

CITY OF TORRINGTON



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To: Planning & Zoning Commission
From: Jeremy Leifert, AICP, City Planner *JL*
Date: April 17, 2024 (Rev 2)
Subject: Robert Bombardieri, re-subdivision of 505 University Drive, Assessor's Map 223 Block 001 Lot 005 into two parcels

Robert Bombardieri has filed as application for a two-lot re-subdivision for property located at 505 University Drive, Assessor's Map 223 Block 001 Lot 005. This parcel was initially two separate lots (Lots 14 and 15) as part of "The Reserve at Mount Pleasant" subdivision approved in 2006. The property owner subsequently combined these two lots, and is now requesting to re-subdivide the lots into the original lot 14 and 15 configuration. The original subdivision map was signed by the Planning and Zoning Chairman on April 26, 2006 and filed as map #5063 on July 10, 2006. The two parcels were combined by quitclaim deed on May 25, 2018 in Book 1269 Page 639 of the City's land records. The applicant is applying to the commission to re-subdivide these two parcels into the original lot 14 and lot 15 configuration. The plans submitted are titled, "Existing Conditions Map, Lot 14 Resubdivision and Site Feasibility Plan prepared for Robert Bombardieri, 505 University Drive, Torrington, Connecticut" by Hrica Associates LLC, Litchfield, Connecticut. Dated March 18, 2024. 3 Sheets.

In reviewing the subdivision application and plans I have the following comments:

1. Since a portion of the properties that are subject to this application contain surveyed wetlands, a positive wetlands report is required to be submitted by the Assistant Planner for the application record before the close of the public hearing. The applicant must submit a wetlands application to the Assistant Planner for approval, which has not yet occurred. The commission is allowed to leave a public hearing open for up to 35 days, so this hearing may be continued to the next meeting to allow time for the applicant to resolve the inland wetland permitting.
2. A 25-foot "conservation restriction area" is noted on the plans along the southern boundary of proposed lot 15. Is this functioning like an easement or is it simply an area with restrictions? If it is an easement, there is a requirement in the regulations to notify and easement holder for comment. There is no language associated with this area in the property deeds describing the restrictions. This will need to be clarified by the applicant before approval may be granted.
3. Per Section 3.5 of the Subdivision Regulations, the Commission may waive the requirements of the Subdivision Regulations by a three fourths vote of the Commission. I recommend that the commission grant a waiver of full Sediment and Erosion Control (S&E) Plans (Section 4.6) and Stormwater Management Plan (Section 4.7) as required in the subdivision regulations. Fully engineered site plans will be required if proposed lot 15

is developed in the future. A “Site Feasibility Plan” has been submitted that satisfies the requirements for a site development plan.

4. None of the land in the subdivision is in the flood plain.

Other Staff Comments:

Economic Development Director: This application was not referred to the Economic Development office for review.

Assistant Planner: In an email to the City Planner dated April 4, 2024, Assistant City Planner Nate Nardi-Cyrus offered the following comments:

Wetlands – A inland wetlands permit for this resubdivision has been granted (AD24-04-02). This constitutes a favorable report to the Commission.

Conservation – The proposed resubdivision plan shows a conservation restriction on the property. The applicant has provided an affidavit attesting that the conservation restriction is a deed restriction that does not require noticing of a restriction holder. I recommend requiring confirmation that the restriction was filed on the land record prior to the issuance of land use permits for any construction on site.

Fire: No comments were received from Fire Marshal Ed Bascetta.

Engineering: In a memo sent to the City Planner on March 28, 2024, City Engineer Paul Kundzins offered comments on this application regarding concept development design for the property. See attached.

WPCA: In an email to the City Planner dated April 2, 2024, WPCA indicated that they have no comments on this application.

Police Traffic: No comments were received from Police Traffic Sergeant Dustin Baldis.

Conclusion

I recommend approval of a re-subdivision of property known as 505 University Drive, Assessor’s Map 223 Block 001 Lot 005, into two parcels of land as indicated on submitted plans, with the following conditions and recommendations:

1. Per Section 3.10.3.G of the Subdivision Regulations, the final approved re-subdivision map and final Site Development Plan shall contain the Tax Assessor’s Map/Block/Lot for each lot in the re-subdivision as assigned by the Engineering Department.
2. The commission waives the requirements for submission of a Soil and Erosion Control Plan and Stormwater Management plan. Upon proposals for construction on any of the resulting lots, full plans shall be submitted.
3. Per comments from assistant City Planner Nate Nardi-Cyrus, the deed for the new lot shall be modified to include terms of the conservation restriction prior to issuance of construction permits.

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.

END OF MEMO

Cc: Robert Bombardieri