

**CITY OF TORRINGTON  
PLANNING AND ZONING COMMISSION  
MINUTES  
August 8, 2012**

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

Also Present: Martin Connor, AICP, City Planner

Not Present: Greg Perosino, Member  
Chris Mele, Alternate

1. **Call to Order:** Chairman Richard Calkins called the meeting to order at 7:05 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 are Greg Mele, Doris Murphy, Paul Summers, Jim Bobinski, Donna Greco and Richard Calkins. Also present is City Planner Martin Connor, AICP.

Mr. Connor reviewed a proposed amendment to the Zoning Regulations. Mr. Connor reviewed the

Ace Marine situation on Goshen Road, and their new location at 535 Migeon Avenue which allows everything to be done at 535 Migeon Avenue except for sales of boats. Mr. Connor does not see a reason why the Commission could not take a look at by Special Exception allowing the actual service and sales of boats, boat accessories and engines in our Industrial Zone. About ten years ago the regs were changed to allow car dealerships and car repairs because we had a multitude of those types of businesses in that zone. There is another boat business on South Main Street in the Industrial Zone. It would be by Special Exception. Mr. Connor provided details of this proposal for the Commission's consideration. DMV is not involved in this.

MOTION by Mr. Mele to schedule a public hearing for October 24, 2012; Proposed Amendment to the Zoning Regulations, new Section 3.1 Subsection 3.16; service and sales of boats, boat accessories and engines. Motion seconded by seconded by Mr. Summers, unanimously carried.

3. **Minutes for Approval:**

- a. 7-11-12

MOTION by Mr. Summers to accept the 7-11-12 minutes, seconded by Mr. Mele, motion carried with Mr. Bobinski abstaining from voting.

4. **Old Business:**

- a. Enforcement Update

Mr. Connor noted the Ace Marine situation on Goshen Road is just about resolved. The Enoch Little property is on the tax sales this weekend. The Red Oak Hill property has no activity.

- b. Site Plan 1053  
Applicant: Sunset Hill Restoration  
Location: 30 Peck Road  
Proposal: Construct water quality basin, minor regrading and repave parking area

Dennis McMorrow of Berkshire Engineering and Surveying in Bantam appeared along with Mike Fabiano of Sunset Hill Restoration. Mr. McMorrow gave a presentation of their proposal to construct a water quality basin and reconstruct their parking lot. They went from 169 parking spaces down to 160 spaces, the blacktop has been reduced by a quarter acre, and a water quality basin has been added where the discharge point is on the west side of the site. There will be no parking in the City or State right of ways any more. Mr. Fabiano has worked with Ms. Kim Barbieri to come up with a landscaping plan, and some of the grade issues have been reduced which is an improvement. These changes will make the property more conforming. The site is non-conforming.

Mr. Connor read his memo dated August 2, 2012 to the Commission.

MOTION by Mr. Mele to APPROVE Site Plan 1053

Applicant: Sunset Hill Restoration  
Location: 30 Peck Road  
Proposal: Construct water quality basin, minor regrading and repave parking lot  
with the following recommendation:

1. It is recommended that the applicant follow the advice of Acting Fire Chief, Gary Brunoli, contained in an e-mail to the City Planner dated 7/12/12.

Motion seconded by Mr. Summers, unanimously carried.

**5. New Business:**

- a. Special Exception 12-274  
Applicant: Haynes Aggregates-Torrington, LLC  
Location: 3217 Winsted Road  
Proposal: Bi-Annual renewal of earth excavation and accessory retail sales  
(Set public hearing date)

MOTION by Mr. Summers to set a public hearing date of October 10, 2012, seconded by Mr. Mele, unanimously carried.

- b. Section 8-24 Referral  
Location: 2065 to 2155 East Main Street  
Applicant: Borghesi Building and Engineering  
Proposal: Sewer Extension

John Phillips, Professional Engineer with Borghesi Building and Engineering appeared before the Commission representing Dr. Patel. Dr. Patel's septic system is failing, and Mr. Phillips explained this extension of an existing sewer line. This plan has already been approved by WPCA and has been reviewed by the Engineering Office. This matter will next appear before the City Council.

Mr. Connor read his memo dated July 23, 2012 to the Commission.

MOTION by Mr. Mele to make a favorable recommendation on Section 8-24 Referral, Location: 2065 to 2155 East Main Street, Applicant: Borghesi Building and Engineering Co., Inc.; Proposal: Sewer Extension. Motion seconded by Ms. Murphy, unanimously carried.

6. **Public hearing scheduled for Wednesday, August 8, 2012, 7:30 p.m.; City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT:**

- a Special Exception 12-273 and Site Plan 1050  
Applicant: O & G Industries Inc.  
Location: 3345 Winsted Road  
Assessor Map 242 and 241, Block 1, Lots, 5, 8, 9, 10, 11  
Proposal: Excavation, rock quarry, bi-annual renewal

At 7:32 p.m. Chairman Richard Calkins opened the public hearing and stated serving on the Commission this evening will be Jim Bobinski, Doris Murphy, Paul Summers, Donna Greco, Greg Mele and Richard Calkins. Also present is City Planner Martin Connor

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

Kenneth Faroni, Planning and Permit administrator of O&G Industries, Wall Street, Torrington appeared before the Commission with his presentation. Mr. Faroni submitted his neighborhood notification receipts and verified the public hearing sign was properly posted. Mr. Faroni referred to site maps and explained the history and previous approvals the O&G Quarry has received. Questions posed by Commission members were answered by Mr. Faroni.

Robert Leonard of 105 Highland Lake Road appeared in favor of the proposal.

No further comments from the public.

Mr. Connor read his memo dated August 1, 2012 to the Commission.

MOTION by Mr. Mele to APPROVE Special Exception 12-273 and Site Plan 1050

Applicant: O & G Industries, Inc.  
Location: 3345 Winsted Road  
Proposal: Excavation, bi-annual renewal  
with the following conditions:

1. A combined Site Plan shall be submitted that shows the proposed excavation and processing operations areas at the main quarry, the proposed stockyard area and processing pad at the base of the mountain and the existing truck scale and office area. A recording mylar and three paper copies 24" x 36" in size, including the required approval block, suitable for filing on the Land Records shall be submitted. The plan shall be signed and sealed by a professional engineer licensed to do business in the State of Connecticut.
2. The applicant shall submit an E&S Plan in accordance with Section 7.3, Stormwater management plan in accordance with 7.4 including drainage calculations for review and approval by the City's Engineering Department and City Planner for the proposed stockyard and processing pad at the base of the mountain prior to doing any work in this area.
3. The quarry shall not operate on Sundays or on any of the following holidays: New Year's; Good Friday; Memorial Day; July 4<sup>th</sup>; Labor Day, Thanksgiving and Christmas.
4. Except for routine maintenance, the quarry shall not operate on Saturdays.
5. All quarry operations, except routine maintenance, shall be limited to the hours of 7:00 a.m. to 5:30 p.m., Monday through Friday.
6. The crusher and the hammer shall operate between the hours of 7:00 a.m. and 5:30 p.m., Monday through Friday. Drilling shall occur only between the hours of 7:00 a.m. and 5:30 p.m., Monday through Friday.
7. No blasting shall occur on Saturdays, Sundays, or any of the following holidays: New Year's; Good Friday; Memorial Day; July 4<sup>th</sup>; Labor Day, Thanksgiving and Christmas.
8. Blasting shall occur between the hours of 9:30 a.m. and 4:30 p.m. O & G Industries, Inc. shall determine the schedule of Torrington and Winchester school buses that pass through the area. No blasting shall occur either a half hour before or a half hour after the time a school bus is scheduled to be in the area.
9. A blast warning shall occur before blasting.
10. O & G Industries, Inc. shall notify all adjoining property owners 72 hours prior to a blast. With the property owner's approval, this notification may be reduced to 24 hours.

11. Any property owner within one half mile of O & G Industries, Inc. property can also request that O & G Industries, Inc. notify them prior to a blast. O & G Industries, Inc. must honor this request. With the property owner's approval, this notification may be reduced to 24 hours.
12. O & G Industries, Inc. shall designate an individual to receive, handle and log complaints from neighbors. The record of these complaints shall be presented to the Planning and Zoning Commission at, or prior to, the public hearing on the renewal of the special exception.
13. O & G Industries, Inc. shall maintain an earth or stone berm along the northerly periphery of the quarry nearing the existing foliage line. This berm is to provide acoustical shielding to the neighborhood and must be a minimum of 15 feet high. This berm must be reestablished prior to any additional material being removed from site.
14. O & G Industries, Inc. shall maintain an earth or stone berm on the existing/established quarry floor to provide an acoustical shield specifically for operation of the hammer.
15. The traffic signs along Winsted Road warning of trucks entering or leaving the site shall be maintained.
16. O & G shall maintain a "lock box" on the gate to the quarry. The lock box must meet the specifications of the Torrington Fire Department and the lock box shall be maintained.
17. O & G Industries, Inc. shall maintain a gate at the property's entrance on Winsted Road. This gate shall be locked when personnel from O & G are not on site.
18. Per Section 6.4.5 F of the Zoning Regulations, O & G Industries Inc., shall provide a bond in the amount of \$330,000.00, (\$10,000 per acre x 33 acres of disturbance) for restoring the current area of disturbance and the area to be disturbed during the two-year period of Special Exception, 33 acres. The bond shall be in a form acceptable to the Corporation Counsel.

The Commission hereby grants a waiver of the five acre maximum area of excavation in accordance with Section 6.4.5 E of the Zoning Regulations and approval of the two year renewal of the earth excavation permit. MOTION seconded by Mr. Summers, unanimously carried.

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At the point the Commission took a brief recess.

- c. Section 8-24 Referral  
Location: 18 Norfolk Road (rear)  
Proposal: Purchase of city owned land

Mr. Connor explained the history of the error on this property, which was discovered during a GIS mapping review. The adjacent land owner has agreed to purchase the land. Mr. Connor read Corporation Counsel Ernestine Weaver's memo recommending a favorable recommendation.

MOTION by Mr. Mele to make a favorable recommendation on:

- Section 8-24 Referral  
Location: 18 Norfolk Road (rear)  
Proposal: Purchase of city owned land  
Motion seconded by Ms. Murphy, unanimously carried.

- d. Section 8-24 Referral  
Location: Newfield Road, Assessor Map 121-2-6  
Proposal: Land Acquisition Request

Mr. Calkins provided details of the subject property, which is now available for sales at the tax auction. The Conservation Commission wishes to purchase this property at a price not to exceed \$25,000. Mr. Connor reviewed Kim Barbieri's work on this property, which is of substantial importance to the City for the Trails Network, and it is noted in the City's Plan of Conservation and Development. The property is beautiful and connects other properties together.

Mr. Connor appeared before the City Council this past Monday evening, and they are in favor of the purchase provided a favorable report is received from this Commission. The Conservation

Commission will attend the auction with a certified check of \$3,000.00. Mr. Connor explained the connection to other properties, and the possibility of connecting all the way to Downtown.

MOTION by Mr. Mele to make a favorable recommendation on  
Section 8-24 Referral

Location: Newfield Road, Assessor Map 121-2-6

Proposal: Land Acquisition Request

Motion seconded by Mr. Bobinski, unanimously carried.

e. Site Plan 1051

Applicant: Community Systems, Inc.

Location: 295 Alvord Park Road

Proposals: Parking lot expansion

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

7. **Public hearing scheduled for Wednesday, September 12, 2012, 7:30 p.m.; City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT:**

a. Zone Change and Site Plan 1051

Applicant: Hartford Dispensary

Location: 241 Kennedy Drive

Proposal: Zone Change from IP, Industrial Park Zone to Alternate Incarceration, Substance Abuse/Mental Health, Medical Marijuana Dispensary Overlay Zone (ASM Zone) and Site Plan application for Torrington Health and Recovery Center

passed until 9/12/12.

8. **Adjournment:**

MOTION by Mr. Mele to adjourn, seconded by Mr. Summers, motion unanimously carried at 8:42 p.m.