

**PLANNING and ZONING COMMISSION**  
**Monroe, Connecticut**  
**MEETING MINUTES**  
**November 19, 2020**

**REMOTE ELECTRONIC PUBLIC MEETING VIA GO TO MEETING**

Via computer, tablet or smartphone at this link: <https://global.gotomeeting.com/join/174481717>  
Via phone at: United States: +1 (872) 240-3212 – Access Code: 174-481-717

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

**Present:** Michael O'Reilly, *Chairman*  
Bruno Maini, *Vice Chairman*  
Ryan Condon, *Secretary*  
Leon Ambrosey, *Commissioner*  
Robert Westlund, *Commissioner*  
Ronald Schneider, *Alternate*

**Absent:** Domenic Paniccia, *Alternate*  
Vacant Alternate Seat

**Also Present:** Rick Schultz, *Town Planner*  
William Agresta, *Planning and Zoning Administrator*  
Barbara Schellenberg, *Special Land Use Counsel*  
Georgia Contois, *Meeting Moderator*  
Sarah Stroud, *Recording Secretary*

**OPENING of MEETING**

**1. CALL TO ORDER**

Chairman O'Reilly called the meeting to order at 7:00 p.m. and reviewed the procedures and directions for the virtual meeting.

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

Commissioners were seated on roll call.

**3. GENERAL PUBLIC PARTICIPATION PERIOD**

**4. ORGANIZATIONAL ITEMS**

- 2021 Meeting Calendar – The Commission reviewed a draft meeting schedule for 2021 and noted its meetings for the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of each month, except April where it would be the 2<sup>nd</sup> and 4<sup>th</sup> Thursdays.

**2021 Regular Meeting Schedule**

**MOTION:** MAINI – To approve 2021 regular meeting schedule for first and third Thursdays of each month except April, which will be the second and fourth Thursdays.

**SECOND:** AMBROSEY

**VOTE:** 5-0 – Approved – Motion Passed

**Ayes** O'Reilly, Maini, Condon, Ambrosey, Westlund

**Nays** None

**5. CGS §8-24 MUNICIPAL REFERRAL**

- Town Council referral (for review and report) of proposed Town of Monroe Discontinuation of Old Webb Road (aka Old Stationhouse Road) pursuant to CGS §13a-49.

Planner Agresta reviewed the referral from the Town Council, noting the surrounding properties and what would happen to the right-of-way should the Town Council vote to discontinue Old Webb Road.

**CGS §8-24 Municipal Improvements Referral from Monroe Town Council – Discontinuation of Old Webb Road**

**MOTION:** MAINI – To recommend favorably to the Town Council in regard to its proposed discontinuation of Old Webb Road (aka Old Stationhouse Road) pursuant to CGS §13a-49.

**SECOND:** AMBROSEY

**VOTE:** 5-0 – Approved – Motion Passed

**Ayes** O’Reilly, Maini, Condon, Ambrosey, Westlund

**Nays** None

**PUBLIC HEARINGS**

Chairman O’Reilly reviewed the instructions for public hearings.

**6. SEP-2020-02, File #1622A – 556 Pepper Street – I-2 District**

Special Exception Permit / Site Development Plan Application for conversion of a portion of an existing non-conforming single-family home use to a permitted Landscaper business, including related office, driveway, parking, fencing and dumpster improvements. Cesar Rios (owner/applicant).

*Adjourned from 09/03/20 – Postponed to 12/03/20 per applicant*

**7. SDP-2020-01, File #139 – 64 Cambridge Drive & 4 Independence Drive – I-2 District**

Site Development Plan Application proposing three phases over a period of ten (10) years of site related activity, including: construction of a one-story office building measuring 2,360 square feet with associated grading, parking and site utilities; stormwater management improvements for current and future not yet proposed site development; and extensive land filling of approximately 1.3 million cubic yards of material involving approximately 75,575 truck trips (based on 24 tons per truck) to restore an unauthorized quarry. Astro Land Holdings LLC and Spacely Land Holdings LLC (owner/applicant).

*Adjourned from 09/03/20*

Planner Agresta listed the new file exhibits received since the prior hearing session.

Patricia Sullivan, Esq. and Kevin Solli, PE presented on behalf of the applicant. Mr. Solli displayed the presentation of the revised site plans on a shared screen for review by the Commission. He briefly reviewed the location and history of the application and site. Mr. Solli explained the responses made to comments regarding the application so far. Mr. Solli reviewed the revised plans for the Commission. He noted the proposed grading changes which would involve less filling than previously. He reviewed the watershed needed to rehydrate the wetlands on the property. Mr. Solli explained the details of the proposed impervious liner. He noted the reduction of needed fill material to complete the project. Mr. Solli discussed the revisions made to the three phases of the project. He reviewed the fill plans for the area that is currently below the water table. He noted only native clean fill materials would be used to bring this section above the water table. Mr. Solli explained the waivers that are being applied for by the applicant, in order, for the fill and grading on the site to be completed. He displayed a map for review by the Commission that outlined the areas that require a waiver. Mr. Solli reviewed the findings that were prepared by the applicant’s hydrogeologist, from WPS, whom was hired to review and analyze the site. He noted the area that is cut below the water table has not impacted the ground water in a substantive way.

Mr. Solli explained the various reports that were made regarding the site to DEEP by an abutting property owner. He advised that multiple agencies have inspected the site and have not found any actionable items. Mr. Solli reviewed the report by Derek Jones of WSP testing the soils and surface water on site. The applicant's findings showed all tests have come back clean with no concerns for contaminated fill. He highlighted the concern that polluted materials have been brought to the site. Mr. Solli reviewed the process that is being followed when accepting fill materials onto the site. He noted these provisions go above and beyond the DEEP definition of clean fill. Mr. Solli advised that he believes they are near an approval with the Inland Wetlands Commission for this application.

Commissioner Ambrosey raised an issue about the fill that was brought onto the site by both the previous and current owners that was indicated as having "staff" approval, noting when reviewing the relevant emails of staff no such approval was actually granted or authorized, nor followed through on. Commissioner Ambrosey asked for more details on the amount of fill that was not only brought on the site, but the amount that was processed and taken or sold off from the site. He noted this is a concern because it is hard to tell exactly what fill was used where. Mr. Solli stated the concerns were understood, but advised the site has been thoroughly tested and has been shown to be clean. Commissioner Ambrosey asked to clarify that the groundwater on the site is graded as contributing to drinking water. Mr. Solli confirmed this information. Mr. Solli questioned the relevance of the past owner's activity of bringing fill on and off the site to this application. Commissioner Ambrosey explained the violations are inherited and he needs to ensure the site is clean and will continue to be filled with clean fill that will not negatively impact the surrounding area.

Attorney Joel Green of Green and Gross was present on behalf of the Environmental Intervener. Mr. Green noted the questions that were submitted by George Logan on behalf of the Intervener have not been addressed by the applicant. Mr. Green stated that he is appreciative the applicant is looking for a path forward with the site, but he does believe the past issues and violations on the site are relevant to this application and are the responsibility of the current applicant. Mr. Green advised he would like to address the filling concerns that the Intervener has expressed about the site with this Commission. He noted he had photos to enter into the record. Commissioner Maini asked if Mr. Green and his team have any findings to share with the Commission. Mr. Green advised that he was not prepared to present any of their findings this evening. Mr. Green requested copies of the additional testing results that were mentioned by the applicant earlier in the meeting.

Chairman O'Reilly asked for the purpose of the mentioned impervious liner. Mr. Solli explained the purpose is to prevent surface water runoff from penetrating into the soil so it instead courses towards the surrounding wetlands. Chairman O'Reilly asked if there are any other items, aside from polluted soil, that will be excluded from the fill allowed on the site that is typically considered clean fill. Mr. Solli replied that wholesale of any asphalt millings will not be allowed on the site.

There were no public comments.

Mr. Solli requested the hearing be adjourned, so additional information can be submitted and pending the separate wetland process, to the 12/17/20 meeting. A submission deadline of 12/08/20 was noted for that meeting.

Upon polling the Commission and hearing no objections, the hearing was adjourned to the 12/17/20 meeting, pending timely receipt of revised materials by 12/08/20.

**8. SEP-2020-01, File #1621A – 390 Monroe Turnpike – B-2 District**

Special Exception Permit / Site Development Plan Application for improvements to existing McDonald's Restaurant consisting of a complete façade demolition with new façade design replacement and alteration of drive-through to provide two (2) separate drive-through access lanes each with menu boards, as well as related site and parking modifications. McDonald's Real Estate Company (owner/applicant).

*Postponed to 12/03/20 per applicant*

**9. RAA-2020-04, File #1011E – Proposed Stevenson Lumber SB2 District**

Petition by Stevenson Properties LLC (by Kimball Family Investments LLC its sole member) proposing Zoning Text Amendments to existing §1.9.11, existing §2.2.1, new §5.2.1 - §5.2.9, existing §8.2.3, existing §10.1 and existing §10.2, establishing locational and regulatory land use standards for a potential new Stevenson Business District 2 (SB2) to eventually be applied over the lands of the former Stevenson Lumber Company at 1585 Monroe Turnpike (Assessor Map 150, Lot 1) presently zoned Business District 2 (B-2) following a separate application for rezoning to said new SB2 District.

*Adjourned from 11/05/20 – Postponed to 12/03/20 per applicant*

**10. RAA-2020-05, File #1012E – Mixed Use Development**

Planning and Zoning Commission proposed Zoning Text Amendments to allow residential apartments for rent above commercial uses, thereby providing for a mixed-use development, affecting certain B-1 and B-2 District parcels having direct street frontage and access via Main Street (Route 25) within a B-1 District or B-2 District between the southerly Town Boundary shared with the Town of Trumbull and south of Knollwood Street

Planner Agresta listed the new file exhibits.

Chairman O'Reilly led the discussion of the open items under discussion:

- When asked about two and a half stories verses three stories for buildings, the consensus was to proceed with two and a half stories.
- When asked about the inclusion of the utilities in the rent for affordable housing units, the consensus was to revise the language as suggested by staff.
- When asked about the maximum unit size, the consensus was 1,100 square feet.
- When asked about residences on the ground floor, the consensus was not to include residential units on the ground floor.
- When asked about a 60/40 or 50/50 split, the consensus was to keep the 50/50 split.

**Public Comments**

- Hans Shuurman said he does not know how a 50/50 split could work when stairwells, lobbies, and other common areas will be counted towards the residential space. He suggested common areas not be counted towards residential or commercial to help with this issue. Mr Shuurman also asked about exterior covered walkways counting towards commercial space. Commissioner Condon advised he was ok with covered walkways, but did not see a point to counting it towards commercial space. Staff objected to counting exterior walkways as commercial space

The Commission modified its consensus for a 50/50 split and asked staff to provide language excepting certain functional common areas.

Upon polling the Commission and hearing no objections, the hearing was closed.

**DELIBERATIONS and DETERMINATIONS**

**11. PENDING MEETING MINUTES**

**Minutes – November 5, 2020**

**MOTION: WESTLUND** – To approve the meeting minutes of November 5, 2020, as drafted.

**SECOND: CONDON**

**VOTE: 5-0 – Approved – Motion Passed**

**Ayes** O'Reilly, Maini, Condon, Ambrosey, Westlund

**Nays** None

**12. TIME EXTENSION**

Commissioner Maini recused himself.

**Time Extension – 6-95-S-A1, File #1254A – 67 Cross Hill Road – Beardsley Field – Monroe Little League**

**MOTION: WESTLUND** – To grant 90-day time extension to comply with conditional approval conditions.

Applicant/Property Owner: Little League Baseball of Monroe Inc.

**SECOND: AMBROSEY**

**VOTE: 4-0-1 – Approved – Motion Passed**

**Ayes** O’Reilly, Condon, Ambrosey, Westlund

**Nays** None

**Recused** Maini

Commissioner Maini returned to the meeting.

**13. PENDING APPLICATION DELIBERATIONS / DETERMINATIONS**

None

**OTHER BUSINESS**

**14. REGULATIONS REVIEW/AMENDMENT WORK SESSION**

None

**15. CORRESPONDENCE / OTHER RECEIVED**

Receipt of stormwater management document.

**16. COMMISSION REPORTS**

- Chairman’s Report – None
- Commissioner’s Reports – None
- Land Use Staff Reports – Planner Schultz reminded the Commission of the scheduled POCD Work Meeting from Monday, December 7, 2020 at 7:00 PM via GoToMeeting. Planner Schultz also noted the submission of applications from CT Housing Partnership for an all elderly affordable housing zone and project.

**17. MEETING ADJOURNMENT**

Upon polling the Commission and hearing no objections, Chairman O’Reilly adjourned the meeting at 9:11 pm.