

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
October 24, 2012**

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

Also Present: Martin Connor, AICP, City Planner

1. Call to Order:

Chairman Calkins called the meeting to order at 7:01 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 Paul Summers, Doris Murphy, Greg Perosino, Donna Greco, Christine Mele, and Richard Calkins. Also present is City Planner, Martin Connor, AICP.

3. Minutes for Approval:

a. 10-10-12

MOTION by Mr. Perosino to approve the 10-10-12 minutes, seconded by Mr. Summers, unanimously carried.

4. Old Business:

a. Enforcement Update

Mr. Connor noted there is a meeting scheduled tomorrow with the City's new Corporation Counsel at 11 a.m. to bring him up to date on which cases are pending.

b. Site Plan 1054
Applicant: Franklin Products
Location: 147 Water Street
Proposal: Parking lot expansion

Steve Latour of Berkshire Engineering and Surveying appeared representing the applicant. Mr. Latour provided site details and an explanation of their proposal, referring to site maps. There is a great need for additional parking for Franklin Products.

Mr. Connor read his memo to the Commission dated 10/18/12.

MOTION by Mr. Perosino to APPROVE Site Plan 1054
Applicant: Franklin Products
Location: 147 Water Street
Proposal: Parking lot expansion
with the following conditions:

1. The applicant shall maintain a current temporary easement or submit a copy of the final easement document from the State of Connecticut Department of Transportation to allow the private at-grade railroad crossing, parking area and landscaping on the State of Connecticut owned right-of-way.
2. It is recommended that the applicant follow the advice of Acting Fire Chief, Gary Brunoli, contained in an e-mail and letter to the City Planner dated 9/10/12.

MOTION seconded by Mr. Summers, unanimously carried.

- c. Site Plan 1057
Applicant: Charlotte Hungerford Hospital
Location: 540 Litchfield Street
Proposal: Parking Lot Expansion

Timothy Coon, professional engineer with J.R. Russo and Associates and Jim Elliott of Charlotte Hungerford Hospital appeared before the Commission. Mr. Coon referred to a site map and provided details of the proposal. Inland Wetlands approval has been obtained. The project will add 102 parking spaces that will service both the hospital and the medical office building.

Mr. Connor read his memo to the Commission dated October 23, 2012. Mr. Connor recommends approval provided the applicant can address any pertinent comments received from the Engineering Department which the applicant has agreed to.

MOTION by Mr. Perosino to APPROVE Site Plan 1057

- Applicant: Charlotte Hungerford Hospital
Location: 540 Litchfield Street
Proposal: Parking Lot Expansion

with the following conditions and recommendations:

1. An application for a grading permit shall be filed with the Zoning Enforcement Officer. The bond for the erosion and sedimentation controls shall also be in an amount acceptable to the City Engineer and in a form acceptable to the Corporation Counsel.
2. It is recommended that the applicant follow the advice of Acting Fire Chief, Gary Brunoli, contained in an e-mail and letter to the City Planner dated 10/2/12.

The Commission grants the following waivers:

1. A waiver from providing an up-to-date Class A-2 Survey per Section 8.4.2B (3) and 8.4.3 of the Zoning Regulations.
2. A waiver from providing a Zoning Informational Table per Section 8.4.3 N of the Zoning Regulations.
3. A waiver from providing sidewalks in the parking lot per Section 5.13.2F of the Zoning Regulations.

The final approval of the storm water drainage design report from the City Engineering Office shall be obtained before the start of the project. MOTION seconded by Mr. Summers, unanimously carried.

5. New Business:

None

6. Public hearings scheduled for Wednesday, October 24, 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
(Public hearing continued from October 10, 2012 to accept engineering revisions/comments only)

At 7:37 p.m. Chairman Calkins opened the public hearing and stated serving on the Commission this evening will be Doris Murphy, Paul Summers, Greg Perosino, Donna Greco, Christine Mele and Richard Calkins.

Ms. Greco read the legal notice which was published in the Republican American.

Attorney Diane Whitney, Pullman and Conley, 90 State House Square, Hartford, CT was present representing the applicant.

Mr. Connor read a memo addressed to himself dated October 18, 2012, written by Matt Walsh, P.E., City Engineer.

No further comments from applicant, Commission or the public on Mr. Walsh's memo. Chairman Calkins declared the public hearing closed at 7:40 p.m. A decision is forthcoming within 65 days.

- b. Special Exception 12-274
 - Applicant: Haynes Aggregates-Torrington, LLC
 - Location: 3217 Winsted Road
 - Proposal: Bi-Annual renewal of earth excavation and accessory retail sales

At 7:41 p.m. Chairman Calkins opened the public hearing and stated serving on the Commission this evening will be Commissioners Paul Summers, Doris Murphy, Greg Perosino, Donna Greco, Christine Mele and Richard Calkins. Also present is City Planner Martin Connor.

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

Attorney Peter Herbst, 365 Prospect Street, Torrington, appeared representing the applicant. Also present is Tom Haynes, President of Haynes, and Ken Hrica, who is the project engineer.

Mr. Herbst briefly reviewed the bi-annual renewal. Notice was properly given to abutting property owners, and the public hearing sign was properly posted. Joyce Killingway, who is present, is the person appointed at Haynes Aggregates to receive complaints from neighbors. No complaints were received during the prior two year period.

Mr. Ken Hrica provided details on the proposal.

Tom Haynes thanked the Commission and Martin Connor for all their efforts now and in the past.

Mr. Connor read his memo dated 10/16/12 to the Commission.

There were no comments from the public or the applicant.

At 8:10 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Ms. Greco to APPROVE Special Exception 12-274
Applicant: Haynes Aggregates-Torrington, LLC
Location: 3217 Winsted Road
Proposal: Bi-Annual renewal of earth excavation and accessory retail sales
with the following conditions:

1. The quarry shall not operate on Sundays or on any of the following holidays: New Year's, Good Friday, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas. The retail accessory use may be open on Good Friday.
2. Except as noted otherwise in these conditions, the quarry shall operate between the hours of 7:00 a.m. and 5:30 p.m., Monday through Friday and from 7:00 a.m. to 12 p.m. on Saturdays. Saturday operations shall not involve blasting, sorting, crushing, refining, drilling, screening or washing operations. The retail accessory use may be open on Saturdays from 7:00 a.m. to 5:00 p.m.
3. No blasting is to occur on Saturdays, Sundays, or on any of the following holidays: New Year's, Good Friday, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas. Blasting is to occur between the hours of 9:30 a.m. and 4:30 p.m. Haynes Aggregates Torrington LLC, shall determine the schedule of the Torrington and Winchester school buses that pass through the area. No blasting is to occur either a half hour before or a half hour after the time a school bus is scheduled to be in the area.
 4. A blast warning shall occur before blasting.
5. Haynes Aggregates Torrington LLC, shall notify all adjoining property owners 72 hours prior to a blast. With the property owner's approval, this notification can be reduced to 24 hours.
6. Any property owner within one-half mile of the property can also request that Haynes Aggregates Torrington LLC, notify them 72 hours prior to a blast. Haynes Aggregates Torrington LLC shall honor this request. With the property owner's approval, this notification can be reduced to 24 hours.
7. The applicant shall maintain a 400 foot buffer from their property line along Burr Mountain Road.
8. The applicant shall maintain a "Trucks Crossing" sign on Winsted Road.
9. Haynes Aggregates Torrington LLC shall designate an individual to receive, handle and log complaints from neighbors. The record of these complaints shall be presented at, or prior to, the public hearing on the renewal of the Special Exception permit.
10. Haynes Aggregates Torrington LLC shall maintain fugitive dust practices.
11. It is recommended that the applicant follow the advice of Acting Fire Chief Gary Brunoli contained in his letter to the City Planner dated 7/23/12.
12. Per Section 6.4.5 F of the Regulations, the applicant shall provide a \$ 76,573.87 bond for the estimated cost of restoring the disturbed areas, including the areas that involve sorting, crushing, refining, drilling, screening or washing operations during the 2 year period of special exception renewal. The amount of the bond shall be in an amount approved by the City Planner and in a form acceptable to Corporation Counsel.

MOTION seconded by Mr. Perosino, unanimously carried.

- c. Zoning Regulation Amendment Proposal
Applicant: Torrington Planning and Zoning Commission

Proposal: Proposed Amendment to the Zoning Regulations, new Section 3.1, Subsection 3.16, service and sales of boats, boat accessories and engines

At 8:15 p.m. Chairman Calkins opened the public hearing and stated serving on the Commission this evening will be Commissioners Paul Summers, Doris Murphy, Greg Perosino, Christine Mele, Donna Greco, and Richard Calkins. Also present is City Planner Martin Connor.

Commissioner Donna Greco read the legal notice which was published in the Republican American.

Mr. Connor explained in working with Attorney Brower (who was in the audience) on an enforcement matter, it would be a good idea to propose an amendment for boat service, etc., to be permitted in the LB zone, but also as a special exception use in the Industrial Zone. Certainly there are industrial sites that are underutilized in town that would be appropriate for boat storage, sales and engine repair. Mr. Connor provided further details, and his recommendations.

Discussion amongst Commission members followed.

Attorney Chuck Brower appeared and spoke in favor of the application.

Steven Brown, 62 Gaylord Lane, Torrington appeared in favor of the proposal. He has been working with Mr. Mantz, owner of Ace Marine in Torrington. He is now also part owner of Ace Marine. They employ eight people, and they are here to stay in Torrington.

No further comments from the public.

Mr. Connor noted the file is complete, no comments from staff.

At 8:32 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Mr. Perosino to APPROVE Zoning Regulation Amendment Proposal
Applicant: Torrington Planning and Zoning Commission
Proposal: Proposed Amendment to the Zoning Regulations, new Section 3.1, Subsection 3.16, Service and sales of boats, boat accessories and engines.

The Commission finds the proposal to be consistent with the City of Torrington's Plan of Conservation and Development.

The effective date of the regulation change shall be the day after publication of the legal notice of decision in the local newspaper. Motion seconded by Ms. Murphy, unanimously carried.

7. Public hearing scheduled for Wednesday, November 14, 2012, 7:30 p.m.; City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT:

- a. Site Plan 1058/Location Approval
Applicant: CTEK Motorworks / Idris Coma
Location: 835 New Harwinton Road
Proposal: Location Approval, and change of use to used car dealership

Passed until 11/14/12.

8. Adjournment:

At 8:34 p.m., Motion by Mr. Perosino to adjourn, seconded by Mr. Summers, unanimously carried.

Land Use Office
City of Torrington