

# City Of Torrington

LAND USE DEPARTMENT  
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## MEMORANDUM

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TO: Torrington Zoning Board of Appeals  
CC: Jeremy Leifert – City Planner  
Ostais LLC - Applicant

FROM: Nate Nardi-Cyrus – Asst. City Planner

DATE: MAY 8, 2023

RE: Application for Location Approval – 610 Migeon Avenue

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URGENT     FOR REVIEW     PLEASE COMMENT     FOR YOUR USE     PLEASE RECYCLE

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NOTES/COMMENTS:

The latest state statute language governing location approvals in CGS 14-54, last amended under Public Act 16-55, placed the review of applications for location approval of automotive dealers and repairers with the local Zoning Board of Appeals, and also removed the requirement for the Board to hold public hearings on these types of applications. See the attached Section 4 of Public Act No. 16-55 for reference.

The Zoning Board of Appeals is acting as an arm of the state and must review the location in which the motor vehicle dealer or repair's license is proposed to determine if this is a suitable location for the facility. There are no standards set forth in the statute to guide this decision, however, the historic standards read as follows:

*"No such certificate shall be issued until the application has been approved and such location has been found suitable for the business intended, with due consideration to its location in reference to **schools, churches, theaters, traffic conditions, width of highway and effect on public travel.**"*

Because the automotive use of the property will remain the same, the applicant will not be required to apply to the Planning and Zoning Commission for site plan review and approval. The last location approval for an automotive use of 563 South Main Street was granted on December 13, 2004. No new exterior changes have been proposed since this request was granted.

The same approved 2004 plan titled "Improvement Location Survey – Abate Autobody and Collision - 610 Migeon Avenue Torrington, Connecticut" prepared by Sterling Land Surveying, LLC, 122 Franklin Street, Torrington, CT has been submitted for your review and consideration.

The applicant, Ostais LLC, will be leasing this location for his business. The applicant proposes to occupy the western portion of the existing building with an automotive sales and limited repair facility and associated office space. Per the Table of Uses in Section 3.1 of the City of Torrington Zoning Regulations, this is a permitted use in this Local Business zone. This property has 185.10 linear feet of frontage on a street, which meets the minimum 150-foot requirement in section 6.2.1 of the Regulations.

It is my recommendation that the Board find that the proposed location is suitable for the proposed use as an automotive repair facility and grant the approval of location.

END OF MESSAGE