

TOWN OF MONROE
APPLICATION REVIEW TEAM COMMENTS

For: Planning and Zoning Commission Applications

PZC Application Number: ZCA-2020-03, File #1016D	Comments By:
Development Description: Proposed SB2 Zone Change	<input checked="" type="checkbox"/> P&Z Administrator <input type="checkbox"/> Fire Marshal
Location of Development: 1585 Monroe Turnpike	<input type="checkbox"/> Town Engineer <input type="checkbox"/> Police
Zoning – Assessor Map/Lot: B-2 District – 150 / 1	<input type="checkbox"/> Building Official <input type="checkbox"/> Health Department

DATE REVIEWED: December 2, 2020

UPDATED REVIEW: **January 7, 2021**

Application and Plans:

- Petition Application ZCA-2020-03 – Stevenson Business District 2 (SB2);
- Project Narrative, J. Edwards & Associates, no date;
- ZC – Zone Boundary Change Map, J. Edwards & Associates, 10/01/20;
- LU – Land Use Map, J. Edwards & Associates, 10/01/20;
- T1 – Title Sheet, J. Edwards & Associates, 10/01/20, revised 11/14/20;
- ZC – Zone Boundary Change Map, J. Edwards & Associates, 10/01/20, revised 11/14/20;
- LU – Land Use Map, J. Edwards & Associates, 10/01/20, revised 11/14/20;
- MP – Overall Master Plan, Tracy Chalifoux LLC, 10/14/20;
- L-1 – Landscape Master Plan, Tracy Chalifoux LLC, 11/14/20;
- L-2 – Entrance Enlargement Plans, Tracy Chalifoux LLC, 11/14/20;
- 1/1 – Existing Conditions, Lewis Associates, 02/05/20;
- S-1 – Overall Site Plan, J. Edwards & Associates, 10/01/20, revised 11/14/20;
- S-2 – Utility Plan, J. Edwards & Associates, 10/01/20, revised 11/14/20;
- S-3 – Vehicle Circulation Plan, J. Edwards & Associates, 10/01/20, revised 11/14/20;
- S-4 – Outside Storage Exhibit, J. Edwards & Associates, 10/01/20, revised 11/14/20;
- S-5 – Outside Storage Record Plans, J. Edwards & Associates, 10/01/20, revised 11/14/20;
- S-6 – Outside Storage Record Plans, J. Edwards & Associates, 10/01/20, revised 11/14/20;
- S-7 – Site Detail Sheet, J. Edwards & Associates, 10/01/20, revised 11/14/20; and
- S-8 – Erosion Control Detail Plan, J. Edwards & Associates, 10/01/20, revised 11/14/20.

Petitioner: **Stevenson Properties LLC by Kimball Investments LCC**
Petition: **Zone Boundary Change seeking rezoning of an approximate 40.19 acre property located at 1585 Monroe Turnpike (Assessor Map 150, Lot 1) from a Business District 2 (B-2) to a “proposed” Stevenson Business District 2 (SB2), which SB2 District is the subject of a separate pending Zoning Text Amendment Petition (RAA-2020-04, File #1011E) also proposed by Stevenson Properties LLC.**

PLANNING AND ZONING COMMENTS

Note: The submission of the Petition for Zone Boundary Change reviewed herein may be premature given that the separately proposed Zoning Regulations Text Amendments proposing the establishment and procedural standards for a subsequent site specific Zone Boundary Change are still under review by the Commission and have yet to be adopted. Thus, the review herein reserves for a later date, an updated review based on such subsequent action and final form, if any, of said separate Zoning Regulations Amendment Petition.

1. The Commission should seek opinions from the Town Assessor and Attorney in regard the following:

- **Lot status of the property as a single parcel or other (Prior Comment #3, December 2, 2020).**
- **Abandonment of prior nonconforming uses pursuant to CGS and Zoning §1.9.1B with the former owner’s abandonment of the property for failure to pay taxes, resulting in the Town taking the property and selling it, which it sold as a single parcel.**

2. **Prior Comment #4, December 2, 2020 remains unaddressed and thus incomplete – the information is required to be included in the written Narrative not just verbalized as part of the public hearing presentation as the response to comments indicates will be done.**
 - Subsection (b) is not addressed: *Identification of affected surrounding land uses and their physical relation in regards to development, topographic and vegetation conditions, as well as potential visual connections.*
 - Subsection (c) is not addressed: *Assessment of how the proposed zone change is consistent with the purposes and recommendations of the Plan of Conservation and Development, including the identification and discussion of specific recommendations pertinent to the associated zoning district, subject parcels and surrounding neighborhood area. Such consistency assessment shall also address the overall goals and recommendations of the underlying existing or proposed zoning classification and requirements, as well as any differences or similarities in regard to resulting transportation, development aesthetics and community character considerations.*
 - Subsection (d) is not addressed: *Limitations hindering the current use and development of a zoning district and/or subject parcel as presently zoned.*
 - Subsection (e) is not addressed: *Comparison of potential positive and negative aspects between the change in zoning or not.*
 - Subsection (f) is not addressed: *In the case of a zone boundary change, the suitability of lands proposed to be rezoned for future development purposes in comparison to the existing zoning classification, including identification of any land or natural resource limitations (i.e., steep slopes, wetlands or watercourses, ledge or bedrock, etc.) to such development potential.*
 - Subsection (g) is not addressed (only generally in regard to septic and stormwater): *Suitability analysis (utilizing both text and graphic formats) of the underlying subject parcel(s) and surrounding area to support the land demands, development components and other location characteristics associated with the functional and operational aspects of the change in zoning.*
 - Subsection (h) is not addressed: *Assessment of potential issues resulting from zone fragmentation or potential for spot zoning.*

3. **In regard to the response to the following prior comment:** The Narrative states “Any new development of the property would result in a reduction of impervious surfaces therefore improving the overall stormwater quality.” However, the Narrative does not describe or detail how this is achieved or is ensured by the proposed rezoning. **Inclusion in the Narrative is important as it supports and affirms the intention of the Plans – noting the Plans are not overly clear as to the specific commitments as to what is actually being proposed (a similar comment was also made in the Town Engineer ART comments).**

4. The Narrative states “The uses permitted in the proposed SB2 zone would be generally consistent with the former use of the property” and “The permitted uses in the proposed zone will be in line with the former industrial uses on the property.” However, the former use was primarily a retail lumber company that fabricated wood related products (trusses, doors, milling, etc.) Notwithstanding, the uses to be permitted under the separately proposed SB2 District Petition introduce a number of substantially different and inconsistent land uses, including commercial parking facility uses; indoor cultivation facilities; and all kinds of manufacturing uses (although it is unclear how the former truss manufacturing use was technically permitted in the then and current retail zoning district, it was highly associated/ancillary to the longstanding lumber company business and of a low impact in comparison to the open-ended types of manufacturing, industrial, wholesale and distribution businesses which could potentially be permitted under the proposed SB2 District). **The response to the above prior comment misses the essence of the comment, the former use was a single entity and operation, not multiple entities and multiple separate operations as proposed. It is the multiple entities and separate operations that are inconsistently different, not to mention the sharp differences of the several added industrial uses that never occurred at the site – thus the prior comment remains unaddressed.**

5. The Narrative indicates: “The site has adequate capacity for septic, stormwater management, buffers to adjacent neighbors, parking areas and utility services.” However, the Narrative only discusses these items in general with little to no specific details or examples. **The response to the above prior comment appears to lack understanding of the essence of the requirement for the Redevelopment Master Plan – putting off the assessment of the above noted items makes master planning of the site irrelevant. The purpose of the Redevelopment Master Plan is identify, assess and define the opportunities and constraints of the site, plan for those items and upgrades as needed, to define all common elements and features, to define site and building design standards to be applied, and to set forth a schedule for implementation (phasing).**

6. The Narrative does not discuss site topography in regard to existing or future development potential or limitations. Further, the Slope Map lacks a title block, source, north arrow and scale, and the labeling is not legible. Further, the apparent buildings shown are not fully current. **The applicant’s response to the above prior comment is not on point as it does not address the specific points in the comment, and thus remains incomplete.**

7. **Zone Boundary Map** – The maps says it is an “A-2” (does not actually says it is an A-2 Survey) but it lacks metes and bounds at the property lines, does not note or show locations of monuments or pins, and notes that the map is a compilation plan not based on a field survey.
8. **The submitted Land Use Map**, as required pursuant to Zoning §9.2.2B(5), still just shows areas within 500 feet without any description or otherwise delineation of the various land uses found on the surrounding properties within 500 feet, thus this remains incomplete.
9. **The submitted Redevelopment Master Plan** remains essentially unchanged and relies on future applications for addressing the prior comments below. As commented above, this is not consistent with the purpose of requiring a Redevelopment Master Plan. The Redevelopment Master Plan is to be more than a conceptualization of the items below, it is intended to define their adequacy, their structure/content, their dependency or not on other actions, phased implementation, etc. Generally, the only element planned at this time is the central cul-de-sac access driveway. For those items that are subsequent project specific, typical standards and design details, as well as building design considerations, to be applied for such items should be developed and included as part of the Redevelopment Master Plan to ensure a cohesive and integrated development with each successive project.

The submitted Master Plan (as required according to proposed §5.2.3 of the separate Zoning Regulations Amendment Petition – see note above) is incomplete as follows:

- Does not address: *Pedestrian movement, connections and separation from internal connections.*
- Does not address: *Refuse and recycling containment and removal.*
- Does not address (site-wide): *Landscape features and screening.* The Master Plan focus is generally limited to only the planned main driveway.
- Does not address (site-wide): *Buffers between site uses and neighboring properties and uses.* The Master Plan should include identification and means of overall site buffering, screening and other site protective measures.
- Does not address: *water supply.*
- Assessment reports addressing the following should be provided:
 - Septic testing, capacity and limitations or restrictions for potential future uses or use types.
 - Water supply testing and/or adequacy, or need for improvements.
 - Provision and adequacy of, and/or need for improvement of electric, internet and/or gas utilities.
 - Preliminary stormwater management design parameters and possible locations and types of measures based on site testing.
 - Traffic assessment capacity and impacts. Also, shown truck circulation does not appear to account for impact on parking and other potential future site improvements.
 - Details of adequate sight lines and noted sight line work needed.
- The Overall Master Plan (Sheet MP) is mostly an existing conditions representation, with the exception of the planned main driveway improvements. It is also unclear how, or if, this is intended to be different from the Overall Site Plan (Sheet S-1)? The Master Plan should include:
 - An intended redevelopment vision and focus.
 - Analysis of the site’s conditions, opportunities and constraints.
 - Assessment of potential feasible or intended uses for the different buildings.
 - Streetscape improvements and enhancements along entire street frontages.
 - Intended retention and enhancement of existing vegetation across the site.
 - Proposed access management restrictions.
 - Capacity analysis and proximity of parking to and between different site buildings and uses.
 - Need for and measures intended for containment and screening of outdoor storage.
 - Measures and provisions proposed to reduce impervious pavement across the site.
 - Opportunities and constraints of property redevelopment if multiple lots, including affect of operations and zoning compliance with separate lot development and use (noting that a commercial condominium might be better than separate lots with multiple cross easements).
 - Assessment of building soundness for adaptive reuse, including identification of any potential removals, additions or alterations, including character images for redevelopment and consistency/compatibility between buildings.
 - Coordinated measures and expectations for site and building lighting.
 - Proposed site operational (management and maintenance) provisions and measures.
 - Details, sections, elevations, renderings or other such imaging to more specifically show and convey design intent of the various Master Plan components, particularly streetscape, landscaping, lighting, signage, screening and buffering, and building changes/character.
 - It is unclear what the white asterisk encircled areas represent?

10. **In response to the applicant’s responses to the below prior comments:**

Existing Outdoor Storage – a more comprehensive assessment of existing “legally established” outdoor storage is needed:

- Much of the extent of outdoor storage from the 1978 Site Plan (13-78-S, Panel B on Sheet S-5) was not implemented and has long expired, thus those areas not developed are no longer valid.
Site Plan improvements, whether part of a Special Exception Permit or not, which have not been implemented are subject to a specific statutory time-period to implement (construct). Those Site Plan improvements which are not timely built are no longer valid and their approval to construct expired.
- Several areas or portions of the site encircled as being utilized as outdoor storage from 2004 aerial imagery have not been shown to have a corresponding Commission approval – in several instances the outdoor storage on the 2004 aerial imagery is larger or in a different locations/configurations.
Aerial imagery showing existing conditions is not evidence of being “legally established” as the Draft Regulations Text Amendment requires.
- It is unclear if the presented historic plans on Sheet S-6 are in fact a final approved plan or an old proposed plan. For instance, Panel B on Sheet S-6 is from a Withdrawn application that was never decided or approved and thus is not relevant).
The only acceptable areas as noted above are those shown to be “legally established” pursuant to a documented past approval; relying on non-identified plans as to their approval or not, and withdrawn plans, is not sufficient.