



CITY OF TORRINGTON
PLANNING & ZONING COMMISSION

APPLICATION FOR CHANGE OF ZONING MAP

Fee: \$360 (including \$60 State tax)

Location of Property: (When no address is available, indicate distance from nearest intersection and side of road)
957 E. Main - PID: 9572 // ^ Yorkshire St - PID:9573 // 92 Yorkshire St - PID:9570

Assessor's Map 133 Block 12 Lot 007//015//019

Present Zone LB Proposed Zone LB with AM Overlay

Area of Property 0.22/0.15 acre(s) - 0.37acre(s)

Is this parcel within 500 feet of another municipality? Yes [checked] No

Is there a conservation or preservation restriction on the property? Yes [checked] No

If "Yes" applicant must notify the holder of the land restriction regarding the application by certified mail, return receipt requested, no later than 60 days prior to the filing of the application. In lieu of such notice the applicant may submit a letter from the holder of such restriction (or their agent) verifying that the application is in compliance with the terms of the restriction.

Applicant: Patrik Jonsson
Address: 101 Accord Park Drive
Osterville, MA 02061
Phone: 617-750-6885 Fax: E-mail: pjonsson@highercollective.com

Signature of Applicant: [Signature] Date: _____

Owner: James Ross
Address: 69 BLUE HERON RD
WAKEFIELD R.I. 02879
Phone: 401-853-7485 Fax: E-mail:

Signature of Owner: [Signature] Date: 10.18.22

Six copies of a certified survey map of the property and a copy of the legal description of such property must be submitted with this application.

FOR OFFICE USE ONLY

Application Fee Paid: \$360.00 ck # 177 (495.00) (Revised 3/14)

Date of Public Hearing: _____

Date of Decision: _____

Action Taken: _____

CITY OF TORRINGTON PLANNING & ZONING COMMISSION SITE PLAN APPLICATION

Application # 1426

Date: 10/08/2022

Property Location/Address: 957 E Main - PID: 9572//^ Yorkshire St - PID:9573 // 92 Yorkshire St - PID:9570

Assessor's Map: 133 Block 12 Lot 007//015 //019 Zoning District: LB (AM Overlay requested)

Project: Creating an Adult Use Cannabis Retail Establishment per Section 3.1.22.03 of the Torrington Zoning Regulations

Is a Special Exception application being filed for this property at the same time as this Site Plan application?

Yes No

Is this property within 500 feet of another municipality? Yes No

If yes, give name of municipality: N/A

Are there wetlands on the property or construction or drainage within a regulated wetlands area? Yes No
(75 feet from wetlands and 100 feet from watercourse or water body)

If yes, has an application been submitted to the Inland Wetlands Commission? Yes No

Is there a conservation or preservation restriction on the property? Yes No

I, the undersigned applicant, understand that this application is based on the information submitted by me and that falsification by misrepresentation, omission, or failure to comply with the Zoning Regulations shall constitute a violation of the Zoning Regulations.

Applicant: Patrik Jonsson

Address: 101 Accord Park Drive Osterville, MA 02061

Signature: 

Phone # 617-750-6885 FAX # _____ E-mail pjonsson@highercollective.com

I, the undersigned owner, authorize the City's agents to enter my property during and after construction for the purpose of inspection with regards to this application.

Owner: James Ross

Address: 69 Blue Heron Rd Wakefield RI 028

Phone # 608837485 FAX # _____ E-mail _____

Signature: 

Site Plans: Eight (8) copies of the site plan must be submitted at time of application.

Fees: For site plans with no new construction, the application fee is \$135.00. For new construction with gross floor areas 5,000 square feet or less, the application fee is \$135.00. For new construction with a gross floor area greater than 5,000 square feet, the application fee is \$135.00 plus \$.01 per square foot of gross floor area over 5,000 square feet. (All base fees include \$60.00 state tax)

Fee of \$ 135⁰⁰ paid on 10-20-22 ck # 177
(\$495⁰⁰)

**CITY OF TORRINGTON
PLANNING & ZONING COMMISSION
SITE PLAN APPLICATION
EXPLANATION OF PROCEDURES**

General:

"Site plan approval from the Planning and Zoning Commission shall be obtained prior to obtaining a Zoning Permit for the construction, expansion, outside alteration or change of use of any building or structure. Site plan approval shall also be obtained prior to the erection of any sign, the alteration or expansion of a parking area, or any change of use of a lot. Only one, two, or three family residences shall be exempt from site plan approval." *Torrington Zoning Regulations, Section 8.4.1.*

Information Required:

A site plan application must be filed and the application fee must be paid. Additional information needed for a site plan application is described in *Sections 8.4.2 and 8.4.3 of the Torrington Zoning Regulations*. Other information on setbacks, impervious surface, landscaping, parking, architectural review, and tree preservation is also found in the regulations. It is strongly recommended that an applicant purchase a copy of the Zoning Regulations.

Along with the site plan application the applicant must also submit a form entitled "*Environmental Compliance Certification*".

Failure of the applicant to submit the required information is grounds for denial of the application.

Approval Process:

Applications are submitted to the Planning and Zoning Department. The Department will place the application on the Planning and Zoning Commission agenda and distribute the application to the relevant City departments. The Department will inform the applicant of meeting times and locations.

From the day the Commission accepts the application at its meeting, the Planning and Zoning Commission has 65 days in which to make a decision on a site plan application. The applicant may consent to one or more extensions of the 65 day period provided the total period of such extensions does not exceed 130 days. No public hearing is generally held on a site plan application.

The applicant must meet with the Architectural Review Committee. This Committee advises the Commission and the applicant on the design of the buildings and the site layout.

Special Exception:

The Planning and Zoning Commission decides on all special exceptions. If a project requires a special exception as well as site plan approval, the applicant may apply for both approvals at the same time. Site plan approval, however, cannot be given prior to the approval of a special exception.

Inland Wetlands:

An application to the Inland Wetlands Commission must be filed prior to, or at the same time as, site plan or special exception applications. No action can be taken until after the Inland Wetlands Commission's decision.

Conservation and/or Preservation Restrictions:

If the property subject to site plan approval has a conservation or preservation restriction on the land, the holder of the restriction is required to be noticed of the application. The applicant must notify the holder of the land restriction regarding the application by certified mail, return receipt requested, no later than 60 days prior to the filing of the application. In lieu of such notice the applicant may submit a letter from the holder of such restriction (or their agent) verifying that the application is in compliance with the terms of the restriction.

**CITY OF TORRINGTON
PLANNING & ZONING COMMISSION
SITE PLAN APPLICATION
ENVIRONMENTAL COMPLIANCE CERTIFICATION**

Date: 10/08/2022

Property Location: 957 E Main - PID: 9572// ^ Yorkshire St - PID:9573// 92 Yorkshire St - PID:9570

Assessor's Map: 133 Block 12 Map 007//015//019

Project: Creating an Adult Use Cannabis Retail Establishment per Section 3.1.22.03 of the Torrington Zoning Regulations

Company: Nutmeg Northwest JV LLC

Applicant: Patrik Jonsson

Applicant's Address: 101 Accord Park Drive Osterville, MA 02061

Air Quality:

Will this facility produce emissions into the air? Yes No

If yes, will this require registration or a permit from any State or Federal agency? Yes No

If yes, list the agency's name and the registration or permit numbers:

Not Applicable

Attach a description of the processes that will produce the emissions. Include an estimate of the amounts of industrial materials that will be used on an hourly basis and any pollution control equipment that will be installed. Attach copies of all air quality permits or applications.

Hazardous Wastes

Will this facility generate, transport, treat, store or dispose of hazardous wastes? Check all that apply:

Generate Transport Store Treat Dispose

If the facility is a generator, it will do the following. Check all that apply:

- Establish spill control measures
 Compile a contingency plan
 Store the wastes in a manner that protects the environment
 Conduct personnel training

Attach a list of the hazardous wastes that will be generated by the facility, the estimated amounts generated per month and the generating processes. Attach EPA Identification Number of Application. Note that a violation of any State or Federal regulation regarding hazardous materials shall also be a violation of the City Zoning Regulations.

In-Ground Tanks

Will this facility use an in-ground tank for the storage of petroleum products, derivatives, or chemicals?

Yes No

If yes, attach a copy of the Connecticut Department of Environmental Protection In-Ground Tank Registration form.

Water Quality

Other than sanitary wastes, will this facility discharge process wastewaters or non-contact cooling water?

Yes No

If yes, will the discharges be to the environment or to the local publicly owned treatment plant?

Environmental Treatment Plant

Attach a description of the processes that will generate the discharges, the materials used in the processes, the characteristics of the effluent, and any treatment conducted prior to discharge. Attach a copy of a NPDES Permit or Application.

This is to certify that this facility has complied, or will comply with the environmental regulations of the Agencies listed in Section 7.0 of the City's Zoning Regulations and will take the steps indicated above to maintain compliance with those regulations. Upon receipt of any permits or registration numbers, copies will be forwarded to the City of Torrington Planning and Zoning Department. Copies of any monitoring reports required by the State Department of Environmental Protection, the State Department of Health or the U.S. Environmental Protection Agency shall also be sent to the Torrington Planning and Zoning Department.

Applicant's Signature:  _____

Printed Name of Applicant: **Patrik Jonsson**

Applicant's Title: **Principal**

Date: **10/19/2022**

Application Type: Concurrent Request for Zone Change and Site Plan for a Cannabis Retail Establishment
Subject Property: 957 East Main Street
Parcel ID: 9572 and 9573 (and easement area of 9570)
Tax Map/ Block/ Lot: 133/12/007 and 133/12/015
Zone: LB

Torrington Planning and Zoning Commissioners,

On June 22, 2021, Public Act 21-1 was signed into law, permitting recreational adult-use cannabis, along with retail sales, cultivation, and microcultivation under State of Connecticut regulations. In July, 2022, Torrington enacted language into its zoning code which facilitates the use of property within the City of Torrington for such uses. Please accept the following narrative in consideration of this Request for a Zone Change to add the Alternate Incarceration, Medical Marijuana Dispensary Overlay Zone (AM Zone) and to concurrently review for Site Plan Compliance for a Cannabis Retail Establishment in accordance with Section 3.1 sub-section 22.03 of the Zoning Regulations.

The Applicant, Patrik Jonsson, on behalf of the **Nutmeg Northwest JV LLC** Joint Venture initiative, has 9 years of cannabis experience in developing and managing Adult Use Cannabis retail sites here in the Northeast.

Suitability as Zoned

The properties, PID: 9572 and 9573, commonly known as 957 East Main Street, are presently zoned LB (local business). A single structure straddles both parcels towards the southwest side of the lots. Together the parcels are nonconforming, for the zone at approximately 15,431.5 square feet. Parcel 9572 has a front lot wide of ~120' along East Main and parcel 9573 has a front lot width of ~80' along Yorkshire Street. PID:9570, commonly known as 92 Yorkshire Street, is commonly owned and is also the subject of this application in so far as there is a parking area on the parcel serving both sites.

Per the City of Torrington Zoning Regulations, an application for a Zone Change must be made to initiate siting a Cannabis Retail Establishment within city limits. Section 4.16.2 of the regulations, the LB zone is allowed together with the AM zone. Furthermore, the proposed use is a use intended for the floating zone. Together with a Social Equity Applicant, Mr. Jonsson and team intend on developing a high quality facility in compliance with all State and Local Regulations. An application has been submitted to the State of Connecticut Office of Consumer Protection for the Cannabis Retail license, and because of this being a Social Equity Joint venture this license is not subject to the lottery process.

The zone change request includes a portion of

A review of surrounding uses confirms that there are no public parks, schools, playgrounds, child care centers, recreational centers, or libraries within a 500' radius of the subject parcels.

Alignment with the Plan of Conservation and Development (POCD)

According to the POCD, "Torrington has been designated a Micropolitan Statistical Area because the community is an economic hub that draws workers and shoppers from Litchfield County towns and miles around". Adult-Use Cannabis Retail is a burgeoning sector that will support the City's designation as an economic hub and, in its implementation, aims to right the negative impacts imposed on individuals and families as the result of the war on drugs.

The establishment of the floating overlay zone supports the economic development goals in the POCD to “enhance the City’s tax base, while maintaining a balance between jobs and housing”. The AM zone provides for a certain flexibility to establish the use whilst allowing the Commission additional discretion around its proliferation.

The POCD goes on to state, “economic development efforts within the City of Torrington will be in accordance with accepted smart growth measures. These efforts include revitalizing the urban center, reusing vacant industrial buildings.” The property is currently considered an Automotive use, namely a Service Garage. This application includes a change of use from the former more industrial use of the building to a high-end retail establishment.

The parcels are located in a business zone along State Road 202 (East Main Street). This collector road is also a key area for bicycle and pedestrian improvements for the City. The parcels are imagined as commercial on the Torrington Future Land Use Map.

Finally, the POCD focuses on “continu[ing] to promote access management for land-use activities and consolidate curb cuts when possible”. With the change from an automotive use to a retail use, opportunity exists to improve the physical site overall.

Site Improvements

No changes are proposed to the building elevations. However, the following site improvements are proposed to comply with guidance from the City following a 10/14/22 technical review meeting:

- Reducing impervious surface area by removing asphalt and adding loam and seed. This addition will also prevent front yard parking on the site.
- Adding landscaping (trees, shrubs, contained plantings), which will improve curb appeal on both the East Main and Yorkshire Street sides and which will create a buffer between the house at 92 Yorkshire Street (commonly owned)
- Adding a dumpster pad and enclosure on the Yorkshire Street side of the building along with a generator.
- Narrowed entrance/egress into the parking lot of Yorkshire and East Main Streets to better comply with the regulations

Furthermore, if the project is to be completed before the DOT scheduled sidewalk work, the Applicant will assume responsibility for performing this work along its property on East Main Street.

Lighting and Signage

The proposed improvements include installation of a single light pole on one of the islands on Yorkshire Street with a single light head tilted to throw light onto the site only. Exterior lighting shall be in accordance with Section 5.17 of the Zoning Regulations.

Although the proposed sign location is shown in the site plan, no signage is proposed with this Application. The Applicant team will propose signage at a later date in line with the State of Connecticut requirements for Adult Use Cannabis establishments and Section 4.16.7, regarding signage in the AM zone.

Parking Plan

The assessor shows the site as 3 parcels, (1)the building at 957 East Main Street, (2)a portion of the building that fronts on East Main Street with the paved parking lot that fronts on Yorkshire Street, and (3) the house known as 92 Yorkshire Street (PID 9570). While the Applicant is not leasing the house a 92 Yorkshire Street and not seeking a change of use for this site, it is relevant as a portion of the parking lot is on this parcel. The map change shows this portion of the parcel in the floating zone.

The Applicant has worked with the Property Owner and will be able to access these additional parking spaces as defined through the lease terms. From East Main Street to Yorkshire Street along the northeastern property lines there is ~156.6' of lot length. The applicant intends on striping for 23 parking spaces, one of which will be a designed accessible.

Operations Plan

The operations of the site will include dedicated security stationed by the front door. This individual would be responsible for checking IDs and managing the line of people waiting to enter the facility.

The team projects an average of 250 customers a day, or an average of 25 per hour, with a potential increase in daily customers during the first few weeks. A 30% increase in the first 30 days, would result in 325 customers a day or 33 an hour. This means that a new customer would visit roughly every two minutes and, at an average on-site time of 6 minutes, the team projects to average less than four customers inside at any given time. At peak times, forecasting four times that volume; the subject property would only have 16 customers inside at a time. Given the size of the building, and a sales floor area of over 1,500sf, this site should support queuing inside the building. Stanchions and signage would be utilized to make this process efficient. If needed, outdoor overflow queuing will be managed by a dedicated security guard and/or dispensary team member. Further, outdoor queuing would be set up using stanchions outside the front façade of the building so as to shield pedestrians from on-site traffic flow.

The interior design will support eight traditional point-of-sale registers, with a portion being dedicated pre-order registers, which will be dynamically staffed based on the day of the week and time of day. It is important to note that, given the number of possible registers, the staff will be well equipped to service customers quickly, thereby reducing wait times and preventing lines from forming.

Customers will enter and exit the site through the entrance, which faces the parking lot closest to the front façade (East Main Street). The interior site is laid out in such a way that there is a dedicated exit facing the parking lot closest to the Yorkshire Street façade. This design will also support keeping a flow onsite that effectively manages and mitigates crowds.

The proposed hours of operation are as follows:

9AM – 8PM Monday through Saturday

10AM – 5PM Sunday

These hours will maintain quiet enjoyment and quality of life for nearby residents while bringing a new market along a main corridor within the city limits.

Deliveries will be made via separate door along the wall facing Yorkshire Street. A full Security Plan is attached.

Odor monitoring and mitigation

All products to be sold at this location would be pre-packaged and delivered to customers in the original packaging. Further, the proposed use would not permit on-site consumption. In this regard, odor concerns from the product are not anticipated.

Sanitary Waste Disposal Plan

No expired or faulty product would be disposed of in the unit's primary dumpster. It would instead be picked up through controlled access similar to deliveries.

A 4-yard dumpster will be kept on site for general waste generated by the use.

Summary

With the facts laid before you, the Applicant and team believe that this is a request at a location that will be successful in business and that substantially meets the requirements set forth within the Regulations. The Applicant team respectfully requests that you look favorably upon the request in furtherance of economic development activities in the City of Torrington.

In addition to these facts, the following documents are attached for your review:

With Regard to the Zone Change Request

- Application Form
- Existing Zone Map
- Proposed Zone Map
- A Location Map showing a 500' buffer and sensitive uses within said buffer
- A survey map of the properties and legal descriptions

With Regard to the Site Plan Review

- Application Form
- Environmental Compliance Certification
- Security Plan
- Site Plan showing Proposed Improvements
- Property Record Cards
- Site photos (building elevation and aerial)
- Existing Floorplan
- Proposed Floorplan

The team will be happy to answer any questions or concerns raised in the public hearing. Thank you for the opportunity to make this application.