

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
April 8, 2009**

Present: Richard Calkins, Chairman
Paul Summers, Vice Chairman
Greg Mele, Member
Greg Perosino, Member
Doris Murphy, Member and Inland Wetlands Liaison
Donna Greco, Alternate
Christine Mele, Alternate
Jim Bobinski, Alternate

Also Present: Martin Connor, AICP, City Planner

1. **Call to Order:** Chairman Richard Calkins called the meeting to order at 7:06 p.m., Sullivan Senior Center, Shuffleboard Room, 88 East Albert Street, Torrington, CT

2. **Attendance/Announcement by Chairman:**

Chairman Calkins announced present and serving on the Commission this evening will be Commissioners Doris Murphy, Donna Greco, Christine Mele, Jim Bobinski, Greg Mele, Paul Summers and Greg Perosino. Also present is City Planner Martin Connor, AICP

3. **Minutes for Approval:**

a. 3/18/09

MOTION by Mr. Summers to approve the 3/18/09 minutes, seconded by Mr. Mele, motion carried with Mr. Perosino and Ms. Murphy abstaining from voting.

4. **Old Business:**

a. Modification to Site Plan 683
Applicant: Gary Eucalitto
Location: 444 Brightwood Avenue
Proposal: Increase to 7 living units (currently six condominium units)

Mr. Connor explained at the last Commission meeting, this application was tabled as we need to have the architectural and the floor plan to make the application complete. Plans have been submitted, and the application is now complete.

MOTION by Mr. Mele to APPROVE Modification to Site Plan 683

Applicant: Gary Eucalitto
Location: 444 Brightwood Avenue
Proposal: Increase to 7 living units (currently six condominium units)

with the following condition:

1. The applicant shall be required to submit a sewer discharge permit application for all units.

MOTION seconded by Ms. Mele, motion carried with Mrs. Murphy and Mr. Perosino abstaining from voting.

- b. Site Plan 929
Applicant: 80 Hayes Street, LLC
Location: 80 Hayes Street
Proposal: Development of flex space for small, multiple use tenants

MOTION by Mr. Mele to table this application, seconded by Mr. Summers, unanimously carried.

5. New Business:

- a. Site Plan 932
Applicant: Aerial Spectrum Inc.
Location: 52 Summer Street
Proposal: Co-locating three panel antennas and two equipment cabinets on the existing building roof

Robert Locke of Aerial Spectrum Inc. appeared before the Commission and explained their proposal.

Mr. Connor reviewed his memo to the Commission dated 3/30/09.

Mr. Locke provided measurements on the size of the cabinets in response to questions from Ms. Murphy.

MOTION by Mr. Mele to APPROVE Site Plan 932

Applicant: Aerial Spectrum Inc.
Location: 52 Summer Street
Proposal: Co-locating three panel antennas and two equipment cabinets on the existing building roof

with the following conditions:

1. Per Section A 9.0. of the Regulations, within 90 days of beginning operations, the applicant shall submit existing measurements of radio frequency radiation (RFR) from the facility, signed and sealed by an RF Engineer, stating that the RFR measurements are accurate and meet the maximum permissible exposure (MPE) limits as established by the FCC guidelines. The report shall be submitted to the office of the City Planner. This information shall be provided on an annual basis thereafter.
2. Per Section A 10.3 of the Regulations, the applicant shall submit a bond in an amount sufficient to cover the costs of removal of the regulated facility in the event the City must remove the facility. The bond amount must be approved by the City Engineer and be in a form acceptable to the Torrington Corporation Counsel.

MOTION seconded by Mr. Mele, motion unanimously carried.

Announcements:

Mr. Calkins read a letter from the State of Connecticut addressed to Mayor Ryan Bingham, for Farmington River Enhancement Grants Funding, DEP. The City of Torrington was selected for funding in the amount of \$25,000. This is for writing Low Impact Development Regulations.

Mr. Connor explained details of the NEMO project a few years ago, and the changes made to the Torrington Zoning and Subdivision Regulations to deal with stormwater treatment. This will look at Urban types of development for implementation in the Downtown Development. This is a great opportunity for the City.

Mr. Calkins congratulated Zoning and Wetlands Enforcement Officer Kim Barbieri for her work in obtaining this grant for Torrington.

At 7:22 p.m. Chairman Calkins called a recess.

6. Public hearing scheduled for April 8, 2009, 7:30 p.m., Sullivan Senior Center, 88 East Albert Street, Torrington, CT

- a. Special Exception 09-220 and 26 Lot Resubdivision
Applicant: Montagna Estates, LLC
Location: Mountain Road, Assessor Map 232 Block 3 Lots 1 & 6
Proposal: 26 Lot Resubdivision and
Special Exception for Estate Lots served by Common Driveways
(Public hearing continued from 3-18-09)

At 7:31 p.m. Chairman Calkins opened the public hearing and stated serving on the Commission this evening will be Donna Greco, Christine Mele, Greg Mele, Jim Bobinski, Doris Murphy, Paul Summers, Greg Perosino and Richard Calkins. Also present is City Planner Martin Connor.

Mr. Mele read the legal notice which was published in the Republican American.

James Puleri, Managing Member of Montagna Estates LLC appeared before the Commission and explained since the public hearing they have met with City Staff and met on site with the City Engineering Staff to review issues that may impact utility companies. He submitted an article of organization to the Commission in response to phone calls from the neighbors and the local newspaper. He has been to all Inland Wetland Commission and Planning and Zoning meetings, as well as meetings with City Staff.

Attorney Perly Grimes from Cramer and Anderson appeared as attorney for their development group to explain restrictions in the homeowner's association and maintenance of common driveways and stormwater management. Mr. Grimes submitted copies of the declarations to Commission members and a copy for the record/file. These will be private drives and not to be taken over by the City, and all associated costs will be taken care of by the property owners. (#675) Details of these documents were explained by Mr. Grimes.

Discussion on these documents/procedures followed amongst Commission members.

Matt Douchette of Milone & MacBroom in Cheshire, CT appeared representing the applicant. He entered into the record a copy of the notification package that was sent to abutting property owners.

Mr. Connor read an email dated 4/8/09 from City Engineer Ed Fabbri to the City Planner with a few minor items that need to be addressed.

Mr. Douchette stated he spoke with the City Engineer this afternoon and these are minor changes they will make that can be made to the plans as a condition as part of the approval.

Mr. Connor read a letter from Traffic Officer Robert Shopey regarding motor vehicle accidents on Mountain Road.

Mr. Connor's memo to the Commission was reviewed at the last public hearing on March 18, 2009.

Mr. Calkins noted for the record a letter dated 4/3/09 received from Suzanne Neuman of 1157 Mountain Road which is made a part of the record, and attached to that letter is a letter addressed to Ms. Neuman from City Engineer Ed Fabbri. Also received several letters from 1183 Mountain Road, Gaye Belli. Mr. Connor noted letters received from Barbara Gall dated 3/18/09, letter to the Mayor Bingham dated 3/31/09 from Gaye A. Belli.

Gaye Belli of 1183 Mountain Road appeared in opposition and she read a letter in opposition from a neighbor at 1423 Mountain Road. (#1680) Ms. Belli read a letter with questions regarding the "fire ponds".

Barbara Gall of 1604 Mountain Road appeared in opposition. Ms. Gall read a letter in opposition with questions.

Ron Raymond of Mountain Road appeared in opposition. Stormwater runoff and the current trenching was discussed.

Mr. Calkins entered a letter into the record received today via e-mail from Paul Freedman of Mountain Road.

Mr. Douchette provided responses to neighbor's questions and Commissioner's questions (#2500).

Dave Penta of 1423 Mountain Road appeared in opposition with concerns about the catch basins.

Mr. Puleri thanked the Commission and addressed concerns of the neighbors regarding wells, septics, etc. He believes this will be a beautiful subdivision with stone walls, trees, and he has a conscious and a family and these will be good family homes. This will be appropriate for everyone. He thanked the City staff who are great to work with.

At 8:52 p.m. Chairman Calkins declared the public hearing closed, a decision is forthcoming within 65 days.

7. Public hearings scheduled for April 22, 2009, 7:30 p.m., Sullivan Senior Center, 88 East Albert Street, Torrington, CT

- a. Special Exception 09-221
Applicant: Carlos Ramos
Location: 248 Water Street

Proposal: Change of use to church (former retail)

b. Special Exception 09-222

Applicant: Shelley Kochiss

Location: 96 Hickory Road

Proposal: To allow a reduction of the side yard setback (Section 4.1.9)

e. Location Approval for New Car Dealership, and Site Plan 931

Applicant: EJB Trust Torrington, LLC

Location: 37 and 75 Winsted Road (Assessor Map 120 Block 9 Lots 9 and 5)

Proposal: New Car Dealership and construction of Subaru Dealership

Public hearings passed until 4/22/09.

8. Adjournment:

MOTION by Mr. Mele to adjourn at 8:52 p.m., seconded by Mr. Summers, unanimously carried.

Lona Kirk, Land Use Office
Planning and Zoning Commission