

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
March 10, 2021**

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

Also Present: Elinor Carbone, Mayor
Martin J. Connor, AICP; City Planner

Not Present: Diane Carroll, Alternate

1. Call to Order:

Chairman Greg Mele called the meeting to order at 7:00 p.m. via ZOOM online.

2. Attendance/Announcement:

Chairman Greg announced present and serving on this evening are Commissioners Greg Perosino, Donovan Riley, Donna Greco, Jim Bobinski, Starley Arias, Tom Telman and Greg Mele. Also present is City Planner Martin Connor (and Mayor Elinor Carbone for agenda item 6d.)

3. Minutes for Approval:

a. 2/10/21

MOTION by Mr. Perosino to approve the 2/10/21 minutes, seconded by Ms. Greco, motion carried.

4. Public Hearings scheduled for 7:00 p.m., Wednesday, March 10, 2021; remote meeting (not to be held at City Hall):

a. Special Exception 20-12 and Site Plan 1362
Applicant: Haynes Aggregates-Torrington LLC
Location: 3217 Winsted Road
Proposal: Biannual Renewal, Quarry, excavation, accessory retail sales
Special Exception 21-01 and Site Plan 1363
Applicant: O&G Industries, Inc.
Location: 3345 Winsted Road
Proposal: Biannual Renewal, Quarry, excavation, accessory retail sales

Chair Greg Mele opened the public hearing at 7:03 p.m. and stated serving on the Public Hearing will be Commissioners Donovan Riley, Greg Perosino, Donna Greco, Jim Bobinski, Starley Arias, Tom Telman and Greg Mele. Also present is City Planner Martin Connor.

Mr. Mele read the legal notice of public hearing which was published on the City's website.

Mr. Kenneth Hrica, professional engineer and land surveyor, Litchfield, CT appeared and gave a presentation of the proposal, referring to site maps.

Questions were posed by Commission members. Answers were provided by Mr. Tom Haynes of Haynes Aggregates, and Kenneth Faroni, Consultant.

Mr. Connor read his memo to the Commission dated March 2, 2021.

Chair Mele read a memo received on March 9, 2021 from Holly Blinkoff.

Mr. Mele pointed out that noticing had been correctly done in accordance with the Governor's Executive Orders regarding COVID 19 Emergency, and no public hearing signs were required to be posted.

Mr. Mele inquired if any additional correspondence was received. Mr. Connor explained after 4:00 p.m. today, an additional email was received from Holly Blinkoff, and asked Mr. Mele if he wished to read this at the public hearing, Mr. Mele stated no, it was received after the requested cut off time for written correspondence. Mr. Connor explained he had no access to upload documents onto the City's website after the close of business today.

Chairman 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.

Holly Blinkoff spoke in opposition to the proposal and reiterated points she made in her memo, which was read previously by Mr. Mele. Ms. Blinkoff brought up the point the Mine Safety and Health Administration indicates that the Burrville O&G operation was abandoned.

After Ms. Blinkoff's testimony, Mr. Haynes clarified that Haynes has been running the quarry operation, and O&G Inc. has been running the scale house operation, they have been working cooperatively which the Commission was aware of.

There were no further public comments.

MOTION by Mr. Perosino to close the public hearing at 8:14 p.m., seconded by Mr. Riley, motion carried with all in favor.

Mr. Mele read the Draft Motion to Approve:

APPROVE Special Exception 20-12 and Site Plan 1362

Applicant: Haynes Aggregates-Torrington LLC

Location: 3217 Winsted Road

Proposal: Two Year Special Exception Approval, Quarry, excavation, with accessory retail sales

and Special Exception 21-01 and Site Plan 1363

Applicant: O&G Industries, Inc.

Location: 3345 Winsted Road

Proposal: Two Year Special Exception Approval, Quarry, excavation, with accessory retail sales

with the following conditions:

1. The quarries shall not operate on Sundays or on any of the following holidays: New Year's, Good Friday, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas. The retail accessory use may be open on Good Friday.
2. Except as noted otherwise in these conditions, the quarries shall operate between the hours of 7:00 a.m. and 5:30 p.m., Monday through Friday and from 7:00 a.m. to 12 p.m. Saturday operations shall allow material processing between the hours of 7:00 a.m. to 3:00 p.m. This shall not include any drilling or blasting. The retail accessory use may be open on Saturdays from 7:00 a.m. to 5:00 p.m.
3. No blasting is to occur on Saturdays, Sundays, or on any of the following holidays: New Year's, Good Friday, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas. Blasting is to occur between the hours of 9:30 a.m. and 4:30 p.m. Applicants shall determine the schedule of the Torrington and Winchester school buses that pass through the area. No blasting is to occur either a half hour before or a half hour after the time a school bus is scheduled to be in the area.
4. A blast warning shall occur before blasting.
5. Applicants, shall notify all adjoining property owners 72 hours prior to a blast. With the property owner's approval, this notification can be reduced to 24 hours. The Mayor's office shall be notified 24 hours in advance of any blasting.
6. Any property owner within one-half mile of the property can also request that the applicants, notify them 72 hours prior to a blast. Applicants shall honor this request. With the property owner's approval, this notification can be reduced to 24 hours.
7. The applicants shall maintain a 600 foot buffer from their property line along Burr Mountain Road.
8. The applicants shall maintain a "Trucks Crossing" sign on Winsted Road.
9. Applicants shall designate an individual to receive, handle and log complaints from neighbors. The record of these complaints shall be presented at, or prior to, the public hearing on the renewal of the Special Exception permit.
10. The applicants shall maintain fugitive dust practices.
11. Per Section 6.4.5 F of the Regulations, the applicants shall provide a bond in a form acceptable to Corporation Counsel in an amount of not less than \$38,838.00 for the estimated cost of restoring the disturbed areas, including the areas that involve sorting, crushing, refining, drilling, screening or washing operations during the 2 year period of special exception renewal for the Haynes Aggregates-Torrington LLC quarry and \$350,000.00 for the O & G Industries, Inc. quarry.

The Commission hereby grants the following requested waivers:

1. Section 6.4.4 to allow slopes to exceed 2:1 slopes;
2. Section 6.4.2 regarding setbacks between the two quarries;
3. Section 6.4.5 regarding 5 acre maximum open excavation areas;
4. Section 8.4.3 requiring proposed and existing contours at 2 foot intervals.

The Commission hereby makes a finding that the application meets the general and specific conditions of Special Exception approval for earth excavations with the above waivers.

MOTION by Mr. Perosino to APPROVE, seconded by Ms. Greco, motion carried with Commissioners Donovan Riley, Jim Bobinski, Donna Greco, Greg Perosino and Greg Mele in favor of the motion.

5. Old Business:

none

6. New Business:

- a. Special Exception 21-02
Applicant: Tim Meyers
Location: 345 Riverside Avenue
Proposal: Add additional living unit over existing detached garage in R6 zone
(set public hearing date)

MOTION by Mr. Perosino to set a public hearing date of April 14, 2021, seconded by Ms. Greco, unanimously carried.

- b. Correspondence –
Robinson & Cole letter to City of Torrington, regarding solar electric generating Facility off Rossi Road and Highland Avenue.

The Commission briefly discussed the letter received. There is no action to be taken by the Planning and Zoning Commission. This is the Siting Council's jurisdiction.

- c. Discussion of possible Zone Change for former Nidec properties, from Industrial I Zone to Downtown District DD Zone.
Franklin Drive (vacant land) Assessor Map 127 Block 005 Lot 027
100 Franklin Drive, Assessor Map 116 Block 027 Lot 001

City Planner Martin Connor recommended that the Commission to hold a public hearing on a Zone Change from Industrial to Downtown District to help encourage redevelopment of these two parcels.

MOTION by Mr. Perosino to set a public hearing date of May 12, 2021, seconded by Mr. Riley, unanimously carried.

d. Zoning and Blight Violation update

The Commission has received the reports from the Zoning Enforcement Officer and the Blight Enforcement Officer. Mr. Perosino asked for further discussion of the status of the Yankee Pedlar building on Main Street.

Mayor Elinor Carbone was present in the City Planner's office at this time. Mayor Carbone briefed the Commission on the status of the court action.

7. Adjournment:

Motion by Mr. Perosino to adjourn at 8:34 p.m., seconded by Ms. Greco, unanimously carried.

Land Use Office