

CITY OF TORRINGTON



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To: Planning & Zoning Commission
From: Martin J. Connor, AICP, City Planner
Date: July 29, 2020
RE: Special Exception 20-01 & 1337, O&G Industries, Inc., c/o Richard O. Warren, 850 South Main Street, Tax Assessor's Map 114/002/001, 114/002/033 and 235/001/009 & 235/001/010, Renewal of Special Exception 18-01, for excavation, grading, filling to integrate contiguous parcels for future industrial uses after reclamation of former wash plant operation

Richard O. Warren, Assistant V. P. Facilities, O & G Industries, Inc., has filed a Special Exception and Site Plan application for the two-year renewal of Special Exception #18-01 issued June 13, 2018, for excavation, grading, filling to integrate contiguous parcels for future industrial uses after reclamation of former wash plant operation. The proposed activity requires a two-year renewal in accordance Section 6.4 - Excavations of the Zoning Regulations. Grading and Flood Plain Permit approvals have been issued under the original Special Exception approval. The properties combined total 29 +/- acres in size and are located in the I – Industrial Zone. The applicant expects to complete the excavation and grading for the entire 29 acres over the next two-year period. The volume of rock to be removed is estimated between 50,000 and 100,000 cubic yards of material per year.

Submitted and supporting documents:

- a. Stormwater Management Narrative titled, "Restoration Plan, 805 South Main Street Property, O&G Industries, Vista Drive and South Main Street," dated 6/15/20, prepared by Milone and MacBroom.
- b. Plans drawing set titled, "850 South Main Street Property, O&G Industries, Vista Drive and South Main Street, Torrington CT," dated April 13, 2018, revised June 16, 2020, prepared for O&G Industries, prepared by Milone and MacBroom.
 - i. Drawing No. 01 – Title Sheet
 - ii. Drawing No. 02 – Name EX – Restoration Plan - Existing Conditions
 - iii. Drawing No. 03 – Name PP – Restoration Plan – Site Restoration/phased Excavation & Grading – Revised 05/01/2018
 - iv. Drawing No. 04 – Name SE – Site Details – Revised 04/20/2018
- c. "Topographic Survey, Vista Drive and South Main Street CT Route 800, Torrington CT," prepared for O&G Industries, prepared by Milone and MacBroom, dated June 5, 2020.
- d. Letter dated April 23, 2018 RE: Restoration Plan, 850 South Main Street, Torrington CT, MMI#1103-94 prepared by Ted Hart, PE, Milone and MacBroom.

In reviewing the plans submitted, I have the following comments:

1. A Flood Plain Permit has been previously been issued as a portion of the property is within the floodplain.
2. The updated Erosion and Sedimentation Control Plan appears complete and eligible for certification.
3. A Grading Permit is currently in place for this project. A performance bond for erosion and sedimentation controls based on the original plans, for \$38,104.00, is currently in place.
4. The Project Engineer needs to provide an updated bond estimate based on the current Erosion and Sedimentation Control Plans. A bond in an amount acceptable to the City Engineer in a form acceptable to Corporation Counsel needs to be submitted.
5. A narrative titled, "Torrington Zoning Regulations - Section 6.4.6 Excavations," was submitted along with the application. A listing of the proposed equipment to be used was submitted and is included in the narrative. Staff has met with Mr. Warren and reviewed the maps and documents submitted and we have made site visits to the property.

Fire Department

An e-mail memo from Fire Marshal Ed Bascetta, emailed to me 7/27/20, indicated, *"I had 4 Blasting Complaints and all were resolved with no issues from the complainants. No other concerns with the property."*

Police Traffic

Steven Pisarski, Torrington Police Traffic Unit, had no comments.

Town of Harwinton

Because the property is located within 500 feet of the Harwinton Town line, a referral was sent to the Town Clerk's office, Town of Harwinton. No comments were received.

Assistant Planner & Inland Wetlands Commission

In an email memo to me dated 7/20/20, Jeremy Leifert, Assistant City Planner, stated, *"I have reviewed the information submitted for renewal of the O&G Industries, Inc. excavation permit under Special Exception 20-05 and Site Plan 1337, and offer the following comments:"*

Wetlands – *There is an inland wetlands permit that is currently active under permit #WC 18-05-02 that is valid through May 2023. It appears that the requirements and conditions of this permit are currently in compliance with the existing permit. This constitutes a favorable report from the Torrington Inland Wetlands Commission.*

Landscaping – *No additional landscaping is proposed or recommended as part of this application. Landscaping plans will be reviewed upon development of the site.*

Lighting – *No new exterior lighting appears to be proposed in this site plan application. Any future changes to exterior lighting shall require review for zoning compliance and a modification to the site plan approval in compliance with Section 5.17 of the regulations.*

Signage – *It appears from the submitted plans that there is no new signage proposed. Any future commercial advertising signage proposals on the site may be submitted as a separate sign permit*

application in accordance with section 5.15 of the Torrington Zoning Regulations. Proposed signage over 32 square feet will require site plan approval.

Other: *It appears from my most recent site inspections that the only major outstanding areas to be completed are a small area of earthwork in the center of the property, the stormwater basin near the Vista Drive/South Main intersection and the stormwater basin and drainage swale behind and around Merli Automotive.*

Engineering Review

Assistant Public Works Director/City Engineer Paul Kundzins, P.E. in a memo dated 7-29-20, indicated, *“The Engineering Department does not foresee any issues with regards to this **Special Exception** and therefore endorses this application.”*

Conclusion

After reviewing the application materials, maps, documents and after making a site visit to the property, **I recommend a waiver of the five acre maximum area of excavation in accordance with Section 6.4.5 E of the Zoning Regulations and approval of the 2 year earth excavation permit with the following conditions:**

1. All mining operations, including drilling & blasting, crushing and screening shall be limited to the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday. Operations, other than routine maintenance, shall not occur on Saturday or Sundays or on any of the following holidays: New Year’s; Good Friday; Memorial Day; July 4th; Labor Day, Thanksgiving and Christmas.
2. No blasting shall occur on Saturdays, Sundays, or any of the following holidays: New Year’s; Good Friday; Memorial Day; July 4th; Labor Day, Thanksgiving and Christmas. Blasting shall occur between the hours of 10:30 a.m. and 2:30 p.m.
3. A blast warning shall occur before any blasting.
4. O & G Industries, Inc. shall notify all adjoining property owners 72 hours prior to a blast. With the property owner’s approval, this notification may be reduced to 24 hours.
5. Any property owner within one half mile of the subject property can also request that O & G Industries, Inc. notify them prior to a blast. O & G Industries, Inc. must honor this request. With the property owner’s approval, this notification may be reduced to 24 hours.
6. O & G Industries, Inc. shall designate an individual to receive, handle and log complaints from neighbors. The record of these complaints shall be presented to the Planning and Zoning Commission at, or prior to, the public hearing on the renewal of the special exception.
7. The applicant’s Engineer shall provide a bond estimate for the estimated cost of all measures required to install and maintain the erosion and sedimentation controls as shown on the approved erosion and sedimentation control plan. The performance bond shall be in an amount approved by the City Engineer and it shall be in a form acceptable to the Corporation Counsel.

Cc: Richard O. Warren, O & G Industries, Inc.

