City Development Guide

City of Torrington, CT

Updated March 2014

Torrington City Hall

Welcome!

Thank you for your interest in the City of Torrington. We look forward to being your partner and making the development process a little less costly and time consuming. This guide will provide you with the basic knowledge you will need for a successful development. City Staff will accompany you every step of the way to keep the process moving in a positive direction.

Please read this guide carefully. A clear understanding of each of the steps will make the entire process much easier. These guidelines apply whether you are developing a new site or are adding on to an existing building.

> **PLEASE NOTE:** THIS GUIDE SHOULD NOT BE UTILIZED IN PLACE OF THE CITY'S ZONING, SUBDIVISION OR WETLAND REGULATIONS. THIS GUIDE SHOULD NOT BE UTILIZED IN PLACE OF A CITY ORDINANCE. TO BE FULLY EFFECTIVE, THIS GUIDE SHOULD BE USED IN CONJUNCTION WITH ALL OTHER CITY REGULATIONS AND ORDINANCES.

The development process that follows is a compilation of State Law and Local Regulation established and approved by the Torrington Planning and Zoning Commission and Inland Wetlands Commission.

City Directory

There are several individuals and commissions you and your engineer and/or architect will be encountering while getting approvals for your new project. The following directory is made available for your convenience:

City Officials

Mayor Elinor Carbone	(860) 489-2229
City Planner, Martin J. Connor, AICP	(860) 489-2220
Economic Development Coordinator, Erin Wilson	(860) 496-5920
City Engineer, Ed Fabbri	(860) 489-2235
Assistant City Engineer, Matt Walsh	(860) 489-2235
Zoning and Wetlands Enforcement Officer, Rista Malanca	(860) 489-2221
Building Official, Brett Zuraitis	(860) 489-2244
Fire Chief, Gary Brunoli	(860) 489-2257
Fire Marshal, Tim Tharau	(860) 489-2534
Torrington Area Health District	(860) 489-0436
Traffic Division, Officer Steven Pisarski	(860) 489-2018

City Development Commissions

Planning & Zoning Commission	Chairman, Richard Calkins
Economic Development Commission	Erin Wilson, ED Coordinator
Inland Wetlands Commission	Chairman, Jay Bate, Jr.
Zoning Board of Appeals	Chairman, David Moraghan
Architectural Review Committee,	Martin Connor, City Planner

Step 1–Site Identification

If you need assistance in identifying a site, you may wish to contact the City Planner to help you define the specific zone of a parcel of land. At this stage you may discuss the suitability of various sites for your project with the City Planner, who will assist in determining the general feasibility of various sites for your purposes. Discussion is also recommended with the Economic Development Coordinator, City Engineer, Director of Public Works, Torrington Area Health District and the Building Official.

Step 2–Customer & Staff Meeting

Once you have identified a site that will accommodate your needs, your next step will be to develop a plan for the site. You will need to hire a professional engineer, land surveyor and possibly a soil scientist and discuss your building requirements with an architect or building contractor, if you have not done so already. At this point, you, along with your engineer, need to discuss the requirements for developing a site plan with the City Planner. You will need to arrange with the City Planner a Customer Staff Meeting to discuss feasibilities and general layouts/concepts.

You may wish to prepare a conceptual site layout, especially on larger developments, so that City Staff will have the opportunity to review the layout at a very early stage and make recommendations before your engineer gets too far along on the design of the site. It is also recommended that you schedule a more comprehensive review with additional City Staff during the early design phase of the site plan. City Staff welcomes the opportunity to discuss your site plan at any point in the process. This can be accomplished by contacting the City Planner for a Customer & Staff Meeting.

As your engineer completes the final design, you should schedule a formal review of the site plan with City Staff. This will give your engineer an opportunity to incorporate any necessary changes before a formal application and complete site plan are submitted. This can be accomplished by contacting the City Planner for a Customer/Staff Meeting and calling the appropriate department directly.

"City Staff welcomes the opportunity to discuss your site plan at any point in the process."

NOTE: PLEASE CONSULT THE ZONING AND/OR SUBDIVISION REGULATIONS , AS WELL AS THE DIRECTOR OF PUBLIC WORKS AND THE CITY ENGINEER, FOR ALL DESIGN REQUIREMENTS.

Step 3–Reviews & Approvals

Your next step will be to submit your application(s) (on forms provided by the Planning and Zoning Department) along with your site development plans, building plans, drainage calculations and other pertinent information to the Planning and Zoning Department. In order to be considered for the Agenda of a land use commission/board, your application must be submitted to the Planning and Zoning Department as specified on the agenda schedules.

"Every effort is made to transmit all comments in a timely fashion in order to give you adequate time to make plan revisions prior to the meeting."

The "deadline" date for the various board and commission meetings will allow Staff to distribute your application package to the City Engineer, Director of Public Works, the Zoning Officer, Fire Chief, Traffic Division, Torrington Area Health and other pertinent City departments, as well as State and Federal agencies when deemed necessary.

City Staff will then review and comment on your application in writing and at times verbally. The purpose of the review is to assure compliance with all planning, zoning and inland wetlands development standards, City ordinances, and acceptable engineering and building standards and requirements. Please beware the City of Torrington encourages low impact development standards where ever possible.

The Planning and Zoning Department will transmit all written comments to you or your engineer as they are received. Every effort is made to transmit all comments in a timely fashion in order to give you adequate time to make plan revisions prior to the meeting.

Section 3.1 of the *Zoning Regulations* should be consulted to determine whether you need Site Plan approval or a Special Exception from the Planning and Zoning Commission or whether or not your proposal is even allowed. In any case, a Site Plan, prepared in accordance with Sections 8.4 and 7 of the *Zoning Regulations*, will be required. Your building's architecture and layout, as well as your site's landscaping, lighting, parking, drainage, signage and grading, will be reviewed by the Planning and Zoning Commission. The Zoning Regulations are online at www.torringtonct.org.

Subdivision Approval

If you are purchasing land that is being divided, or you would like to have divided, you probably need Subdivision approval. If your property has not been divided since February 16, 1956 and you just want to divide your property into two lots, Subdivision approval is not required, although septic testing may be.

If you want to divide your property into more than two lots, you will need Subdivision approval (or re-subdivision approval if you are re-subdividing and already subdivided property). A Conservation Subdivision as outlined in Section 5.6 of the *Zoning Regulations* does not require a public hearing whereas the standard subdivision as outlined in the *Subdivision Regulations* does require a public hearing.

You may call the Planning and Zoning Department for information and to set up a Customer & Staff Meeting.

If your subdivision will contain interior lots (or flag lots), you will need to consult Section 5.7 of the *Zoning Regulations.* A Special Exception will need to be approved by the Planning and Zoning Commission if a flag lot is proposed when no subdivision is required (see "Special Exceptions"). You will need to review the *Subdivision Regulations* and Sections 5.6, 5.7, 7, 8.4, and 8.2 of the *Zoning Regulations* for all subdivisions and flag lots requirements.

The Planning and Zoning Commission has up to 65 days from the date of receipt to make a decision on your Subdivision application. The Commission will also elect to schedule a public hearing if your subdivision has five or more lots. As mentioned earlier, if you are re-subdividing an existing subdivision, the Planning and Zoning Commission must hold a public hearing.

The Planning & Zoning Commission has 65 days to schedule a public hearing and 35 days to close the hearing once it is opened. The Commission then has 65 days thereafter to make a decision. The applicant can request a time extension totaling a maximum of 65 days.

"You may call the Planning & Zoning Department for information and to set up a Customer & Staff Meeting."

Zoning Regulation Text Amendment

If you are proposing a use that is not permitted in the Section 3—Table of Permitted Uses of the Zoning Regulations, you will need to first, before you make applications for Site Plan, Special Exception or Subdivision approvals, request to change the *Zoning Regulations* to allow your proposed use. Your change or an amendment proposal should also include specific design/construction criteria. You should call the City Planner for information and to set up a meeting to discuss all the details. Section 8.3 of the *Zoning Regulations* should be consulted.

Site Plan Approval

Almost all new business and industrial uses and additions will require a Site Plan approval from the Planning and Zoning Commission. Consult the Table of Permitted Uses contained in the Zoning Regulations to determine if your proposed use falls under site plan approval. You may call the Planning and Zoning Department to assist you in this determination. The Planning and Zoning Commission has up to 65 days to approve your application. While there are no Public Hearing requirements for Site Plans, a public meeting with Planning and Zoning is required. If your proposal satisfies all zoning and engineering requirements, then the Planning and Zoning Commission must approve your proposal.

Special Exception

"There are some uses that require "Special Exceptions". Special Exceptions are uses which may have special impacts on the land or neighborhood."

There are some uses that require "Special Exceptions". Special Exceptions are uses which may have special impacts on the land or neighborhood (such as noise, pollution and traffic). The Planning and Zoning Commission may modify or place conditions on your proposal to eliminate or lessen these impacts. In some instances, the Planning and Zoning Commission may even deny a Special Exception request if they have evidence that your proposal will have negative impacts on the land and/or neighborhood.

All Special Exception applications require public hearings. The Planning and Zoning Commission has up to 65 days to open a public hearing. Once the public hearing is open, the Commission has up to 35 days to close the hearing. Once the public hearing is closed, the Commission has up to 65 days to make a decision.

Architectural Review Committee

In many cases, the Planning and Zoning Commission will refer your Site Plan or Special Exception application to the Architectural Review Committee for review and comment. The Committee will review your proposal's landscaping, lighting, building design, signs and building materials (see Section 8.5 of the *Zoning Regulations* for details).

The Committee has up to 35 days to review your proposal and make written recommendations to the Planning and Zoning Commission. Please note this review process is done within the same time constraints for Site Plan and Special Exceptions mentioned earlier.

Variances

If you are proposing a development that does not meet the requirements of the Zoning Regulations (i.e. locating a new building or addition closer to the property line than is allowed by the Zoning Regulations) you will need to apply for a variance from the Zoning Board of Appeals (ZBA) before you apply for Site Plan, Special Exception or Subdivision approval. An A-2 survey will be required.

Four affirmative votes are required for any proposal to pass the ZBA regardless of the number of commissioners present. Once you go through the public hearing procedure and the ZBA approves your specific variance, you may then proceed to the Planning and Zoning Commission. You should contact the Zoning Enforcement Officer for information and to set up a meeting to discuss all the details.

The ZBA has up to 65 days to hold a public hearing. Once the public hearing is open, the Board must close the hearing within 35 days. Once the public hearing is closed, the Board must make a decision within 65 days.

Certificate of Location Approval

(motor vehicle repair/sales or gas stations)

If your proposal involves the repair, sale, or lease of motor vehicles and/ or trailers, you will need to obtain location approval from the Planning and Zoning Commission before you apply for Site Plan, Special Exception or Subdivision approvals. New gas stations and junkyards also require location approval. You should contact the Zoning Enforcement Officer for information and to set up a meeting to discuss all the details.

Gas stations are an example of a business requiring Location Approval.

Inland Wetlands

A typical wetland.

If you are proposing to develop land which contains wetlands/watercourses, or is located in a flood area, or if your development is proposed to drain into a wetland, or your site development and proposed activity is likely to impact a wetland, you may need to apply for a permit from the Inland Wetlands Commission before or at the same time you apply to the Planning and Zoning Commission. A regulated activity means any operation or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution of, such wetlands or watercourses, and any earthmoving, filling, construction, alteration or pollution of, such wetlands or watercourses, and any earth-moving, filling, construction or clear cutting of trees within seventy-five (75) feet of wetlands or one hundred (100) feet of watercourses, but shall not include the activities specified in Section 4 of the *City of Torrington Inland Wetlands Regulations*.

The Inland Wetland Commission must decide on your wetland application before the Planning and Zoning Commission can make their decision. Preliminary determination of whether or not your property contains wetlands or may impact a wetland will probably be ascertained during discussions at your Customer/ Staff Meeting or through a field visit by City Staff. If a wetland/watercourse delineation is required, it must be field located by a soil scientist and plotted on your site plan by a land surveyor.

Administrative Ruling. The Inland Wetlands Enforcement Officer will make a site visit and determine that there will be no work within a regulated area and no further application will be required.

Referral to Inland Wetlands Commission. The Inland Wetlands Enforcement Officer and other City staff may refer your project to the Inland Wetlands Commission. At a meeting, the Inland Wetlands Commission will decide if you will be required to submit an actual application.

Application. If your proposed activity is likely to impact a wetland/ watercourse, you will be required to obtain a wetlands permit. Consult Sections, 6, 7, and 8 of the *Wetlands Regulations* for application requirements. The Inland Wetlands Commission has 65 days from the date of receipt to make a decision on your application.

Application Requiring a Public Hearing The Inland Wetlands Commission shall hold a public hearing only in the following cases: your proposal is deemed "a significant activity" by the Commission (see Section 2.1 and 9.1 of the *Inland Wetlands Regulations*); the Commission decides a public hearing would be in the public interest; or a petition requesting a public hearing is submitted by 25 persons within 14 days of the date of receipt. Your may be requested to submit more detailed and extensive information on your proposal if it is deemed a "significant activity" (see Section 7.6 of the *Inland Wetlands Regulations* for details).

The Inland Wetlands Commission must hold a Public Hearing within 65 days of the date of receipt and close the Hearing within 35 days. A decision must then be made within 35 days after the Public Hearing. You should contact the Wetlands Enforcement Officer for more information regarding the Inland Wetland/Watercourse permitting process.

Torrington Area Health District

If your proposed activity is on a lot which is serviced by a septic system and/or well, or involves any food handling or specific personal services, you will need to receive Health District approval. You may call the Health District at 860-489-0436.

State Department of Energy and Environmental Protection

If your property is near an area identified on DEEP's Areas of Special Concern Map, you will need a letter from DEEP's Natural Diversity Data Base staff. City Staff will inform you if you will need such a letter. You may contact DEEP at 860-424-3592.

If your proposal is for recycling and/or the handling/storage of chemical/hazardous wastes or fuels, then you will need a permit from DEEP. For permit assistance, call 860-424-3003.

"It is recommended you wait two weeks after the day the Legal Notice of Decisions is published before you begin any activity."

Step 4–Post Approval Stage

After you go through the public meetings and/or public hearing(s) process described earlier and receive Commission and/or Board approval(s), there may be a number of items you will need to address. Below are most of the things you will need to do after various Commission and/or Board approvals.

Zoning Board of Appeals

After the ZBA grants your request, the City will place a Legal Notice of Decision in the newspaper. It is recommended you wait two weeks after the day the Legal Notice of Decisions is published before you begin any activity. The reason being that someone may appeal the Board's decision to Superior Court within that two week period.

After the ZBA grants your request, the City will give you a certificate of approval. You must file this certificate in the City Clerk's Office in order for your variance to be legal. After you file your certification, you may then proceed to the Planning and Zoning Commission and/or the Inland Wetlands Commission (if such approvals are required) or apply to the Zoning Enforcement Officer and Building Official for your Zoning and Building permits.

Inland Wetlands Commission

After you receive your Wetlands approval, you may need to post a performance bond for erosion and sedimentation controls and wetland mitigation measures. You may also need to revise your site plan if the Commission required changes.

A 'Letter of Approval' and Inland Wetlands Permit will be mailed to you listing all the conditions of your approval. All conditions must be adhered to or your permit may be revoked. The Commission may place durational limits on your permit for five years.

It is recommended that you wait two weeks after the day the Legal Notice of Decision is published in the newspaper before you begin any activity due to the possibility of an appeal being filed. The Wetlands Enforcement Officer will issue the Wetlands Permit to you.

Planning and Zoning Commission

"All plan modifications must be made within 90 days of your approval date or your approval will become null and void."

After you receive approval from the Planning and Zoning Commission, you may need to obtain a Grading Permit from the Zoning Enforcement Officer. You may need to post a performance bond for erosion and sedimentation controls, landscaping and public improvements, as well as drainage, street and parking lot systems that connect to similar public systems before your map can be signed by the Chairman or before you can sell or offer for sale any lots in a subdivision. You will also need to revise your plans if the Commission required changes.

Two copies of your approved site plan and architectural building plans will need to be signed by the Chairman and the Director of Public Works and filed with the Planning and Zoning Department. For subdivisions, your mylar will need to be signed by the Chairman and filed in the City Clerk's Office. All plan modifications must be made within 90 days of your approval date or your approval will become null and void. Also, once your mylars are signed and handed back to you, you have 90 days to file them in the Land Records before your approval becomes null and void.

A Letter of Approval will be mailed to you listing all the conditions of your approval. All conditions must be adhered to or your permit may be revoked. For Special Exceptions, the City will mail you a Certificate of Approval. This Certificate must be filed in the City Clerk's Office for your Special Exception to be legal.

It is recommended that you wait two weeks after the Legal Notice of Decisions is published in the newspaper before you start any activity due to the possibility of an appeal being filed.

Other permits/reviews that may be necessary

STATE TRAFFIC COMMISSION

If your proposed building is greater than 100,000 sq. ft. or will require 200 parking spaces or more, you will need a permit from the State Traffic Commission (STC). You should submit an application to the STC at the earliest possible time. You may reach STC staff at 860-594-3020.

STATE DEPARTMENT OF TRANSPORTATION

If you are located on a State highway, a State Department of Transportation (DOT) curb cut permit will be required from District IV in Thomaston. You will need to contact DOT staff and have them review your plan early-on in the process. You may call DOT District IV at 860-585-2800.

STATE DEPT. OF HEALTH & STATE DEPT. OF ENERGY & ENVIRONMENTAL PROTECTION

If your proposal will be using a septic system and will generate 2000 gallons or more of effluent per day, you will need approval from the State Department of Health. If you will be using a septic system and will generate 5000 gallons or more of effluent per day, you will need a permit from the DEEP. For the Dept. of Health, please call 860-509-7383. For the DEEP, please call 860-424-3801.

"If your proposal will be using a septic system and will generate 2000 gallons or more of effluent per day, you will need approval from the State Department of Health."

PUBLIC WORKS AND UTILITIES

If you will be working in the City right-of-way or will be dealing with public utilities (water, sewer, cable, phone, etc.) you will need to contact the Director of Public Works and/or the City Engineer and all applicable utility companies for permits and approvals. All driveways giving access from a City road will require a driveway permit from the Engineering Department.

BEFORE YOU DIG BY MACHINE, YOU MUST CALL
CALL BEFORE YOU DIG AT 1-800-922-4455!

ANY CHANGES IN AN APPROVED PLAN MUST BE FILED WITH THE PLANNING & ZONING DEPARTMENT AND THE CITY ENGINEER AND MAY REQUIRE COMMISSION REVIEW DEPENDING ON THE EXTENT OF THE CHANGE.

Step 5– Zoning & Building Permits

At this step you will need to apply for your Zoning Permit and Building Permit. You should contact the Building Official, Fire Marshal, Fire Chief, Zoning Enforcement Officer and Health District to discuss specific application requirements. Before you file for your Building permit, you will file for your sanitary permit, well permit and zoning permit as needed.

You will need to submit with your application a plot plan/survey and building plans. The Building Official will review your plans and issue a building permit if all building codes are satisfactorily met and after the Zoning Enforcement Officer issues a Zoning Permit and you receive approvals from any of the following agencies or departments: Fire Marshal, Torrington Area Health District, Engineering Department, WPCA, and the Torrington Water Company. A Zoning Permit will be issued after all erosion and sedimentation controls are installed and approved by City Staff and all conditions of Commission approval are met and after approvals for sanitary requirements are received from the Health District

"You may contact the City Planner or City Engineer to schedule preconstruction meetings."

Step 6– Pre-Construction Meeting

In many cases you will be required to attend a pre-construction meeting with City staff. At this meeting, you, your engineer and construction foreman will discuss with City staff your responsibilities, the City's responsibilities and coordination between you and the City during the construction phase of your project.

You may contact the City Planner or City Engineer to schedule preconstruction meetings.

Step 7– Construction

You are now ready to begin the construction process. If you find it necessary to make changes to the approved site plan or approved building plan, it will be necessary to notify the City Planner, the Building Official, the Director of Public Works and the City Engineer. Changes may be approved by staff or may require Commission approval (Planning and Zoning, Inland Wetlands, Zoning Board of Appeals) depending on the extent of the modification.

City staff will make inspections on various aspects of the site and building construction during this phase.

ALL EROSION AND SEDIMENTATION CONTROLS MUST BE IN PLACE AND APPROVED BY CITY STAFF BEFORE YOU START CONSTRUCTION. ALL EROSION AND SEDIMENTATION CONTROLS MUST BE MAINTAINED BY YOU THROUGHOUT THE DURATION OF THE PROJECT AND UNTIL ALL DISTURBED AREAS ARE STABILIZED.

Step 8–Filing the As-Built

Once you have completed construction of all site improvements, your surveyor may need to prepare an as-built drawing of the site to show the exact locations of the improvements (which may be slightly different than shown on your approved site plan). Two copies of this plan must be filed with the Planning and Zoning Department and is necessary for the second phase of your Building Permit.

"A Zoning Certificate will be issued only if your project conforms to all Commission/ Board conditions of approval and only when the project is complete. "

Step 9– Certificate of Occupancy

Once you have completed the construction of the building and site improvements and have filed your as-built drawing, you are ready to ask the Building Official for a Certificate of Occupancy (or CO). You will first need to ask the Zoning Enforcement Officer for a Zoning Certificate of Compliance. A Zoning Certificate will be issued only if your project conforms to all Commission/Board conditions of approval and only when the project is complete. A bond may be accepted by City Staff for incomplete landscaping or other items that, if incomplete, do not present a public safety hazard.

The Building Official will issue a C.O. only after the Zoning Certificate of Compliance is issued including approvals from Engineering and various departments as warranted by the project.

Step 10—Release of Bonds

Any performance bonds that you submitted after you received Commission approvals may be released if all improvements have been completed. Items such as landscaping and pavement may not have been completed prior to the issue of your C.O. depending on the time of year your building was completed. Bonds may be held until these items are finished.

You may also request a reduction of your bond amount as you complete various phases of your project. All bond release and reduction requests may be made to the Planning and Zoning Department and City Engineer.

Finish—
A Successful Project

It is the City's hope that this guide, used in conjunction with various regulations, ordinances and Customer & Staff meetings will provide a clearer understanding of the development process in Torrington. If you have any questions regarding the process, please call the Planning &Zoning Department at 860-489-2220 or 489-2221.

For further information please contact: Martin Connor, AICP—City Planner
Martin_Connor@torringtonct.org