

# CITY OF TORRINGTON



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To: Planning & Zoning Commission  
From: Jeremy Leifert, AICP, City Planner  
Date: October 26, 2022  
Subject: Jalli Resubdivision, Kennedy Drive and Alvord Park Roads, Assessor's Map 135 Block 003 Lot 052

Keith Bodwell, P.E., L.S. on behalf of Irene Mary Jalli has filed a 3-lot re-subdivision for property located at the corner of Kennedy Drive and Alvord Park Road, Assessor's Map 135, Block 003, Lot 052. The parcel was initially created in 1988 as leftover land from the "Deercrest Woods" subdivision. This parcel was not included as part of the residential subdivision plans, and subsequently zoned IP-Industrial Park. Maps #3384, 3383 and 3889 from the City land records have been included in the application file. The property is 4.45 acres in size. The lots are proposed to be serviced by public sewer and public water. This proposal will re-subdivide this parcel into 3 parcels. Lot 1 is proposed to be 70,131 square feet (1.61 acres) in area, with 347 feet of lot frontage along Alvord Park Road. Lot 2 is proposed to be 65,340 square feet (1.50 acres) in area, with 428 feet of lot frontage along Kennedy Drive. Lot 3 is proposed to be 58,370 square feet (1.34 acres) in area, with 287 feet of lot frontage along Kennedy Drive. These proposed lots all meet the minimum lot size of 40,000 square feet and 150 feet of lot width in the industrial park zone. The plans submitted are titled, "Subdivision Plan, Jalli Property – Kennedy Drive and Alvord Park Road, Map 135, Block 003, Lot 052, prepared for Hari & Irene Jalli" by Bodwell Engineering and Surveying LLC, West Cornwall, CT. Dated August 2022, Revised to October 26, 2022. 2 Sheets.

## **In reviewing the subdivision application and plans I have the following comments:**

1. Subdivision Maps #3383 and 3384 filed in the Torrington Land Records, dated April 1988 indicates that this property is labelled as "other land of AT properties" and appears to have been created in its' current form as result of the "Deercrest" subdivision approval.
2. The applicant has requested a waiver of full Sediment and Erosion Control (S&E) Plans and Stormwater Management plans until the proposed future development of the lots in accordance with sections 4.6 and 4.7 of the subdivision regulations.
3. The applicant is required to provide set-side open space or a fee-in-lieu in accordance with section 5.5.2 and 5.5.3 of the regulations. A note is currently included on submitted plans requesting a waiver of this requirement. With much of the property consisting of wetlands, a fee-in-lieu is likely the only option on this property (see subdivision regulations section 5.5.2.B). In accordance with section 5.5.3 of the subdivision regulations, the applicant shall provide an appraisal of the property and pay the City a fee of 10% of the value of the land. Payments to the City shall be divided equally between

parcels and paid upon transfer or sale. A notice shall be placed on the land records for each parcel indicating the fee.

4. The following information appears to missing on the plans and shall be provided or a waiver requested:
  - Proposed location for water lines (9.1), electric, gas, and other utilities (4.4.20 and 4.4.28)
5. None of the land in the subdivision is in the flood plain.

**Other Staff Comments:**

**Rista Malanca, Economic Development Director:** In previous meetings discussing this project, and in an email to me dated 9/19/22, Ms. Malanca conveyed her concerns regarding the buildability of these parcels as indicated on the plans, and asked to consider basic grades and soil and erosion control plans be added to the plans to clarify future development ability.

**Nate Nardi Cyrus, Assistant Planner:** In an email to me dated 9/28/22, Mr. Nardi-Cyrus offered the following comments:

*Wetlands – There are regulated wetlands and watercourses within the subject property that require wetlands review for this proposal. The applicant submitted a wetland permit application on 8/16/22, with the permit (# WC22-08-01) issued on 9/13/22. This constitutes a favorable wetlands report for this application.*

*Landscaping – No comment.*

*Lighting – No comment.*

*Signage – No comment.*

*Conservation – This application was not referred to the conservation commission for review and comment.*

**Fire:** In an email to me on October 12, 2022, Fire Marshal Edward Bascetta stated that he has no comments on this application

**Engineering:** In an email to me on October 18, 2022, City Engineer Paul Kundzins stated that he has no comments on this application

**WPCA:** Ray Drew, Public Works Director, in a memo to me dated 9/22/22, indicated:

1. *We have no comments regarding the planned subdivision itself*
2. *However, if the lots are developed the applicant will need to provide additional information to include the following:*
  - a. *Show proposed sanitary sewer lateral connection for Lot #1 on Alvord Park Road*
  - b. *Separate private laterals for Lots #2 & #3 will need to run. They cannot be tied together as shown on the current plans*
  - c. *Clean outs for these laterals will be required.*

3. *Sanitary Sewer Discharge Permit applications will be required when any buildings are proposed on the lots.*
4. *Storm water discharges shall comply with City of Torrington Department of Engineering Standards.*
5. *For additional information or questions contact WPCA (860) 485-9166*

**Police Traffic:** No comments were received.

**Waivers:**

Per Section 3.5 of the Subdivision Regulations, the Commission may waive the requirements of the Subdivision Regulations by a three fourths vote of the Commission members provided all the following conditions are met:

1. The applicant requests the waiver in writing.
2. The request shall detail the waiver requested and shall provide sufficient information for the Commission to determine if any hardship is involved.
3. The physical characteristics of the property are such that the strict application of these regulations would result in an impractical development or an unusual hardship.
4. The waiver will not result in any significant adverse impact on adjacent property or on public health or safety. The Commission shall state on the record the reasons for granting the waiver.

The applicant has verbally requested waivers from the requirements of the zoning regulations sections 4.6. and 4.7 for the submittal of a full Soil and Erosion Control Plan and a full Stormwater Management Plan. I am supportive of these waivers pending the submission of a written request and a condition that those full plans be submitted upon development proposals for any of the resulting lots.

**Conclusion**

I recommend approval I recommend approval of a re-subdivision of property known as Assessor's Map 135 Block 003 Lot 052, Kennedy Drive and Alvord Park Roads into three parcels of land, with the following conditions and recommendations:

1. Per Section 5.5.3 of the Subdivision Regulations, the applicant shall pay a fee in lieu of open space. This fee shall not exceed 10% of the fair market value of the land to be subdivided prior to the approval of the subdivision. The fair market value of the land to be subdivided shall be determined by an appraiser jointly selected by the applicant and the Commission. The cost of the appraisal shall be paid by the applicant. The appraisal shall be completed prior to the filing of the re-subdivision plan on the Torrington Land Records. A fraction of the total fee shall be paid to the City at the time each lot is first sold or transferred. The numerator of this fraction is one; the denominator is 3, the number of approved building lots in the approved subdivision. The note requesting a waiver of this provision shall be removed from the final filed plans.
2. Iron pins shall be set in lot corners in accordance with the re-subdivision Map prior to filing the record re-subdivision map.
3. Per Section 3.10.3.G of the Subdivision Regulations, the final approved re-subdivision map and final Site Development Plan shall contain the Tax Assessor's Map/Block/Lot for each lot in the re-subdivision as assigned by the Engineering Department.

4. Upon proposals for construction on any of the resulting lots, a full Soil and Erosion Control Plan and Stormwater Management plan shall be submitted.
5. In accordance with section 3.10.1 of the subdivision regulations, the following shall be submitted to the City Planner:
  - a. Two paper copies of the full approved plans including the engineer's stamp and chairman's signature box on the title page.
  - b. One mylar copy of the full approved plans for filing with the City Clerk. Each mylar sheet shall bear a chairman's signature box, an engineers' seal and live ink stamp.
  - c. Final copies of paper and mylar plans shall include conditional modifications as outlined in this memo.
  - d. Mylar sheets shall be filed by the applicant with the City Clerk within 90 days after the signature of the Chairman.

END OF MEMO

Cc: