

CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
June 28, 2023

Present: Greg Mele, Chair
Greg Perosino, Vice Chair
Jim Bobinski, Member
Diane Carroll, Alternate
Starley Arias, Alternate
Tom Telman, Alternate

Also Present: Jeremy Leifert, AICP; City Planner

Not Present: Donovan Riley, Member
Donna Greco, Member

1. Call to Order:

Chair Greg Mele called the meeting to order at 7:02 p.m. Attendance 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 on the Commission this evening will be Diane Carroll, Jim Bobinski and Greg Mele. Present remotely via zoom and serving are Commissions Greg Perosino, Tom Telman and Starley Arias (arrived 7:10 p.m.) Also present is Jeremy Leifert, City Planner.

3. Minutes for Approval:

a. 6/14/23

MOTION by Mr. Perosino to approve the June 14, 2023 minutes, seconded by Mr. Telman. Motion carried with Mr. Bobinski and Ms. Carroll abstaining from voting.

4. 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 and Site Plan 1457
Applicant: Randall Stelma
Location: Newfield Road, Assessor Map 231 Block 001 Lot 026
Proposal: Farm Stand

At 7:03 p.m. Chair Greg Mele opened the public hearing and stated serving this evening are Commissioners Diane Carroll, Jim Bobinski, Tom Telman, Greg Perosino, Starley Arias (arrived 7:10 p.m.) and Greg Mele. Also present is Jeremy Leifert, City Planner.

Ms. Carroll read the legal notice of public hearing.

Mr. Randall Stelma, applicant, appeared and verified he placed the public hearing sign on the property and the receipts for certified mailings were given to Chair Mele.

Mr. Stelma gave a presentation of his plans for a mobile farm stand, temporary pumpkin sales, and temporary food truck. The farm stand will be seasonal, and they also sell to local restaurants. Their residential house is adjacent to this farm stand site.

The temporary food truck was discussed, and a predetermined time for the food truck to be on the site has not been set yet. Mr. Stelma is thinking a food truck will be on site to accompany pumpkin sales or Christmas tree sales. He stated temporary food truck sales will be Thursday through Sunday. Mr. Stelma talked about the possibility of a “high tunnel” greenhouse, without a foundation.

Mr. Leifert noted we do not have regulations regarding food trucks on sites, and it is becoming more common now.

There is no electric power on site per Mr. Stelma, and the intent is for the truck to not provide meals such as pizza and hamburgers, as he will not always be on site.

Mr. Leifert recommended the food truck be on site only when the farm stand is open, as an accessory use to the farm stand. Commission members wanted to know the hours of operation for the farm stand, to be clear when the food truck will be on site. Mr. Leifert stated it is important to designate that the food truck is not a stand alone business on the site, but an accessory use to the farm stand.

Mr. Stelma explained the food truck will be seasonal with their products being sold. Food items are grown on both this subject site and their house site on Marshall Lake Road. He outlined the variety of food produce items they grow such as garlic, tomatoes, squash, etc.

Mr. Mele opened the hearing for public comments in favor of the proposal.

James Seitz of 219 Sawmill Hill Road, Torrington, inquired if there was going to be a permanent structure on this site. Mr. Stelma responded there is not a permanent structure now, there is currently a mobile structure on site. Mr. Seitz stated he does not want to see this area turned into a Walmart.

Mr. Leifert explained any use on this site would have to be allowable in the zone, and he provided additional details regarding parking, handicap parking per Torrington Zoning Regulations.

Mr. Seitz expressed concerns about parking on the street. The parking and site lines have been reviewed by the City’s Engineering Department per Mr. Leifert. Driveway and driveway apron details were reviewed. Mr. Seitz stated his concerns that if the food truck is on site, with only two parking spaces provided, that’s the use of the whole site. He provided his observations of the site being very wet over the years.

Mr. Leifert referred to his memo to the Planning and Zoning Commission, that this proposal has already gone before the Inland Wetlands Commission for review. The on site water course was discussed. There is more space available on site for parking if needed per Mr. Stelma. Mr. Leifert reviewed the parking requirements per the Zoning Regulations.

Tom Kandefer of 1821 Winsted Road, Torrington, appeared in favor of the proposal, as the City of Torrington has a declared policy to encourage agricultural operations and the sale of locally grown products. The Plan of Conservation and Development does mention small farms being a critical item for the City. He does have concerns to be discussed, first on the issue of the farm stand. 75% of products sold at the stand must be grown on that site. The applicant has stated he has products growing on both lots. The this farm stand, it does involve products grown on two lots.

Commission members and Mr. Leifert confirmed both lots are under the same ownership. Mr. Kandefer inquired about poultry and eggs, and how large of an operation it will be, and poultry can produce eggs year round. The applicant has noted this will be seasonal.

Mr. Stelma explained their honey sales, they lost most of their hives last year, but still have product to sell. As far as hens, there is a presence of wildlife on their site (portions inaudible). He reviewed potential hours, weekdays 4:00 – 6:00 p.m., and Saturdays 9:00 – 1:00 p.m., sometimes until dark.

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

Doreen Bowski, 1853 Newfield Road, Torrington appeared. He property borders this subject property. She is in favor of preserving agriculture, however the cart is being put before the horse in this case. The application and plans the City has say nothing about food trucks, it states greenhouse which is a high tunnel. She inquired about structures being moved, and wants further information about regulations covering high tunnel structures. She inquired about the topography of the site, and how it has changed over the years. It is has been deemed wetlands and flood areas (portions inaudible). The trailer was supposed to be removed from the site, as it was intended to be temporary for future construction and a driveway. The five acre site is rocks and ledge and wet, her property is adjacent.

Ms. Bowski never saw a public hearing sign posted. As an abutting property owner, she was supposed to get a letter and one was not received. She read portions of the regulations about the notification requirements and there are grounds for denial for not posting a sign.

Ms. Bowski met Mr. Stelma for the first time on June 19, and he told her this was just going to be a vegetable stand for his daughter to earn money, and she is in 4H. She noted the bear population (portions inaudible due to extensive background noise). Bears will cause problems with an unmanned farm stand, and there is an egg cooler on Marshal Lake Road as well.

Ms. Bowski stated she went to the Planning and Zoning Office on June 20 to make copies, and see this site plan. The cart is being put before the horse, and bigger things are going

to happen here. The applicant is not being forthcoming. Ms. Bowski read portions of notes written on the site plan. Ms. Bowski got a letter, which was not sent certified. The Planning and Zoning application states a farm stand, and nothing about a food truck. In no place on any application does she see a high tunnel greenhouse listed. There are multiple things going on that are not on the application.

Ms. Bowski has concerns where the greenhouse will be placed. From her research, it needs swales and detention ponds, erosion control and underground drainage. Compost piles are also a concern. Mold and mildew from certain produce in the high tunnel create a concern. Where will water come from, and where will sanitation come from for washing hands, and will this tunnel need to be heated and how? Additional concerns were noted and comments from her written research regarding sale were read (portions inaudible due to background noise).

Ms. Bowski stated she hopes both Randall Stelma and Erin Stelma will recuse themselves from their respective Committees going forward on their own applications.

Sight lines and extensive traffic are an issue in this area. There are many accidents and near misses in this area. A large tree stump is also affecting sight lines. Ms. Bowski inquired how will water be trucked in, and she is concerned about her house, her health, safety, and property values.

Ms. Bowski stated everyone is promoting agriculture, and she does not believe this is being addressed correctly. This proposal is a foot in the door to much more to come. She reiterated she did not receive a certified mail letter.

Pauline Linehan, 2335 Newfield Road, Torrington appeared. She has lived here for 47 years, and traffic has changed drastically over the years (portions inaudible). Her main concern is traffic, with dump trucks at a nearby nursery. Last summer they had 60 trucks a day going by their house. She noted the speed of traffic, and how the speed limits have changed over the years. Streams in the area were noted. Who is going to supervise the stand when they are not on site?

In response to questions from Ms. Carroll, Mr. Stelma said it is his intention to block off his entrance with a chain when they are not there, as they do not want people on the property when they are not present. As far as signage, they have not thought about that, and are open to suggestions. Mr. Stelma said he will not leave produce on the trailer when they are not there.

Mr. Bobinski stated he lives in the area, and he did see the public hearing sign posted on site.

The proposed driveway entrance and driveway apron were discussed further by the Commission and applicant. The possibility of moving the driveway was discussed. Mr. Stelma noted a beautiful maple tree he wants to preserve on site. Mr. Bobinski noted the trees are not shown on the plan and that is an issue. There is a possibility of a better layout.

Mr. Leifert reviewed how agricultural uses are allowed, per Inland Wetlands Regulations. If it is a standard agricultural use, that is exempt from Inland Wetlands Regulations, and there will be a jurisdictional ruling. A positive report was received from the Inland Wetlands Commission regarding this proposal.

Ms. Doreen Bowski noted there was not a public hearing sign posted for wetlands. Mr. Leifert reviewed there are different regulations for Planning and Zoning vs. Inland Wetlands, and there is no requirement to post a sign for wetlands. A sign posting for Inland Wetlands proposal is only for public hearings, which is rare. This proposal is for an agricultural use.

Mr. Leifert noted the site plans show the proposed location for the greenhouse, and it needs to be located in that area. High tunnel greenhouse details were discussed, and this is not a for a large dairy farm use (portions inaudible).

Driveway entrance, traffic and sight lines were discussed further with Mr. Leifert noting these issues were reviewed by the City's Engineering Department.

Mr. Stelma noted they have a water tank on a truck they will use. The greenhouse was discussed further. Mr. Stelma would like to have electricity on site, but he cannot afford it.

Mr. Mele noted concerns with parking during a pumpkin event. Mr. Stelma said they may have only 50 – 60 pumpkins, not a large scale operation.

Mr. Perosino is in agreement with Mr. Mele regarding parking. Newfield Road is a major thoroughfare. It is difficult to envision a large event on such a small property. A farm stand is one thing, but this proposal is more than a farm stand. Mr. Stelma noted their primary concern is the farm stand.

Mr. Leifert read this memo to the Commission dated June 28, 2023.

Mr. Perosino inquired about the City's traffic review of this proposal. Mr. Leifert read Traffic Sergeant Dustin Baldis' comments from his memo.

Mr. Perosino has concerns with parking for the commerce portion of the proposal. Two parking spaces does not seem like enough for the amount of proposed uses on site. If this venture is successful, there will be additional parking along Newfield Road.

Mr. Mele concurred with Mr. Perosino, he cannot support the food truck and it would be a different situation if there were 15-20 parking spaces on site. Parking further discussed. Mr. Stelma said he would park his personal vehicle behind the farm stand, and not take up one of the two parking spaces; Mr. Perosino noted this is not shown on the plans.

It was the consensus of the Commission that the food truck proposed is not workable at this site. Mr. Perosino stated he does not want to get into this Commission suggesting what be done to the plan, he wants to see the applicant go back to his engineer and

possibly the City Engineer and come up with a new plan concentrating on the farm stand, and Special Events should be eliminated from this site as it appears this site is not capable of handling special events, with parking needs. The intended use is a farm stand to move produce that might otherwise not get used.

Mr. Stelma was agreeable to removing the food truck from the plans. Mr. Mele noted the food truck might be workable if there was more parking on site.

At 8:28 p.m. Mr. Mele declared the public hearing closed, and a decision will be forthcoming at a future 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

At 8:28 p.m. Mr. Mele opened the public hearing. Ms. Carroll read the legal notice of public hearing.

Mr. Leifert read his memo to the Commission dated June 28, 2023.

The hours of seasonal dining were discussed by the Commission, and these hours are to coincide with the business' hours of operation.

Mr. Leifert noted the important aspects are the space left open on the sidewalks to allow for pedestrian traffic, and the insurance certificates required for activity on a city sidewalk. An additional insurance certificate is not required for activity on private property.

The Commission discussed proposed amendments.

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. Mele noted Commissioners serving on this public hearing are Greg Perosino, Jim Bobinski, Diane Carroll, Starley Arias, Tom Telman and Greg Mele. Also present is City Planner Jeremy Leifert.

At 8:44 p.m. Mr. Mele announced the public hearing is closed.

MOTION by Ms. Carroll to APPROVE 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

The effective date of the regulation change/amendment shall be the day after publication of the legal notice of decision in the local newspaper. Motion seconded by Mr. Perosino, unanimously carried.

6. Old Business:

None

7. New Business:

- a. Site Plan 1456
Applicant: Pinbro Associates LLC
Location: 887 Migeon Avenue and 895 Migeon Avenue
Proposal: Modifications to previously approved self-storage warehouse

Mr. Mele stated Commissioners serving on this public hearing are Greg Perosino, Jim Bobinski, Diane Carroll, Starley Arias, Tom Telman and Greg Mele. Also present is City Planner Jeremy Leifert.

Mr. Leifert read his memo to the Commission dated June 28, 2023.

Commission members reviewed the application and submitted plans. (No one present to represent the applicant).

MOTION by Ms. Carroll to APPROVE Site Plan 1456

Applicant: Pinbro Associates LLC
Location: 887 Migeon Avenue and 895 Migeon Avenue
Proposal: Modifications to previously approved self-storage Warehouse

With the following conditions and recommendations:

1. All conditions contained in previous approval of Site Plan #1422 remain in effect except for those as noted below.
2. The applicant shall follow the requirements of Assistant City Planner Nate Nardi-Cyrus in his June 22, 2023 email to the City Planner
3. The applicant shall address remaining conditions identified by Paul Kundzins, City Engineer in his remaining June 27, 2023 comments prior to issuance of zoning permits and filing of final modified 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 on the title page and sheet GR, Grading and Utilities
 - b. One mylar copy of the final "Site Plan – Grading and Utilities" sheet (Sheet GR) 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.

MOTION seconded by Mr. Perosino, unanimously carried.

8. Correspondence:

- a. Zoning and Blight Violation update

Brief updated provided by Jeremy Leifert.

9. Adjournment:

MOTION by Mr. Perosino to adjourn at 8:56 p.m., seconded by Mr. Telman, unanimously carried.