

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
January 18, 2023**

Present: Greg Perosino, Vice Chair
Donna Greco, Member
Jim Bobinski, Member
Donovan Riley, Member (zoom)
Diane Carroll (zoom)
Starley Arias (zoom)
Tom Telman (zoom)

Also Present: Jeremy Leifert, AICP; City Planner

Not Present: Greg Mele, Chair

1. Call to Order:

Vice Chair Greg Perosino called the meeting to order at 7:00 p.m. in person at City Hall Auditorium, Room 218, 140 Main Street, Torrington, CT. The meeting was also held via Zoom on line.

2. Attendance/Announcement:

Mr. Perosino announced present in person this evening in City Hall Auditorium are Commissioners Donna Greco, Jim Bobinski, and Greg Perosino. Also present is Jeremy Leifert, City Planner. Commissioners attending via zoom were Donovan Riley, Diane Carroll, Starley Arias, and Tom Telman.

Mr. Perosino outlined the procedures for the public hearings to be held this evening.

3. Minutes for Approval:

a. 12/21/22

MOTION by Ms. Carroll to approve the 12/21/22 minutes, seconded by Ms. Greco, unanimously carried.

4. Public Hearings beginning at 7:00 p.m., January 18, 2023 City Hall Auditorium, Room 218, 140 Main Street, Torrington, CT

a. *This public hearing has been canceled and will be rescheduled:*
Special Exception 22-08 and Site Plan 1425
Applicant: Alam Realty, Inc.
Location: 861 New Harwinton Road
Proposal: Sales of gasoline, new canopy, parking, landscaping, site work, signage

Mr. Perosino announced this public hearing has been canceled this evening, due to a noticing defect on the part of the applicant.

This proposal will appear later this evening under new business, and a future public hearing date will be chosen.

b. Special Exception 22-09 and Site Plan 1430

Applicant: Lelah Campo

Location: 232 Klug Hill Road

Proposal: Recreational Vehicle (RV) Park for 92 sites and associated amenities - Section 1.90 Mobile Home Park and Recreational Vehicle Park (public hearing continued from 12/21/22)

At 7:02 p.m. Vice Chair Perosino opened the continued public hearing.

Applicant Lelah Campo appeared and stated she is disappointed with the procedure thus far. City Engineering comments have been received regarding the slopes of the driveway. Ms. Campo stated she has another campground operating now with steeper slopes than that of the subject site. She spoke of the finances they have already expended on this project, and now the grade requirements have been changed, previously they had been told 12% grade was acceptable. This change would require another application before Inland Wetlands Commission. The Engineering Office is looking at this site as though it is a residential property, which it is not. Their speed limit in the campground is 5 mph.

Ms. Campo said they are disappointed a decision will not come tonight. Financial issues and expenses were reviewed by Ms. Campo.

Ryan McEvoy, licensed PE with SLR Consulting appeared representing the applicant. The vertical geometry of the driveway is the primary issue. The parking regulations state 12% grade and 22 foot width for parking lot access, that is the standard they used to design the layout. Mr. McEvoy screen shared the two stretches of 12% grade driveway, 300 feet in length on the drive, and the second area is where the driveway splits at about 150 feet length.

Further technical details on the driveway grade were provided by Mr. McEvoy. This is a seasonal operation, winter use would not be occurring. Proposed uses of the driveway were reviewed.

Mr. Perosino noted the Special Exception provisions are under review with this application. Mr. Perosino noted and pointed out this is not only a Site Plan application, but a Special Exception application.

Mr. Leifert read his memo to the Commission dated January 18, 2023, recommending this public hearing be continued.

Mr. Bobinski inquired about emergency access to the rear areas of the campground in case the driveway was blocked.

Mr. McEvoy screen shared maps, giving details of the updated driveway plans with wider drives, etc., and documentation validating the size of vehicles able to access the drive. Ms. Campo provided site specific comments about trees, and areas that are passable with no trees and the gravel shoulder areas of the driveway available for passage.

Mr. Perosino inquired about emergency supplies that may be stocked in the camp office. Ms. Campo responded in an emergency, they respond as a first responder, until the first responders do arrive. They are not able to plan for every possible emergency. She noted Lovers Lane, through a cornfield is open, and could provide as an additional access to the camp. (Commissioner Starley Arias arrived at this time on zoom, and Commissioner Riley noted he has also logged onto zoom).

Mr. Perosino opened the hearing for public comments in favor of the proposal, there were none.

Mr. Perosino opened the hearing for public comments in opposition to the proposal.

Brian Keith appeared, stating he grew up in this area, and there are already enough recreational areas currently available.

Mr. Perosino call for comments in favor or in opposition from anyone on Zoom. There were none.

Neighbor Brian Keith inquired if the State Police had been informed of this application, as traffic goes out onto Route 4 which is a State road. Mr. Perosino responded there is no requirement for such a referral.

Ms. Campo submitted a written request for a 35 day extension.

MOTION by Ms. Carroll to continue the public hearing, seconded by Ms. Greco, unanimously carried.

c. Special Exception 22-10

Applicant: Mike Henneberry

Location: 10 Sunset Lane

Proposal: Construct 28' x 26' addition within front yard setback

Ms. Greco read the legal notice of public hearing which was published in the Republican American.

Gary Beecher (address inaudible) appeared representing the applicant Mike Henneberry who is currently out of the country. He did not have personal knowledge of the public hearing signs being posted. Mr. Leifert verified that the public hearing signs were picked up from the Land Use Office.

Mr. Beecher provided a brief presentation of the proposal, and noted the small shed on the property will be relocated to an approved location as requested.

Mr. Leifert read his memo to the Commission dated January 18, 2023. In response to a question from Mr. Perosino, Mr. Leifert provided information and definition of pre-existing non-conforming structures, which this house is.

Mr. Perosino opened the hearing for public comments in favor. There were none.

Mr. Perosino opened the hearing for public comments in opposition to the proposal.

Kevin Colangelo of 155 Tarringford Street appeared and asked for some clarification of planning and zoning terminology, which Mr. Perosino and Mr. Leifert provided.

At 8:00 p.m. Mr. Perosino declared the public hearing closed.

MOTION by Ms. Greco to approve
Special Exception 22-10

Applicant: Mike Henneberry

Location: 10 Sunset Lane

Proposal: Construct 28' x 26' addition within front yard setback
with the following conditions:

1. In accordance with comments submitted by Assistant City Planner Nate Nardi-Cyrus in his December 13, 2022 email to the City Planner, the applicant shall relocate an existing unpermitted non-compliant shed on the property to comply with setback requirements and submit a zoning permit for the shed.
2. The applicant shall follow the permitting requirements of Building Official Kevin Gillette contained in his letter to the City Planner dated December 27, 2022.
3. The special exception shall be recorded in the City land records by the applicant in accordance with Connecticut General Statutes Section 8-3d prior to issuance of zoning permits for the project.

MOTION seconded by Mr. Riley, unanimously carried.

Mr. Perosino stated the shed should be moved prior to any construction on the house.

d. Special Exception 22-11 and Site Plan 1433

Applicant: Braham Berg

Location: 85 Pulaski Street

Proposal: Change of use to multi-family residential (former church use)

Mr. Perosino opened the public hearing at 8:03 p.m. Ms. Greco read the legal notice of public hearing which was published in the Republican American.

Mr. Braham Berg, applicant, appeared via zoom and verified the public hearing signs were properly posted.

Mr. Kenneth Hrica, PE, Litchfield appeared representing the applicant. He screen shared site plans, and provided details of the plans, and variance that was recently granted by the Zoning Board of Appeals. The sidewalks on both Forest Court and Pulaski Street are in very poor condition and will be replaced by the applicant. According to the land size, 28 units could be approved on this site, and they are proposing 20 units.

Mr. Leifert read his memo to the Commission dated January 18, 2023.

Ms. Carroll inquired about parking spaces required, and details were discussed. Mr. Hrica stated the handicap spaces will be changed slightly in grade. The floor plans of the units were briefly discussed.

Mr. Perosino opened the hearing for public comments in favor of the proposal. There were none.

Mr. Perosino opened the hearing for comments in opposition to the proposal.

(name inaudible) of 73 Pulaski Street appeared, stating he is a 30 year resident of the area. He questioned the rental price (portions inaudible). He inquired about the use of the actual church building. Mr. Perosino verified this current proposal does not include the church, just the other building on site. The neighbor spoke of the many ambulances that travel this route.

At 8:37 p.m. Mr. Perosino declared the public hearing closed.

MOTION by Ms. Greco to APPROVE

Special Exception 22-11 and Site Plan 1433

Applicant: Braham Berg

Location: 85 Pulaski Street

Proposal: Change of use to multi-family residential (former church use)
with the following conditions and recommendations:

1. In accordance with comments from Nate Nardi-Cyrus, Assistant Planner outlined in his January 6, 2023 email to the City Planner, any trees or shrubs removed from the site shall be replaced.
2. Information shall be provided in the zoning table on unit density on the final plans to show compliance with section 6.8.2 of the regulations.
3. The applicant shall make plan corrections based on comments and plan markups from Paul Kundzins, City Engineer outlined in his January 10, 2023 email to the City Planner. The updated plan shall be submitted and obtain a positive review from the City Engineer and be filed in accordance with condition #9 below prior to issuance of zoning permits for the project.
4. In accordance with comments from the City Engineer and Police Traffic Sergeant above, sidewalk repairs on sidewalks fronting the property on Forest Court and Pulaski Street are required by the applicant. Such work shall be completed or bonded prior to the issuance of zoning permits for the project.
5. The applicant shall follow comments of Fire Marshal Edward Bascetta outlined in his letter to the City Planner dated January 12, 2023.
6. The applicant shall follow comments of Ray Drew, Public Works Director outlined in his January 5, 2023 email to the City Planner regarding sewer discharge permitting.
7. The applicant shall follow building permitting requirements outlined by Building Official Kevin Gillette in his January 10, 2023 letter to the City Planner
8. The Planning and Zoning Commission finds that the proposed use, location and site design is compatible with the neighborhood and surrounding uses and is protective of the health,

safety and welfare of the citizens of the City of Torrington pending compliance with all approval conditions.

9. Zoning permits are required prior to alteration or use of the site for the proposed use.
10. In accordance with section 8.4.3 and 8.4.6 of the zoning regulations, the following shall be submitted to the City Planner:
 - a. Two paper copies of the full approved site plan including the engineer's stamp and chairman's signature box.
 - b. One mylar copy of site plan sheet for filing with the City Clerk in accordance with section 8.4.3.P of the zoning regulations. The mylar sheet shall bear a chairman's signature box, a copy of the approval letter from the commission, an engineers' seal and live ink stamp.
 - c. Mylar sheets shall be filed by the applicant with the City Clerk after the signature of the Chairman and prior to the approval of zoning permits to begin construction or site work.

MOTION seconded by Mr. Riley, unanimously carried.

- e. Special Exception 22-12 and Site Plan 1434
Applicant: Premier Building Associates, LLC
Location: 95 Grove Street and 104 Grove Street
Proposal: Change of use to educational facility and office use
(former church use)

Mr. Leifert noted the applicant is not prepared to present site plans this evening. Legal notices have been published, so the public hearing can be opened and continued to the next meeting.

MOTION by Mr. Telman to continue the public hearing to the next Commission meeting, seconded by Ms. Greco, unanimously carried.

5. Public Hearing beginning at 7:00 p.m., February 15, 2023 City Hall Auditorium, Room 218, 140 Main Street, Torrington, CT

- a. Proposed Amendments to Plan of Conservation and Development,
Section 9, Housing
Applicant: Torrington Planning and Zoning Commission
Public hearing will be held on February 15, 2023.

6. Old Business:

- a. Site Plan 1432
Applicant: Fuel Cell Energy, Joseph Ulevicus, Chief of Staff, Operations
Location: 539 Technology Park Drive
Proposal: Multiple upgrades, reconfigure industrial bulk gas storage area, add equipment, relocate/repurpose 300kW diesel generator, reconfigure/add equipment

Mr. Joe Ulevicus, applicant, appeared via zoom, along with additional personnel.

Derek Haley, One Development Construction appeared via zoom.

Mr. Leifert screen shared site maps and Mr. Haley provided a detailed presentation of their proposal (8:47 p.m.) for bulk gas storage and other exterior changes. Mr. Ulevicus provided further technical details. .

Mr. Leifert read his memo to the Commission dated January 18, 2023. One portion of the site is being considered this evening, which is the pad site in the corner.

MOTION by Ms. Greco to APPROVE

Site Plan 1432

Applicant: Fuel Cell Energy, Joseph Ulevicus, Chief of Staff, Operations

Location: 539 Technology Park Drive

Proposal: Multiple upgrades, reconfigure industrial bulk gas storage area, add equipment, relocate/repurpose 300kW diesel generator, reconfigure/add equipment

with the following conditions and recommendations:

1. It is recommended that the applicant follow the advice of Assistant City Planner Nate Nardi-Cyrus in his December 27, 2022 email to the City Planner, specifically regarding new trees and/or screening tree replacement
2. The applicant shall follow the procedure for the building permits as outlined by Building Official Kevin Gillette in his December 29, 2022 memo
3. The applicant shall address the comment from Paul Kundzins, City Engineer in his January 18, 2023 email to the City Planner. If revisions to the plan is necessary, the updated plans shall be submitted and reviewed prior to filing of final plans
4. In accordance with section 8.4.3 and 8.4.6 of the zoning regulations, the following shall be submitted to the City Planner:
 - a. Two paper copies of the full approved plans with corrections and including the engineer's stamp and chairman's signature box
 - b. One mylar copy of the final plans for filing with the City Clerk in accordance with section 8.4.3.P of the zoning regulations. Each mylar sheet shall bear a chairman's signature box, a copy of the approval letter from the commission, an engineers' seal and live ink stamp.
 - c. Mylar sheets shall be filed by the applicant with the City Clerk after the signature of the Chairman and prior to the approval of zoning permits to begin construction.

MOTON seconded by Ms. Carroll, unanimously carried.

7. New Business:

a. Site Plan 1435

Applicant: Allan Borghesi – Research Assoc. of Torrington LLC

Location: 89 Commercial Boulevard

Proposal: Construction of small rental cubicals (8)

Marc Borghesi, Borghesi Building and Eng. appeared representing the applicant and provided a presentation.

Mr. Perosino spoke of the handling of hazardous materials such as gas cans, especially during an emergency response situation.

Mr. Leifert read his memo to the Commission dated January 18, 2023.

MOTION by Ms. Greco to APPROVE

Site Plan 1435

Applicant: Allan Borghesi – Research Assoc. of Torrington LLC

Location: 89 Commercial Boulevard

Proposal: Construction of small rental cubicals (8)
with the following conditions and recommendations:

1. The applicant shall address the comments from Assistant City Planner Nate Nardi-Cyrus in his January 5, 2023 email to the City Planner. Acceptable substitutions shall be made to landscaping on site and noted on the final plans for filing, and details shall be provided on the lighting fixtures to be used.
2. The applicant shall follow the recommendations of the Architectural Review Committee with respect to landscaping, property address location, and directional signage for their January 5, 2023 meeting.
3. The applicant shall address the comments from Ray Drew, Public Works Director from his memo submitted on January 6, 2023 regarding sewer discharge permitting requirements.
4. The applicant shall follow the requirements from Building Official Kevin Gillette in his December 29, 2022 memo to the City Planner
5. A grading permit and a zoning permit are required prior to commencing activities on the site
6. In accordance with section 8.4.3 and 8.4.6 of the zoning regulations, the following shall be submitted to the City Planner:
 - a. Two paper copies of the full approved plan set including the engineer's stamp and chairman's signature box on the title page.
 - b. One mylar copy of plan sheet SP2 for filing with the City Clerk in accordance with section 8.4.3.P of the zoning regulations. Each mylar sheet shall bear a chairman's signature box, a copy of the approval letter from the commission, an engineers' seal and live ink stamp.
 - c. Mylar sheets shall be filed by the applicant with the City Clerk after the signature of the Chairman and prior to the approval of zoning permits to begin construction.
 - d. The applicant is required to explore how to report hazardous storage materials.

MOTION seconded by Mr. Telman, unanimously carried.

b. Subdivision

Applicant: Torrington Standard LLC

Location: 70 North Street

Proposal: Two lot subdivision

Mr. Leifert read his memo to the Commission dated January 18, 2023.

MOTION by Ms. Greco to APPROVE

Subdivision

Applicant: Torrington Standard LLC

Location: 70 North Street

Proposal: Two lot subdivision

with the following waivers and conditions:

1. The requirements for dedication of open space or a fee-in-lieu of open space shall be waived
2. The requirements for a Sediment and Erosion Control Plan, a Stormwater Management Plan and a Site Development Plan shall be waived, conditioned on submittal of such plans prior to any activities on the properties
3. Missing iron pins as indicated on the plans shall be set or a bond submitted prior to filing the record subdivision map
4. In accordance with section 3.10 of the subdivision regulations, the following shall be submitted to the City Planner:
 - a. Two paper copies of the full approved plans including the engineer's stamp and chairman's signature box on the title page.
 - b. One mylar copy of the full approved plans for filing with the City Clerk. Each mylar sheet shall bear a chairman's signature box, an engineers' seal and live ink stamp.
 - c. Mylar sheets shall be filed by the applicant with the City Clerk within 90 days after the signature of the Chairman.

MOTION seconded by Ms. Carroll, unanimously carried.

c. Special Exception 22-08 and Site Plan 1425

Applicant: Alam Realty, Inc.

Location: 861 New Harwinton Road

Proposal: Sales of gasoline, new canopy, parking, landscaping, site work, signage (set new public hearing date)

MOTION by Ms. Carroll to set a public hearing date of February 15, 2023, seconded by Ms. Greco, unanimously carried.

d. Commissioner Training for 2023:

. CT Land Use Law Seminar, March 11, 2023

Mr. Leifert reviewed the new Connecticut law regarding the four hours of training required for all Commissioners this year calendar year, and then thereafter four hours every two years. Mr. Leifert provided details regarding the DEEP training, and sign up information. Next Commission meeting a representative will be present, which will cover half hour of required training.

8. Correspondence:

a. Zoning and Blight Violation update

Reports were emailed to Commission members.

9. Adjournment:

MOTION by Ms. Carroll to adjourn at 9:36 p.m., seconded by Mr. Bobinski, unanimously carried.