None

SEP-2014-02, File #1537A – 431 Monroe Turnpike

OWNER Four Thirty One Tpke, LLC
APPLICANT Four Thirty One Tpke, LLC
MOTION Porter – Full (final) release of Bond, subject to reinstatement of full Bond prior to a Zoning Permit.
SECOND Hayden
VOTE: 5-0-0 – Approved
Ayes O’Hara, Porter, Hayden, Townson, Ambrosey
Nays None
Abstain None

SDP-2012-01A, File #099 – 482-484 Pepper Street

OWNER Pepper Street Properties LLC
APPLICANT Pepper Street Properties LLC, Mark Christo
MOTION Porter – Full (final) release of Bond.
SECOND Hayden
VOTE: 5-0-0 – Approved
Ayes O’Hara, Porter, Hayden, Townson, Ambrosey
Nays None
Abstain None

11. MEETING MINUTES

September 15, 2016 Minutes

MOTION: Porter – To approve the meeting minutes for September 15, 2016 as drafted.
SECOND: Hayden
VOTE: 5-0-0 – Approved
Ayes O’Hara, Porter, Hayden, Townson, Ambrosey
Nays None
Abstain None

September 1, 2016 Minutes

MOTION: Porter – To approve the meeting minutes for October 6, 2016 as drafted.
SECOND: Hayden
VOTE: 5-0-0 – Approved
Ayes O’Hara, Porter, Hayden, Townson, Ambrosey
Nays None
Abstain None

12. APPLICATION DELIBERATIONS/DETERMINATIONS

Town Planner Agresta introduced and the Commission discussed a proposal where an applicant, staff, and the Commission would meet outside of the Public Hearing forum to have preliminary review discussions regarding text amendments, traffic surveys, or other larger scale items that might need to be addressed prior to the applicant coming before the Planning & Zoning Commission Public Hearing format and to accelerate the application review process while continuing within statute.

OTHER BUSINESS

13. REGULATIONS REVIEW / AMENDMENT WORKSESSION

Discussion with Staff regarding the procedure of Regulation Text Amendment Petitions by Applicants was discussed in Item 13.

14. CORRESPONDENCE / OTHER RECEIVED – None

15. COMMISSION REPORTS

Chairman’s Report

The Chairman shared that the recommended letter to the First Selectman Town Council was prepared regarding the Town of Monroe in setting precedent with zoning violations and voicing concerns, and that he attended the Town Council meeting to discuss the role of the Planning & Zoning Commission as well as met with the First Selectman.

The Commission discussed the status of various violations that had come before the Commission for guidance. The decision was made to have a letter sent to the violators regarding food trucks at their place of business to cease allowing them to operate until the town determines a regulation regarding the operation of food trucks. A letter of violation will be sent to the AT&T truck on the Chalk Hill School and Fawn Hollow School property.

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 8:30 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

**11-11-SEP-A3, File #1503A – Amendment Modification
Monroe Muffler LLC (Applicant)**

October 28, 2016

James P. Rotondo, P.E.
Godfrey-Hoffman Associates, LLC
26 Broadway
North Haven, CT 06473

VIA CERTIFIED MAIL: 7015 1730 001 9990 1661

RE: **SPECIAL EXCEPTION PERMIT – AMENDMENT MODIFICATION (11-11-SEP-A3)**
11-11-SEP, File #1503A – SEP Approval, April 12, 2012
585 Main Street – Monroe Muffler LLC

Dear Mr. Rotondo:

Please be advised, at the October 27, 2016 Planning and Zoning Commission meeting, the Commission approved Special Exception Permit Amendment Modification (11-11-SEP-A3) authorizing the elimination of trap hoods within site catch basins.

MONROE PLANNING AND ZONING COMMISSION

A handwritten signature in blue ink, appearing to read "Patrick O'Hara", written over a horizontal line.

Patrick O'Hara, Chair

cc: Five Eighty Five Main Street LLC, Monroe Muffler, LLC, Vazhayil Babu



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ZONE BOUNDARY CHANGE APPROVAL
RF-1 District to ARR District
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 Applicant – Beaver Brook, LLC c/o Kenneth Twombly
Owner – Kenneth L. and Priscilla G. Twombly

Date of Approval	October 27, 2016
Date Final Plans to be Signed and Recorded by	January 25, 2017
Expiration	January 25, 2017

WHEREAS, the Monroe Planning and Zoning Commission (hereinafter “Commission”) is considering a Zone Boundary Change Petition from Beaver Brook, LLC (“petition applicant”) and Kenneth L. and Priscilla G. Twombly (“property owner”), as shown and detailed on the associated petition application materials, including:

Application:

- Application ZCA-2016-03 – Zone Boundary Change;
- Zone Boundary Change Petition Application Attachments and Narratives;
- Perimeter Description;
- 500-Foot Adjoiners List;
- Response to ART Comments, Spath-Bjorklund Associates, 07/25/16;
- Traffic Access & Impact Study, FP Clark Associates, 07/28/16;
- Copies of Town Clerk Record Maps #409, #975 & #3197;
- Figure 1 – Burr Corner (subject parcel map);
- Figure 2 – Burr Corner (surrounding area parcels);
- Figure 3 – Untitled (sightlines);
- Figure 4 – Slope Analysis;

Plans:

- Existing Conditions Survey Depicting Parcels to be Combined, J. Edwards & Associates, 07/24/15, revised 07/21/16;
- Land Use Map, J. Edwards & Associates, LLC, 07/21/16;
- Zone Change Map, J. Edwards & Associates, LLC, 04/08/16, revised 08/09/16; and

ZONE BOUNDARY CHANGE APPROVAL – ZCA-2016-03 – Zone Change File #1008D

146 Cutlers Farm Road & 269 and 287 Purdy Hill Road

WHEREAS, the three subject lots were merged into a single fee-simple lot by the owner as evidenced by Monroe Land Record Map #3197 as recorded on September 13, 2016; and

WHEREAS, the proposal seeks the rezoning of the combined subject lots located at the southeasterly intersection of Cutlers Farm Road and Purdy Hill Road, consisting of a combined approximately 10 acres presently zoned Residential and Farming District 1 (RF-1) to Age Restricted Residence (ARR) District; and

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

- The site fronts on both Purdy Hill Road and Cutlers Farm Road, both of which are identified as “Minor Arterial Roads” in the 2010 Plan of Conservation and Development (POCD) (page 87), which is a requirement for the proposed ARR District classification;
- The site is not within 500 feet of a Town boundary, nor within a mapped public watershed area;
- The site is not subject to a Conservation Easement and does not include areas of 100-year floodplain;
- The application indicates that the site includes wetlands/associated 100-foot upland review area consisting of approximately 1.7 acres or 17 percent of the combined lot area, for which a separate Inland Wetlands Permit application (IWC-2016-12, File #1011) relative to the intended future proposed development activities sought with the proposed ARR District rezoning is currently under review by the Inland Wetlands Commission;
- The site includes a small stretch of steep slopes (15% or greater) along its southeasterly boundary;
- A single-family residence (circa 1957) with frontage and driveway access exists on the 269 Purdy Hill Road parcel, which is served by public water and a private onsite subsurface septic disposal system;
- An existing barn structure is located on what was the 287 Purdy Hill Road parcel;
- Future site development activities on the site will require private on-site septic systems and connection to the existing public water supply; and

WHEREAS, on July 18, 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 lots, 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 29, 2016 and published in the Monroe Courier on August 4 and 11, 2016), which hearing was opened and adjourned on August 18, 2016, reconvened and adjourned on August September 1, 2016, reconvened and closed on August September 15, 2016;

NOW THEREFORE BE IT RESOLVED, consistent with Connecticut General Statutes §8-3 and the Monroe Zoning Regulations, the Commission, at a Special Meeting held on **October 27, 2016**, upon motion by **JEREMY HAYDEN** and seconded **DAVID TOWNSON** by following deliberations conducted on **October 6 and 27, 2016**, voted **FOUR (4)** in favor, **NONE (0)** in opposition to **APPROVE** the above referenced **Zone Boundary Change Petition**, as follows:

Vote:	<u>WILLIAM PORTER</u>	<u>AYE</u>	For the Commission:
	<u>JEREMY HAYDEN</u>	<u>AYE</u>	
	<u>DAVID TOWNSON</u>	<u>AYE</u>	
	<u>LEON AMBROSEY</u>	<u>AYE</u>	

William Porter, Acting Chair

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

- Consistent with Zoning §3.5.1A(1), the rezoning in of itself does not present any significant detrimental impact on the environment and the abutting road network is generally adequate;
- Consistent with Zoning §3.5.1A(2), the future development of the rezoning property will require connection to the existing public water supply;
- Consistent with Zoning §3.5.1A(3), the lands proposed to be rezoned are presently zoned Residential and Farming District 1 and the site fronts on Purdy Hill Road and Cutlers Farm Road, both of which are identified as “Minor Arterial Roads” in the 2010 Plan of Conservation and Development (POCD) (page 87);
- 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 establishment of increased types of housing opportunities; 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 Resolution 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

ZONE BOUNDARY CHANGE APPROVAL – ZCA-2016-03 – Zone Change File #1008D

146 Cutlers Farm Road & 269 and 287 Purdy Hill Road

BE IT FURTHER RESOVED, 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 January 25, 2017)** 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:

- Existing Conditions Survey Depicting Parcels to be Combined
- Land Use Map
- Zone Change Map

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 October 28, 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 #1008D, ZCA-2016-03, which file includes the complete plan set consisting of three (3) Sheets relating to this Zone Boundary Change, as approved by the Monroe Planning and Zoning Commission on October 27, 2016.

e. The new boundary line of the ARR District classification shall be extended to the centerline of the abutting roads.

2. Upon acceptance of the 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 final Zone Change Map; and
- **SEVEN (7)** complete paper plan sets of all three (3) sheets (each set shall be full size 24”x 36”, collated, bound and folded, **except ONE (1) set shall be rolled**).

- b. The endorsed Mylar will be returned to the applicant, along with an original of this approval Resolution also endorsed by the Commission Chair, for recording both on the Monroe Land Records (the applicant shall coordinate the recording of both with the Planning and Zoning Department staff.
- 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 Age Restricted Residence (ARR) District upon the completion of recording as required herein above.



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

SPECIAL EXCEPTION PERMIT
SITE DEVELOPMENT PLAN APPROVAL
(SEP-2016-07 – File #1577A)

STONE FARM
754 Main Street – Assessor Map 93, Lot 51
Industrial District 1

APPLICANT

Steve Singlak, Stone Farm LLC

OWNER

Seven Fifty Four Main Street LLC

Date of Approval	October 27, 2016
Date Final Plans to be Signed by	April 25, 2017
5-Year Expiration	October 27, 2021

WHEREAS, the Monroe Planning and Zoning Commission (Commission) has considered an application for Special Exception Permit (SEP-2016-07) / Site Development Plan Approval from Steve Singlak – Stone Farm LLC (applicant) to permit the reuse and repurposing of an existing developed site and existing building for a single tenant use consisting of a combination of a Manufacturer (Zoning §4.3.4C) and Storage of Building Materials (Zoning §4.3.5A) with associated office and accessory retail, outdoor display and storage componenets, for property consisting of approximately 22.59 acres located on the easterly side of Main Street (Route 25) within an Industrial District 1, as shown and detailed in the associated application materials, including:

Application:

- Application SEP-2016-07 – Special Exception Permit;
- Project Narrative, Solli Engineering;
- Response to ART Comments, Solli Engineering, 09/07/16 & 09/29/16;
- Bond Estimate Form;
- List of Property Owners within 100 Feet;
- Engineering Report, Solli Engineering, 07/07/16, revised 09/07/16;
- Fig. 7, Internal Landscaping Figure, Solli Engineering, 08/31/16, revised 09/29/16;

SPECIAL EXCEPTION PERMIT APPROVAL – SEP-2016-07– File #1577A
754 Main Street (Route 25) – Stone Farm

Plans:

- 0.00 – Cover Sheet (1/15), Solli Engineering, 06/21/16, revised 09/07/16;
- 1.11 – Zone Location Survey (2/15), Accurate Land Surveying, 06/09/16, revised 09/07/16;
- 1.40 – 100’ Radius Map (3/15), Solli Engineering, 06/21/16, revised 07/06/16;
- 2.10 – Overall Site Layout Plan (4/15), Solli Engineering, 06/21/16, revised 09/29/16;
- 2.11 – Site Layout Plan Enlargement (5/15), Solli Engineering, 06/21/16, revised 09/29/16;
- 2.21 – Grading, Drainage, Utility & Sec Plan (6/15), Solli Engineering, 06/21/16, revised 09/07/16;
- 2.41 – Soil Erosion & Sediment Control Notes & Details (7/15), Solli Engineering, 06/21/16, revised 07/27/16;
- 2.61 – Landscape Plan (8/15), Solli Engineering, 06/21/16, revised 09/29/16;
- 3.01 – Details (9/15), Solli Engineering, 06/21/16, revised 09/29/16;
- EX-1.1 – Existing First Floor Plan (10/15), Jonathan Kost, 09/30/16;
- EX-1.2 – Existing Elevations (11/15), Jonathan Kost, 07/01/16;
- EX-1.3 – Existing Elevations (12/15), Jonathan Kost, 07/01/16;
- A-1.1 – Proposed First Floor Plan (13/15), Jonathan Kost, 09/30/16;
- A-1.2 – Proposed Elevations (14/15), Jonathan Kost, 07/01/16;
- A-1.3 – Proposed Elevations (15/15), Jonathan Kost, 07/01/16; and

WHEREAS, the proposed application includes the following:

- Reuse of the existing building as follows:
 - 9,678 sf Manufacturing / Storage of Building Materials;
 - 10,070 sf Associated Offices;
 - 900 sf Accessory Retail;
 - Installation of rear access doors and south side new window;
- Reuse of the existing site as follows:
 - 3,393 sf Palletized Accessory Outdoor Storage;
 - 1,760 sf Accessory Outdoor Living Display (featuring finished products);
 - 20’x75’ Truck well (rear of building) and associated stormwater quality measures;
 - 20.4 sf Accessory Ground Sign;
 - 10’x20’ Accessory Wooden Refuse Enclosure;
 - Removal of rear parking area existing landscape islands;
 - Installation of new front parking area landscape islands;
 - Select pavement repair and repaving;
 - Removal of some building and site lights;
 - Restoration, enhancement and additions to site landscaping; and

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

- The site is not within 500 feet of a Town boundary;
- 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 §8-3j;
- 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 but no activities are proposed within;
- 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;
- 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, to which disturbances are proposed and for which a Wetland Permit has been approved by the Inland Wetlands Commission on September 28, 2016 (IWC-2016-14, File #1018);
- The site includes an existing approximately 20,648 sf two-story building, 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 have since expired and the vacated former church use is not a permitted use of the Industrial District 1;
- On September 15, 2016, the Commission approved the rezoning of the site from Residential and Farming District 1 to Industrial District 1;
- On September 15, 2016, the proposed minor building alterations received a favorable review and recommendation from the Monroe Architectural Review Board; and

WHEREAS, the Commission has considered the proposed application at a duly noticed public hearing, which hearing was opened and adjourned on September 1, 2016, reconvened and adjourned on September 15, 2016, and reconvened and closed on October 6, 2016. Notice of the public hearing was filed with the Town Clerk on August 12, 2016 and was published in the Monroe Courier on August 18 and 25, 2016; and

WHEREAS, the applicant provided a copy of the public hearing notice of the proposed application to abutting property owners within 100 feet of the subject property as evidenced by submission of certified mail receipts (and subsequent returned “green” cards);

NOW THEREFORE BE IT RESOLVED, the Commission, in accordance with §8.2.2 of the Zoning Regulations, hereby finds the following:

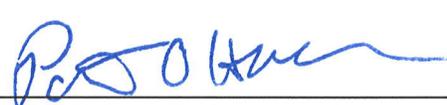
- A. The proposed action includes the reuse of the existing building by a permitted industrial use. Hours of operation will be consistent with other area industrial uses. No new roadway improvements or driveway cuts are needed or proposed. The existing Main Street (Route 25) street access driveway will remain but modified to better accommodate large trucks. No new buildings are proposed. Interior building changes are generally limited to consolidation of existing rooms and interior fit-up to accommodate the manufacturing operations;
- B. A separate Wetland Permit has been obtained from the Monroe Inland Wetlands Commission for proposed regulated remediation activities affecting wetland resources of the site and their immediate uplands. The proposed action will repurpose an existing long-standing vacate building and property to an industrial use, generating increased tax revenues and introduction of new jobs to the local economy. As such, the proposed action is consistent with the Plan of Conservation and Development.

SPECIAL EXCEPTION PERMIT APPROVAL – SEP-2016-07– File #1577A

754 Main Street (Route 25) – Stone Farm

- C. The proposed action will repurpose an existing building. Existing landscaping will be restored, enhanced and additional landscaping provided. Substantial landscape buffers exist about the site perimeter and areas will be reverted to meadow. The proposed improvements are not anticipated to hinder or discourage the appropriate development and use of adjacent lands and buildings;
- D. Some existing light fixtures will be replaced with more dark-sky compliant lights, while several existing light poles to the rear of the property will be removed. All manufacturing operations will occur inside the building, thus controlling otherwise potential impacts by reason of fumes, smoke, dust, vibration, glare, intensity or flashing of lights. Only permitted outdoor storage and truck transferring operations will occur on the exterior of the building.
- E. An adequate subsurface sanitary septic system exists. The existing facility is presently connected to public water. Other site utilities are also provided via supply lines along Main Street;
- F. More than adequate off-street parking is existing, portions of which will be removed (pavement removed and returned to landscaping) or repurposed in the rear for loading operations and truck movement. New landscape islands will be added in the front parking area to reduce pavement coverage and comply with parking interior landscaping requirements. Sufficient off-street parking and loading facilities have been demonstrated on the proposed Site Plans;
- G. The design of the proposed action has incorporated several of the comments and recommendations of Town staff and applicable reviewing agencies;
- H. Other required permits or approvals as may be needed to support the proposed facilities and site modifications will be required to be obtained accordingly by the applicant;
- I. The proposed use involves the development of private property, the changes to which are not anticipated to generate significant new demands for police, fire and emergency services. The Fire Marshall and Police department have reviewed the project plans and facility operations, which reviews have been incorporated into the design of the project; and

BE IT FURTHER RESOLVED, that the Commission at its regular meeting held on **October 27, 2016**, upon motion by **WILLIAM PORTER** and seconded by **JEREMY HAYDEN**, following deliberations conducted on **October 6 and 27, 2016**, voted **FIVE (5)** in favor and **NONE (0)** in opposition to **approve** the above referenced Special Exception Permit and associated Site Development Plans, subject to the modifications and requirements as set forth below, as follows:

	<u>PATRICK O'HARA</u>	<u>AYE</u>	<i>For the Commission:</i>  _____ <i>Patrick O'Hara, Chair</i>
Vote:	<u>WILLIAM PORTER</u>	<u>AYE</u>	
	<u>JEREMY HAYDEN</u>	<u>AYE</u>	
	<u>DAVID TOWNSON</u>	<u>AYE</u>	
	<u>LEON AMBROSEY</u>	<u>AYE</u>	

BE IT FURTHER RESOLVED, that this approval is specific to the Special Exception Permit uses and associated Site Development Plan improvements as described in the application, herein, and as shown on the final Site Plans as signed 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 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 25, 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, revised as set forth and required below, subject to acceptance by the Town Planner and Town Engineer:

- 0.00 – Cover Sheet (1/15)
 - 1.11 – Zone Location Survey (2/15)
 - 1.40 – 100’ Radius Map (3/15)
 - 2.10 – Overall Site Layout Plan (4/15)
 - 2.11 – Site Layout Plan Enlargement (5/15)
 - 2.21 – Grading, Drainage, Utility & Sec Plan (6/15)
 - 2.41 – Soil Erosion & Sediment Control Notes & Details (7/15)
 - 2.61 – Landscape Plan (8/15)
 - 3.01 – Details (9/15)
 - EX-1.1 – Existing First Floor Plan (10/15)
 - EX-1.2 – Existing Elevations (11/15)
 - EX-1.3 – Existing Elevations (12/15)
 - A-1.1 – Proposed First Floor Plan (13/15)
 - A-1.2 – Proposed Elevations (14/15)
 - A-1.3 – Proposed Elevations (15/15)
- 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.
- b. Each plan set sheet shall include a common revision date of October 28, 2016 or later. The Cover Sheet shall also be revised to reflect all of the plans within the set listed above and original dates of preparation and the common revision date required herein.

- c. Each plan set sheet shall include the following signature block with original signature of the applicant/owner affixed thereon:

The owner/applicant acknowledges that all work shown on these Special Exception Permit Site Plans shall be completed in compliance with the Planning and Zoning Commission approval relating thereto, and in accordance with all applicable Town of Monroe Codes and Regulations, as well as all 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 included prominently on the Cover Sheet (Sheet 0.00), Overall Site Layout Plan (Sheet 2.10) and Site Layout Plan Enlargement (Sheet 2.11):

- ***Reference is hereby made to the corresponding Inland Wetlands Permit Approval as issued by the Monroe Inland Wetlands Commission (IWC-2016-14, File #1018), approved on September 28, 2016 and these corresponding Wetland Permit Plans on file with the Monroe Inland Wetlands Department.***
- ***Reference is hereby made to the corresponding Special Exception Permit (and associated Site Development) Approval as issued by the Monroe Planning and Zoning Commission (SEP-2016-07, File #1577A), approved on October 27, 2016 and these corresponding Site Plans on file with the Monroe Planning and Zoning Department.***
- ***The off-street parking spaces shown hereon shall be maintained and used for temporary daily vehicle parking only; said spaces shall not be utilized for outdoor storage of materials, equipment or vehicles.***
- ***All outdoor storage shall be limited to the palletized area as shown hereon and as contained through pavement markings, which pavement markings shall be maintained. New or expanded outdoor storage shall require the prior review and approval of the Planning and Zoning Commission consistent with the standards of the Zoning Regulations for accessory outdoor storage.***
- ***All manufacturing operations shall occur inside the building and there shall be no stone cutting, crushing or processing onsite.***
- ***No wall or directional signs were proposed or approved.***
- ***The outdoor display area consists of accessory structures for the showcasing of finished products associated with manufactured concrete products of the site use. Said area may also be used for company social activities limited to employees (i.e., company picnic); same shall not be used for public assembly events or programs.***

- e. The following general revisions shall be provided:

- (1) The site entrance stone pad treatment detail shall be revised to note/detail the interior pavement stones raised above the adjacent asphalt areas.
- (2) Finalization of material details for the monument sign shall be coordinated with Staff.

- (3) Clearly note all light fixtures to be removed from the building, existing parking area and former overflow parking areas to be reverted to meadow cover.
 - (4) The location of the Floodplain shall be revised on the plans to match the contour location for the determined elevation.
 - (5) The line striping delineating the limits of the outside storage shall more clearly be shown and detailed on the plans.
 - (6) The existing conditions (poles, signs, trees, bushes, etc.) within the shown areas of sight line shall be shown on the plans, as well as any changes needed in order to actually provide the indicated sight line.
 - (7) An approximate representation of site utilities shall be provided (specifically, show the approximate location of the water service line from the street to the building).
 - (8) Details of the vent hood retrofit shall be included.
- f. The Landscape Plan (Sheet 2.61) shall be revised as follows:
- (1) Add landscape restoration / enhancement sequencing notation from the Project Narrative.
 - (2) At the base of the monument sign, add two (2) more juniper plants and one (1) more rhododendron plant, location subject to acceptance by the Town Planner.
 - (3) The installation of the boulders along the edge of the outdoor storage area shall be detailed to indicate that the boulders are to be slightly inserted into the ground (area excavated and boulders placed and then backfilled) to appear more natural.
 - (4) The front parking area shall be revised to provide additional landscape islands on both ends of the internal parking spaces (for a total of six).
- g. Note #2 on Sheet 2.10 shall be revised to reflect the previously granted Industrial District 1 rezoning (and its subsequent land records recording).
- h. If Phasing is to be pursued, the following phases may be included (add phased sequence notation accordingly):

PHASE 1 ***Building Improvements***
 Rear Parking Area and Water Quality Improvements
 Site Driveway Improvements
 Adjacent Property Encroachment Removal and Restoration
 Building and Site Lighting Removal and Replacements
 Site Landscape Enhancement and Plantings (except Phase 2 Improvements)

PHASE 2 *Front Parking Area Improvements (shall be completed no later than June 1, 2016 if completed subsequent to granted building and site occupation pursuant to Phase 1 implementation).*

PHASE 3 *Outdoor Display Area Improvements*

2. **Rezoning Confirmation**

The applicant shall provide confirmation of the completion of the previously approved Industrial District 1 rezoning for the subject property by verification of the recording of said previous approval and rezoning map in the Monroe Land Records accordingly.

3. **Filing of Final Site Plans**

Upon satisfactory revision of the final Site Plans as required above under **Section A1** and completion of the recordings 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.

4. **Filing of Final Stormwater Management Report**

The applicant shall provide three (3) copies of a "final" **Storm Drainage Report**, as certified by a Connecticut licensed professional engineer.

B. PRIOR TO AUTHORIZED ISSUANCE OF ZONING AND BUILDING PERMITS

Prior to the authorized commencement of any approved site work or construction, the authorized issuance of a Zoning and Building Permit, and the holding of a 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.

2. **Required Posting of Bond**

a. A site restoration and stabilization bond in the amount of **twelve thousand (\$12,000.00)** 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.
- 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 §8.1.6(A) of the Zoning Regulations and CGS §8-3c(b), this Special Exception Permit (and associated 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 this 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 **Section B3** above have been completed and 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.
5. Prior to the authorized issuance of a Zoning Permit, the following shall be provided to the Zoning Enforcement Officer (ZEO) (**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 Provisional Certificate of Zoning Compliance based on the signed Site Plans.
 - Wetland Permit Agent approval.
 - Fire Marshal approval.
 - Health Department approval.
 - Verification and copy of a CTDOT Highway Encroachment Permit.
 - Verification of completion of **Sections B1 through B4** above.
6. A **Pre-Construction Meeting** shall be held with the applicant/owner and/or general contractor, engineer and architect as the case may be, and with the land use and building officials of the Town of Monroe. The pre-construction meeting shall not be scheduled until all requirements set forth above have been completed by the applicant/owner. Additional construction meetings may be called as deemed necessary throughout construction.

C. DURING SITE CONSTRUCTION

The following shall be addressed during construction:

1. There shall be no clearing, grading, removal of vegetation or other site or building construction inconsistent with that shown on the signed final 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 ZEO, 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 AND CERTIFICATE OF OCCUPANCY/USE

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

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

2. Prior to the issuance of a Permanent Certificate of Zoning Compliance and/or a Building Department Certificate of Occupancy/Completion, the following shall be completed consistent with the final Site Plans as endorsed by the Commission Chair:
 - Certified verification by a Professional Engineer of the satisfactory installation and functional operation of the drainage facilities.
 - CTDOT acceptance of completed site entrance curb cut modifications.
 - Verification of the acceptable completion of all authorized Wetland Permit related work.
 - Completion of all (phased) improvements consistent with the signed final Site Plans, as well as all related requirements as set forth and agreed to during the pre-construction meeting and any 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 removed.
 - All parking spaces shall be free of outdoor storage; and shall be paint marked, including stripping in control island areas as shown on the approval signed Site Plans.
 - 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 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 completed as conditions of operation following issuance of a ZEO Permanent Certificate of Zoning Compliance and Building Department Certificate of Occupancy/Completion:

1. The premises 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 related permits and approvals shall be maintained as current throughout duration of use.
3. Any change in occupant, tenant, use, or otherwise shall require a Zoning Permit from the Zoning Enforcement Officer; and may require the prior review and approval by the Commission pursuant to the procedures and standards set forth in the Zoning Regulations.
4. 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.
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 new or changes to exterior lights shall be permitted to be installed on the exterior of site buildings, structures, or site grounds or vegetation without prior authorized approval and permit.
7. 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.
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 onsite overnight parking or storage of vehicles, except in-transit trucks in the designated loading areas and facility trucks and trailers in the areas as designated on the approved Site Plans. 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 except as shown, defined and designated on the approved Site Plans.
9. All pavement paint markings shall be maintained and periodically repainted to ensure adequate visibility and delineation at all times.
10. Site landscaping and existing vegetation 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 approved Site Plans.

G. ACCEPTANCE / CHANGES / COMPLIANCE / EXPIRATION

1. Applicant/Owner Acceptance.

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

- b. This Approval and all required modifications and requirements specified herein shall be binding upon the applicant/owner, and any heirs, assigns and/or successors, as well as the subject property and premises, unless otherwise amended by a subsequent act of the Commission.
 - c. The acceptance of this Approval by the applicant/owner shall be evidenced by the 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, site activities, tenancy, the 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 also includes Site Development Plan Approval implementing the site improvements associated with the approved site lands uses, which 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 27, 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.