



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

APPROVAL

LEGISLATIVE TEXT AMENDMENTS
PRIVATE COMMERCIAL STREETS
13-1-RAA – File #961E
Kimball Group, LLC (Applicant Petitioner)

AMENDMENT OF SUBDIVISION REGULATIONS
(§111-301)
&
AMENDMENT OF ZONING REGULATIONS
(§117-1202, §117-1203, §117-1205)

August 15, 2013

WHEREAS, the Monroe Planning and Zoning Commission (hereinafter “Commission”) is considering a petition from Kimball Group, LLC (“applicant”) of 523 Pepper Street, Monroe, Ct, including a series of proposed text amendments to the Subdivision Regulations (§111-301) and Zoning Regulations (§117-1202, §117-1203 & §117-1205) in regard to establishing provisions for and design standards to permit private commercial streets serving properties in the Town’s DI and/or DB Design Districts, as well as other minor related amendments, as detailed in the associated petition application materials, including:

Application:

- 13-1-RAA – Petition to Amend Subdivision Regulations and Zoning Regulations, Kimball Group, LLC, 06/05/13;
- Attachment to Regulation Amendment Application, Kimball Group, LLC, 06/05/13, revised 08/01/13; and

WHEREAS, the applicant pursuant to CGS §3i provided written notice of its petition application to the Commissioner of Public Health and the Aquarion Water Company of Connecticut; and

WHEREAS, on June 10, 2013, pursuant to CGS §8-3b a copy of the proposed petition was referred to the following regional planning agencies:

- Valley Council of Governments;
- Housatonic Valley Council of Elected Officials;
- Council of Governments of the Central Naugatuck Valley;
- Greater Bridgeport Regional Council; and

WHEREAS, on June 10, 2013, pursuant to CGS §8-7d(f) a copy of the proposed petition was referred to the abutting City/Town Clerks of Trumbull, Easton, Oxford and Shelton; and

WHEREAS, on June 25, 2013, a copy of the proposed petition was filed in the office of the Monroe Town Clerk; and

WHEREAS, on July 15, 2013, a copy of the public hearing legal notice as published was filed in the office of the Monroe Town Clerk; and


WHEREAS, the Commission, pursuant to CGS §8-7d has considered the proposed petition at a duly noticed public hearing, which hearing was opened and closed on August 1, 2013;

NOW THEREFORE BE IT RESOLVED, that the Commission, consistent with CGS §8-25 and §8-3, and the Monroe Subdivision Regulations and Zoning Regulations, hereby finds that the amendments to the Subdivision and Zoning Regulations, as proposed by the applicant and amended by the Commission of the Town of Monroe are consistent with the goals and recommendations of the 2010 Town of Monroe Plan of Conservation and Development, as follows:

- The requested amendments may help advance and support increased economic development opportunities within the existing business corridors located along Main Street and Monroe Turnpike, as well as other areas, zoned DI and DB Design Districts;
- Allowance for private commercial streets will beneficially shift the cost and labor burdens of their maintenance away from the Town;
- Private commercial streets will offer greater flexibility in developing undeveloped, idle, or underutilized commercial properties, with potential for increased positive economic benefits;
- The amendments will provide design standards consistent with public road standards, and requirements for formal access, utility and maintenance agreements to be established and filed on the Monroe Land Records, to ensure adequacy in the design, construction and maintenance of future permitted private commercial streets; and

BE IT FURTHER RESOLVED, that the Commission at a regular meeting held on August 15, 2013, upon motion by **WILLIAM PORTER** and seconded by **JAMES WEINBERG**, voted **FIVE (5)** in favor and **NONE (0)** in opposition to **approve** the attached amendments (see Attachment), as follows:

Vote:	<u>PATRICK O'HARA</u>	<u>AYE</u>
	<u>WILLIAM PORTER</u>	<u>AYE</u>
	<u>KAREN MARTIN</u>	<u>AYE</u>
	<u>JAMES WEINBERG</u>	<u>AYE</u>
	<u>BRIAN QUINN</u>	<u>AYE</u>

For the Commission:

Patrick O'Hara, Chair

BE IT FURTHER RESOLVED, that the Commission relies on the following reasons in granting the requested petition to amend the Subdivision Regulations and Zoning Regulations as set forth herein:

- The requested amendments are consistent with the Town of Monroe Plan of Conservation and Development, as set forth above;
- The amendments affect only areas zoned DI and DB Design Districts;
- No significant environmental impacts are anticipated due to the provisions to permit private commercial streets, but rather the amendments are viewed as resulting in increased community benefits by shifting the fiscal impact of road maintenance from the Town to the private developer or commercial entity; and

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

BE IT FURTHER RESOLVED, that this approval shall not become effective until a copy of the final Subdivision Regulations and Zoning Regulations as approved herein, are endorsed by the Commission Chair and a copy of same and an original signed copy of this approval document shall be recorded in the Monroe Land Records, and copies thereof showing all marks of recording are filed in the office of the Planning and Zoning Department as required below according to the time period provided; and

BE IT FURTHER RESOLVED, that the Subdivision Regulations and Zoning Regulations amendments shall not be authorized to be filed in the Monroe Land Records until this approval document 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, that the applicant shall be responsible for completing the following within ninety (90) days of the date of this approval document (term date of November 13, 2013), unless an extension is requested in writing and granted by the Commission, or this approval shall become null and void without further notice:

1. Upon endorsement of this approval document by the Commission Chair, as authorized herein, the applicant shall record in the Monroe Land Records an original copy of the final approved Subdivision Regulations and Zoning Regulations Amendments, as approved herein, and an original copy of this approval document as endorsed by the Commission Chair.
2. Within ten (10) days of recording, a copy of said recording, showing markings of recording, shall be provided to the Planning and Zoning Department.

BE IT FURTHER RESOLVED, that the Planning and Zoning Department is hereby authorized to revise the official Subdivision Regulations and Zoning Regulations documents of the Town of Monroe to change the affected provisions of each as amended herein, upon the completion of the recording and filing as required herein above.

SUBDIVISION REGULATIONS

§111-301

ZONING REGULATIONS

§117-1202, §117-1203, §117-1205

SUBDIVISION REGULATIONS

§111-301. Streets.

Streets shall be designed and constructed in accordance with the Standard Specifications of the Town of Monroe. Streets shall be planned in such a way as to provide a safe and convenient street system for present and prospective traffic and to conform to the following standards:

- A. Classification of streets. All streets shown on the subdivision map as approved by the Commission shall be classified ~~by the Commission~~ as follows:
- (1) Major thoroughfare or parkway. ~~The Commission shall classify as A~~ major thoroughfare or parkway is a street of considerable continuity which is primarily a traffic artery for intercommunication among large areas of the town and on which through traffic passing abutting properties will be dominant.
 - (2) Secondary thoroughfare. ~~The Commission shall classify as A~~ secondary thoroughfare is a street which is supplementary to the major thoroughfare or parkway system and is primarily a means of intercommunication between this system and smaller areas or among smaller areas and on which traffic past abutting properties is somewhat dominant.
 - (3) Local street. ~~The Commission shall classify as A~~ local street is a street which primarily provides access to abutting residential properties.
 - (4) Commercial street. ~~The Commission shall classify as A~~ commercial street is a street which gives direct access to or circulation within business and industrial areas.
 - (5) Private commercial street servicing DI and DB Design Districts. A private street is a street which: (1) is owned and maintained privately, with access, utility and maintenance obligations clearly documented and established in a legal instrument submitted for review at the time of subdivision application and subsequently filed on the land records prior to the construction of said private street; and (2) provides direct access to or circulation within a commercial subdivision within a DI and/or DB Design District. ~~Private streets, alleys and ways shall not be permitted.~~
- B. Street width. Streets shall have the following minimum width according to their classification:
- (1) Major thoroughfare: sixty (60) feet; parkway, eighty (80) feet.
 - (2) Secondary thoroughfare: sixty (60) feet.
 - (3) Local street: fifty (50) feet.
 - (4) Commercial street: sixty (60) feet.
 - (5) Private commercial street servicing DI and DB Design Districts: sixty (60) feet.

C. Pavement width. Streets shall have the following width between curb faces:

- (1) Major thoroughfare: forty (40) feet; parkway: two (2) lanes of twenty (20) feet each.
- (2) Secondary thoroughfare: thirty-six (36) feet.
- (3) Local street: thirty-two (32) feet.
- (4) Commercial street: thirty-two (32) feet. Where deemed necessary, at the discretion of the Commission, the road width standard may be increased to a width of thirty-six (36) feet.
- (5) **Private commercial street servicing DI and DB Design Districts: thirty-two (32) feet.**
- (6) Turnaround: radius of fifty (50) feet.

D. Grade. Streets should in general follow the contours of the land. The minimum grade for any street shall be one percent (1.0%) and the maximum grade shall not exceed the following:

- (1). Major thoroughfare and parkway: four percent (4%).
- (2). Secondary thoroughfare: six percent (6%).
- (3). Local street: ten percent (10%).
- (4). Commercial street: six percent (6%).
- (5). **Private commercial street servicing DI and DB Design Districts: eight percent (8%), or nine percent (9%) if said street currently exists as of August 15, 2013 and functions as a private roadway servicing more than one building or property.**
- (6). Turnaround: three percent (3%).
- (7). Intersections. Grades approaching intersections shall not exceed five percent (5%) for a distance of not less than one hundred (100) feet from the center line of the intersection.

E. Horizontal alignment. The minimum radius of curvature at the center line of streets ~~to be dedicated to the town~~ shall be as follows:

- (1) Major thoroughfare or parkway: one thousand eight hundred (1,800) feet.
- (2) Secondary thoroughfare: six hundred (600) feet.
- (3) Local street: two hundred (200) feet.
- (4) Commercial street: three hundred (300) feet.
- (5) **Private commercial street servicing DI and DB Design Districts: (1) three hundred (300) feet, or (2) one hundred sixty (160) feet if said street has no outlet; currently exists as of August 15, 2013 and functions as a private roadway servicing more than one building or property; has adequate maneuverability; and has adequate sight-line and stopping distance as per existing (field-determined) vehicle running speed.**

F. NO CHANGES

G. NO CHANGES

H. Pavement structure. Streets ~~to be dedicated to the town~~ shall have the following compacted depths **of materials**:

(1) Subbase. The subbase shall be gravel with the following compacted depths:

(a) Major thoroughfare or parkway: twelve (12) inches.

(b) Secondary thoroughfare: eight (8) inches.

(c) Local street: six (6) inches.

(d) Commercial street: twelve (12) inches.

(e) **Private commercial street servicing DI and DB Design Districts: ten (10) inches.**

(2) Base course. The base course for all streets shall be four (4) inches' compacted depth of processed aggregate.

(3) Surface course. The surface course shall be three (3) inches compacted depth of bituminous concrete placed in two (2) equal layers, except that arterial and commercial streets **and private commercial streets servicing DI and DB Design Districts** shall have four (4) inches of compacted depth placed in two (2) equal layers.

I. Intersections. The following criteria shall apply to street intersections:

(1) Number of streets. No more than two (2) streets shall intersect at any one (1) point. Except for crossroads, no point of intersection of any street shall be closer than two hundred (200) feet to an intersection on the opposite side of the street.

(2) Angle of intersection. Wherever practical, all streets shall intersect at ninety degrees (90°), and no street shall intersect any other street at an angle of less than eighty-five degrees (85°).

(3) Corner radii. Intersecting local streets shall have a minimum radius of fifteen (15) feet at the street line. Intersections of local streets with major thoroughfares or parkways, secondary streets and commercial streets shall have a minimum radius of twenty (20) feet at the street line. All other intersections shall have a minimum radius of twenty-five (25) feet at the street line.

J. NO CHANGES

K. NO CHANGES

L. NO CHANGES

M. NO CHANGES

N. NO CHANGES

- O. Relation to adjoining areas. Proposed local streets and private commercial streets servicing DI and DB Design Districts shall be planned to discourage through traffic and to provide a safe and convenient system for present and prospective traffic in the area surrounding the proposed subdivision. Proposed major thoroughfares, parkways, secondary thoroughfares and commercial streets shall be planned to provide for continuation of existing streets in adjoining areas with an alignment in accordance with the standards provided herein and for proper projection into adjoining properties when subdivided. Proposed streets to be projected into adjoining properties shall be carried to the boundary line. Minimum fifteen-foot-wide slope rights on each side of the future right-of-way shall be given to the town.
- P. Cul-de-sac or dead-ends; number of lots to be served by. Cul-de-sac or dead-end streets, which are streets closed at one (1) end by building lots or other land, ending in a turnaround which may be temporary or permanent, ~~and which will not be extended in the future,~~ shall provide sole access to not more than twelve (12) building lots, nor less than four (4) lots. All such lots shall meet the minimum frontage requirement of the Zoning District zone along the streetline of the cul-de-sac or dead end street. The length of a street terminating with a permanent or temporary cul-de-sac or dead-end shall not exceed 2,000 linear feet. The Commission may approve a longer length where adequate emergency access provisions are provided. The Commission may also approve an alternative terminus design for a proposed private commercial street servicing DI or DB Design Districts provided said alternative terminus design provides for safe and adequate continuation of vehicle movement and turnaround with adequate easements relating thereto.
- Q. Turnarounds. A turnaround shall be provided at the closed end of a cul-de-sac or dead-end street ~~which is to be projected into an adjoining property at some future date and which provides sole access to one (1) or more building lots.~~ Turnaround design shall not exceed a minimum radius of fifty (50) feet to the curblineline/sixty (60) feet to the streetline or a maximum radius of sixty-five (65) feet to the curblineline/seventy-five (75) feet to the streetline. In any case, the area from the curblineline to streetline shall not exceed then (10) feet. Land for a turnaround on a dead-end street which will at some future date be projected into adjoining property shall ~~may~~ be provided in the form of an easement to the town which shall contain a condition for automatic termination of the easement upon extension of the street. Pavement for the temporary turnaround shall be removed upon the termination of the temporary turnaround easement, in accordance with the Standard Specifications.
- R. NO CHANGES
- S. NO CHANGES
- T. NO CHANGES
- U. NO CHANGES
- V. NO CHANGES
- W. NO CHANGES
- X. NO CHANGES

ZONING REGULATIONS AMENDMENTS

D. **Section 117-1202. Permitted Uses** (in DI District). – Subsection (2)(c):

- (c) The lot shall have a minimum 75 feet of frontage on Connecticut State Highway Route 25 or on a Private commercial street servicing DI and DB Design Districts, and be located within 6,500 feet of a limited access highway.

Section 117-1203. Dimensional Requirements. – Schedule of Dimensional Requirements:

Schedule of Dimensional Requirements

Lot Requirements	DI1	DI2	DI3
Minimum lot area	1 acre	3 acres	10 acres
Minimum lot frontage			
public road industrial park - original site	100 feet	100 feet	100 feet
individual lots - public road	120 feet	200 feet	200 feet
internal road - industrial park development <u>Private commercial streets</u>	120 feet	200 feet	200 feet
Minimum square*	110 feet	150 feet	350 feet
Minimum street yard	50 feet	100 feet	150 feet
Minimum street yard			
lot fronting internal road industrial park development <u>Private commercial streets</u>	50 <u>25</u> feet	75 <u>50</u> feet	120 <u>50</u> feet
Minimum yard			
For buildings at residential zone boundary	50 feet	150 <u>100</u> feet	200 <u>100</u> feet
At basement or right-of-way	50 feet	50 feet	50 feet
All other	25 feet	50 feet	50 feet
Maximum height	3 stories/40 feet	3 stories/40 feet	3 stories/40 feet
Building coverage	25%	25%	25%

*Note: Each lot shall be of such shape that the applicable square can be placed entirely within the lot lines, with one (1) side parallel to the street lot line.

Section 117-1205. Parking and Loading.

Parking and loading areas shall be provided off the public streets for all vehicles using the premises and shall contain not less than the minimum space requirements of Section 117-2402.

- A. No parking areas or internal driveways shall be located less than fifty (50) feet from a public street nor less than twenty-five (25) feet from a property line nor less than fifty (50) feet from a residential zone boundary in a DI1 District, nor less than one hundred ~~thirty~~ **(150 100)** feet from a residential zone boundary in a DI2 District, nor less than ~~two one~~ **(200 100)** hundred feet from a residential zone boundary in a DI3 District. Internal driveways giving access to the street may cross required buffers only in the case where residential zone lines follow the centerline of the street or parallel the centerline of the street at the centerline. Upon written request with documented justification by the applicant, including submission of an alternate landscape buffer plan, the Commission may allow surface parking areas or internal driveways to extend up to, but not more than fifty (50) feet into the required DI-3 District buffer area. If the Commission determines that the alternate landscape buffer plan, above, exceeds the landscape buffer requirements provided in Section 117-902G(2) and provides adequate protection to an adjoining residential zone, the requirements provided in Section 117-902G(2), shall not apply.