

# City Of Torrington

LAND USE DEPARTMENT  
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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 <sup>JL</sup> file

DATE: APRIL 8, 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 with 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. Met with Corporation Counsel to discuss the status on 3/1/21. **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. Most violation issue cured. Still minor junk compliance issues as of March 2021. **Hold on the file to allow time for possible sale of the property.**

**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. Still waiting on site bonds to be submitted before approving permits as of March 2021.
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 as of March 2021. \$150 per day citations to be issued.
4. **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. Previous lighting violations resolved & compliant. Met property owner on site in March 2021 with blight officer to review all activities and actions to bring property into compliance. Further follow up needed.
5. **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 and no response. \$150 per day citations to be issued.
6. **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. Appears complaint – enforcement hold to June 2021 to monitor for continued compliance.
7. **1477 Toringford Street** – shed encroaching into required setback, installed without permits. 2 notices sent without corrections – C&D sent 1/21/21. Shed relocated and zoning permit obtained – compliant.
8. **115 Winthrop Street** – commercial equipment storage and junk violations, C&D sent 12/28/20. Spoke with owner about removing violations. Working with owner on garage repairs to store equipment and junk. Owner pulled zoning permits to enclose a roofed extension to store commercial equipment – work not yet completed.

**Summary:**

Active enforcement cases – 43

New cases since last report (March 2021) - 4

Cases with Corporation Counsel for legal action – 2

Cases under active Cease and Desist Orders – 10

Cases brought into compliance since last report (March 2021) - 2

**Other:**

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

- Site Plan #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 #1292 – New gas station/retail store/Sonic drive-thru site work underway
- Site Plan #1316 - Mason Street Torrington Savings Bank expansion project
- Site Plan #1317 – 100 Franklin Street mixed use project, site work in progress
- 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, work nearing completion
- Site Plan #1352 – Winsted Road 244/001/007, Earth Excavation. Started winter 2021.
- Site Plan #1353 – 1109 South Main Street, new automotive repair shop building addition in progress

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 possible POCD update. 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 (4/7/21 updated)
JL	Berry Street 199	Carlos Barrera Tapia, 85 Albert Street	Zoning Enforcement	Auto repair	3/23/2021	4/27/2021	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	Brightwood Avenue 399	Dennis and Ashley Hackney	Zoning Enforcement	Unpermitted accessory structure	3/30/2021	5/5/2021	3/31/2021				Accessory structure without permits; separate lot with no house under common ownership
JL	Broad Street 58	Kimberly Stoppani	Zoning Enforcement	Junk	2/23/2021	4/22/2021	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	2/25/2021	4/26/2021	11/20/2020				Wall signs, lighted window signs and A-Frame signs without permits; <b>compliant as of 2/25/21, 6-month compliance hold to 8/25/21</b>
JL	Colorado Ave N 20	Thomas Mattson, 80 Main St., Canaan CT 06018	Zoning Enforcement	Unregistered vehicles	3/29/2021	5/4/2021	10/29/2020	1/11/2021			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 1/11/21 to residents and off-site owner
JL	Darling Street 115	Abby Albreada, 275 Goodhouse Road, Litchfield 06759	Zoning Enforcement	Lighting Violations	2/18/2021	4/19/2021	12/11/2020				Lighting in front yard/walkway in violation. Light changed out to a softer light and <b>compliant as of 2-18-21. 6-Month compliance monitoring hold to 8-18-21.</b>
JL	East Main Street 1195	Darlene Sawyer	Zoning Enforcement	Lighting	2/16/2021	4/14/2021	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>
JL	East Main Street 1217	Kang Zhiyong & Lin Houquin	Sign Enforcement	A-Frame - no permits	3/8/2021	4/12/2021	1/2/2020	3/8/2021			Unpermitted A-Frame temporary sign - 1st notice unanswered & no corrective action
AC	East Main Street, 167	167 East Main Street LLC	Zoning Enforcement	junk and debris	1/28/2021	3/31/2021					Inspection with FDP and Building. Gave tenant 30 days to get ahold of owner for permit or remove the left over debris.
JL	Farnham Avenue 47	Irma Espinoza	Zoning Enforcement	Illegal 4-family conversion	4/1/2021	7/1/2021	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. Contact owner if no progress made with permits by 7/1/21.
JL	Felicity Lane	Felicity Farms LLC	Zoning/Wetlands Enforcement	Driveway grading - no permits	2/22/2021	4/5/2021	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	3/15/2021	Compliant	1/4/2021				Large shed/barn along side property line without permits. Permit pulled and approved 3/4/21 - <b>compliant</b>
JL	Goodwin Street 35	Helen Sramek	Zoning Enforcement	Construction - no permits	3/23/2021	4/27/2021	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 & approved to relocate, work not done yet
JL	High Street 34	Kathleen Amoroso, PO Box 101, Yantic, CT 06389	Zoning Enforcement	Illegal auto detailing	2/2/2021	4/5/2021	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
AC/JL	Jardon Street 52	Robert Manzone	Zoning Enforcement	Property junk/junkyard	3/9/2021	5/3/2021	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 to 5/4/21 due to possible new violations. Follow up needed.
JL	Lawton Street 100	100 Lawton LLC	Zoning Enforcement	Lighting	2/23/2021	4/22/2021	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; <b>appears compliant as of 2/23/21, 6 month hold to 8/23/21</b>
AC	Main Street, 383	Ky Boptka, Sean Ky Jeffrey & Vanessa Hammond, 5 Hinckley Road, New Preston 06777	Zoning Enforcement	light trespass	9/28/2020	4/4/2021	9/28/2020				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, the property history and how zoning non-conformities work. <b>Violations appear to be ceased and compliant - 6 month hold to 6-4-21</b>
JL	McGuiness Street 93		Zoning Enforcement	Commercial use in res zone	2/4/2021	4/5/2021	10/5/2020				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	Mt. Pleasant Terrace 183		Zoning Enforcement	Outdoor junk	3/1/2021	4/12/2021	7/6/2018		8/9/2018	9/17/2018	Boats, cars and trailers stored to rear of property. Most unregistered. Some may not be non-operational. Notice also sent to tenant - John Vitale, 30 Mountain Ave, Winsted
JL	New Litchfield Street 1449	New Litchfield Street LLC, c/o Timothy O'Sullivan, 961 Migeon Ave	Zoning Enforcement	Outdoor junk/unreg. Vehicles	3/11/2021	4/15/2021	1/8/2021				Property grading/disturbance in wetlands/floodplain. Junk vehicle on property. On 6-month compliance hold to 4/1/21.
JL	Newfield Road 2480	Brian Whittlesey	Zoning/Wetlands/Floodplain	Grading/Junk	4/1/2021	5/6/2021	8/18/2020				

JL	Newfield Road 446	Paul Church	Zoning Enforcement	Farm animals & junk	4/1/2021	5/11/2021	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 & other junk still remain
JL	Norfolk Road 2152	Robert Zack	Zoning Enforcement	Outdoor junk	2/18/2021	4/19/2021				Property cleanup in progress as of June 2019 but cleanup stopped in Fall 2019. Inspected and compliant as of 2-18-21. 6-Month compliance hold to 8-18-21.
JL	North Elm Street 35	John Valentine	Zoning Enforcement	Illegal 3-family conversion; boarding house	3/22/2021	4/29/2021	3/23/2021			Owner has at least 2-3 boarding rooms and is remodeling another; 3rd floor unit is illegal - enforcement back to 2005. Has 3 electric meters.
JL	Oak Avenue 441	Gary Hatstat	Zoning Enforcement	Unpermitted use	2/3/2021	4/5/2021	12/28/2020			Illegal occupation as residence - pre-existing auto garage. No sanitary facilities or water. Appears compliant (see letter from owner and response in file), 6-month hold to 8-4-21.
JL	Pythian Avenue 125	Manuel Alvarez	Zoning/Wetlands Enforcement	Unpermitted deck/chickens/coops	3/29/2021	5/4/2021	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. Compliant as of 3/1/21 - 6 month hold to 9/1/21
JL	Raiano Street 47	Fedor Shultz	Zoning Enforcement	House addition & commercial use	3/15/2021	5/4/2021	1/14/2021			Addition on rear of house with no permits; commercial vehicles and storage
JL	Ridgebrook Road 90	Manuel Cornejo/Olga Hualpa	Zoning Enforcement	Chickens/Rooster	4/1/2021	5/13/2021	4/6/2021			Rooster/chickens, possible coops without permits
JL	Riverside Avenue 312	Manuel Tapia & Lilia Avila	Zoning Enforcement	Chickens	2/17/2021	4/14/2021	9/8/2020	10/22/2020	12/4/2020	Chickens being kept in detached garage on property. Owner stopped in after C&D to say chickens are gone. Appears compliant - 6 month hold to 6-14-21.
AC/JL	Roulin Street 92	John C. Batchelder II & Stephen Muckle, Executor; 2 Cedar Lane, Torrington, CT	Zoning Enforcement	unregistered vehicles; outside debris	3/11/2021	4/8/2021			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.
JL	South Main Street 1125	Ronald Marchell, 224 Stafford Ave, Burlington	Zoning Enforcement	Unpremitted repair garage & junk	3/24/2021	4/26/2021	1/13/2021			Operating a repair garage with no permits or location approval. Storage of junk and unregistered vehicles. Spoke w/owner Feb 2021, some cleanup done, 30-day reinspect.
JL	South Main Street 627	Joanne Desiderio/CT Auto Wholesalers	Zoning Enforcement	Site plan violations	3/10/2021	4/14/2021	3/10/2021			Violation of approved loaction approval plan; too many cars for display, broken fence, signs, display cars in employee/customer parking, parking on street
JL	Torrington West St 403	Miguel Castillo	Zoning Enforcement	Junk Yard/Auto Repair	3/16/2021	4/27/2021			9/5/18, 1/29/20, 10/5/20	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 10/5/20
JL	Washington Avenue 135		Zoning Enforcement	Unregistered vehicles; possible repair shop	3/1/2021	4/6/2021	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 (3 unreg vehicles and some debris remaining as of 3/1/21)
JL	Winsted Road 133	Winsted Road Properties Inc	Zoning Enforcement	Site development- no permits	3/15/2021	4/20/2021	7/24/2020	3/15/2021		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	3/11/2021	4/19/2021	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. Site plan 1341 approved, still waiting on bonds for grading/zoning permit approval.
JL	Winsted Road 2904	DJF Investments, LLC	Zoning/Wetlands Enforcement	Earth Processing in floodplain; violation of IWC 2004 order	3/24/2021	5/12/2021	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 349 (311)	311 Wisted Road Associates LLC, c/o Daniel Quinn, Po box 31, Glastonbury	Zoning Enforcement	Restaurant, no change of use	1/26/2021	4/6/2021	1/12/2021			Work underway to open a new restaurant in this spce - no change of use approved from previous retail/liquor store use; owner came into office discuss and take application 1-19-21
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	3/3/2021	4/28/2021	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). Currently appears compliant, will leave open for 6-month hold inspect for continued compliance (to 4-28-21)
JL	Winthrop Street 115	Bruce Crockett, 148 Punch Brook Road, Burlington CT 06013	Zoning Enforcement	Junk & Commercial Equipment	3/30/2021	5/11/2021	8/18/2020	10/28/2020	12/28/2020	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. C&D issued Dec 2020. Owner to pull building permit to enclose garage for equipment by 3/1/21 or fines to be sent
JL	Wood Duck Road 557	Jason & Catherine Clinkscales	Zoning Enforcement	Shed without permits	2/22/2021	4/5/2021	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. Still dismantling as of Jan 2021.