

**PLANNING and ZONING COMMISSION  
Monroe, Connecticut  
MEETING MINUTES  
March 18, 2021**

**Meeting:** Planning and Zoning Commission                      **Meetings are 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 Ambrose, *Commissioner*  
Robert Westlund, *Commissioner*  
Domenic Paniccia, *Alternate*  
Nicole Lupo, *Alternate*

**Absent:** Ronald Schneider, *Alternate*

**Also Present:** Georgia Contois, *Planning and Zoning Secretary*  
Rick Shultz, *Town Planner*  
Sarah Stroud, *Recording Secretary*

**OPENING of MEETING**

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Chairman O'Reilly called the meeting to order at 7:02p.m., and reviewed the procedures for this virtual meeting.

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

Commissioners were seated on roll call.

**3. GENERAL PUBLIC PARTICIPATION PERIOD – Please see end of agenda for participation guidelines. None**

**PUBLIC HEARINGS**

The following two applications were heard in tandem.

**4. RAA-2021-01, File # 1015E – Last Mile Support Facility**

Regulation Text Amendment Petition Application amendments to §8.2.3 and §10.1 to the existing "Commercial Vehicle Facility" use, to include it as a Special Exception Permit Use in the Industrial 3 (I-3) District, and supplemental additions. FSI Acquisitions LLC (applicant), Gen IV LLC (owner).

**5. SEP-2021-01, File # 1626A – 10 Victoria Drive (I-3)**

Special Exception Permit Application for the construction of Commercial Vehicle Facility, consisting of a ±10,000 square foot building with offices, surface parking lot for 400 vehicles, and necessary site improvements; excluding the use of on-site vehicle servicing, for a property located at 10 Victoria Drive (Assessors Map 12, Lots 47/1) in the Industrial 3 District (I-3). FSI Acquisitions LLC (applicant), Gen IV LLC (owner).

The public hearing was reconvened from 3/4/2021.

Mr. Schultz read the exhibits for the record.

John Knuff was present on behalf of the applicant. He responded to the comments received from the Town Engineer. He advised an additional 180 planting will be added to the northern area of the property to help with the screening.

Mr. Knuff stated that should some type of catastrophic leak happen at the site the sump could handle the full tank of up to 10 vans before it would impact any wetland or watercourse.

Mr. Knuff advised there is no current plan for 24 hour security at this time.

Mr. Knuff noted his client is asking to not have a weight limit imposed at this time.

Mr. Knuff explained the hours of operation will be typical daytime hours. He advised it is unlikely there would be any activity after 8pm, but it cannot be ruled out entirely.

Commissioner Lupo asked if this company has any plan to try and move the vehicles to avoid paying taxes to the Town. Mr. Knuff advised his client has no desire to play games with moving vans around and is more than willing to comply with the statute. Commissioner Lupo asked if there will be any safety measures added to make the delivery drivers aware of the "Rails to Trails" recreation path that crosses Victoria Drive. Mr. Knuff advised they would be willing to work with staff to post signage for safety.

Commissioner Westlund asked for the size of the additional evergreens. Wayne Violette was present on behalf of the applicant. He advised those proposed trees are 5 to 6 feet installed and will mature to be about 15 feet. Commissioner Westlund agreed signage warning to watch for pedestrians would be necessary.

Commissioner Ambrosey expressed concern about issuing an approval without a weight limit. Mr. Knuff advised he understands, but assured the Commission the majority of vehicles would be about 9,500 pounds. Commissioner Ambrosey asked if an agreement to how taxes would be handled been reached with the tax assessor. Mr. Knuff confirmed the details had been worked out.

Mr. Schultz gave his report on the application.

Chairman O'Reilly opened the hearing to comments from the public. There was no response.

The public hearings were closed.

**6. SUB-2021-01, File #1266C - 515 & 529 Cutlers Farm Road (RF-3)**

Resubdivision Application proposing a three (3) lot residential, single family subdivision located at 515 and 529 Cutlers Farm Road (Assessors Map 59, Lots 1/2), totaling in 15.7 acres, including a proposed Open Space parcel. United Methodist Church of Monroe c/o Brian Sherwood (applicant/owner).

The public hearing was reconvened from 3/4/2021.

Dave Bjorklund of Spath-Bjorklund Associates was present on behalf of the applicant. Mr. Bjorklund stated he believes all comments have been satisfied.

Mr. Schultz read the exhibits for the record.

Commissioner Ambrosey asked the fire marshal's position on the requested waiver. Mr. Schultz explained they have no qualm with the Commission to evaluate and make their own decision. They are opposing to create consistency in their decisions.

Chairman O'Reilly opened the hearing to comments from the public. There was no response.

Mr. Bjorklund requested the hearing be closed.

The public hearing was closed.

**7. RAA-2021-02, File #1016E – Mixed Use Design District and Special Development District**

Regulation Text Amendment Petition Application to existing §1.8.1, §5.2 and §5.3 to create a Route 25 Mixed-Use Design District (MDD) overlay and a Special Development District (SDD). Solli Engineering (applicant).

The public hearing was reconvened from 3/4/2021.

Mr. Schultz read a recommendation for how the Commission should continue with their review of this application.

Kevin Solli of Solli Engineering was present on behalf of the applicant. He advised they are hoping to break this application into smaller portions to help focus the discussions for this application.

Mr. Solli advised tonight's discussion would be focused on design district versus conventional zoning and identify specific areas of concern from the Commission.

Mr. Solli explained the ways a design district is unique and allows the Commission more say in what is allowed.

Mr. Solli asked for any questions from the Commission.

Commissioner Paniccia expressed concern about it not being a level playing field for applicants.

Commissioner Ambrosey asked if the Commission doesn't want to issue the zone change then it would end there. Mr. Solli confirmed that would be correct.

Commissioner Condon expressed concern about it being too soon to consider this expansion on mixed use.

Commissioner Maini advised is very much in favor of this concept. He believes it would allow anything and everything to be a possibility in Town while maintaining control over what is developed here.

Chairman O'Reilly asked for clarification for the difference between the MDD and SDD. Mr. Solli explained the MDD creates the overlay zone area that is eligible for the SDD application. Mr. Solli reviewed a zone map of Newtown to illustrate how this concept would work.

Mr. Solli reviewed the details of the wording and specifications of the regulation amendment for the Commission. Chairman O'Reilly advised that this appears to only add a benefit on multifamily components. Mr. Solli advised that would be up to the Commission to add more benefits and uses to the amendment. Commissioner Maini suggesting adding language to allow broader uses that are not currently allowed within Town. Mr. Solli explained how this regulation would evolve as it is used overtime.

Commissioner Lupo expressed her concern about the elementary school in the area already being full, and she advised she would like to see more uses than just the multifamily use. Commissioner Westlund agreed with her concerns, and expressed concern of this use being used as a "Trojan horse". Mr. Solli advised that a fiscal impact assessment would be required during an application, and suggested that perhaps broadening that impact assessment to include impact to municipalities should be considered.

Mr. Solli advised the intent for the next meeting would be to focus on the actual properties along Route 25 that would actually be eligible for this overlay.

Chairman O'Reilly opened the hearing to comments from the public. There was no response.

The public hearing was continued to the next meeting.

**8. SEP-2021-05, File #1630A – 390 Monroe Turnpike – B-2 District**

Planning and Zoning Commission Meeting Agenda Page 2 of 3 Meeting Date: 03/18/2021 Special Exception Permit / Site Development Plan Application for improvements to existing McDonald's Restaurant consisting of a 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).

Commissioner Condon read the public notice for the record.

Mr. Schultz read the exhibits for the record.

Christopher Russo of Russo and Rizzio LLC was present on behalf of the applicant. Mr. Russo reviewed the history of the site and building for the Commission. He explained that about 80% to 85% of the customer base exclusively uses the drive thru. He advised this application is to create a double drive thru, and noted there is no plan to expand the building size or the footprint of the site.

Mr. Russo displayed the site plan on a shared screen for review by the Commission. He explained the goal is reduce the backup currently being seen at the site. He noted menu preview boards are being requested in accordance with the recently passed regulation allowing the preview boards. He advised those boards help to increase the efficiency of the drive thru.

Mr. Russo explained the current menu board is 43 square feet, and they are proposing to install digital menu boards that are only 19.75 square feet. He stated these boards help to increase the efficiency of the drive thru.

Mr. Russo reviewed the facing changes being proposed by the applicant to create an updated look. He advised the bottom portion of the existing metal roofing will remain to give Monroe a unique feature, but the color will be changed to match the new color scheme.

Mr. Schultz reviewed the staff comments.

Commissioner Lupo asked for further details on how the double drive thru would work with the current available space. Mr. Russo explained the back parking spaces are vertical spaces and will be changed to employee only parallel spaces. He noted the employee only designation would be to allow a vehicle to be moved easily should a truck or other vehicle need more space to navigate the parking lot. Mr. Russo advised that an alternative plan would designate the spaces as deferred parking that would only be used if demand eventually rose for them. Commissioner Lupo advised she is in favor of deferring the spaces.

Mr. Russo noted a sign that was requested by staff that states “no stopping before this point for drive thru” that has been included.

Commissioner Paniccia asked how the cars safely merge from the double drive thru to the single lane for pick up. Mr. Russo explained that because the cars are coming from a stopped point and the adequate view of each lane allows cars to merge safely.

Commissioner Westlund advised he is in favor of deferring the parking spaces. He expressed some concern about the available space in the parking lot, but understands the need for the double drive thru. Mr. Russo advised the drive thru pavement will be a different color to allow drivers to know the separation between the drive thru lanes and the rest of the parking lot.

Commissioner Ambrosey advised he was in favor of deferring the parking spaces. He asked if the ARB comments were received. Mr. Schultz confirmed the comments were received for review by the Commission.

Commissioner Condon advised he did not believe there would be a merging issue because the release of the cars would most likely be staggered.

Chairman O’Reilly opened the hearing to comments from the public. There was no response.

The public hearing was continued to the next meeting.

## **DELIBERATIONS and DETERMINATIONS**

### **9. PENDING MEETING MINUTES**

- February 18, 2021

The minutes were unanimously approved.

### **10. TIME EXTENSION REQUEST**

- 64 Cambridge Drive/4 Independence Drive – SUB-2015-02, File #1257C – Section 4

Chairman O’Reilly read the time extension request. He advise the Inland Wetland Commission granted a two year extension and recommended this Commission follow suit with granting a two year extension.

Commissioner Westlund asked if there was a violation in association with this permit. Mr. Schultz explained it has been advised by counsel that this permit is separate from the filling and grading permit and it is up to the Commission whether to grant the extension. He noted if the Commission denies the request they should explain why they are denying it. The Commission members were in agreement with granting the two year extension.

Commissioner Ambrosey clarified this extension would start from the expiration date of March 3, 2021.

The Commission took the following action:

Maini made a motion to grant the two year time extension for SUB-2015-02 from March 3, 2021, to March 3, 2023, with second from Westlund. All members were in favor.

### **11. PENDING APPLICATION DELIBERATIONS / DETERMINATIONS**

- **RAA-2021-03, File #1017E – Off Street Parking Requirements**

Mr. Schultz reviewed the drafted approval for the Commission

The Commission took the following action:

**MOTION:** Westlund to **APPROVE** Regulation Text Amendment Petition Application to existing §10.2 to reduce the required off street parking for an indoor recreational facility from 6.0 to 3.5, Solli Engineering (applicant)

**SECOND: CONDON**  
**ALL IN FAVOR**

The following two applications were deliberated in tandem.

- **RAA-2021-01, File # 1015E – Last Mile Support Facility**
- **SEP-2021-01, File # 1626A – 10 Victoria Drive (I-3)**

The Commission requested signage be erected to warn drivers of the recreation path that crosses 10 Victoria Drive.

The Commission requested language be added to the approval to impose a commercial parking weight limit.

Commissioner Maini expressed frustration over the discussion during the hearing regarding the tax income for a project. He does not believe that should be a consideration of this Commission in regards to a project.

The Commission directed staff to draft an approval with conditions for both applications.

- **SUB-2021-01, File #1266C - 515 & 529 Cutlers Farm Road (RF-3)**

The Commission was in favor of granting the requested waiver.

Mr. Schultz read the drafted approval for the Commission.

**MOTION:** WESTLUND to **APPROVE** (with granting of waiver request): Resubdivision Application proposing a three (3) lot residential, single family subdivision located at 515 and 529 Cutlers Farm Road (Assessors Map 59, Lots 1/2), totaling in 15.7 acres, including a proposed Open Space parcel. United Methodist Church of Monroe c/o Brian Sherwood (applicant/owner)

**SECOND: CONDON**  
**ALL IN FAVOR**

#### **OTHER BUSINESS**

#### **12. REGULATIONS REVIEW/AMENDMENT WORK SESSION**

Mr. Schultz gave an overview of some considerations that will be coming before the Commission at an April meeting.

#### **13. CORRESPONDENCE/NEW APPLICATIONS**

- Appointment of Deputy Zoning Enforcement Officer

The Commission appointed Mr. Schultz as the Deputy Zoning Enforcement Officer.

#### **14. COMMISSION REPORTS**

- Chairman's Report
- Commissioner's Reports
- Land Use Staff Reports

#### **15. MEETING ADJOURNMENT**

Polling the Commission and hearing no objections, Chairman O'Reilly adjourned the meeting at 9:26p.m.