

**PLANNING and ZONING COMMISSION
Monroe, Connecticut
MEETING MINUTES
June 18, 2020**

REMOTE ELECTRONIC PUBLIC MEETING VIA GO TO MEETING

Via computer, tablet or smartphone at this link: <https://global.gotomeeting.com/join/959997341>
Via phone at: United States: +1 (571) 317-3112 – Access Code: 702-057-381

- Meeting:** Planning and Zoning Commission **Meeting was Video and Audio Recorded**
Regular Meeting
7 Fan Hill Road, Monroe, Connecticut
- Present:** Michael O'Reilly, *Vice Chairman – Acting Chair*
Leon Ambrosey, *Commissioner*
Bruno Maini, *Commissioner*
Ryan Condon, *Commissioner*
Robert Westlund, *Alternate*
Ronald Schneider, *Alternate*
- Absent:** William Porter, *Chairman*
Domenic Paniccia, *Alternate*
- Also Present:** Rick Schultz, *Town Planner*
William Agresta, *Planning and Zoning Administrator*
Georgia Contois, *Meeting Moderator*
Sarah Stroud, *Recording Secretary*
Barbara M. Schellenberg, *Special Land Use Attorney*

OPENING of MEETING

1. CALL TO ORDER

Acting Chairman O'Reilly called the meeting to order at 7:17 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 with Alternate Schneider seated for the absent Chairman Porter.

3. GENERAL PUBLIC PARTICIPATION PERIOD

Jake Axel owner of 50 Cambridge Drive spoke about the ongoing operations at 64 Cambridge Drive, his neighbor. He noted it is his understanding that the permit for this property has expired, but the activities have not ceased. Mr. Axel requested the Commission look into this matter and hold this owner to the same standards as other property owners.

Georgia Contois read an email received from Peter Metropolis, owner of 36 Timothy Hill Road, who also, expressed concern about the ongoing activities at 64 Cambridge Drive. Ms. Contois displayed pictures received attached to the email on a shared screen for the Commission to view.

4. CALL FOR EXECUTIVE SESSION

MOTION: MAINI – To enter Executive Session for the contemplation of commencement of legal action to protect the Town’s interest. Invited to the Executive Session were Staff members Schultz, Agresta, Contois (moderator of virtual meeting) and Special Land Use Attorney Schellenberg.

SECOND: AMBROSEY

VOTE: 5-0 – Approved – Motion Passed

Ayes O’Reilly, Ambrosey, Maini, Condon, Schneider

Nays None

Commission entered Executive Session at 7:30 p.m. and returned, reconvening the regular meeting at 7:50 p.m.

MOTION: MAINI – To direct the Zoning Enforcement Officer to issue a Cease and Desist Order to 64 Cambridge Drive and 4 Independence Drive for continuation of use and land use activities non-authorized.

SECOND: AMBROSEY

VOTE: 5-0 – Approved – Motion Passed

Ayes O’Reilly, Ambrosey, Maini, Condon, Schneider

Nays None

5. REFERRALS

▪ **Town Council CGS §8-24 Referral**

Lease of portion of Town of Monroe lands (345, 365, 375 Fan Hill Road – School Campus – Fawn Hollow, Jockey Hollow and former Chalk Hill Schools) for construction and operation of a telecommunication tower and ground facilities.

Chairman O’Reilly reviewed the referral request for the Commission. Commissioner Maini noted he is in favor of this referral. Chairman O’Reilly advised that the Commission could recommend landscape screening be used on the site. Planner Agresta explained that this referral allows the Commission to give recommendations or advise they are in favor or not in favor. If the Commission was not in favor or recommended changes and the Town Council did not concur then the Town Council would need to approve the project subject to a super majority vote to override the Commissions recommendations. Commissioner Schneider advised he is in favor of the referral and recommended some landscape screening.

CGS §8-24 Town Council Municipal Referral – Telecommunication Tower – 345, 365, 375 Fan Hill Road

MOTION: MAINI – Favorable report subject to provision of adequate landscape screening of base ground compound and equipment from surrounding area, particularly the adjacent open space trail.

SECOND: CONDON

VOTE: 5-0 – Approved – Motion Passed

Ayes O’Reilly, Ambrosey, Maini, Condon, Schneider

Nays None

SITE PLAN REVIEW and PERMIT AMENDMENT MODIFICATIONS

6. SEP-2015-15-A3, File \$1566A – 500 Pepper Street – Carrubba – I-2 District

Permit Amendment Modification: Miscellaneous modifications to approved Site Plans.

Chairman O’Reilly reviewed the site plan modification request for the Commission. Kevin Solli of Solli Engineering was present on behalf of the applicant. Mr. Solli shared his presentation on a shared screen for review by the Commission. Mr. Solli introduced Mary Blackburn from his office. Ms. Blackburn presented the requested modifications to the site plan for the Commission. Mr. Solli noted these are all minor changes that should not hold up the ability to obtain the

CO. He advised that some of the changes are optional additions that the applicant may add in the future, but would like permission to add them without having to appear back before the Commission again.

Planner Agresta reviewed his comments on the changes for the Commission. Planner Agresta noted that the optional additions could be acceptable if the Commission agreed, as long as, the applicant understood that approval would eventually expire at the end of the life of the permit. He requested more detail regarding the proposed light posts and the details of the possible pedestrian bridge. Planner Agresta advised it is up to the Commission if the removal of the columns in front of the building would be acceptable. He noted that at the time of the original application a lot of time was spent discussing and creating an acceptable architecture for the building.

Commissioner Ambrosey asked if these optional modifications could be handled by the Land Use Staff. Planner Agresta explained Staff would not need to do anything for these modifications if the Commission approved them. He reiterated the approvals would run out at the end of the life of the permit. Commissioner Maini asked for more detail about the proposed chain gate. Mr. Solli noted this gate is to stop people from cutting through the property, which has been causing damage to the site's curbs, and similar posts would be used to other site posts. Commissioner Maini noted that he did not believe a foot bridge could be approved by the Commission without further detail. Mr. Solli advised that they are looking for approval of the concept, and they would submit the needed details before moving forward with building the bridge. Commissioner Westlund asked if removing the columns from the site plan would change the structural stability of the overhang. Mr. Solli advised this would not change any structural stabilities of the site, and he noted they believe the columns would take away from the look of the building at this point.

Permit Amendment Modification – SEP-2015-15-A3, File #1566A – 500 Pepper Street – Carrubba – I-2 District

MOTION: MAINI – To approve Special Exception Permit Amendment Modification Application SEP-2015-15-A3, subject to conditions and final plans endorsement – Mayrook Properties, LLC; Carrubba Inc.

SECOND: AMBROSEY

VOTE: 5-0 – Approved – Motion Passed

Ayes O'Reilly, Ambrosey, Maini, Condon, Schneider

Nays None

DELIBERATIONS and DETERMINATIONS

7. TIME EXTENSIONS

Time Extension – SEP-2019-07, File #1615A – 4 Maple Drive – I-1 and B-1 Districts

MOTION: MAINI –To grant four (4) month time extension to September 1, 2020 to complete all remediation work as previously required and approved – O'Keefe Controls c/o Patrick O'Keefe; Robert F. and Maureen T. O'Keefe

SECOND: AMBROSEY

VOTE: 5-0 – Approved – Motion Passed

Ayes O'Reilly, Ambrosey, Maini, Condon, Schneider

Nays None

8. BOND RELEASES

Bond Release – SUB-2016-02, File #1259C – 36 Timothy Hill Road – I-2 District

MOTION: MAINI – To grant a full (final) release of standing \$47,500.00 Bond – Thomas and Stella Magnus Trust, c/o Peter Metropoulos – Section VI Pepper Street Business Park.

SECOND: AMBROSEY

VOTE: 5-0 – Approved – Motion Passed

Ayes O'Reilly, Ambrosey, Maini, Condon, Schneider

Nays None

9. PENDING MEETING MINUTES

Minutes – June 4, 2020

MOTION: MAINI – To approve the meeting minutes of June 4, 2020, as drafted.

SECOND: AMBROSEY

VOTE: 5-0 – Approved – Motion Passed

Ayes O’Reilly, Ambrosey, Maini, Condon, Schneider

Nays None

OTHER BUSINESS

10. REGULATIONS REVIEW/AMENDMENT

- Potential B-1 to B-2 District Main Street Properties Zone Change – Judd Road north

David Bjorklund of Spath-Bjorklund was present to speak about the request to change the noted area on Main Street from B-1 to B-2. He reviewed his client’s history with one of the sites that sparked this possible zone change. Chairman O’Reilly polled the Commission on this possible zone change. The Commission was generally favorable of this change being brought forth in an application by the Commission with assistance from Bjorklund.

- Potential rezoning of former Stevenson Lumber Property

Chairman O’Reilly reviewed the proposed zone change for the property. He highlighted two new uses being proposed that he would like input from the Commission. John Kimball presented on behalf of himself for possible zone change request. He explained that he would be agreeable to completing and submitting the application to change the zone for this property, but was under the impression the Commission might want to take it on due to Covid-19. He stated he is happy to work with the Commission either way. Commissioner Ambrosey asked the Commission how they would like to proceed. Commissioner Maini advised he would like to see Mr. Kimball proceed with the application including the two new uses, so the Commission may review them in more detail officially. Commissioner Condon stated he is agreeable with either the Commission or Mr. Kimball moving forward with the application. Commissioner Westlund expressed concern about this property turning into a junkyard type property with the proposed vehicle storage use. Commissioner Schneider had the same concern. Commissioner Ambrosey advised that part of the regulations would require any vehicles stored on the property to be registered with the state of Connecticut. Mr. Kimball explained the area for vehicle storage would be fenced and have key fob access by the customers paying to store their vehicles there. He advised he has no intention of allowing this property to decline into a junkyard. Chairman O’Reilly asked about the extent of outdoor storage of materials. Commission Ambrosey and Maini both said such details could be reviewed during the application process. The Commission requested that Mr. Kimball work with Staff for formatting of his final draft application.

- Potential Mixed Use Zoning

Chairman O’Reilly noted the various mixed-use regulations that have been discussed by the Regulations Subcommittee. Planner Schultz gave a brief overview of the possible mixed-use regulations, noting that it is Staff’s initial recommendation this use be allowed by a Special Exception Permit. He advised that further limitations to specific areas allowing this use could be approved by the Commission. Commissioner Condon expressed his approval of a mixed-use regulation with special conditions. He noted he would not like to see just free-standing apartments in Monroe. Commissioner Westlund advised he is torn, but understands the need for

this new use. He expressed concern about how it would change the character of the town. Commissioner Maini noted this use would not go wherever there was a commercial building, and explained that there can be some control to where and how the mixed-use is to be allowed. Planner Schultz noted Staff will provide a list of local examples for the Commission to visit in other towns. Commissioner Schneider expressed his approval of mixed-use, but he is concerned how it would look and be executed in some areas of town. Commissioner Maini noted the Commission cannot regulate who rents these apartments. Planner Agresta explained that this will go back to the subcommittee to review some of the bigger issues before a draft is brought forward.

11. CORRESPONDENCE / OTHER RECEIVED

None

12. MEETING ADJORNMENT

Upon polling the Commission and hearing no objections, Acting Chairman O'Reilly adjourned the meeting at 9:28 pm.



TOWN OF MONROE
PLANNING and ZONING COMMISSION

7 Fan Hill Road
Monroe, CT 06468
Phone: 203-452-2812
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SPECIAL EXCEPTION PERMIT
SITE DEVELOPMENT PLAN APPROVAL

PERMIT AMENDMENT MODIFICATION
SEP-2015-15-A3 – File #1566A

500 PEPPER STREET – CARRUBBA
Assessor Map 94, Lot 15 – Industrial District 1 (I-1)

OWNER
MAYBROOK PROPERTIES LLC.
c/o Duane Carrubba, Manager

APPLICANT
CARRUBBA, INC.

Date of Standing Approval	August 18, 2016
Date of This Amended Approval	June 18, 2020
Date Amendment Site Plans to be Signed by	September 16, 2020
Standing and Amendment Approval Expiration*	August 18, 2021

** If conditions of approval are not completed accordingly in a timely manner*

WHEREAS, the Monroe Planning and Zoning Commission (hereinafter “Commission”) has received an application from Carrubba, Inc. (applicant) and Maybrook Properties, LLC – c/o Duane Carrubba, Manager (owner) seeking Permit Amendment Modification Approval of a previously granted and standing Special Exception Permit / Site Development Plan approval (SEP-2015-15-A1, File #1566A, approved August 18, 2016, including previous amendment A2 approved August 2, 2018); and

WHEREAS, the proposed amendments are shown and detailed in the following application materials:

- Permit Approval Amendment Modification Application;
- Cover Letter and Narrative, Solli Engineering, 02/21/20;
- 2.11 – Amended Site Layout Plan, Solli Engineering, 06/09/15, revised 02/21/20;
- 2.51 – Amended Site Utility Plan, Solli Engineering, 06/09/15, revised 02/21/20;
- 2.61 – Amended Landscape Plan, Solli Engineering, 06/09/15, revised 02/21/20;
- 2.71 – Amended Lighting Plan, Solli Engineering, 06/09/15, revised 02/21/20;
- 3.07 – Detail Sheet, Solli Engineering, 02/21/20;
- A1 – First Floor Plan, Solli Engineering, 02/21/20;
- A1A – Second Floor Plan, Solli Engineering, 02/21/20;
- A2 – Elevation Plan, Solli Engineering, 02/21/20;
- A2A – Elevation Plan, Solli Engineering, 02/21/20;
- 2.11 – Site Layout Color Overlay Plan, Solli Engineering, 06/09/15, revised 02/21/20;
- 2.61 – Color Overlay Landscape Plan, Solli Engineering, 06/09/15, revised 02/21/20; and

WHEREAS, the proposed permit amendment modification seeks the following changes:

Site Improvement Modifications

- Adjustment of timber guide rail locations;
- Relocation of bench location in front walk;
- Shifting of gas meter and wall hanging of a condenser unit;
- Modifications to the Landscape Plan and Lighting Plan;
- Interior building modifications not affecting use;
- Addition of wall mounted sign (indicating “500”) over front door;

Eliminated Site Improvements

- Double swing gate on west and east sides of the building and related infrastructure;
- Landscaped island associated with the eliminated swing gate on east side of building;
- Generator and generator pad on the west side of the building;
- Two (2) building front entry columns;

Optional Site Improvements

- Installation of a decorative concrete detail within the sidewalk directly in front of the building;
- Installation of the previously approved bike rack (near building entrance);
- Installation of a 3-foot split rail fence along a portion of the north and east property line;
- Installation of two (2) post and chain gates, one at each entrance;
- Installation of a footbridge crossing the stormwater basin at the northern portion of the site;
- Installation of three (3) picnic tables in the northern portion of the site; and

WHEREAS, no other changes to the previously approved building and site improvements are proposed; and

WHEREAS, the “optional” site improvements are not dependent on completion of the overall Site Plan, Building or its occupancy, thus need not be completed prior to issuance of a related Permanent Zoning Certificate of Compliance and Building Certificate of Occupancy. However, implementation of all site improvements, including optional features, must be completed and accepted prior to the expiration period set forth herein; and

WHEREAS, aspects of the proposed permit amendment modifications also require amendment of the previously issued Inland Wetland Permits (IWC-2016-11, File #1008 and IAA-12018-18), which amended approval was obtained by the applicant pursuant to Wetland Permit Agent Approval IAA-2020-13, File #1320, approved June 5, 2020; and

**SPECIAL EXCEPTION PERMIT / SITE DEVELOPMENT PLAN APPROVAL PERMIT AMENDMENT MODIFICATION
SEP-2015-15-A3 – File #1566A – 500 Pepper Street - Carrubba**

WHEREAS, the Commission considered the proposed application at a duly noticed regular meeting held on June 18, 2020;

NOW THEREFORE BE IT RESOLVED, the Commission, in accordance with §8.2.2 of the Zoning Regulations and State of Connecticut Governor Executive Order 7I, dated March 21, 2020, upon motion by **BRUNO MAINI** and seconded by **LEON AMBROSEY**, following deliberations conducted on **June 18, 2020**, voted **FIVE (5)** in favor and **NONE (0)** in opposition to **APPROVE Special Exception Permit Amendment Modification Application SEP-2015-15-A3, File #1566A**, subject to the modifications and requirements as set forth below, as follows:

Vote:	MICHAEL O'REILLY	AYE	<i>For the Commission:</i> <hr/> <i>Michael O'Reilly, Acting Chair</i>
	LEON AMBROSEY	AYE	
	BRUNO MAINI	AYE	
	RYAN CONDON	AYE	
	RONALD SCHNEIDER (seated)	AYE	

BE IT FURTHER RESOLVED, this Permit Amendment Modification approval is specific to the amendment modifications as described in the application as referenced herein. Any changes thereto shall require separate review and approval; and

BE IT FURTHER RESOLVED, this Permit Amendment Modification approval and the conditions below shall be in addition to those of the original approval (SEP-2015-15-A1, File #1566 and all amendments relating thereto); and

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

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

MODIFICATIONS AND REQUIREMENTS OF APPROVAL

Prior to authorized endorsement of the Amended Site Plans by the Commission Chair, the following shall be completed within ninety (90) days of the date of this Resolution of 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 Permit Amendment Modification approval shall become null and void without further notice.

Prior to the effectiveness of this Permit Amendment Modification approval, the following shall be completed in the order that follows:

1. **Revision of Final Amended Site Plans** – The applicant shall submit **ONE (1)** complete set of Amended Site Plans as set forth and required below, subject to acceptance by the Planning and Zoning Administrator:
 - a. Each plan sheet shall include a common revision date of June 19, 2020 or later.
 - b. Each plan sheet shall include the following notes:
 - **Amended Permit Modification Approval (SEP-2015-15-A3, File #1566A, Approved on June 18, 2020).**
 - **Amended Wetland Permit Approval (IAA-2020-13, File #1320, Approved June 5, 2020).**

- c. Each plan sheet shall revise the title to reference: **Amended Site Plan**.
- d. Each plan sheet shall include completed signature blocks with original signatures of the applicant/owner, and plan preparer(s).
- e. The detail of the post and chain gates shall be revised to revise the post to match that of the Timber Guide Rail detail on the original approved Site Plans.

2. **Filing of Final Amended Site Plan Sets**

- a. Upon satisfactory revision of the final Amended Site Plans as required above under **Condition 1**, the applicant shall submit **ONE (1)** complete plan set (full size 24" x 36", collated, **unbound** and **rolled**), for the authorized endorsement of same by the Commission Chair.
 - b. Following endorsement above, the applicant will be provided with a digital copy for purposes of providing **SIX (6)** full-sized (24" x36", **collated, bound** and **folded**) **color copies** printed **to scale** showing the endorsement thereon accordingly.
3. **Recording of Amendment Approval Resolution** – This Amendment Approval Resolution shall be recorded on the Monroe Land Records. The applicant shall be responsible for collecting the original signed copy 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. The applicant is responsible for all recording fees.
4. **Zoning and Building Permits** – Zoning and Building Permits shall be obtained (or existing amended), implemented and finalized in a timely manner. Failure to apply for and obtain such permits and final certificates of same shall be deemed a zoning violation, subject to this Approval being revoked.
5. **Zoning Certificate of Compliance** – 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.
6. **Optional Site Improvements** – The "optional" site improvements need not be completed prior to issuance of an initial Permanent Zoning Certificate of Compliance and Building Certificate of Occupancy. However, their implementation shall require a Zoning Permit consistent with the Amended Site Plans, and shall be required to be completed and inspected for acceptance of completion prior to the expiration timeframe set forth herein.
7. **Optional Bridge Crossing** – Prior to the issuance of a Zoning Permit for the "optional" bridge structure, a bridge specific detail shall be reviewed and approved by the Planning and Zoning Administrator, which detail at minimum shall detail adequate safety features and railings.
8. **Prior Conditions** – All other prior conditions, time periods, bonds and requirements of previous Planning and Zoning Approvals, and amendments subsequent thereto, shall remain unchanged and in full force and effect.
9. **Expiration** – This Permit Amendment Modification approval and all related site improvements shall expire if the above conditions are not completed within the time period set forth on Page 1 of this Resolution, unless extended by separate request of the applicant and approval of same by the Planning and Zoning Commission.