

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
December 8, 2010**

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

Also Present: Martin Connor, AICP, City Planner

Not Present: Christine Mele, Alternate

1. **Call to Order:** Chairman Calkins called the meeting to order at 7:03 p.m., Torrington City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT

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

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

3. **Minutes for Approval:**

a. 11/10/10

MOTION by Mr. Summers to approve the 11/10/10 minutes, seconded by Mr. Mele, motion carried with abstentions from Commissioners Bobinski and Perosino.

4. **Old Business:**

a. Proposed Changes to City of Torrington Zoning Regulations
Applicant: City of Torrington Planning and Zoning Commission
Proposal: Zoning Regulation Amendment, Section 6.6.1, Junkyards and
Definitions, Section 2.2, Junk and
Junkyards (public hearing closed)

Ms. Greco stated she would like to see the regs stay as is. It could become a problem. Ms. Greco inquired if the police could help, and Mr. Connor responded it is strictly a zoning regulation and the Zoning Enforcement Officer is the party responsible to enforce and the Police Department does not get involved with enforcing Zoning Regulations.

Ms. Murphy agreed. Torrington is a city and the multi-family homes will lead to a problem. Ms. Greco thought it would be trouble to enforce on multi-family properties. The landlord would have to chase their tenants.

Mr. Summers stated in a perfect world we would have the money to staff enforcement. He inquired of Mr. Connor regarding Councilwoman Soliani's comments about enforcement. Mr. Connor noted he is pleased she is in favor of enforcement plus she did mention hopefully the staffing issues in the Land Use Office are short term. If that is the way the Council feels, that would be good as well. Right now the Land Use Office just doesn't have the manpower to chase after all the zoning violations that exist.

Mr. Perosino noted not everyone has a garage, and he has seen these vehicles under a temporary structure. Mr. Connor stated the City has many violations that are single car violations, and now the City allows for none.

Mr. Mele thought this could escalate into an eyesore, having additional vehicles.

Mr. Calkins stated that he does not believe that if we change the zoning regulations that there will be vehicles trucked in from somewhere else to dump on people's lawns and at the same time, anyone who has ever sold a car on their front lawn, unless they maintain the insurance and registration on that vehicle is in violation of this regulation. The regulation is over-reaching. Mr. Perosino agreed that it won't change anything. If someone is doing it today, they will continue to do it. You are either in compliance or not. Most people in general do not know the regulations.

Mr. Calkins questioned if it is appropriate for the City of Torrington to penalize someone on a regulation that is not recognized by the Connecticut General Statutes and in a way in which we could put ourselves at odd with the general public who want to fix up a vehicle.

Discussion followed.

MOTION by Mr. Mele to DENY Proposed Changes to City of Torrington Zoning Regulations
Applicant: City of Torrington Planning and Zoning Commission
Proposal: Zoning Regulation Amendment, Section 6.6.1,

Junkyards and Definitions, Section 2.2, Junk and Junkyards

Motion seconded by Mr. Perosino, motion carried with Mr. Perosino, Mr. Mele, Mr. Summers and Ms. Murphy voting in favor of the motion. Mr. Calkins voted opposed to the motion.
Motion carried 4 to 1 to DENY the proposal.

5. New Business:

- a. Request for 90 day extension to file recording mylar
Subdivision
Applicant: Gene Barbero
Location: Two lot subdivision, Ridge Road, Assessor Map 222-7-38

MOTION by Mr. Mele to APPROVE Request for 90 day extension to file recording mylar (to February 21, 2011)

Subdivision

Applicant: Gene Barbero

Location: Two lot subdivision, Ridge Road, Assessor Map 222-7-38

Motion seconded by Mr. Summers, unanimously carried.

- b. Site Plan 994
Applicant: Torrington Development Corporation
Locations:
- . Extension of City Hall Avenue from its current terminus to East Main Street (Route 202)
 - . The reconfiguration of the parking area between the extended City Hall Avenue and the rear of the properties fronting Main Street (Route 800). The reconfigured parking will provide for continued service access to the Main Street properties.
 - . Reconfiguration of the Main Street (Route 800), East Main Street (Route 202), South Main Street (Route 800), Water Street, Franklin Street intersection.
 - . Changing Main Street (Route 800) from a two-way street to a one-way street in the northbound direction from the above intersection to the City Hall Avenue - Mason Street intersection.
 - . Making streetscape improvements to Main Street (Route 800), East Main Street (Route 202), and South Main Street (Route 800) to their intersection with Litchfield Street (Route 202).
- Proposal: Torrington Downtown Improvements - Phase I (set public hearing date)

Mr. Calkins explained this application does not require a Special Exception, it only requires only a Site Plan, Site Plan 994. A Site Plan application does not require a public hearing, but the Chairman may use his discretion to ask for a public hearing, and Mr. Calkins requests a public hearing be held and the date for the public hearing will be January 12, 2011, motion unanimously carried.

6. Public Hearings scheduled for 7:30 p.m., December 8, 2010, Council Chambers, Room 218, City Hall, 140 Main Street, Torrington, CT

- a. Site Plan 991 and Special Exception 10-252
Applicant: Torrington Senior Living LLC
Location: 1058 Litchfield Street
Proposal: Construct senior living community, residential style independent living retirement community with assisted living and memory impaired components. Sections 8.2 and 6.5.3 - elderly housing and assisted living facility

At 7:31 p.m. Chairman Calkins called the meeting to order and announced serving on the Commission this evening will be Commissioners Donna Greco, Greg Mele, Paul Summers, Greg Perosino, Jim Bobinski, Doris Murphy and Richard Calkins. Also in attendance is City Planner Martin Connor.

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

Mr. Calkins reviewed the procedures for the public hearing process.

Attorney Peter Herbst of 365 Prospect Street, Torrington, appeared representing the applicant. The public hearing sign was posted on November 24, 2010, a photograph was taken today showing the sign posted as of noon today. Letters to adjacent property owners were sent on November 24, 2010.

A copy of each letter sent by certified mail were submitted by Mr. Herbst and notification receipts were submitted. Mr. Herbst noted the partners of the business, Mr. Joe Roche (who was unable to attend this evening) and Vice President Brian McKeever who was present. Steve Marcus is the president of New England Geriatrics was also present. Mr. Herbst explained the amendment to the

zoning regulations two years ago to include all the services in one location. A green roof has been designed to cover 20% of the roof of the facility. At previous wetlands hearings, a neighboring property owner, Mrs. Booth, expressed concerns about the proximity of the building to her property. At that time, the building did meet the setback requirements, but the applicant did redesign their building to reduce it by 5,000 sq. ft. and eliminate seven living units, the wall of the building was moved further away from her property line in an effort to be a good neighbor. Rosemary Aldrich, Landscape Architect is also present. Ken Hrica, professional engineer is present to provide an overview of the site plan. David Murphy, hydro geologist with Milone and MacBroom is present also. Bruce Hilson, a traffic engineer, is present to present his opinion. Ted Cutler from Tecton Architects in Hartford will speak also. An appraiser, Art Oles, will give a presentation. Justin Giampolo will be the project manager for O&G Industries who will build the facility.

Steve Marcus, one of the partners appeared before the Commission. He is proud of this project and their team. Elderly folks need this project. 50 full time jobs will be created.

Kenneth Hrica, professional engineer and licensed land surveyor, 44 Mapleview Tree, Litchfield, CT appeared with a detailed presentation of the proposal, and maps/posterboards presented for review. (7:50 p.m.)

David Murphy, licensed professional engineer and hydro geologist with Milone and MacBroom appeared representing the applicant. He gave a brief presentation on groundwater and submitted a written report. (8:10 p.m.)

Bruce Hilson, Traffic Engineering Solutions, appeared with a traffic study done in November, 2010. Comments from City Staff have been addressed. (8:14 p.m.)

Rosemary Aldrich, Insite Co., Landscape Architect, appeared before the Commission and explained the landscaping and lighting plans.

Ted Cutler, of Tecton Architects, appeared before the Commission and explained the architectural aspects of the project. (8:39 p.m.)

Rosemary Aldrich explained landscaping features, etc. for the interior courtyard and fountain.

Art Oles, certified general appraiser, appeared before the Commission with his findings. (8:54 p.m.)

Mr. Herbst submitted a petition in support of the proposal, signed by 136 people.

Commissioner Mele asked for clarification on the total acreage of the parcel, and the amount of land for conservation easement. Mr. Herbst responded 6 acres will have a conservation easement.

Commissioner Summers asked for clarification on the level of care offered at the facility. Mr. Marcus responded none of these units are total care. There are registered nurses on staff, and assistance provided and available for residents.

Mr. Calkins opened the hearing to the public.

Dr. John Etdall of 135 Spyglass Court, Torrington, appeared and is in favor of the proposal.

Ray Hubert of 50 Culvert Street, Torrington, spoke in favor of the proposal.

Leonard Campbell of 73 Highland Avenue appeared and spoke in favor of the proposal.

Mayor Ryan Bingham, 47 New Harwinton Road, appeared with a letter for the record, and he is in full support of this project.

Marjorie Booth, neighboring property owner, appeared in opposition to the proposal. Mrs. Booth had concerns regarding traffic. She is 88 years old and drives almost every day, and probably half the residents of this facility will have cars and contribute to traffic issues.

Brian McDonnell of 86 Wyoming Avenue, Torrington, appeared in opposition. His expertise is as a citizen who previously volunteered to be on a P&Z Committee to review development of large tracts of land, especially in the RRC zone. Mr. McDonnell read his statements in opposition and presented a map that he prepared.

City Planner Martin Connor noted correspondence in favor of the proposal is in the file from the following people:

JoAnn Ryan, President of the Northwest Chamber of Commerce

David and Rosemarie Thau, 58 Dewey Street, Torrington

Elizabeth and Hugh Meade, Torrington

Bruce Fox and Eleanor Fox, 8 Arbor Drive, Torrington

Mr. and Raymond Dowd

Edith Richenburg, Maplewood Drive, Torrington

Katherine Elves, 95 Wadham Avenue, Torrington

John and Barbara Bobinski

Anthony and Phyllis Picolo, Shirley Road, Torrington

Martin Boyaijan

Anne Giannassio called in favor

former Planning and Zoning Commissioner Bob Della Donna stopped into the office, in favor

Ruth Gretch

John H. Williams, 140 Homestead Road, Torrington

Nancy A. Garfield, Vice President of Litchfield Bancorp, resident of Torrington, in favor

James Garfield, 320 Migeon Avenue, Torrington

Barbara Peters, 32 Meadowview Drive, Torrington

Nancy Hodonski, Torrington Sullivan Senior Center Director, dropped off a letter in favor for the record

Mr. Connor noted he received no letters in opposition to the project.

Mr. Connor reviewed his memo to the Commission dated 12/8/10 (9:32 p.m.)

Commissioner Bobinski posed questions regarding density requirements which were answered by Mr. Connor. Mr. Connor read portions of the regulations regarding density.

Commissioner Murphy posed questions regarding the height of the building, and Mr. Connor responded the proposal meets the City's height requirements. Mr. Ted Cutler, applicant's architect, provided more information referring to the site plan boards/maps.

Mr. Marcus and Attorney Herbst thanked the Commission

At 9:50 p.m. Chairman Calkins declared the public hearing closed, and a decision is forthcoming at the next Commission meeting.

b. Site Plan 992 and Location Approval

Applicant: Robert Persechino

Location: 855 East Main Street, Assessor Map 133-17-23 and 24

Proposal: Used car sales, Section 3.8.10, 6.2

(At the request of the applicant, this public hearing has been postponed to

January 12, 2011 and will not be heard this evening)

Public hearing will be held on January 12, 2011.

- c. Zoning Regulation Amendment Proposal, Zoning Map Amendment Proposal
Applicant: Torrington Planning and Zoning Commission
Proposal: Proposed Low Impact Development Regulations, Proposed Development Management Regulations, Proposed Draft Regulations for City Standards.
Proposed Zone Change: Change all General Business zones throughout the City to Downtown District zones.

At 9:50 p.m. Chairman Calkins opened the public hearing and stated serving this evening will be Commissioners Donna Greco, Greg Mele, Paul Summers, Greg Perosino, Jim Bobinski, Doris Murphy and Richard Calkins. Also present is City Planner Martin Connor.

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

Jason Vincent of Planimetrics appeared before the Commission. Mr. Vincent summarized his power point presentation.

The Commission discussed minor changes to Section 5.13 Parking, 5.13.1 General Requirements, Parking for the Downtown District Zone.

Mr. Connor briefly reviewed the changes to the regulation and read his memo to the Commission.

Attorney Peter Herbst, Torrington, appeared as a member of the Torrington Development Corporation. Mr. Herbst spoke in favor of the proposal.

No further comments from the public.

Mr. Connor thanked Commissioner Summers for coming into the Land Use Office and reviewing the regulations.

At 10:24 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Mr. Mele to APPROVE Zoning Regulation Amendment Proposal, Zoning Map Amendment Proposal

- Applicant: Torrington Planning and Zoning Commission
- Proposal: Proposed Low Impact Development Regulations, Proposed Development Management Regulations, Proposed Draft Regulations for City Standards.
Proposed Zone Change: Change all General Business zones throughout the City to Downtown District zones.

The Commission finds the proposed amendments to the regulations and zoning map changes to be consistent with the City's Plan of Conservation and Development. The effective date of the amendments shall be the day after publication of the legal notice of decision in the Republican American. Motion seconded by Mr. Perosino, unanimously carried.

218, City Hall, 140 Main Street, Torrington, CT

a. Proposal to amend the Torrington Zoning Regulations by establishing an Incentive Housing Overlay Zone (proposed Section 4.15), in accordance with Chapter 124b of the Connecticut General Statutes. Applicant: Torrington Planning and Zoning Commission. Proposal to amend the zoning map by establishing an Incentive Housing Zone Overlay (proposed Section 4.15) for the following parcels: 70 Franklin Street (Map 117, Block 25, Lot 7); 100 Franklin Street (Map 117, Block 25, Lot 1); 126 Franklin Street (Map 117, Block 25, Lot 6); 10 Franklin Drive (Map 117, Block 24, Lot 5); 24 Franklin Drive (Map 117, Block 25, Lot 4); 28 Franklin Drive (Map 117, Block 25, Lot 3); 136 Water Street (Map 117, Block 4, Lot 1); 160 Church Street (Map 117, Block 6, Lot 7); 200 Litchfield Street (Map 116, Block 7, Lot 2); 105 Summer Street (Map 116, Block 7, Lot 1); 199 Water Street (Map 110, Block 19, Lot 1)

Passed until January 12, 2011.

b. Proposed amendments to Torrington Zoning Map
Applicant: Torrington Planning and Zoning Commission
Proposal: Change R-WP Zone to R60 Zone - to realign the Allen Dam Reservoir Watershed Protection Zone to match the State's Public Drinking Water Source Area Boundary, as designated in a map dated September 2, 2010 (Draft, version 1) as prepared by City of Torrington Engineering Department.

Passed until January 12, 2011.

8. Adjournment:

MOTION by Mr. Mele to adjourn, seconded by Mr. Perosino, motion unanimously carried at 10:26 p.m.

Lona Kirk, Land Use Office
Planning and Zoning Commission