

City Of Torrington



LAND USE DEPARTMENT
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MEMORANDUM

TO: Planning and Zoning Commission

CC: Martin Connor, City Planner

FROM: Jeremy Leifert – Asst. City Planner & ZEO *JL* file

DATE: NOVEMBER 12, 2020

RE: Zoning Enforcement Update

URGENT FOR REVIEW PLEASE COMMENT FOR YOUR USE PLEASE RECYCLE

NOTES/COMMENTS:

Below is a summary of zoning enforcement activities and the status of active projects that have been issues approvals by the Planning and Zoning Commission. For a running list of all active zoning enforcement cases, see the spreadsheet attached.

Enforcement cases sent to Corporation Counsel for legal action:

1. **183 Mt. Pleasant Terrace** – Enforcement history back to 2008 for violations of junkyard regulations. Cease and Desist Order and zoning citation issued in September 2018. Property remains in violation as of last inspection in November 2020. Citations continue to accrue at \$150 a day for the violations. **Case turned over to Corporation Counsel for court action.**
2. **403 Torrington West Street** – Enforcement started in Summer 2018 for accumulation of junk and illegal car repair and sales. Cease and Desist Order issued in September 2018, and subsequently brought into compliance (date not noted in file). Complaints began again in December 2019. Cease and Desist Order re-issued January 23, 2020. Police department also involved due to the illegal repair shop. Blight citations sent for property blight. House fire destroyed the house in July 2020. People still accessing the property to conduct illegal vehicle repairs/stripping and property junk still present. **Still out of compliance as of November 2020 and Corporation Counsel to continue with legal action.**

Enforcement Cases under active Cease and Desist Orders

1. **2177 Winsted Road (NJY Auto)** – C&D issued January 2020 for grading and drainage work on property without permits. Currently in the process of obtaining P&Z approvals. C&D to remain in place until all permits issued.
2. **End of Felicity Lane** – New driveway/road being graded in and screener/material stockpiles on property, no permits. Activity on property started again after I spoke with the property owner in May 2020 and issued notice. C&D issued September 2020. Met with owner 11/9/20 to discuss issues and resolution.
3. **73 Wolcott Avenue** – Assistant ZEO following up for possible junkyard violations. C&D issued in April 2020 due to non-compliance of initial notices. Follow-up needed.

4. **92 Roulin Street** – Extensive violation and complaint history back to 2013/14. Performing commercial vehicle repairs and conducting other commercial activity on and near the property. Outdoor junk and possible unregistered vehicles on the property. C&D issued September 2020. Spoke with owner November 2020 to go over issues. Follow up inspection needed.
5. **2285 Winsted Road** – C&D order sent in March 2020 for excavation and earth processing without permits. Owner ceased activity on the property met with staff and is working on finalizing plans for a PZC application submission. C&D to remain in place until all permits issued.
6. **52 Jardon Street** – Property was in compliance and on a 6-month monitoring hold, but has since gone out of compliance again – for the third time in a two-year period and in violation of the C&D. Additional violations for newly installed lighting appears to present. Met property owner on site in July 2020 with blight officer to review all activities and actions to bring property into compliance. Follow up needed.

Summary:

Active enforcement cases – 48

Cases sent to Corporation Counsel – 2

Cases under active Cease and Desist Orders – 8

Cases brought into compliance since last report (September 2020) - 11

Other:

Site work is in process and being periodically monitored on the following projects that have been granted site plan approval by the commission:

- Site Plan #1273 – South Main Street, O&G earth excavation, blasting and grading activities. Appears that only minor grading activities and installation of drainage & stormwater basins remains.
- Site Plan #1274 – 1315 East Main Street, new Pizzeria Marzano location. Property development complete except for landscaping. Landscaping plans proposed for modification under current proposed site plan #1344 for the adjacent Chipotle Restaurant.
- Site Plan #1303 & #1319 – 117 Water Street, Parking lot and access improvements for brewpub at the old firehouse. Work complete.
- Site Plan #1312 – 104 Main Street, interior renovations for apartments, lower floor commercial.
- Site Plan #1316 - Mason Street Torrington Savings Bank expansion project
- Site Plan #1317 – 100 Franklin Street mixed use project
- Site Plan #1324 – 637 & 659 Winsted Road, Earth excavation project; needs follow up for conditions of added screening from Winsted Road & relocation of excess equipment
- Site Plan #1325 – 360 Technology Park Drive, site development for industrial greenhouse
- Site Plan #1335 – 49 Hayden Hill Road, construction of new office building and associated stormwater infrastructure
- Site Plan #1336 – 150 Calhoun Street, parking lot and other site improvement for contractor use

The Conservation Commission continues site inspections and data collection on the conditions of all city owned open space parcels for future use in a full City Open Space Plan and for other planning purposes. Property reviews will likely continue through 2021.

END OF MEMORANDUM

Official	Address	Owner/Tenant	Enforcement Type	Violation Description	Last Inspection	Next Inspection	1st NOV	2nd NOV	C&D	Citation
JL	Berry Street 199	Carlos Barrera Tapia, 85 Albert Street	Zoning Enforcement	Auto repair	10/7/2020	11/23/2020	9/11/2020	10/20/2020		
JL	Birney Brook Drive 38		Zoning/Wetlands Enforcement	Unpermitted shed	8/24/2020	Compliant	6/12/2019	2/25/2020, 8/31/20		
JL	Broad Street 58	Kimberly Stoppani	Zoning Enforcement	Junk	10/7/2020	11/24/2020	10/20/2020			
JL	Clarence Street 255	Angel Chimbo	Zoning Enforcement	Illegal two-family	10/15/2020	Compliant	9/8/2020			
JL	Colorado Ave N 20	Thomas Mattson, 80 Main St., Canaan CT 06018	Zoning Enforcement	Unregistered vehicles		11/30/2020	10/29/2020			
AC	East Elm St., 309	Peralta Amendano Manuel Jesus & Surv	Zoning Enforcement	Chickens	8/31/2020	9/30/2020	9/3/2020			
JL	East Main Street 1195	Darlene Sawyer	Zoning Enforcement	Lighting	11/10/2020	12/14/2020	11/10/2020			
AC	East Main Street, 167	167 East Main Street LLC	Zoning Enforcement	Junk and debris	10/21/2020	11/6/2020				
JL	Farnham Avenue 47	Irma Espinoza	Zoning Enforcement	Illegal 4-family conversion	9/21/2020	On hold	8/13/2020 & 9/28/20			
JL	Felcity Lane	Felcity Farms LLC	Zoning/Wetlands Enforcement	Driveway grading - no permits	10/27/2020	11/9/2020	7/29/2020		9/8/2020	
JL	George Street 48	Laurie Levesque, 253 Clay Street, Thomaston, CT 06787	Zoning Enforcement	Illegal 3-family conversion	7/18/2019	On hold	6/4/2018	6/6/2019		
JL	Hayden Hill Road 20	Jonathan Galinski	Zoning Enforcement	Excessive tag sales	9/10/2020	11/24/2020	10/16/2018	9/18/2020		
JL	High Street 34	Kathleen Amoroso, PO Box 101, Yantic, CT 06389	Zoning Enforcement	Illegal auto detailing	9/29/2020	12/2/2020	7/9/2020	8/21/2020		
JL	Hoffman Street 77	Shiqie Qoku	Zoning Enforcement	Unpermitted 3rd apt unit	11/3/2020	12/8/2020	12/9/2019			
JL	Jardon Street 52	Robert Manzoni	Zoning Enforcement	Property Junk/Junkyard	2/13/2020	Compliant	4/6/2017	6/21/2018	9/13/2018	
JL	Lauri Hill Road 238	Wilson Borja Borja & Lrian Tapia Espinoza	Zoning Enforcement	Firewood sales	11/2/2020	12/3/2020	9/30/2020			
AC	Main Street, 383	Ky Bopka, Sean Ky Jeffrey & Vanessa Hammond, 5 Hinckley Road, New Preston 06777	Zoning Enforcement	light trespass	9/28/2020	10/28/2020	9/28/2020			
JL	McGuinness Street 93		Zoning Enforcement	Commercial use in res zone	9/29/2020	11/5/2020	10/5/2020		8/9/2018	9/17/2018
AC	Middle Lane, 78	Ed Matthews	Zoning Enforcement	excess accessory structures	9/3/2020		9/3/2020			
JL	Mt. Pleasant Terrace 183		Zoning Enforcement	Outdoor Junk	10/22/2020	12/17/2020	7/6/2018			
JL	New Litchfield Street 206	Mattress Direct of Torrington, 206 New Litchfield Street	Sign Enforcement	Illegal flag signage	9/9/2020	Compliant				8/27/2020
JL	Newfield Road 2480	Brian Whiteley	Zoning/Wetlands/Floodplain	Grading/Junk	9/21/2020	4/1/2021	8/18/2020			
JL	Newfield Road 446	Paul Church	Zoning Enforcement	Farm animals & junk	10/19/2020	11/16/2020	3/30/2020	8/11/2020		

Notes (10/22/20 updated)
Compliant for car repairs in detached garage. NOV sent 9/11/20; unregistered vehicles and activities continuing Oct 2020 - send 2nd Nov 10/20/20
Backyard shed w/o zoning/building permits; 2nd notice sent Feb 26 2020 - 30 day follow up; 3yr+ for zoning but wetlands permits required; permits pulled for shed Aug 2020 - compliant
Property Junk - history of zoning & blight violations back to 2017 Walked through with owner on 10/6/20 - no separate unit on second floor; compliant as of 10/6/20
At least 3 unregistered vehicles, possibly more. Some may be Junk vehicles. Other property Junk. NOV sent 10/29/20.
Spotlights on detached garage - light trespass onto neighboring properties
Converted 2-family home to a 4-family without permits; inspected interior 10/16/20 - no unit in basement, 3rd floor has no kitchen, but is being occupied as a boarding room. Letter sent stating that 3rd floor need to be combined with 2nd floor apt. Enforcement on hold until work upstairs is finished and reinspected. Follow up 4/1/21.
Grading for long driveway across a wetland area with no zoning or wetlands permits; soil stockpiles & processing sept 2020. C&D issued 9/8. Met w/owner 11/9/20, waiting for new drawings.
Illegal 3-family conversion; couldn't inspect interior; can't determine # of units from the outside. Last visit 7/18/19. Owner says there is only 2 units (phone conversation June 2019). Follow up needed.
Original complaint in Oct 2018, new complaint in Sept 2020 for excessive tag sales and dangerous traffic conditions; NOV sent 9/18/20; spoke to owner - seems compliant, 6 month hold to 3/25/21
Tenants conducting commercial auto cleaning and detailing in rear residential parking lot; neighbor indicated that activity may have stopped as of 10/2/20 - 6 month compliance hold to 4/2/21
Walkthrough w/ building inspector & fire marshal. 3rd floor apartment unit converted without zoning/building permits; lot config, doesn't permit 3-family. Granted extension to end of Feb to move tenant. Met on property to go over work that needs to be done to remove apartment 11/10/20. 30-day follow up.
Junk violations, unpermitted accessory structures; compliant and on 6-month hold through Feb 2020; hold extended additional 6-months on 3/4/20 due to added lighting violations. Follow up needed.
Residential lot; homeowner possibly bringing in wood for processing and selling from property; NOV sent 9/30/20 - all wood for personal use; appears compliant 11/2/20 but will monitor
Rear garage possible being use for commercial woodworking business - property is Res zone; NOV sent 10/5/20. Spoke with owner Oct/Nov 2020 to explain the regulations and how zoning non-conformities work. Waiting on response.
9-28-20 inspected, no active violations, closed.
Unpermitted junkyard. Separate actions for the same violations in 2008 and 2013/14; citation issued 9/17/18; was improving as of June 2019 but back to non-compliant Aug/Sept 2019; continues to be non-compliant May 2020. 2nd unreg veh. noted June 2020. File given to Corp. Counsel 2/25/20 for review & court action
Flag advertising sign over sidewalk; 5th notice since 2015 for sign violations on this property; \$150 citation sent 8/26/20; sign gone and compliant 9/9/20
Property Grading/disturbance in wetlands/floodplain. Junk vehicle on property. On 6-month compliance hold to 4/1/21.
Pigs/chickens, property junk, damaged RV's/camp trailers, unpermitted accessory structures. RVC sent 3/30/20. Given 60 days to cleanup and remove farm animals. Still non-compliant Nov 2020 - C&D to be issued.

JL	Norfolk Road 2152	Robert Zack	Zoning Enforcement	Outdoor Junk	10/27/2020	12/15/2020	9/18/2020		Property cleanup in progress as of June 2019 but cleanup stopped in Fall 2019. May need to resume enforcement in conjunction with blight officer. Still Junk violations as of 10/27/20
JL	Orchard Road 25	Mark & Kelly Machuga	Zoning Enforcement	Unpermitted shed	10/29/2020	Compliant	9/18/2020		Neighbor complaint for shed without permits; NOV sent 9/18/20. Permit pulled for shed - appears compliant as of Nov 2020.
JL	Orchard Road 56	Fabio Pena-Garcia	Zoning Enforcement	Automotive repair	10/29/2020	Compliant	9/24/2020		2 unregistered vehicles and stacks of tires; NOV for unregistered vehicles, junk and automotive repair business sent 9/24/20; re-inspected 11/5/20 - compliant
JL	Pulaski Street 32	Nicolette and Maria Pullano	Zoning Enforcement	Illegal 3-family conversion	9/10/2020	Compliant	8/13/2020		Added 3rd unit without permits - addresses on the doors of 32, 34 and 36 Pulaski Street; info submitted proving pre-existing non-conforming 3-family - compliant 9/17/20
JL	Pythian Avenue 125	Manuel Alvarez	Zoning/Wetlands Enforcement	Unpermitted deck/chickens/coops	10/5/2020	11/18/2020	9/11/2020	10/15/2020	Deck being built/expanded without zoning or wetlands permits; Chickens and chicken coop on property - no response to NOV; 2nd notice sent 10/15/20. Met with owner on site 11/9/20 - gave 30 days for corrections discussed.
JL	Ricciardone Avenue 32	Nicholas Ricciardone, 16 Ricciardone Avenue	Site Plan Enforcement	Landscaping/Stormwater	10/5/2020	11/16/2020	8/27/2020		Site plan #998 - landscaping and stormwater swale not complete as shown on plan. Agreement on minor modifications Oct 2020 - no corrective work to date. Follow up needed.
JL	Riverside Avenue 312	Manuel Topia & Lilia Avila	Zoning Enforcement	Chickens	10/15/2020	11/30/2020	9/8/2020	10/22/2020	Chickens being kept in detached garage on property. No response to 2 notices sent - may need C&D.
JL	Roberts Street 111	Brian Centrella, Kara McKenzie	Zoning Enforcement	Deck Addition	9/28/2020	Compliant	2/26/2020	8/20/2020	Rear deck addition (approx 5x8) without permits; still non-compliant May 2020; 2nd notice sent 8/20/20 zoning permit approved 9/23/20, compliant
AC/JL	Roulin Street 92	John C. Batchelder II & Stephen Muckle, Executor, 2 Cedar Lane, Torrington, CT	Zoning Enforcement	unregistered vehicles; outside debris	10/5/2020	11/19/2020		9/2/2020 & 10/6/20	C&D sent 9/2 for unreg vehicles, junk, & commercial activities. Extensive history & citations from 2015-16. Certified mailing not accepted, served by marshal on 10/16/20. Spoke with owner, some things cleaned up, we went over others. Needs follow up.
AC	5. Main St. 603	FAMILY REIT LLC 641 MARSBALL K RD TORRINGTON CT 06790	Zoning Enforcement	Several Unreg. Vehicles/ Junk Yard	10/7/2020	Compliant	3/5/2020	7/2/2020	Property owner has once again called in, tenant is supposed to be removing all items in violation. Auto Repair without approval? 10/7/20 - Compliant
AC	South Main St., 258	Ortega-Orella Jesus Braulio TIC	Zoning Enforcement	Chickens	9/10/2020	9/30/2020	9/10/2020		Front yard shed in progress without permits; may be violation of FV setback; still not moved or permitted as of 10/15/20, 2nd NOV sent.
JL	Torrington Street 1477	Evelin Gonzalez Padron	Zoning Enforcement	Shed - no permits	9/8/2020	10/15/2020	8/12/2020	10/23/2020	Property junk accumulations and 4-6 unregistered vehicles; operating a repair/sales location without permits; C&D sent January 2020, no compliance; citation sent March 2020. Violations still exist as of 6/4/20. Police involved as well; file given to corp. counsel for court action 3/23/20; C&D reissued 10/9/20
JL	Torrington West St-403	Miguel Castillo	Zoning Enforcement	Junk Yard/Auto Repair	10/22/2020	11/19/2020	9/24/2020	10/5/20	Unregistered vehicles; inspected 5/16/19; owner stated he would garage or register vehicles; progress made as of 10/20/20 (2 unreg. vehicles and some debris remaining)
JL	Washington Avenue 135		Zoning Enforcement	Unregistered vehicles; possible repair shop	10/20/2020	12/1/2020	5/16/2019	7/7/2020	
AC	White Pine Road, 77	Miruida A. Santos	Zoning Enforcement	Chickens	8/31/2020	9/30/2020	9/9/2020		Old house site - being developed for parking and material storage for adjacent commercial property; no permits; met w/owner 8/14/20, working on site plan
JL	Winsted Road 133	Winsted Road Properties Inc	Zoning Enforcement	Site development- no permits	10/21/2020	11/18/2020	7/24/2020		Grading behind industrial building w/o permits; grading continued after 1st & 2nd notices, C&D issued; permitting in progress. C&D to remain until all permits and work done.
JL	Winsted Road 2177	NY Auto, LLC	Grading Violation	Unpermitted grading	10/29/2020	12/3/2020	6/13/2019	10/25/2019	Spoke with owner 3/11/20 regarding violations; in process with special ex. application.
JL	Winsted Road 2285	AI Resources, LLC, 17 Alexandria Drive, Barkhamsted CT 06063	Zoning Enforcement	Earth Processing, Grading	11/3/2020	12/15/2020		3/9/2020	Earth processing and flooplain activities in violation of 2004 agreement; rock crushing without permits; inland wetlands permits issues for partial resolution - still waiting on PZC application. Follow up needed.
JL	Winsted Road 2904	DIF Investments, LLC	Zoning/Wetlands Enforcement	Earth Processing in floodplain; violation of IWC 2004 order	11/4/2020	12/16/2020	9/26/2019		Several complaint about dust control violations - dust observed by staff Summer/Fall 2020 - NOV sent 9/25/20 (Notices in special ex. file). Currently appears compliant, will leave open for 6-month hold inspect for continued compliance.
JL	Winsted Road 637 & 659	AIK LLC c/o Dan Stoughton, 179 Colebrook River Road, Winsted, CT 06790	Zoning Enforcement	Special exception violation/dust control	9/25/2020		9/25/2020		Unregistered vehicles, junk, commercial equipment (cherry picker) on the property; owner did not clean up within 60 days - 2nd notice sent Oct 2020. Spoke with owner, and he is fighting removal of items. I gave the options of appealing my notice or I would issue a C&D for continued non-compliance.
JL	Winthrop Street 115	Bruce Crockett, 148 Punch Brook Road, Burlington CT 06013	Zoning Enforcement	Junk & Commercial Equipment	10/19/2020	12/1/2020	8/18/2020	10/28/2020	

AC	Wolcott Ave. 73	Jadan Edgar	Zoning Enforcement	Junk Yard	10/15/2020	Compliant	2/27/2020	4/7/2020	<p>There has been several drive by inspection attempted but unable to view the area due to vehicles blocking public view. Another inspection attempt to be made. 10-15 20 - Compliant</p> <p>Accessory structure in back yard without permits, violations building coverage and setback regs; may violate wetlands as well; spoke w/owner 8/24/20 - will remove in 30 days</p> <p>Looks like a temporary pool but is taller than 4 feet; requires zoning permit; permits pulled and compliant as of Aug 2020</p>
JL	Wood Duck Road 557	Jason & Catherine Clinkscates	Zoning Enforcement	Shed without permits	11/2/2020	12/4/2020	6/25/2020		
JL	Wyoming Avenue 44	Adam & Sherry Arruc	Zoning Enforcement	Above ground pool-no permits	8/13/2020	Compliant	7/29/2020		