

CITY OF TORRINGTON



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To: Planning & Zoning Commission
From: Jeremy Leifert, AICP, City Planner JL
Date: May 24, 2023 (Rev 1)
RE: Proposed Zone Change, 19 and 31 Hillside Avenue, Assessor's Map 125 Block 013 Lot 018 and Map 125, Block 013 Lot 019, from an R6-residential zone to LB-Local Business.

Hutton ST 21 LLC has submitted an application to propose a zone map change from the current R6 residential zoning to a LB-Local Business zone for properties located at 19 and 31 Hillside Avenue, Assessor's Map 125 Block 013 Lot 018 and Assessor's Map 125 Block 013 Lot 019. The properties are 0.27 acres and 0.56 acres respectively in area. The properties are currently owned by Daniel and Denise Dileo and Leonard Lopardo, and have both granted permission for the submission of this application by the applicant. The applicant has submitted a Class A-2 Survey titled "Lands of Targa I, LLC, Leonard J. Lopardo Jr., Targa I, LLC, Daniel J. & Denise J. Dileo & Leonard J. Lopardo, 472/478/486 E. Main St & 19/31 Hillside Ave, Town of Torrington, Litchfield County, Connecticut" dated April 6, 2023. 1 Sheet. Prepared by BL Companies, Meriden, CT. The maps conform to the Zoning Map requirements of Section 8.7.1 for a proposed change in a Zoning District Boundary. The subject properties are adjacent to property zoned LB-Local Business immediately to the north of this property fronting East Main Street and would add to a small contiguous cluster of LB zoned parcels. The properties are surrounded on the east, west and south by R6 residential zoning on Hillside Avenue.

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

1. These properties both currently contain two-family residential dwellings and accessory structures.
2. The properties are serviced by public sewer and water
3. The change in zone to LB on these properties would cause the existing two-family dwellings to conform as "special exception" uses rather than "permitted" uses and would remain compatible with uses in the immediate area.
4. There would be no changes to the required setback regulations for the existing dwellings on the property with the change in zone. However, changes in use to non-residential uses would not be allowed on 31 Hillside Avenue in the current structure, as the existing building does not meet the side-yard setback requirement to the adjacent lot zoned R6 at 37 Hillside Avenue.

5. The subject properties are adjacent to property zoned LB-Local Business immediately to the north of this property fronting East Main Street. This proposed zone change does not represent “spot zoning”.
6. Upon review of the zoning history of the area of this proposed zone change, the properties in this area have been similarly zoned since the 1970’s.
7. Torrington’s *East Main Street Corridor Study*, published in May 2021 identifies the area between the East Main Street/Route 8 interchange and the East Main Street/East Elm Street interchange (a portion of the “Downtown Gateway” area) as “heavily congested...with a lack of vehicular capacity”. The parcels that are subject to this zone change are on Hillside Avenue directly adjacent to this section of East Main Street. Line-of-sight issues have also been identified at most intersections within this section. The area is designated as a “High Frequency Crash Area” for vehicular traffic in the study. Major overall redesign of traffic access management and capacity upgrades are a proposed goal from the study in this section of East Main Street to support increased uses and commercial development, but have not yet been implemented. A copy of the study has been submitted by the City Planner for the record for this application.
8. The properties are located in the “urban” area in the Zone Density Plan, section 9 of the Plan of Conservation and Development. The urban areas are defined as “Areas where higher density residential and commercial uses are located. Mixed uses on a site may be appropriate in this area. Moderate priority are for infill development and redevelopment.”
9. The properties are within the “High Density Residential” areas of the Future Land Use Plan map section 14 of the Plan of Conservation and Development and is partially within a “Neighborhood Center” in the Plan.
10. Section 7.8 of the POCD (Downtown and Neighborhoods) suggests “Torrington should evaluate these areas and determine whether special neighborhood planning efforts should be undertaken”
11. Conflicting statements are present in the POCD regarding these areas proposed for rezoning as stated above. In deliberations on a decision for the application, the commission should weigh the sections in support of the zone change (Section 9, Zoning Density Plan) with those supportive of continued residential uses (Section 14, Future Land Use Plan) as well as the goals and objectives of the East Main Street Corridor Study.
12. In my opinion, this requested Zone Changes *may* further the overall goals of the POCD and Corridor Study, depending on future uses, development proposals, and improvements of these properties and the surrounding roadways. However, the commission may not condition a zone change approval on a future development plan.

Other Staff Comments:

Economic Development Director: Rista Malanca, AICP, Torrington Economic Development Director met with Mayor Carbone and the City Planner on May 15, 2023 and discussed this proposal. The Mayor and Ms. Malanca raised concerns regarding future use of the properties and access management concerns with Hillside Avenue and East Main Street for any future use changes or development, particularly regarding concerns raised in the *2021 East Main Street Corridor Study*.

Assistant Planner: Nate Nardi-Cyrus, Assistant Planner, in an email to the City Planner dated April 20, 2023, stated that he has no comments on this application.

Fire: Fire Marshal Edward Bascetta offered no comments on this application.

WPCA: Sheryl Lewis, WPCA Administrative Assistant, in an email to the City Planner dated April 24, 2023 stated that the WPCA had no comments on the application.

Engineering: City Engineer Paul Kundzins, in an email to me dated April 20, 2023 stated that he has no comments on the proposed zone change.

Police Traffic: Police Traffic Sergeant Dustin Baldis offered no comments on this application.

Building: Building Official Kevin Gillette, in an email to me dated May 4, 2023 stated that he has no comments on this application.

Conclusion:

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. The commission should discuss the information as stated in the City Planner's comments above and other City staff and make determination on the record regarding consistency with the POCD, as there are sections of the POCD that are both supportive and contrary to the proposed zone change. The commission should use this memorandum, other items in the application record and testimony gathered at the public hearing to make a decision to approve or deny the zone change application.

The commission may close the public hearing and table a decision on the application to the next regularly scheduled meeting to review the reports and application materials presented at the public hearing.

Cc: Hutton ST 21 LLC
Daniel and Denise Dileo
Leonard Lopardo