

CITY OF TORRINGTON



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To: Planning & Zoning Commission
From: Martin J. Connor, AICP, City Planner
Date: October 4, 2021
RE: Proposed Zone Change, Allan Borghesi, Dibble Street Assessor's Map 136 Block 006 Lot 001, from "R-10S" Residential to "LB" Local Business Zone

A handwritten signature in blue ink, appearing to be "WPC", is written over the "Date" and "RE:" lines of the header.

Allan Borghesi is proposing a Zone Change from "R-10S" Residential to "LB" Local Business Zone for vacant land located on Dibble Street, Assessor's Map 136 Block 006 Lot 001. The property is 36,390 sq. ft. or 0.835 Acres in size. The property is currently owned by Anthony H and Annette M McGrath. Both public water and sewer are available to service the property. The applicant has submitted a Class A-2 Survey titled "Improvement Location Survey Prepared for Borghesi Building & Engineering Company, Inc., Dibble Street & East Main Street, Torrington, Connecticut," by Dufour Surveying, LLC, dated, 9/7/2021. He also supplied a map titled, "Map Prepared to Show Property to be Changed from Zone R-10S to Zone LB, Zoning Location Survey, Prepared for Borghesi Building & Engineering Company, Inc., Dibble Street & East Main Street, Torrington, Connecticut," by Dufour Surveying, LLC, dated 9/7/2021. The map conforms to the Zoning Map requirements of Section 8.7.1., for a proposed change in a Zoning District Boundary. The property is adjacent to property Zoned "LB" on both the south side property line at 1565 East Main and east side property lines owned by Dibble Street Associates LLC and Edinson J Ulloa-Chimbo at 186 Dibble Street. The Dibble Street Associates property at 220 Dibble Street is where Wendy's, The Cork and Valvoline Instant Oil Change businesses are located. Torrington Savings Bank is located across Dibble Street and is also zoned LB.

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

1. The property is more than three times the minimum lot size for a LB property. Clearly, this does not represent spot zoning.
2. The resulting rezoning would create a triangularly shaped LB Zone at the corner of Dibble Street and East Main Street should the proposed Zone Change be approved.
3. When next Dibble Street Associates LLC property at 220 Dibble Street was developed, as a condition of approval, the owners were required to grant a 10 ft. utility easement in favor of the City of Torrington. When the Zone Change from R10S to LB was approved for Steven Bianchi at 186 Dibble Street on November 17, 2017, the Engineering Department indicated, "*The City's right of way area along the road shoulder of Dibble Street, adjacent to the reference property, is inadequate for utility and road use. A 10 foot wide strip of the parcel's land running parallel to the north property line needs to be deeded to the City of Torrington as additional right-of-way.*" The Engineering

Department also requested that Mr. Bianchi grant a 10 ft. sidewalk, road widening and utility right-of-way easement in favor of the City of Torrington which the applicant agreed to when the Zone Change to LB was granted.

4. I discussed with Assistant Public Works Director / City Engineer, Paul Kundzins, P.E., the need for obtaining additional road right-of-way along Dibble Street in front of this parcel. Mr. Kundzins agreed that an additional 10 ft. sidewalk, road widening and utility right-of-way easement, in favor of the City of Torrington, would be beneficial. I discussed the additional 10 ft. easement with the applicant, Mr. Borghesi, who indicated he had no problem granting the additional easement should his Zone Change application be approved.
5. In my opinion, this requested Zone Change is a smart growth measure that allows for development in accordance with the 2019 Torrington Plan of Conservation and Development. The Business Development Section 8.2, Utilize Smart Growth Measures, states: *“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, remediating and redeveloping brownfield sites, and focusing new industrial/ commercial development where existing infrastructure can support the growth. These smart growth policies will maximize the utilization of existing infrastructure resources while minimizing greenfield development.”*

Other Staff Comments:

Economic Development Director: Rista Malanca, AICP, verbally indicated her support for the Zone Change to me.

Fire: The Fire Department has no comments.

Engineering: Assistant Public Works Director / City Engineer, Paul Kundzins, in his memo to me dated 9/14/21 stated: *“It is noted that the parcel in question has frontage on Dibble Street and will allow the opportunity to be combined with other abutting parcels (Zoned LB) that front on East Main Street. Should all these parcels be combined to form a common larger parcel and or development, access should be limited to East Main Street only.”*

Police Traffic: No comments were received.

Conclusion:

The proposed Zone Change has been discussed with the Mayor and City Staff at the 10/4/21 Land Use Meeting and no objections to the proposed change were voiced. Engineering concerns regarding future driveways will be addressed as part of Site Plan application approval. I believe the Commission can make a finding that the proposed Zone Change is in accordance with the 2019 Torrington Plan of Conservation and Development. It does not represent spot zoning. 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. I recommend approval of the Zone Change with the effective date the day after the date of publication with the following condition:

1. The applicant shall grant a 10 ft. right-of-way easement along the front northerly property line on Dibble Street in favor of the City of Torrington for sidewalks, utilities or road widening. The easement area shall be shown on a recording Mylar Map. The applicant's attorney shall prepare a deed for the easement area that shall be reviewed and approved by Corporation Counsel.

Cc: Allan Borghesi