

# City Of Torrington



LAND USE DEPARTMENT  
(860) 489-2221

140 Main Street • City Hall  
Torrington, CT 06790-5245  
Fax: (860) 496-5928

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## MEMORANDUM

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TO: Planning and Zoning Commission

CC: Martin Connor, City Planner

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

DATE: JANUARY 6, 2021

RE: Zoning Enforcement Update

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URGENT     FOR REVIEW     PLEASE COMMENT     FOR YOUR USE     PLEASE RECYCLE

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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 December 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. House demolished, but junk violations still remain on the property. **Still out of compliance as of December 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. Discussions continue with the owner on a resolution timeline.

3. **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. Still out of compliance January 2021, follow-up needed.
4. **Winsted Road 244/001/007** – 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. [Permits issued November 2020; compliant. Cease and desist order lifted.](#)
5. **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.
6. **446 Newfield Road** – Violations for the keeping of farm animals (pigs and chickens), unpermitted accessory structures and property junk. Operating a pig rescue under the business name “Pits and Piggies” on a property of less than 3 acres. C&D issued Nov. 2020. Further follow up needed.
7. **312 Riverside Avenue** – C&D sent December 2020 for chickens on property after no response to 2 prior notices. Owner contacted and let me know the chickens were gone. Follow up needed before closing.

### **Summary:**

Active enforcement cases – 47

Cases sent to Corporation Counsel – 2

Cases under active Cease and Desist Orders – 9

Cases brought into compliance since last report (November 2020) - 5

### **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 #998 – 32 Ricciardone Ave, Rick’s Auto Parts parking lot. Stormwater and landscaping not installed per plans. Minor plan modifications approved, site to be completed spring/summer 2021.
- 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 Plans #1274 & 1344 – 1313 & 1315 East Main Street, new Pizzeria Marzano location and Chipotle Restaurant. Property development complete except for landscaping at Marzano. Chipotle Restaurant site work and building construction in progress..
- Site Plan #1303 & #1319 – 117 Water Street, Parking lot and access improvements for brewpub at the old firehouse. Work complete except for parking lot fencing to be installed in Spring 2021.
- 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	Notes (1/6/21 updated)
JL	Berry Street 199	Carlos Barrera Tapia, 85 Albert Street	Zoning Enforcement	Auto repair	12/22/2020	1/6/2021	9/11/2020	10/20/2020			Complaint for car repairs in detached garage; NoV sent 9/11/20; unregistered vehicles and activities continuing Oct 2020 - send 2nd NoV 10/20/20
JL	Broad Street 58	Kimberly Stoppani	Zoning Enforcement	Junk	12/22/2020	2/23/2021	10/20/2020				Property junk - history of zoning & blight violations back to 2017; progress made but still not compliant Nov 2020, further follow-up; <b>compliant as of 12-22-20, 6-month hold to 6-23-21</b>
JL	Church Street 408	Westside Package Store	Sign Enforcement	Wall/A-Frame signs in violation	12/28/2020	1/28/2021	11/20/2020				Wall signs, lighted window signs and A-Frame signs without permits
JL	Colorado Ave N 20	Thomas Mattson, 80 Main St., Canaan CT 06018	Zoning Enforcement	Unregistered vehicles	12/30/2020	2/8/2021	10/29/2020	1/4/2021			At least 5 unregistered vehicles, possibly more. Some may be junk vehicles. Other property junk. NoV sent 10/29/20. No response, 2nd NoV sent 1/4/21 to residents and off-site owner
JL	Darling Street 115	Abby Albreada, 275 Goodhouse Road, Litchfield 06759	Zoning Enforcement	Lighting Violations	12/7/2020	1/19/2021	12/11/2020				Lighting in front yard/walkway in violation
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 1189	Sharon Ducci	Zoning Enforcement	Lighting	11/25/2020	1/6/2021	12/2/2020				Lighting fixtures in violation on front & side of house
JL	East Main Street 1195	Darlene Sawyer	Zoning Enforcement	Lighting	12/14/2020	2/16/2021	11/10/2020				Spotlights on detached garage - light trespass onto neighboring properties; <b>compliant as of 12-14-20, 6 month compliance hold to 6-14-21</b>
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				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.
JL	Felicity Lane	Felicity Farms LLC	Zoning/Wetlands Enforcement	Driveway grading - no permits	12/7/2020	1/11/2021	7/29/2020		9/8/2020		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.
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			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.
JL	Ginger Lane 64	Christopher Luis	Zoning Enforcement	Shed/barn without permits	12/3/2021	2/8/2021	1/4/2021				
JL	Goodwin Street 35	Helen Sramek	Zoning Enforcement	Construction - no permits	12/31/2021	2/4/2021	11/25/2020				Built a shed/storage structure on top of existing open deck without permits - can't meet setbacks and may be over property line; permit app submitted 1/4/21
JL	Hayden Hill Road 20	Jonathan Galinski	Zoning Enforcement	Excessive tag sales	11/24/2020	1/25/2021	10/16/2018	9/18/2020			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 complaint, 6 month hold to 3/25/21
JL	High Street 34	Kathleen Amoroso, PO Box 101, Vantic, CT 06389	Zoning Enforcement	Illegal auto detailing	12/2/2020	2/2/2021	7/9/2020	8/21/2020			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
JL	Hoffman Street 77	Shqiye Qoku	Zoning Enforcement	Unpermitted 3rd apt unit	1/4/2021	3/1/2021	12/9/2019				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 reomove apartment 11/10/20. 30-day follow up.
JL	Jardon Street 52	Robert Manzone	Zoning Enforcement	Property junk/junkyard	2/13/2020	Compliant	4/6/2017	6/21/2018	9/13/2018		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.
JL	Laurel Hill Road 238	Wilson Borja Borja & Lirian Tapia Espinoza	Zoning Enforcement	Firewood sales	12/3/2020	1/14/2021	9/30/2020				Residential lot, homeowner possibly bringing in wood for processing and selling from property; NoV sent 9/30/20 - all wood for perosnal use; appears compliant 11/2/20 but will monitor
JL	Lawton Street 100	100 Lawton LLC	Zoning Enforcement	Lighting	12/30/2020	1/21/2021	11/20/2020	12/11/2020			New lighting installed on building exterior that is shining at houses at the end of Lawton Street; email exchange w/owner on 12/31, some violations fixed, one fixture still needs fixing
AC	Main Street, 383	Ky Boptka, Sean Ky Jeffrey & Vanessa	Zoning Enforcement	light trespass	9/28/2020	10/28/2020	9/28/2020				
JL	McGuinness Street 93	Hammond, 5 Hinckley Road, New Preston 06777	Zoning Enforcement	Commercial use in res zone	12/4/2020	2/4/2021	10/5/2020				Rear garage possible being use for commercial woodworking business - property is R6 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.
AC	Middle Lane, 78	Ed Matthews	Zoning Enforcement	excess accessory structures	9/3/2020		9/3/2020				9-28-20 inspected, <b>no active violations, closed.</b>
JL	Mt. Pleasant Terrace 183		Zoning Enforcement	Outdoor junk	12/18/2020	2/1/2021	7/6/2018		8/9/2018	9/17/2018	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; <u>file given</u> to Corp. Counsel 2/25/20 for review & court action

JL	Newfield Road 2480	Brian Whittlesey	Zoning/Wetlands/Floodplain	Grading/Junk	9/21/2020	4/1/2021	8/18/2020				Property grading/disturbance in wetlands/floodplain. Junk vehicle on property. On 6-month compliance hold to 4/1/21.
JL	Newfield Road 446	Paul Church	Zoning Enforcement	Farm animals & junk	12/28/2020	1/25/2021	3/30/2020	8/11/2020	11/20/2020		Pigs/chickens, property junk, damaged RV's/camp railers, unpermitted accessory structures. RVC sent 3/30/20. Given 60 days to cleanup and remove farm animals. Still non-compliant Nov 2020 - C&D issued 11/20/20; camper & other items removed Dec 2020 - pigs still remain
JL	Norfolk Road 2152	Robert Zack	Zoning Enforcement	Outdoor junk	12/15/2020	1/20/2021					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	Oak Avenue 441	Gary Hatstat	Zoning Enforcement	Unpermitted use	12/9/2020	2/3/2021	12/28/2020				Illegal occupation as residence - pre-existing auto garage. No sanitary facilities or water.
JL	Pythian Avenue 125	Manuel Alvarez	Zoning/Wetlands Enforcement	Unpermitted deck/chickens/coops	12/7/2020	1/11/2021	9/1/2020	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 Richardone, 16 Ricciardone Avenue	Site Plan Enforcement	Landscaping/Stormwater	12/28/2020	2/16/2021	8/27/2020				Site plan #998 - landscaping and stormwater swale not complete as shown on plan. Site plan modification granted 10/2/20. <b>Compliant.</b>
JL	Riverside Avenue 312	Manuel Tapia & Lilia Avila	Zoning Enforcement	Chickens	11/30/2020	1/11/2021	9/8/2020	10/22/2020	12/4/2020		Chickens being kept in detached garage on property. No response to 2 notices sent - may need C&D.
AC/JL	Roulin Street 92	John C. Batchelder II & Stephen Muckle, Executor; 2 Cedar Lane, Torrington, CT	Zoning Enforcement	unregistered vehicles; outside debris	12/31/2020	2/4/2021			9/2/2020 & 10/16/20		C&D sent 9/2 for unreg vehicles, junk, & commercial activities. Extensive history & citations from 2015-16. Served by marshal on 10/16/20. Spoke with owner and went over violations. 11/19/20 inspection- some items cleaned up, still in violation. Follow up needed.
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 in violation of FY 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	10/15/2020	1/21/2021	8/12/2020	10/23/2020			
AC	Torrington Street, 1961		Zoning Enforcement	chickens, roosters	9/24/2020	10/26/2020	9/24/2020				
JL	Torrington West St 403	Miguel Castillo	Zoning Enforcement	Junk Yard/Auto Repair	12/29/2020	2/2/2021			9/5/18, 1/29/20, 10/5/20	3/16/2020	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; <u>file given to corp. counsel for court action 3/23/20.</u> ; C&D reissued 10/5/20
JL	Washington Avenue 135		Zoning Enforcement	Unregistered vehicles; possible repair shop	12/1/2020	1/12/2021	5/16/2019	7/7/2020			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	Water Street 88	Nicholas Pizza	Sign Enforcement	Banner and sidewalk signs	12/16/2020	2/20/2021	10/1/2020	1/6/2021			Banner on building and sidewalk sign without permit
AC	White Pine Road, 77	Miruida A. Santos	Zoning Enforcement	Chickens	8/31/2020	9/30/2020	9/3/2020				
JL	Winsted Road 133	Winsted Road Properties Inc	Zoning Enforcement	Site development- no permits	12/16/2020	2/1/2021	7/24/2020				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 2177	NJY Auto, LLC	Grading Violation	Unpermitted grading	12/3/2020	1/14/2021	6/13/2019	10/25/2019	1/2/2020		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 2285	AJ Resources LLC, 17 Alexandria Drive, Barkhamsted CT 06063	Zoning Enforcement	Earth Processing, Grading	12/15/2020	1/12/2021			3/9/2020		Spoke with owner 3/11/20 regarding violations; in process with special ex. application.
JL	Winsted Road 2904	DJF Investments, LLC	Zoning/Wetlands Enforcement	Earth Processing in floodplain; violation of IWC 2004 order	12/16/2020	1/27/2021	9/26/2019				Earth processing and floodplain 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 637 & 659	AJK LLC c/o Dan Stoughton, 179 Colebrook River Road, Winsted, CT 06790	Zoning Enforcement	Special exception violation/dust control	12/2/2020	1/6/2021	9/25/2020				Several complaint about dust control violations - dust observed by staff Summer/Fall 2020 - NoV sent 9/25/20 (Notices in special ex. File). <b>Currently appears compliant, will leave open for 6-month hold inspect for continued compliance (to 4-28-21)</b>
JL	Winsted Road 693	Pat's Pizzazz Furniture	Zoning Enforcement	Change of use - no approval	12/8/2020	1/6/2021	11/17/2020				Pat's Pizzazz Furniture relocated into the old torrington billiards space - no change of use approved to retail
JL	Winthrop Street 115	Bruce Crockett, 148 Punch Brook Road, Burlington CT 06013	Zoning Enforcement	Junk & Commercial Equipment	12/23/2020	2/2/2021	8/18/2020	10/28/2020			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	Wood Duck Road 557	Jason & Catherine Clinkscales	Zoning Enforcement	Shed without permits	12/4/2020	1/11/2021	6/25/2020				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