

# CITY OF TORRINGTON



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To: Planning & Zoning Commission  
From: Martin J. Connor, AICP, City Planner  
Date: October 1,, 2021  
RE: Special Exception 21-09 & Site Plan #1378, Alam Realty Inc., add gasoline dispensers, canopy, storm drainage, parking, & modifications to building facade

Alam Realty Inc. has filed a Special Exception and Site Plan application to add gasoline dispensers, canopy, storm drainage, parking, & modifications to the building facade at Sam's Mart, 861 New Harwinton Rd. The current use of the property is a retail convenience store. The Special Exception use proposed will add a new gasoline station use to the existing retail use. The proposed gasoline station is a Special Exception use in the LB Zone per Sections 3.1 Subsection 8.40 of the Zoning Regulations. The existing convenience store retail use is a permitted use per Sections 3.1 Subsection 3.10 of the Zoning Regulations. Plans submitted are titled, "Modifications and Improvements to Sam's Mart, 861 New Harwinton Road (CT RTE #4), Torrington, Connecticut," by Jason Dismukes, Consulting Engineers, dated 6/21/21, revised thru 9/14/21, sheets, C1 –C9, EX1-2, & P1-P4. The Zoning Information Table on sheet C1 indicates that the proposed Canopy, site improvements and building façade modifications meet the required Zoning setbacks, maximum impervious surface requirements, maximum building height, and that the minimum parking requirements are all compliant. The parking calculation is based on a sales of gasoline use – 1 per 250 ft of gross floor area. The store has 2,433 sq. ft. of gross floor area. Staff has met previously to discuss the project with the applicant, project engineer and architect prior to submission. The applicant has made revisions to the original set of plans to address comments contained in my previous memo on the project dated 9/14/21 and other staff comments.

The revised Site Plan substantially changes the driveway entrances on New Harwinton Road and Circle Drive. On Circle Drive presently the curb cut runs nearly the whole length of the property. 4 parking spaces exist where customers actually back up into Circle Drive. Along New Harwinton Drive the entrance is wide and located close to Circle Drive. The proposed plans narrow and move the New Harwinton driveway entrance away from the intersection closer to the property line. The Circle Drive entrance is narrowed to 18 ft and parking spaces requiring backing out onto Circle Drive eliminated. Traffic will be one-way, entrance only, on New Harwinton Road and one-way, exit only on Circle Drive.

**In reviewing the application & plans and documents submitted, I have the following comments:**

1. Sheets C2-C6, C8 need the title block street name typo corrected from “Harwinton Road” to New Harwinton Road. There are two sheet C7’s.
2. Should the Commission approve the application the approval will constitute Gasoline Location Approval in accordance with Section 6.2.1.A. The property has more than 150 feet of lot frontage required for a gasoline station per Section 6.2.1.B.
3. A Lighting Plan per Sections 5.17 and 8.4.3.H. is required.
4. The Erosion and Sedimentation Control plans appear complete and eligible for certification. A bond estimate, prepared by the Project Engineer, should be submitted for the cost of the installation and maintenance of the soil erosion and sediment controls as shown on the approved plans. A performance bond in an amount approved by the City Planner’s office and in a form acceptable to the Corporation Counsel should be submitted prior to issuance of a Zoning Permit to cover the estimated costs of the E&S measures.
5. A Stormwater Management Plan is required per Section 7.4.2 of the Regulations. A Stormwater Management Plan /Best Management Practice (BMP) Maintenance Agreement with the City of Torrington will be required and filed on the Torrington Land Records per Section 7.4.2.D of the Regulations.
6. Since New Harwinton Road (Route 4) is a State Highway, approval from ConnDOT District 4 will be required for the proposed changes to the driveway. The applicant was encouraged to contact them for preliminary approval. I haven’t seen any initial comments from CT DOT.
7. The parking calculation is based on the size of the convenience store square footage being counted as a sales of gasoline use per Section 5.13.4 A subsection 8.40. The Gasoline Canopy is not has not been factored into the parking calculation.
8. Information on the proposed underground fuel storage tanks should be submitted.
9. An emergency generator sized to cover the gas station and convenience store would be a great addition to the project from an emergency management standpoint.
10. Most new gas stations are adding electric charging stations. It would seem prudent to add charging stations to the project.
11. The applicant should indicate the proposed hours of operation.
12. The Commission may want to consider requiring gas deliveries when the station is closed.

#### **Traffic Report Submitted by Applicant**

The applicant submitted a traffic report dated 9/13/21, by Scott F. Hesketh, P.E., F.A. Hesketh & Associates, Inc. Mr. Hesketh in the conclusion to his report indicates, *“Based on the observed background traffic volumes, the projected site traffic volumes and the analysis as outlined in this report, it is our professional opinion that the traffic volumes associated with the addition of two pumps, with 4 fueling positions, to the existing Sam’s convenience market can readily be accommodated by the existing roadway network without causing undue harm to the traveling public. The site access driveways are properly located and designed to accommodate the anticipated driveway volumes. The narrowing of the Circle Drive access and the elimination of the four parking spaces fronting to Circle Drive will result in improved access to local roadways.”*

#### **Other Staff Comments:**

**Architectural Review Committee:** The Committee reviewed the project at their 8/12/21 meeting. Architect Michael Boe, AIA, Boe Studio Architects, was present along with Project Engineer, Jason Dismukes, Dismukes, Consulting Engineers, to discuss the project with the Committee and review the Site Development Plan and Architectural Plans. The exterior of the existing convenience store will be remodeled, two new gas pumps and a canopy will be added to the existing parking lot. The existing wood siding on the front façade of building, south elevation, will be updated with (Hardiboard) tan Cobble Stone siding with white trim. Soffit and fascia boards will be replaced. The existing roofing will be replaced with GAF architectural shingles, Bark Wood brown. The gas sold will be Gulf brand and the convenience store will be rebranded from Sam's Food Stores to Gulf Express. The Committee reviewed plans titled, "S+E and Landscaping Plan, Prepared for Sam's Mart, 861 New Harwinton Road (CT RTE #4), Torrington, Connecticut," by Jason Dismukes, Consulting Engineers, dated 6/21/21 revised 8/11/21, sheet, C6. Architectural Plans and elevations reviewed were titled, "Exterior Remodel and New Canopy at Gas Pumps, 861 New Hawinton Road, Torrington, CT, for Alam Realty, LLC," By Boe Studio Architects, Sheets P1-P4 & EX1-2 dated 6/21/21 and Gulf Express signage package set dated 6/21/21. The Committee suggested that the free standing sign include the address of the property. The Committee verified that the LED Sign only contained price information and did not scroll messages. Motion by Mr. Trivella, 2<sup>nd</sup> by Mr. Kundzins to make a favorable recommendation on the project to the Planning & Zoning Commission. Motion carried unanimously.

**Building Official:** Kevin Gillette reviewed the application and plans and indicated to me in a plan review dated 7/1/21: *Please see the attached Preliminary Site Plan Review. I am of the opinion that the referenced interior renovations completed without permits should be permitted, inspected and approved prior to issuance of any other permits from any Departments for additional work to be performed on the property.*

1. *During review it was noted that the interior retail portion of the building has undergone substantial renovations without the required permits and associated inspections. The complete scope of work performed without permits must be declared and the required permit applications submitted for review.*
2. *After permit issuance, the required inspections will be performed to ensure compliance with the requirements with the CT State Building Code.*
3. *Complete sets of IBC Section 107 Construction Documents will be required for the permitting process to enable the construction of the proposed gasoline dispensers, canopy, storm drainage, parking and modifications to the building façade.*

**Inland Wetlands, Landscaping, Lighting & Signage:** Jeremy Leifert, Assistant City Planner in his revised email memo to me dated 9/30/21 indicated:

*I have reviewed the updated plans and additional information submitted for this application. After review, my initial comments below on wetlands (no regulated inland wetlands activities proposed) and landscaping from the previous email are unchanged. Here are some additional/revised comments for Lighting and Signage:*

**Lighting** – *All proposed new signs on the property are proposed to be internally lighted. All new lighting that is proposed related to the gas canopy, signage, or other site improvements should be added to the plans and a photometric plan should be included to show compliance with*

lighting regulations. All exterior lighting proposals shall be in accordance with the requirements of section 5.17 of the zoning regulations.

**Signage** – I have reviewed the updated proposals for signage for the site, and this revision has been updated with free standing, gas canopy and building signage details.

- The new internally lighted building sign “Gulf Express” appears to be replacing the existing “Sam’s” sign at the same size, and does not need approval.
- The proposed gas island and internally lighted gas canopy signage meets the sign regulation requirements and should obtain approval through a site plan approval and subsequent sign permit
- The proposed new/replacement internally lighted free standing sign meets the sign regulations for height, location and size and should obtain approval through a site plan approval and subsequent sign permit
- All new signage shall be permitted in conformance with section 5.15 of the zoning regulations. Any new proposed signs of over 32 square feet will require site plan approval.

**Engineering:** Paul Kundzins, P.E., Deputy Public Works Director/City Engineer in his updated memo on the revised plans stated: *I have reviewed the above application, supporting plans and documentation, and provide the following comments:*

1. Submitted supporting document:

- a. Special Exception Application Via Email
- b. Site Plan Application
- c. Site design plans C1-C9, EX1-2, P1-4 by Jason Dismukes Consulting Engineers LLC, dated June 21, 2021 and revised 9-14-21.

2. The applicant has requested a special exception to add gas dispensers, etc.

3. The Engineering Department has the following comments:

- a. Provide plan and section detail for bituminous curb next to stamped concrete
- b. How and where will the permeable concrete pavers drain?
- c. How will the movable stop sign function? Please provide details of its construction.
- d. A temporary construction easement will be required from the adj property for the installation of the landscaping wall along easterly property line.
- e. For new curb on Circle Drive: Show existing grades (and or proposed if they are to change) next to proposed curb grades to verify existing pavement will drain along new curb.
- f. Struct#22 is angled and partial in the ROW – pls position entirely on private property.
- g. Struct#26 – grades along new curb indicate drainage slopes sto the NE – explain reason for this CB or provide more proposed grades to show direction of flows.
- h. Show limit of construction/paving at exit onto Circle Drive
- i. Confirm new location of relocated mailbox j. Confirm requirement for 15” diameter pipe from Struct 22 to existing CL-CB given outlet pipe from existing CB is 12” diameter RCP.

**WPCA:** Mary Perrotti, Administrative Assistant, in an e-mail memo to me dated 7/14/21 that the WPCA had no comments on the application.

**Police Traffic:** Sgt. Baldis, Police Traffic Unit in an updated email memo to me dated 9/30/21 indicated: *“I have to say I am still apprehensive about this plan. The one way will direct traffic flow onto Circle Drive including the off hours trailers for gas drop off or inventory. The swing back onto Circle Drive appears to be very tight and does not consider any roadway change such as snow during the winter months. The citizens have a right to be concerned with a residential neighborhood exit for all customers of Sam’s Mart. You can put out statistics of anticipated numbers but unless the pumps are in place as of right now the patrons have an option to pull in or out of the separate driveway or Circle Drive. This is unfortunately the best design plan to accommodate what Sam’s Mart plans do but have reservations about the future of the Circle Drive intersection and impact on pulling out. The grade of the intersection according to the stats does drop with the change in traffic flow and makes an average intersection go to being at risk of an unstable flow with possible congestion. These are my comments and concerns to the plans put forth.”*

**Fire:** Fire Marshal Edward Bascetta in a letter to me dated 6/29/21, recommended:

- 1. The building should be equipped with a complete and compliant fire protection and alarm system compatible with the occupancy. The fact it will be vacant during non-business hours makes it a prime candidate for the delayed discovery of a fire inside.*
- 2. Torrington makes use of ‘lock boxes’ to allow quick access by fire fighters in time of an alarm without causing damage. A lock box should be installed on the exterior of the building near the main door. The fire department will use its secure master key to open the box, and allow the building owner to leave appropriate building access keys inside. This eliminates any delay in entering the building or waiting for a key-holder to arrive in the middle of the night.*
- 3. The building and area must comply with all required building and electrical codes, and will be inspected by the Fire Marshal for compliance with the Life Safety Code prior to the issuance of a Certificate of Occupancy, and annually thereafter.*

**Conclusion:** I question if the customers living on Circle Drive will disregard the exit only signs and pull into the site from Circle Drive. Will traffic leaving site disregard the entrance only signage and pull out onto New Harwinton Road? The site is very tight with the very minimal amount of parking spaces required. There is no stacking space for vehicles to wait to use the pumps? Where will these vehicles que? Mountable curbs and scored pavement are required to accommodate truck deliveries in the tight driveway entries and exits proposed.

Cc: Jason Dismukes, P.E.  
Michael Boe  
Alam Realty