

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
October 26, 2022**

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

Also Present: Jeremy Leifert, AICP, City Planner

Not Present: Jim Bobinski, Member

1. Call to Order:

Chair Greg Mele called the meeting to order at 7:03 p.m. in the City Hall Auditorium, Room 218, Torrington, CT. Attendance is by Zoom or in-person.

2. Attendance/Announcement:

Chair Greg Mele announced present in person at City Hall are Commissioners Greg Perosino, Donna Greco, Diane Carroll and Greg Mele. Commissioners present and serving via zoom are Donovan Riley, Starley Arias, and Tom Telman.

3. Minutes for Approval:

a. 8-17-22 Special Meeting

MOTION by Mr. Perosino to approve the 8-17-22 Special Meeting minutes, seconded by Ms. Carroll, motion carried with Donovan Riley, Starley Arias, and Tom Telman abstaining.

b. 9-21-22

MOTION by Ms. Carroll to approve the 9-21-22 minutes, seconded by Ms. Greco, motion carried with Mr. Perosino abstaining.

4. Public Hearings beginning at 7:00 p.m., October 26, 2022 City Hall Auditorium, Room 218, 140 Main Street, Torrington, CT

a. Proposed Zone Map Change
Applicant: The Charlotte Hungerford Hospital
Location: 1215 New Litchfield Street
Proposal: Change Zone to LB, Local Business (currently R6)

At 7:05 p.m. Chair Mele opened the public hearing and stated serving this evening will be Commissioners Donna Greco, Diane Carroll, Greg Perosino, Donovan Riley, Starley Arias, Tom Telman and Greg Mele. Also present is Jeremy Leifert, City Planner.

Ms. Greco read the legal notice publication.

Mr. Tim Coon of J.R. Russo & Associates appeared via zoom representing the applicant, Charlotte Hungerford Hospital. Mr. Brian Ohler from Charlotte Hungerford Hospital was also present via zoom.

Mr. Coon screen shared his maps and gave a presentation of the proposal.

Mr. Leifert read his memo to the Commission dated October 26, 2022.

Mr. Mele opened the hearing for public comments in favor of the proposal. There were no comments.

Mr. Mele opened the hearing for public comments in opposition to the proposal. There were no comments.

At 7:16 p.m. Chair Mele declared the public hearing closed.

MOTION by Ms. Greco to APPROVE Proposed Zone Map Change

Applicant: The Charlotte Hungerford Hospital

Location: 1215 New Litchfield Street

Proposal: Change Zone to LB, Local Business (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. Telman, unanimously carried.

b. Re-Subdivision Application

Applicant: Keith Bodwell, P.E., L.S.

Location: Alvord Park Road, Assessor's Map 135, Block 003, Lot 052

Proposal: Three lot re-subdivision of a 4.1 acre parcel in the IP zone

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

Keith Bodwell of Bodwell Engineering appeared in person representing the applicant/property owners. Maps were screen shared. Mr. Bodwell gave a presentation on the proposed three lot resubdivision. Updates had been made to the plans since Mr. Bodwell and Mr. Leifert had met, the building had been moved away from the wetlands line. Mr. Bodwell reviewed details, parking will be located underneath the buildings. Driveway entrances were reviewed and wetland areas noted. Various site details were reviewed by Mr. Bodwell and discussed.

Mr. Leifert read his memo to the Commission dated October 26, 2022.

Mr. Mele opened the hearing for public comments in favor of the proposal. There were no comments.

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

Doreen Brenner of 31 Deercrest appeared. She spoke of the water and streams in the areas and noted the extensive traffic in the vicinity. There are more suitable places in Torrington build office buildings.

Clint Eichman of 7 Deercrest spoke of the extreme traffic in the area, and the close proximity of the stream to his property. This project will hurt the value of his property.

Mr. Mele asked Mr. Bodwell to clarify and note driveways on site. Mr. Bodwell stated this is a concept plan. Plans were reviewed again. Mr. Bodwell stated the actual use of the property has not be determined yet. He also provided information on wetland buffers.

Lisa Borden of 39 Deercrest appeared in opposition and stated this stream on the property is not intermittent, it goes through her property also, and it flows all the time. Mr. Leifert provided information on watercourses, intermittent watercourses are handled in the same manner.

Mt. Telman inquired if the plot will be developed whether it is subdivided or not. Mr. Leifert responded yes, there could be multiple buildings on one site in the IP zone.

Mr. Mele declared the public hearing closed at 7:47 p.m.

MOTION by Ms. Greco to APPROVE Re-Subdivision Application

Applicant: Keith Bodwell, P.E., L.S.,

Location: Alvord Park Road, Assessor Map 135 Block 003 Lot 052

Proposal: Three lot re-subdivision of a 4.1 acre parcel in the IP Zone

With the following conditions and recommendations:

Waivers:

The applicant has verbally requested waivers from the requirements of the Zoning Regulations Sections 4.6 and 4.7 for the submittal of a full Soil and Erosion Control Plan and a full Stormwater Management Plan.

And with the following conditions:

1. The title to the Recording Subdivision Map and Site Development Plan is re-titled "Re-Subdivision Plan" and "Re-Subdivision Concept Plan"
2. The applicant should provide proposed contours and a basic soil and erosion control plan to show how nearby resources are to be protected during and after future construction to ensure that the proposed lots are buildable.

3. A location for a fire hydrant within 1000 feet shall be shown or described in notes on the plans by the engineer. If required, a fire hydrant shall be installed or a bond for the cost of installation posted prior to issuance of a zoning permit to construction on any of the 3 lots.
4. Per Section 5.5.3 of the Subdivision Regulations, the applicant shall pay a fee in lieu of open space. This fee shall not exceed 10% of the fair market value of the land to be subdivided prior to the approval of the subdivision. The fair market value of the land to be subdivided shall be determined by an appraiser jointly selected by the applicant and the Commission. The cost of the appraisal shall be paid by the applicant. The appraisal shall be completed prior to the filing of the resubdivision plan on the Torrington Land Records. A fraction of the total fee shall be paid to the City at the time each lot is first sold or transferred. The numerator of this fraction is one; the denominator is 3, the number of approved building lots in the approved subdivision.
5. Iron pins shall be set in lot corners in accordance with the Resubdivision Map prior to filing the Record Resubdivision map.
6. Per Section 3.10.3.G of the Subdivision Regulations, the final approved Resubdivision map and final Site Development Plan shall contain the Tax Assessor's Map/Block/Lot for each lot in the Resubdivision as assigned by the Engineering Department.
7. In accordance with section 3.10.1 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. Final copies of paper and mylar plans shall include conditional modifications as outlined in this memo.
 - d. Mylar sheets shall be filed by the applicant with the City Clerk within 90 days after the signature of the Chairman.

Motion seconded by Mr. Perosino, unanimously carried.

- c. Special Exception #22-07, Site Plan 1422
 Applicant: Pinbro Associates, LLC
 Location: 887 & 895 Migeon Avenue
 Proposal: New construction of self-storage units

At 7:50 p.m. Chair Mele opened the public hearing and stated serving this evening will be Commissioners Donna Greco, Diane Carroll, Greg Perosino, Donovan Riley, Starley Arias, Tom Telman and Greg Mele. Also present is Jeremy Leifert, City Planner.

Ms. Greco read the legal notice publication.

Attorney Peter Herbst, 365 Prospect St., Torrington, CT appeared representing the applicant. Neighborhood notification receipts were presented and Atty. Herbst verified the public hearing sign was properly posted.

Mr. Herbst gave a presentation of the proposal, referring to site maps.

Dave Dixon, Landscape Architect with SLR Engineering appeared, along with Ryan McElvoy of SLR Engineering gave a presentation, referring to site maps. Questions were posed by Commission members, and answered by the applicant's representatives.

Mr. Leifert read his memo to the Commission dated October 26, 2022.

Mr. Mele opened the hearing for public comments in favor of the proposal. One person spoke in favor (name inaudible on recording).

Mr. Mele opened the hearing for public comments in opposition to the proposal. There were no comments.

At 8:26 p.m. Chair Mele declared the public hearing closed.

MOTION by Ms. Greco to APPROVE Special Exception 22-07 and Site Plan 1422

Applicant: Pinbro Associates, LLC

Location: 887 and 895 Migeon Avenue

Proposal: New construction of self-storage units
with the following conditions and recommendations:

1. The applicant shall complete the proposed lot line revision between 887 and 895 Migeon Avenue properties and submit documents to the City Planner prior to the issuance of zoning permits to begin construction
2. The applicant shall update the zoning table with appropriate calculations for proposed building coverage and a parking table
3. The applicant shall update final plans to show a van accessible handicap parking space.
4. The minimum parking requirements of 10 parking spaces for self-storage units shall be waived to allow 4 parking spaces on site in accordance with section 5.13.4.B of the regulations.
5. The applicant shall update final plans to show sidewalks fronting both subject properties
6. It is recommended that the applicant follow the advice of Assistant City Planner Nate Nardi-Cyrus in his September 28, 2022 email to the City Planner, specifically regarding landscaping
7. The applicant shall follow the advice of the Architectural Review Committee from their October 20, 2022 meeting summarized in this memo
8. The applicant shall follow the procedure for the building permits as outlined by Building Official Kevin Gillette in his October 12, 2022 memo
9. The applicant shall follow the requirements outlined by Fire Marshal Edward Bascetta contained in his October 12, 2022 letter to the City Planner
10. The applicant shall address minor corrections to the plans identified by Paul Kundzins, City Engineer in his October 14, 2022 markup prior to filing of final plans
11. It is recommended that the applicant follow the advice of Police Traffic Sergeant Dustin Baldis with respect to construction of sidewalks in accordance with section 5.13.3.K of the zoning regulations in his October 16, 2022 email to the City Planner. Final plans shall be updated to show the proposed sidewalk location.
12. 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.
- Acceptable LID practice to add pervious area to the house lot.

MOTION seconded by Mr. Perosino, unanimously carried.

- d. Proposed Zone Map Change
 - Applicant: Florence Thibault
 - Location: 601 South Main Street
 - Proposal: Change Zone to LB, Local Business (currently R6)

At 8:30 p.m. Chair Mele opened the public hearing and stated serving this evening will be Commissioners Donna Greco, Diane Carroll, Greg Perosino, Donovan Riley, Starley Arias, Tom Telman and Greg Mele. Also present is Jeremy Leifert, City Planner.

Ms. Greco read the legal notice publication.

Florence Thibault appeared before the Commission and explained her proposal.

Mr. Leifert provided background history on the previous zoning of the property.

Mr. Leifert read his memo to the Commission dated October 26, 2022.

Mr. Mele opened the hearing for public comments in favor of the proposal. There were no comments.

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

At 8:30 p.m. Chair Mele declared the public hearing closed.

- MOTION by Ms. Greco to APPROVE Proposed Zone Map Change
- Applicant: Florence Thibault
 - Location: 601 South Main Street
 - Proposal: Change Zone to LB, Local Business (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, unanimously carried.

5. Old Business:

- a. Site Plan Application 1421
Applicant: Dibble Street Associates, LLC
Location: 1565 East Main Street
Proposal: Site Plan/Change of Use from former Auto Storage Lot to Retail Storage Shed Sales

Mr. Perosino announced this application has been withdrawn by the applicant.

- b. Site Plan Application 1423
Applicant: Ryan Batchelder
Location: 1050 East Main Street
Proposal: Site Plan/Change of Use of a portion of the property from single family use to carry-out food service and vehicle storage use

Ryan Batchelder and Keith Bodwell of Bodwell Engineering appeared and gave presentations. Mr. Batchelder asked for leniency on the amount of landscaping that is required.

Mr. Leifert read his memo to the Commission dated October 26, 2022, noting this is a pre-existing parking situation. The parking layout and sidewalks were discussed.

Discussion followed on bonding and other conditions required as part of this application.

MOTION by Ms. Greco to APPROVE Site Plan 1423

- Applicant: Ryan Batchelder
 - Location: 1050 East Main Street
 - Proposal: Site Plan/Change of Use of a portion of the property from single Family use to carry-out food service and vehicle storage use
- with the following conditions and recommendations:

1. The applicant shall address the comments of Assistant City Planner Nate Nardi-Cyrus in his September 28 email in regarding grass buffers and required landscaping.
2. The applicant shall follow comments of Paul Kundzins, City Engineer, with respect to parking alignment and access management along Hartford Avenue outlined in his October 18, 2022 email to the City Planner
3. The applicant shall follow the advice of Police Traffic Sergeant Dustin Baldis with respect to parking alignment, access management and sidewalk installation as outlined in his October 18, 2022 email to the City Planner.
4. Zoning permits are required prior to alteration or use of the site for the proposed use.
5. The applicant shall contact the Torrington Area Health District and obtain compliance with Public Health Codes prior to approval of zoning permits to perform site work or operate 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 approved plan including the engineer's stamp and chairman's signature box on the title page.
 - b. One mylar copy of site plan 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 by Mr. Perosino to AMEND this motion to remove conditions 2 and 3 above.

MOTION to APPROVE amended motion seconded by Mr. Perosino, unanimously carried.

6. Public Hearings beginning at 7:00 p.m., November 16, 2022 City Hall Auditorium, Room 218, 140 Main Street, Torrington, CT

- a. Proposed Amendments to City of Torrington Zoning Regulations
 Applicant: Torrington Planning and Zoning Commission
 Proposal: Proposed Zoning Regulation Amendments – remove residential density caps in the Downtown District; Sections 3.1, 4.15 and 6.8

Public hearing passed until November 16, 2022.

7. New Business:

- a. Site Plan 1424
 Applicant: C-3 Ventures, LLC
 Location: 3568 Winsted Road
 Proposal: Adult Use Cannabis Hybrid Facility

Tom Macre of C-3 Ventures, LLC appeared and gave a presentation.

Todd Parsons of Lenard Engineering appeared representing the applicant and gave a presentation referring to site maps.

Mr. Leifert read his memo to the Commission dated October 26, 2022.

Mr. Macre confirmed they will have on-line ordering and delivery to customers.

MOTION by Ms. Greco APPROVE Site Plan 1424

Applicant: C-3 Ventures, LLC
 Location: 3568 Winsted Road
 Proposal: Adult Use Cannabis Hybrid Facility
 with the following conditions and recommendations:

- 1. The applicant shall follow the comments from Assistant City Planner Nate Nardi-Cyrus in his October 17, 2022 email, specifically regarding landscaping substitutions.

2. Comments from Paul Kundzins, City Engineer received on October 18, 2022 and Police Traffic Sergeant Dustin Baldis received on October 18, 2022 have been resolved through subsequent meetings with the applicants' engineer and revisions to the plans. The final plans shall incorporate adjustments to directional signage and parking lot marking as requested by the City Engineer.
3. The applicant shall follow the comments from Fire Marshal Edward Bascetta in his October 12, 2022 email to the City Planner
4. The applicant shall follow the requirements from Building Official Kevin Gillette in his October 13, 2022 email to the City Planner
5. A security bond in a form and amount acceptable to the City shall be submitted prior to the issuance of zoning permits for any landscaping unable to be completed prior to the target opening date for the business
6. A zoning permit is required prior to alteration or use of the site for the proposed use.
7. Hours of operation shall be 9:00am to 8:00pm, 7 days a week as outlined in the submitted project scope
8. 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 approved plan including the engineer's stamp and chairman's signature box on the title page.
 - b. One mylar copy of the following plan sheets for filing with the City Clerk in accordance with section 8.4.3.P of the zoning regulations:
 - Sheet C-1 (Site Plan)
 - Sheet C-2 (Site Layout Plan)
 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.

- b. 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 public hearing date)

MOTION by Mr. Perosino to set a public hearing date of November 16, 2022, seconded by Ms. Greco, unanimously carried.

- c. Change of Zone Map and Site Plan 1426
 - Applicant: Patrik Jonsson
 - Location: 957 East Main Street
 - Proposal: Change Zone Map to AM Overlay (currently LB Local Business) Adult Use Cannabis Retail Establishment (set public hearing date)

MOTION by Mr. Perosino to set a public hearing date of November 16, 2022, seconded by Ms. Carroll, unanimously carried.

- d. Zoning Regulation Amendment, Special Events
(set public hearing date)

MOTION by Ms. Carroll to set a public hearing date of November 16, 2022, seconded by Mr. Perosino, unanimously carried.

- e. Discussion – Torrington Affordable Housing Plan 2022 – 2027

Briefly discussion by the Commission and Mr. Leifert. This will be worked on over the winter by Mr. Leifert.

8. Correspondence:

- a. Zoning and Blight Violation update

Mr. Leifert reviewed Nate Nardi-Cyrus' report to the Commission, as well as several blight enforcement issues.

9. Adjournment:

MOTION by Ms. Carroll to adjourn at 9:47 p.m., seconded by Ms. Greco, unanimously carried.