

CITY OF TORRINGTON



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To: Planning & Zoning Commission
From: Jeremy Leifert, AICP, City Planner
Date: November 16, 2022
RE: Site Plan #1426, 957 East Main Street and adjacent parcels – zone change and site plan application to adopt the “Alternate Incarceration, Cannabis Dispensary Overlay Zone”, change the use to adult-use cannabis retail, site improvements to modify parking, landscaping, signage and to add a sidewalk

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

Patrik Jonsson has filed an application for three adjacent properties: 957 East Main Street - Tax Assessor’s Map 133 Block 012 Lot 007, Tax Assessor’s Map 133 Block 012 Lot 015 and a portion of 92 Yorkshire Street - Tax Assessor’s Map 133 Block 012 Lot 019 to request the following approvals:

1. To adopt the “Alternate Incarceration, Cannabis Dispensary Overlay Zone” on two of the properties and a portion of 92 Yorkshire Street
2. To change the use from the current bus parking and office use to an adult-use cannabis retail establishment
3. Site improvements to modify parking, landscaping, signage and to add a sidewalk along East Main Street.

The properties are owned by James, Robert and Richard Ross, are a combined 22,651 square feet (0.52 acres) in total area and are all located in the LB-Local Business zone. A previous Site Plan approval under application #822 was approved in January 2007 to change the property use to a bus station and has expired. The proposed Adult Use Cannabis Retail Establishment is a conforming use in the LB zone with the adoption of an AM overlay zone under zoning regulations section 3.1, Table of Permitted Uses, subsection 22.03 and section 4.16 – Alternate Incarceration, Cannabis Dispensary Overlay Zone (AM Zone). A zone change hearing and a new site plan approval are required for this proposed project.

An A-2 quality property survey has been submitted titled “Property Survey, Prepared for The Collective, 957 East Main Street” by Close, Jansen, and Miller, P.C., Consulting Engineers, Land Planners and Surveyors, Wethersfield, Conn. Dated September 28, 2022. 1 Sheet. A plan set, including a zone change map, site plan and grading plan has been submitted titled “The Collective, 957 East Main Street, Torrington, CT” by East-West Engineering, West Hartford, CT. Dated October 18, 2022. 5 Sheets. The contents of the zone change and A2 survey sheets meet the basic requirements for a zone change application. Staff has met previously with the property owner and engineer to discuss the project prior to this meeting.

Other Items of note:

1. No significant changes to the exterior of the existing building are proposed
2. Details on the proposed free standing sign are missing. A full final design of the sign is not required but the applicant should provide basic details on the proposed sign in accordance with section 8.4.3.L of the regulations, specifically proposed lighting, sign colors, general dimensions and height. Free-standing signs shall be limited to no more than five feet in height and twenty square feet in area in accordance with the regulations.
3. Property boundaries between 957 East Main Street and the adjacent parcel to the North currently bisect the existing building and should be combined as a condition of approval.
4. Some parking for the business is currently located on the property that is a residential use at 92 Yorkshire Street. Limited screening should be proposed for the residential use and an easement provided for the area used for business-related parking on the 92 Yorkshire Street property.
5. According to the notes on the submitted zone change map (Sheet ZC-1) there are no parks, playgrounds, schools, recreational facilities, child care centers or libraries within 500 feet of the subject properties.
6. The nearest approved Adult-Use Cannabis retail facility in the City is approximately five miles away from this property on Winsted Road.
7. In my opinion, the proposed use, location and site design is compatible with the neighborhood and surrounding uses.

Other Staff Comments:

Economic Development: Rista Malanca, City of Torrington Economic Development

Director: Rista Malanca, AICP, Torrington Economic Development Director verbally indicated her support for the Zone Change and site plan application, after discussion on potential distribution of adult-use cannabis locations in the City.

Wetlands, Conservation, Lighting, Landscaping, Signage: Nate Nardi-Cyrus, Assistant City Planner, in an email to me dated October 31, 2022, offered the following comments on the plans:

Wetlands – There are no regulated wetlands or watercourses in the vicinity of the subject property that require wetlands review for this proposal. This constitutes a favorable wetlands report for this application.

*Landscaping – The landscaping plan satisfies section 5.11 of the zoning regulations. Based on the submitted plans, it is my understanding that plants C+D will be located at the same elevation as single-family residence and not at parking lot level. Because these shrubs are short, they will not properly screen the residence unless they are planted above the parking lot elevation. I recommend using a native tree species as an alternative to the London plane tree. Good alternatives would include red maple (*Acer rubrum*), river birch (*Betula nigra*), or white oak (*Quercus alba*).*

Lighting – No lighting is shown on the site plan. New lighting must comply with section 5.17 of the City zoning code, including the use of full cut-off fixtures. We encourage the use of products approved by the International Dark-Sky Association: <https://www.darksky.org/our-work/lighting/lighting-for-industry/fsa/fsa-products/>.

Signage – There are no new signs proposed as part of this application. A sign permit shall be required before installing any signage in accordance with section 5.15 of the zoning regulations.

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

Architectural Review Committee: No significant changes are proposed to the building exterior or the site that rise to the level of requiring ARC review.

Torrington Area Health District: TAHD offered no comments on the plans.

Engineering: Paul Kundzins, City Engineer in an email to me dated November 1, 2022, submitted marked up plans (Sheets GR-1 and SP-1) for correction by the applicants' engineer.

Police Traffic: Police Traffic Sergeant Dustin Baldis, in an email to me dated November 10, 2022, offered the following comments on the plans:

Changes look good. My only suggestion is to have the exit direct them east on Yorkshire to the signalized intersection and put the bump out of the raised island on the west one directing people up. The sign should have the arrow then facing right. Less chance of angle crashes for people trying to make a left onto East Main Street again. Other than that it looks good.

Fire: Fire Marshal Edward Bascetta, in an email to me dated November 8, 2022, offered the following comments on the plans:

The building should be equipped with a complete and compliant fire protection system compatible with the change of use. The fact it will be vacant during non-business hours make it a prime candidate for the delayed discovery of a fire inside.

Torrington makes use of 'lock boxes' to allow quick access by fire fighters in time of an alarm without causing damage. If not already in existence, 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.

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.

WPCA: Ray Drew, Public Works Director, in an email to me dated November 3, 2022, offered the following comments:

1. Applicant shall submit application for Sewer Discharge Permit.
2. Additional Information Required
 - a. Weekly Days of Operation
 - b. Number of full time and part time employees.
 - c. Number of clients expected daily.
 - d. Projected annual water consumption for new facility.

3. *Capacity Reserve Fee shall be paid prior to commencement of discharge. (Fee will be determined upon receipt of items #1 and #2 Above)*
4. *Owner shall certify that there are no discharges of storm water either directly or indirectly into the sanitary sewer system from the building. Storm water discharges shall comply with City of Torrington Department of Engineering Standards.*
 - a. *Owner/Applicant shall contact WPCA to inspect building for compliance with chapter 170-14 of Torrington Code.*
 - b. *Contact James Hilton 860-485-9166 to schedule inspection.*
5. *Occupants shall use Best Management Practices to minimize the amount of fats, oil and greases that are discharged to the public sewer.*
6. *Occupants shall use Best Management Practices to minimize the use of phosphate containing cleaners and detergents.*
7. *Submit copies of any Federal or State permits related to wastewater discharges.*
8. *For additional information or questions contact WPCA (860) 485-9166*

Building: Building Official Kevin Gillette, in an email to me dated November 8, 2022, offered the following comments:

Please provide the following information, as it pertains, when applying for the required permits:

- *Complete sets of IBC Section 107 required Construction Documents as applicable, prepared by a Registered Design Professional, for all work to be performed*
- *Complete Life Safety Plan with Occupant Load and Occupancy Classification*
- *Complete Plan for Accessibility including Parking and Passenger Loading Facilities*
- *Complete Exhaust and Make-up Air System Plans*
- *Complete Mechanical, Electrical and Plumbing Plans*

Subject to review and on-site correction. It shall be the duty of the permit holder or their agent to notify the Building Official that such work is ready for inspection.

Conclusion: Per responses and plan modification from the applicants' engineer on November 7, 2022 and further review by City Staff, I recommend approval of Site Plan #1426, 957 East Main Street and adjacent parcels – zone change and site plan/change of use, with the following conditions and recommendations:

1. The applicant shall follow comments of Nate Nardi-Cyrus, Assistant Planner outlined in his October 31, 2022 email to the City Planner
2. The applicant shall make plan corrections based on comments and plan markups from Paul Kundzins, City Engineer outlined in his November 1, 2022 email to the City Planner
3. The applicant shall address traffic flow comments from Police Traffic Sergeant Dustin Baldis in his November 10, 2022 email to the City Planner.
4. The applicant shall follow the recommendations of Fire Marshal Edward Bascetta in his November 8, 2022 email to the City Planner regarding lock boxes.
5. The applicant shall follow comments of Ray Drew, Public Works Director outlined in his November 3, 2022 email to the City Planner regarding sewer discharge permitting.
6. The applicant shall follow building permit requirements outlined by Building Official Kevin Gillette in his November 8, 2022 letter to the City Planner
7. Properties known as 957 East Main Street - Tax Assessor's Map 133 Block 012 Lot 007 and Tax Assessor's Map 133 Block 012 Lot 015 shall be combined in the final plans to be filed. A copy of the filed updated deed shall be submitted showing the lot merger.

8. An easement for parking on the 92 Yorkshire Street property in favor of 957 East Main Street shall be shown on the final plans. A copy of the filed updated deed for 92 Yorkshire Street shall be submitted for the application file describing the easement.
9. The Planning and Zoning Commission finds that the proposed use, location and site design is compatible with the neighborhood and surrounding uses and is protective of the health, safety and welfare of the citizens of the City of Torrington.
10. Zoning permits are required prior to alteration or use of the site for the proposed use.
11. In accordance with section 8.4.3 and 8.4.6 of the zoning regulations, the following shall be submitted to the City Planner:
 - a. Two paper copies of the full approved plan set including the engineer's stamp and chairman's signature box on the title page.
 - b. One mylar copy of site plan sheet SP-1 for filing with the City Clerk in accordance with section 8.4.3.P of the zoning regulations. The mylar sheet shall bear a chairman's signature box, a copy of the approval letter from the commission, an engineers' seal and live ink stamp.
 - c. Mylar sheets shall be filed by the applicant with the City Clerk after the signature of the Chairman and prior to the approval of zoning permits to begin construction or site work.

END OF MEMO

Cc: Patrik Jonsson, The Collective