

**CITY OF TORRINGTON
ZONING BOARD OF APPEALS
MEETING MINUTES
January 8, 2024**

Present: Carrie Vibert, Vice Chair
James Steck, Member
Christopher Smyth, Member
Ken Edwards, Member
Randall Stelma, Alternate
Steve Thompson, Alternate

Also Present: Jeremy Leifert, City Planner
Nate Nardi-Cyrus, Assistant City Planner

Not Present: Marc Trivella, Chair

1. Call to Order:

James Steck, Acting Chair, called the meeting to order at 7:00 p.m. in-person at City Hall Auditorium, Room 218, 140 Main Street, Torrington, CT, and via Microsoft Teams on-line.

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 218 480 722 808

Passcode: MpXvWE

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2. Roll Call and Announcements:

Acting Chair James Steck called the meeting to order at 7:00 p.m. Present in person are Board Members Ken Edwards, Steve Thompson, Randall Stelma, and James Steck. Present via Microsoft Teams are Board members Carrie Vibert and Christopher Smyth. Also present in person are Jeremy Leifert, City Planner and Nate Nardi-Cyrus, Assistant City Planner.

3. Minutes for Approval:

a. December 11, 2023

MOTION by Mr. Edwards to approve the December 11, 2023 minutes, seconded by Mr. Stelma, motion unanimously carried.

4. Old Business:

a. Zoning Enforcement Official Decision Appeal

Applicant: Gary Hatstat

Location: 441 Oak Avenue

Action Being Appealed: Abandonment of pre-existing non-conforming use
(hearing continued from December 11, 2023)

Mr. Steck opened the public hearing. Nate Nardi-Cyrus, Assistant City Planner and Zoning Enforcement Officer for City of Torrington read his memo to the Zoning Board of Appeals dated January 8, 2024. This is a Zoning Enforcement Officer Decision Appeal.

Exhibits were screen shared, a timeline was reviewed by Mr. Nardi-Cyrus. There are two uses occurring on the property at the same time; a repair garage and a residence despite multiple warnings. Mr. Nardi-Cyrus referred to his memo to Board Members.

Discussion of details were discussed at length by Board Members and Mr. Nardi-Cyrus (until 7:28 p.m.)

Attorney Luis Medina, Norfolk, CT appeared representing applicant Mr. Gary Hatstat. Attorney Hatstat questioned Mr. Nardi-Cyrus in detail regarding his findings on making the determination that this a residence. (7:30 p.m. to 8:14 p.m.)

At 8:14 p.m. Acting Chair Steck opened the hearing for public comments.

Elizabeth Tieman, 451 Oak Avenue, Torrington appeared. She stated in August 2020 Mr. Hatstat moved into the garage, and that he was arrested for failure to register his home address as a sex offender. She outlined her additional observations and dates.

Max Tieman, nearby neighbor, appeared and stated Mr. Hatstat is there consistently and when garage door is open, it is obvious he lives there. He does not leave the residence for days at a time, and there is video evidence of this.

Mr. Smyth inquired about a possible Board site visit, and Mr. Steck responded this would be addressed later.

Mr. Max Tieman made additional comments about the length of time Mr. Hatstat spends at the property 441 Oak Avenue, and Attorney Medina questioned him about his findings.

Dave Schaller, (address inaudible) appeared and stated there are weeks on end that the same vehicles are on site and never move.

Acting Chair Steck asked Attorney Medina to address his questions to the Board. Comments from Attorney Medina sitting in audience were inaudible.

Teresa Payne, 418 Oak Avenue, Torrington, stated Mr. Hatstat is living at 441 Oak Avenue, she works at home and relayed her observations, as noted from her home office window (8:35 p.m.)

Mr. Steck opened the public hearing for comments from on-line Teams participants. Rusty Shackleford, homeless, appeared via teams and asked if it was permissible to live in a vehicle on Mr. Hatstat's site. Mr. Leifert responded an RV could be occupied for two weeks per year, unless the RV is located within an RV Park. A car or other vehicle would be handled in the same manner. Mr. Steck stated this is not specific to this agenda matter.

Timothy Allensworth appeared and spoke of cutting firewood on Mr. Hatstat's property. He has known Mr. Hatstat for 3.5 years. (8:47 p.m.)

Michelle Cullen, 27 Marvin Street, Torrington, appeared and stated Mr. Hatstat does not live at 441 Oak Avenue, he has a key to her house and is there frequently. Her house is a short walk from 441 Oak Avenue. Board Members asked questions about Mr. Hatstat staying with the Cullens.

An unidentified person from the public inquired through Chair Steck if Mr. Hatstat is living at 27 Marvin Street, would he be registered as a sex offender at that address. Ms. Cullen said mail was still being delivered to his business address at 441 Oak Avenue. (further inaudible comments from public).

Ms. Tieman inquired through Chair Steck why wasn't that information provided earlier. Ms. Cullen responded she does not know. Ms. Cullen started living at her current address in 2003. It was in April 2023 Mr. Hatstat started staying with them.

Attorney Medina questioned Mr. Hatstat about this addresses and address history, mailing address, etc. Mr. Hatstat responded since he has moved so much, he uses 441 Oak Avenue as his mailing address. His places of employment were reviewed.

At 9:04 p.m. a lengthy discussion ensued on Department of Motor Vehicle license and address requirements, and Mr. Hatstat's previous addresses and time spent there.

Ivar Kaseoru, 13 Perkins Street, Torrington appeared in support of Mr. Hatstat as an honest and truthful person. Mr. Kaseoru has not observed Mr. Hatstat living at 441 Oak Avenue. He noted Ms. Liz Tieman has had difficulties with other people in the past, as well as him.

At 9:33 p.m. inaudible comments from the public.

Lois Blandino's daughter (name inaudible) stated they had to evict Mr. Hatstat from their Mundry Road property, which took over a year. Lois Blandino also appeared as the property owner of the Mundry Road address.

At this time, Attorney Luis Medina left the meeting.

Mr. Leifert explained the timing of the hearing process. Mr. Leifert reviewed the definition of "residence" as in the Torrington Zoning Regulations.

At 9:42 p.m., MOTION by Mr. Thompson to close the public hearing, seconded by Mr. Smyth, unanimously carried.

Acting Chair Steck noted for the record the seated and voting Board of Zoning Appeals members on this matter will be Ken Edwards, Christopher Smyth, Carrie Vibert, James Steck and Randall Stelma.

Mr. Leifert clarified deliberation proceedings. This matter will appear on the next Zoning Board of Appeals Agenda for deliberation.

Mr. Leifert left the meeting at this time.

- b. Variance
Applicant: Luis Loja
Location: 104 Washington Avenue
Proposal: Front yard setback variance on Central Avenue from 25' to 12.9' (variance of 12.1') and front yard setback variance on Washington Avenue from 25' to 17.6' (variance of 7.4') to convert single family house into two family house

Mr. Nardi-Cyrus explained the error that was made by the surveyor and that the legal notice which needed to be corrected and re-run.

Mr. Steck read the legal notice of public hearing.

Mr. Nardi-Cyrus read City Planner Jeremy Leifert's memo to the Board dated January 8, 2024.

Luis Loja, applicant, appeared and explained they bought the house, and believed it could be easily converted into a two family, per comments from the real estate agent.

(9:54 p.m.) Site details were reviewed and provided by Mr. Nardi-Cyrus.

Ms. Vibert stated a hardship needs to be stated for the record.

Noted for the record seated Board members on this application will be Carrie Vibert, James Steck, Christopher Smyth, and Steve Thompson. Documents pertaining to this application are on the City's website.

Mr. Nardi-Cyrus asked for mailing notification receipts, which were not available from the applicant. Tracking numbers and receipts were discussed, with additional verification methods provided by Ms. Vibert. Ms. Vibert suggested keeping the public hearing open to verify notification.

Mr. Steck declared the public hearing continued.

MOTION by Mr. Edwards to continue the public hearing to the next Board meeting, seconded by Ms. Vibert, unanimously carried.

5. New Business:

None

6. Adjournment:

MOTION by Mr. Stelma to adjourn at 10:10 p.m., seconded by Mr. Smyth, unanimously carried.