

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
June 14, 2023**

Present: Greg Mele, Chair
Greg Perosino, Vice Chair
Donna Greco, Member
Starley Arias, Alternate
Tom Telman, Alternate

Also Present: Jeremy Leifert, AICP; City Planner

Not Present: Donovan Riley, Member
Jim Bobinski, Member
Diane Carroll, Alternate

1. Call to Order:

Chair Greg Mele called the meeting to order at 7:00 p.m. Attendance is by Zoom or in-person at City Hall Auditorium, Room 218, 140 Main Street, Torrington, CT.

2. Attendance/Announcement:

Chair Mele announced present and serving in person this evening are Commissioners Greg Perosino, Donna Greco, Starley Arias and Greg Mele. Also present and serving via zoom is Tom Telman. Present also is Jeremy Leifert, City Planner.

3. Minutes for Approval:

a. 5/24/23

MOTION by Mr. Perosino to approve the 5/24/23 minutes, seconded by Tom Telman, motion carried.

4. Public Hearings beginning at 7:00 p.m., June 14, 2023 City Hall Auditorium, Room 218, 140 Main Street, Torrington, CT

a. Proposed Change of Zone Map
Applicant: 242 South Main Street, LLC
Location: 242 South Main Street
Proposal: Change Zone Map to Local Business, LB (currently R6)

At 7:03 p.m. Chair Mele opened the public hearing and stated serving on the Commission this evening will be Commissioners Greg Perosino, Donna Greco, Starley Arias, Tom Telman and Greg Mele. Also present is City Planner Jeremy Leifert.

Ms. Greco read the legal notice of public hearing.

Tony Ponte appeared representing the applicant. Mr. Ponte verified the public hearing signs were posted, and receipts for notification mailings to abutting property owners was submitted.

Mr. Ponte provided background information on this site, long ago this was an auto body shop, and then this coffee shop opened up. His proposal is to change the zone map designation to Local Business, LB.

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

Mr. Mele opened the hearing for comments in opposition to the proposal. There were none.

Mr. Leifert read his memo to the Commission dated June 14, 2023.

Mr. Mele declared the public hearing closed.

MOTION by Ms. Greco to APPROVE Proposed Change of Zone Map

Applicant: 242 South Main Street, LLC

Location: 242 South Main Street

Proposal: Change Zone Map to Local Business, LB (currently R6)

The Commission finds the proposal to be consistent with the City of Torrington's Plan of Conservation and Development. The effective date of the Zone Change shall be the day after publication of legal notice of decision in the local newspaper.

MOTION seconded by Mr. Perosino, motion unanimously carried.

b. Proposed Change of Zone Map

Applicant: Maria Seymour Brooker Memorial, Inc.

Location: 34 Wilson Avenue

Proposal: Change Zone Map to Downtown District, DD (currently R6)

At 7:17 p.m. Chair Mele opened the public hearing and stated serving on the Commission this evening will be Commissioners Greg Perosino, Donna Greco, Starley Arias, Tom Telman and Greg Mele. Also present is City Planner Jeremy Leifert.

Ms. Greco read the legal notice of public hearing.

Cathy Coyle, Executive Director of Maria Seymour Brooker Memorial, Inc. appeared representing the applicant, along with Bill Marchand. Ms. Coyle verified the public hearing signs were posted, and neighborhood notifications receipts were submitted.

Ms. Coyle provided background information, Brooker Memorial was created 105 years ago in 1918 to serve the area's children, now dedicated to dental care and child care. The requested proposal is to change to zone map to Downtown District, DD.

Commissioner Starley Arias recused himself from voting/acting on this application.

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

Mr. Mele opened the hearing for public comments in opposition to the proposal. There were none.

Mr. Leifert read his memo to the Commission dated June 14, 2023.

Mr. Perosino noted the Social Security office building across the street is not in the Downtown District zone. He stated the Commission can possibly look into changing that parcel to Downtown District for continuity.

At 7:27 p.m., Mr. Mele declared the public hearing closed.

MOTION by Ms. Greco to APPROVE Proposed Change of Zone Map

Applicant: Maria Seymour Brooker Memorial, Inc.

Location: 34 Wilson Avenue

Proposal: Change Zone Map to Downtown District, DD (currently R6)

The Commission finds the proposal to be consistent with the City of Torrington's Plan of Conservation and Development. The effective date of the Zone Change shall be the day after publication of legal notice of decision in the local newspaper.

Motion seconded by Mr. Perosino, motion carried (with Mr. Arias abstaining from voting).

5. Public Hearings beginning at 7:00 p.m., June 28, 2023 City Hall Auditorium, Room 218, 140 Main Street, Torrington, CT

a. Special Exception 23-03

Applicant: Randall Stelma

Location: Newfield Road, Assessor Map 231 Block 001 Lot 026

Proposal: Farm Stand

Mr. Mele noted this public hearing will be held at the June 28, 2023 meeting.

b. Various revisions/amendments to City of Torrington Zoning Regulations.

Applicant: City of Torrington Planning and Zoning Commission

Bed and Breakfast – Sections 2.2, 3.1, 4.0 and 6.10

Outdoor Dining – Section 5.18 to comply with State Statutes

Mr. Mele noted this public hearing will be held at the June 28, 2023 meeting.

6. Old Business:

- a. Site Plan 1452
Applicant: DCS Construction LLC
Location: 65 Tarringford Street
Proposal: Accessory Apartment

Mr. David Miller, resident of 65 Tarringford Street appeared before the Commission. He stated it is his understanding they have met all requirements for an accessory apartment.

Mr. Leifert read his memo to the Commission dated June 14, 2023.

MOTION by Ms. Greco to APPROVE APPROVE Site Plan 1452

Applicant: DCS Construction LLC
Location: 65 Tarringford Street
Proposal: Accessory Apartment

With the following conditions and recommendations:

1. Per City Engineer Paul Kundzins, a Certificate of Occupancy shall not be granted until a satisfactory site grading and stabilization inspection occurs. Alternatively, additional design plans may be submitted and approved by the City Engineer showing the proposed grades around the addition prior to issuance of zoning permits to begin construction.
2. The applicant shall submit project approvals from the Torrington Area Health District prior to the issuance of a zoning permit to begin construction.
3. The applicant shall follow the building permitting requirements of Building Official Kevin Gillette contained in his email to the City Planner dated May 12, 2023
4. The commission grants site plan waivers as allowed in section 8.4 for proposed contours, utility locations, zoning informational table and vicinity map.
5. A zoning permit shall be obtained prior to commencement of construction.

MOTION seconded by Mr. Perosino, unanimously carried.

- b. Proposed Change of Zone Map
Applicant: Hutton ST 21 LLC
Location: 19 Hillside Avenue and 31 Hillside Avenue
Proposal: Change Zone Map to Local Business, LB (currently R6)
(public hearing closed on 5/24/23)

Mr. Mele stated this public hearing was closed at the May 24, 2023 meeting, and Commissioner Tom Telman will be seated this evening on the Commission, as he was present at the last meeting.

Mr. Mele relayed his observations of the lots, and a change to Local Business will create a greater non-conformity on that street.

Mr. Perosino stated this proposal is zone creep, and can be considered spot zoning. Ms. Greco agreed, and also noted the traffic situation is a concern. The health, safety and welfare of the area residents need to be considered. The non-conforming lot is a great concern.

Mr. Telman stated a concern is what the development of these parcels and the East Main Street parcel will be. It will be a nightmare dumping more traffic onto Hillside Avenue.

Mr. Mele emphasized the only consideration tonight is the Zone Change application. Mr. Leifert reviewed it is important to separate the Zone Change request from any future development of the site.

Traffic in the immediate area was further discussed by the Commission and Mr. Leifert.

MOTION by Ms. Greco to DENY Proposed Change of Zone Map

Applicant: Hutton ST 21 LLC

Location: 19 Hillside Avenue and 31 Hillside Avenue

Proposal: Change Zone Map to Local Business, LB (currently R6)

This proposed change of zone to Local Business is not protective of the public health, safety and welfare of the area of the proposed zone change in accordance with documents and plans submitted in the application record. The Commission finds the proposal to be inconsistent with the City of Torrington's Plan of Conservation and Development and findings of the 2021 East Main Street Corridor Study.

Motion seconded by Mr. Perosino, motion unanimously carried. Mr. Mele stated seated members voting to deny the proposal are Donna Greco, Greg Perosino, Tom Telman and Greg Mele. (Starley Arias abstained from voting.)

7. New Business:

a. Site Plan 1455

Applicant: Keystone Place at Newbury Brook, LLC

Location: 1058 Litchfield Street

Proposal: Site Plan modification, revise proposed retaining wall access, maintenance road

Kenneth Hrica, PE and licensed land surveyor appeared via zoom representing the applicant. Mr. Hrica screen shared the site plan modifications, reviewing details of the changes to the construction road. The roadway through this area near the retaining wall will be kept for management, and the driveway will be changed to crushed stone, with fabric installed underneath the stone. This will provide more water infiltration than the original proposed materials. Over the course of several years, vegetation will fill in over the crushed stone road. The access roadway is 700 feet long per Mr. Hrica.

Mr. Leifert read his memo to the Commission dated June 14, 2023.

MOTION by Donna Greco to APPROVE Site Plan 1455

Applicant: Keystone Place at Newbury Brook, LLC

Location: 1058 Litchfield Street

Proposal: Site Plan modification, revise proposed retaining wall access,
Maintenance road

with the following conditions and recommendations:

1. All previous conditions contained in Site Plan approval #1418 shall apply to this approval, with the exception as noted below.
2. Due to the nature of this revision, the Commission waives the requirement for filing of a mylar plan with the City Clerk. In accordance with Sections 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 modified plans including the engineer's stamp and chairman's signature box on the title page.

Motion seconded by Mr. Perosino, motion unanimously carried.

- b. Section 8-24 Referral
403 Tarringford West Street
Sale of City Owned Property

Mr. Leifert read his memo to the Commission dated June 14, 2023.

MOTION by Ms. Greco to make a favorable recommendation to Mayor and City Council on 8-24 Referral

Location: 403 Tarringford West Street

Sale of City Owned Property

Motion seconded by Mr. Perosino, unanimously carried.

8. Correspondence:

- a. Zoning and Blight Violation update

Mr. Leifert noted Assistant City Planner Nate Nardi-Cyrus will be back next week and an updated report will be provided.

9. Adjournment:

MOTION by Mr. Perosino to adjourn at 8:03 p.m., seconded by Ms. Greco, unanimously carried.