

CITY OF TORRINGTON



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To: Planning & Zoning Commission
From: Jeremy Leifert, AICP, City Planner *JL*
Date: October 26, 2022
RE: Proposed Zone Change, 601 South Main Street, Assessor's Map 115 Block 020 Lot 010, from an R6-residential zone to LB-Local Business.

Florence Thibault, d.b.a. 601 South Main Street, LLC has submitted an application to propose a zone map change from the current R6 residential zoning to a LB-Local Business zone for property located at 601 South Main Street, Assessor's Map 115 Block 020 Lot 010. The property is 21,780 square feet (0.5 acres) in area. The property is currently owned by 601 South Main Street, LLC. The property is serviced by public sewer and public water. The applicant has submitted a Class A-2 Survey titled "Zoning Location Survey Prepared for 601 South Main Street, LLC, South Main Street and Palmer Bridge Street, Torrington, Connecticut" dated June 2022, 1 Sheet and a 500-foot vicinity map titled "Zoning Location Survey, Prepared To Show Parcel Proposed To Be Changed From Zone R-6 To Zone Local Business, South Main Street & Palmer Bridge Street, Torrington, Connecticut" dated June 2022. 1 Sheet. Prepared by Timothy G. Wyllie, Jr., Land Surveyor, Barkhamsted, Connecticut. The maps conform to the Zoning Map requirements of Section 8.7.1 for a proposed change in a Zoning District Boundary. The subject property is adjacent to property zoned LB-Local Business immediately to the north of this property across Palmer Bridge Street and would add to a small contiguous cluster of LB zoned parcels at the intersection of South Main Street and Palmer Bridge Street. The property is surrounded on the east and south by R6 residential zoning and to the west across South Main Street by Industrial zoning. This property currently contains a mix of offices, shops, and a restaurant and is adjacent to properties with uses such as automotive shops and various industrial uses along South Main Street.

In reviewing the application and maps submitted, I have the following comments:

1. The property currently houses a restaurant and office space
2. The change in zone to LB would cause all existing uses in the building on the property to conform as "as-of-right" uses rather than special exception uses and is compatible with uses in the immediate area
3. The current structures on site are compliant with all setback and other bulk regulations except for the front yard setbacks on both street frontages. However, this proposed change of zone would make the existing building less non-conforming, as the LB zone requires a 10-foot front yard setback, while the R6 zone requires a 25-foot front yard setback.

4. This property would share the northern property boundary with a contiguous cluster of LB zoned parcels extending north along South Main Street. This proposed zone change does not represent “spot zoning”.
5. According to a review of the zoning history of this property, it was previously zoned local business through the mid-1990’s. City-initiated zoning changes in neighborhoods from South Main Street east to the Naugatuck River appear to have captured this property and rezoned it to R6 residential. While these collective changes make sense in interior residential neighborhoods, I believe properties fronting South Main Street should remain in commercial and industrial zoning when feasible.
6. The zone change would further the overall goals of the Business Development section of the 2019 Torrington Plan of Conservation and Development (POCD) in section 8.2, which states: “*maintain the basic character and quality of life of the City of Torrington with a suitable mix of residential, commercial, agricultural and industrial zoned property while continuing to provide a mix of residential property*”. In my opinion, this requested Zone Change would further the overall goals of the POCD.

Other Staff Comments:

Economic Development Director: Rista Malanca, AICP, Torrington Economic Development Director did not comment on this application.

Assistant Planner: Nate Nardi-Cyrus, Assistant Planner, in an email to me dated August 22, 2022, offered the following comments:

Wetlands – *There are no regulated wetlands or watercourses on or in the vicinity of the subject property that would require wetlands review for this proposal. Therefore, no wetlands permits are required prior to this application. This constitutes a favorable wetlands report for this application.*

Landscaping – *No additional landscaping is proposed or recommended as part of this application.*

Lighting – *No lighting additions or removals are proposed or recommended as a part of this application.*

Signage – *There are no new signs proposed as part of this application. A sign permit shall be required before installing any signage in accordance with section 5.15 of the zoning regulations.*

Conservation – *This application was not referred to the conservation commission for review and comment.*

Fire: Fire Marshal Edward Bascetta, in an email to me dated August 18, 2022 stated:

Hi I don't have anything at this time, when and if they make changes to the building itself then I'm sure I'll be more involved.

WPCA: Mary Perrotti, WPCA Administrative Assistant, in an email to me dated August 23, 2022 stated that the WPCA had no comments on the application.

Engineering: City Engineer Paul Kundzins, in an email to me dated August 22, 2022 stated that he has no comments on the proposed zone change.

Police Traffic: Sergeant Dustin Baldis, in an email to me dated August 17, 2022 stated:

My only comment is more towards the parking on the zone change. There needs to be a more established parking area and parking in front of the restaurant is not an option. It creates large site line issues from Palmer Bridge Street and there should be adequate parking already in the lot. Other than that, no further comment. Thank you.

Building: Building Official Kevin Gillette, in an email to me dated August 30, 2022 stated that he has no comments on this application.

Conclusion:

The proposed Zone Change was discussed with the Mayor and City Staff at the September 12, 2022 Land Use Staff Meeting and no objections or concerns to the proposed change were voiced. The Connecticut General Statutes requires the Commission, when making a decision on a Zone Change, take into consideration the Plan of Conservation and Development, prepared pursuant to CGS 8-23. In my opinion, the Commission may make a finding that the proposed Zone Change is in accordance with the goals and recommendations of the 2019 Torrington Plan of Conservation and Development. I recommend approval of the requested Zone Change from R6 residential to LB-Local Business with the effective date the day after the date of publication of the approval.

Cc: Florence Thibault, 601 South main Street, LLC