

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
August 13, 2014**

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

Also Present: Martin Connor, AICP; City Planner

Not Present: Greg Perosino, Member
Donna Greco, Alternate

1. Call to Order:

At 7:02 p.m., Chairman Richard Calkins called the meeting to order in the 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 Jim Bobinski, Doris Murphy, Paul Summers, Greg Mele, and Richard Calkins. Also present is City Planner Martin Connor.

Mr. Connor updated the Commission with information obtained from his most recent meeting with the Northwest Hills Council of Governments. There are 5th Thursdays meetings and Mr. Connor attended a session in Cornwall, Supporting Your Main Streets and Businesses. At that meeting there was a presentation of action steps (copies given to Commission members) which included steps to support Main Streets and Local Businesses. Development Goals were included in the Plan of Conservation and Development. The Economic Development Commission had included an update.

In the near future the Commission may wish to invite the new Economic Development Director and the Economic Development Commission to a future meeting here for a half hour workshop. Business friendly signage regulations were noted, and the Commission can put a check mark next to that, as the Commission recently addressed this matter. The Commission has also addressed not allowed first floor residential uses in the Downtown District and encourage second floor residential uses in the Downtown District. This is something the Commission has already implemented. The Torrington parking regulations have already addressed parking needs of downtown parking. The Torrington permitting process is as friendly as possible, and pre-application meetings are regularly held with developers.

Mr. Connor noted a survey of local businesses, and that was part of the signage regulation changes. The Torrington home based business regulations are very easy to

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work with, and we are in good shape in that area. Agricultural uses should be encouraged, and the City Council recently adopted a right to farm ordinance.

Mr. Connor noted Commissioner Mele has been serving on the Economic Development Commission and there is a whole list of items they handle, and Mr. Connor will review these items with our Economic Development Director Erin Wilson.

Mr. Mele noted with his currently work load, etc., he will be resigning from the Economic Development Commission. Mr. Mele wanted to note this in case another Commission member may be interested in this important role.

3. Minutes for Approval:

a. 7/9/14

MOTION by Mr. Summers to approve the 7/9/14 minutes, seconded by Mr. Mele, motion carried with Ms. Murphy abstaining from voting.

4. Old Business:

a. Enforcement Update

Mr. Connor and Mr. Summers updated the Commission on the violation on Red Oak Hill Lane.

b. Site Plan 1130

Applicant: McDonalds Corp., c/o Ayoub Engineering, Inc.

Location: 673 Main Street

Proposal: Side by side drive-through with associated curbing, landscaping, signage. Remove and relocate side access driveway

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

5. New Business:

a. Request for discussion, Allan Borghesi; Possible construction of additional building on Lot 4, Technology Park, 300 Technology Park Drive

Allan Borghesi of Borghesi Building and Engineering Inc. appeared before the Commission. Owner of the self storage facility, Mr. Riva, had approached Mr. Borghesi

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regarding construction of another storage facility building on this site. Mr. Borghesi distributed a letter he wrote to Commission members.

Discussion followed amongst Mr. Borghesi, Commission Members and the City Planner.

No action was taken by the Commission.

- b. Site Plan 1132
 - Applicant: Edward M. Pepin
 - Location: 990 Tarringford Street
 - Proposal: Additions and modifications to existing Price Chopper supermarket, alterations to canopy design, storefront sidewalk replacement and new signage

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

- c. Site Plan 1133, Special Exception 14-291 and Location Approval
 - Applicant: Cumberland Farms, Inc.
 - Location: 1237 East Main Street
 - Proposal: Construct new 4,513 sq. ft. retail convenience store and gas fueling operation (set public hearing date)

MOTION by Mr. Mele to set a public hearing date of September 10, 2014, seconded by Mr. Summers, unanimously carried.

6. Public Hearings Scheduled for August 13, 2014, 7:30 p.m. City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT:

- a. Special Exception 14-289 and Site Plan 1124
 - Applicant: O&G Industries, Inc., c/o Kenneth J. Faroni
 - Location: 3345 Winsted Road
(Assessor Maps 242 and 241 Block 1 Lots 5, 8, 9, 10, 11)
 - Proposal: Earth excavation permit renewal (rock quarry)

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

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

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Kenneth Faroni, O & G Industries, Inc. appeared before the Commission and verified the public hearing sign was properly posted, and submitted neighborhood notification receipts.

Mr. Faroni explained this application is identical to the one submitted two years ago. Presentation continued, referencing site maps.

Commission members posed questions, which were answered by Mr. Faroni.

Mr. Connor read his memo to the Commission dated July 25, 2014.

Brief discussion followed.

Mr. Calkins declared the public hearing closed at 8:00 p.m.

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. 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.
2. Except for routine maintenance, the quarry shall not operate on Saturdays.
3. 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.
4. 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.
5. No blasting shall occur on Saturdays, Sundays, or any of the following holidays: New Year's; Good Friday; Memorial Day; July 4th; Labor Day, Thanksgiving and Christmas.
6. 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.
7. A blast warning shall occur before blasting.
8. 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.
9. 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

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request. With the property owner's approval, this notification may be reduced to 24 hours.

10. 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.
11. 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.
12. 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.
13. The traffic signs along Winsted Road warning of trucks entering or leaving the site shall be maintained.
14. 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.
15. 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.
16. Per Section 6.4.5 F of the Zoning Regulations, O & G Industries Inc., shall provide a bond in the amount of \$350,000.00, (\$10,000 per acre x 35 acres of disturbance) for restoring the current area of disturbance and the area to be disturbed during the two-year period of Special Exception, 35 acres. The bond shall be in a form acceptable to the Corporation Counsel.

MOTION seconded by Mr. Summers, unanimously carried.

- b. Special Exception 14-290
Applicant: Academy of Medical Training LLC; Jamie Mirabilio
Location: 339 Main Street
Proposal: Medical Training School

At 8:05 p.m. Chairman Calkins opened the public hearing and stated serving on the public hearing this evening will be be Jim Bobinski, Doris Murphy, Greg Mele, Paul Summers and Richard Calkins. Also present is City Planner Martin Connor.

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

Jamie Mirabilio of Academy of Medical Training LLC appeared before the Commission. She verified the public hearing sign was properly posted, and submitted the notification receipts.

Ms. Mirabilio explained to the Commission what her academy will do, which is teach care services to patients. This will provide employment opportunities to residents of the

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area. They are regulated by the Higher Education Department of Connecticut, with strict guidelines.

Ms. Mirabilio answered questions regarding her class hours, length of courses, etc. posed by Commission members.

Parking was discussed with Ms. Airabilio. The majority of people attending their classes do not have their own automobiles, they typically get a ride or use public transportation.

Mr. Connor read his memo to the Commission dated July 28, 2014.

Comments from the public:

Donna Louise of 335 Main Street appeared and inquired about the business hours, Ms. Airabilion responded one weekend a month and provided another answer, which was inaudible.

At 8:15 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Mr. Mele to APPROVE Special Exception 14-290

Applicant: Academy of Medical Training LLC; Jamie Mirabilio

Location: 339 Main Street

Proposal: Medical Training School

with the following conditions:

1. The applicant shall obtain a Sewer Discharge Permit for this unit from the WPCA per Ray Drew, Administrator's Memo to the City Planner dated 7/22/14.
2. The applicant shall properly sign and mark the required handicap space and line the remaining parking spaces in the parking lot.

The Commission makes a finding that the application meets the general and specific standards for Special Exception Approval. The Commission grants a waiver of the full Site plan/Class A-2 survey requirements.

MOTION seconded by Mr. Summers, unanimously carried.

7. Adjournment:

MOTION by Mr. Summers to adjourn at 8:21 p.m., seconded by Mr. Mele, unanimously carried.