

**CITY OF TORRINGTON  
PLANNING AND ZONING COMMISSION  
MINUTES  
December 9, 2015**

Present: Richard Calkins, Chairman  
Greg Mele, Vice Chair  
Paul Summers, Member  
Greg Perosino, Member  
Jim Bobinski, Member  
Donna Greco, Alternate  
John Sheaffer, Alternate

Also Present: Martin J. Connor, AICP; City Planner

**1. Call to Order:**

Chairman Richard Calkins called the meeting to order at 7:00 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, Jim Bobinski, Donna Greco, and John Sheaffer. Also in attendance this evening is City Planner Martin Connor.

**3. Minutes for Approval:**

a. 11/18/15

MOTION by Mr. Summers to approve the 11/18/15 minutes, seconded by Mr. Mele, motion carried with one Mr. Perosino abstaining from voting.

**4. Old Business:**

a. Enforcement Update

No enforcement updates from Mr. Summers or Mr. Connor. Mr. Summers announced that Corporation Counsel Raymond Rigat is no longer with the City of Torrington. Mr. Connor noted there is only one enforcement issue in court now with Wetlands, the other Planning and Zoning issues are not in court at the moment.

- b. Proposed Zone Change (Public Hearing is Closed)  
Applicant: Torrington Planning and Zoning Commission  
Location: 18 parcels as follows:

Portion of East Elm Street, Assessor Map 118 Block 019 Lot 001; 132 Brightwood Avenue; 137 Brightwood Avenue; 138 Brightwood Avenue; 147 Brightwood Avenue; 148 Brightwood Avenue; 20 Jones Street; 32 Jones Street; 38 Jones Street; 279 East Elm Street; 289 East Elm Street; 295 East Elm Street; 309 East Elm Street; 17 Kinney Street; 27 Kinney Street; 35 Kinney Street; 39 Kinney Street, 55 Kinney Street

Proposal: Change current zone R6 to Local Business Zone

Commissioner Perosino recused himself from voting as this matter as he was not in attendance at the public hearing. Commissioner John Sheaffer will vote on this matter.

Mr. Connor reviewed the properties that were discussed for inclusion in this Zone Change, and clarified the properties that will be removed from the proposed zone change.

MOTION by Mr. Mele to APPROVE Proposed Zone Change:

Applicant: Torrington Planning and Zoning Commission

Location: 9 parcels as follows:

Portion of East Elm Street, Assessor Map 118 Block 019 Lot 001;  
279 East Elm Street; 289 East Elm Street; 295 East Elm Street;  
309 East Elm Street; 17 Kinney Street; 27 Kinney Street; 35 Kinney Street;  
39 Kinney Street

Proposal: Change current zone R6 to Local Business Zone

The Commission hereby finds the proposal to be consistent with the City's Plan of Conservation and Development. The effective date of the Zone Change shall be the day after publication of the legal notice of decision in the local newspaper.

MOTION seconded by Mr. Summers. Motion carried with Mr. Perosino abstaining from voting.

## **5. New Business:**

- a. Site Plan 1171  
Applicant: Charlotte Hungerford Hospital, c/o J. R. Russo and Associates LLC  
Location: 540 Litchfield Street  
Proposal: Emergency Department Expansion

Tim Coon, Professional Engineering with J. R. Russo and Associates appeared representing Charlotte Hungerford Hospital. Also present is John Cappibianco and Bill Bednars from Charlotte Hungerford Hospital.

Mr. Coon presented maps and explained the construction and changes that will be made.

Mr. Connor reviewed his memo to the Commission dated November 23, 2015.

Mr. Mele inquired about the time frame of this expansion. The applicants responded Spring and Summer 2016.

MOTION by Mr. Mele to APPROVE Site Plan 1171

Applicant: Charlotte Hungerford Hospital  
Location: 540 Litchfield Street  
Proposal: Emergency Department Expansion

with the following condition/recommendation:

1. The applicant shall address the comment from Assistant City Engineer Matt Walsh contained in his email to Timothy Coon dated 11/23/15
  2. It is recommended that the applicant follow the advice of fire chief Gary Brunoli contained in his letter to the City Planner dated 11/13/15
- Motion seconded by Mr. Summers, unanimously carried.

b. Site Plan 1172

Applicant: Ashok Patel (Jayson Hospitality LLC)  
Location: 93 Main Street (parcel 1)  
Proposal: Renovation of Yankee Pedlar Inn

AND

c. Site Plan 1173

Applicant: Ashok Patel (Jayson Hospitality LLC)  
Location: 30 Maiden Lane (parcel 2)  
Proposal: Renovation, landscaping, lighting to Yankee Pedlar parking lot

Site Plan 1172 and Site Plan 1173 will be heard together

George Johannesen of Allied Engineering, Canaan, CT appeared representing the applicant. Mr. Johannesen gave some background on the hotel and site and discussed the plans for the full renovations of the site and building, with strict standards by Best Western.

Mr. Connor read his December 9, 2015 memo to the Commission. Commission members commented and asked questions, which were answered by Mr. Johannesen.

Mr. Connor stated this is one of the most important projects we have had in the 17 years he has worked for the City. Mr. Connor recalls this property was once one of the “dirty dozen” properties in town. Some maintenance and work has been done to the exterior of the property, but the interior is desperately in need of work. The Best Western representative was taken around town by Mr. Connor, and the representative was very impressed with Torrington, the Warner Theatre, etc. This project is ready for approval by this Commission with conditions.

Mr. Connor had spoken with Tom Cook of Burlington Construction regarding the piece of plywood that has been placed over the entrance. Mr. Connor requested of Mr. Cook to replace or modify that plywood to hold signage referencing the renovation/upgrades.

Mr. Johannesen inquired if the plans could be signed by an engineer instead of an architect (one of the conditions). Mr. Calkins responded no, that cannot be done.

MOTION by Mr. Mele to APPROVE Site Plan 1172 and Site Plan 1173

Applicant: Ashok Patel (Jayson Hospitality LLC)

Location: 93 Main Street (Parcel 1) and  
30 Maiden Lane (Parcel 2)

Proposal: Renovation of Yankee Pedlar Inn; and renovation of landscaping  
and lighting to Yankee Pedlar Inn parking lot  
with the following conditions and recommendation:

1. The Architectural Plans shall be signed and sealed by a Professional Architect.
2. The applicant shall address the comments from Rista Malanca, CZ&WEO, contained in her e-mail memo to the City Planner dated 12/4/15.
3. The applicant shall address the comments from Assistant City Engineer, Matt Walsh, in his memo to the City Planner dated 12/4/15.
4. The applicant shall address the comments from Ray Drew Administrator, WPCA, in his memo to the City Planner dated 12/9/15.
5. It is recommended that the applicant follow the advice of Fire Chief Gary Brunoli contained in his letter to the City Planner dated 12/9/15.

MOTION seconded by Mr. Perosino, unanimously carried.

**6. Public Hearings Scheduled for Wednesday, December 9, 2015; 7:30 p.m., City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT:**

a. Special Exception 15-304

Applicant: AJK, LLC

Location: 637 and 659 Winsted Road

Proposal: Earth excavation quarry permit, Section 6.4

At 7:55 p.m. Chairman Calkins opened the public hearing and stated serving on the Commission this evening will be Commissioners John Sheaffer, Donna Greco, Jim Bobinski, Greg Mele, Paul Summers, Greg Perosino, and Richard Calkins. Also in attendance is City Planner Martin Connor.

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

Dennis McMorrow of Berkshire Engineering and Surveying LLC appeared representing AJK, LLC. Mr. McMorrow submitted a letter addressing Mr. Connor's memo. This is a Special Exception for the two year renewal for the quarry at 637 and 659 Winsted Road.

Mr. McMorrow gave a presentation referring to site maps and his memo to Mr. Connor.

Mr. McMorrow referred to a letter received by the Land Use Office from Taylor Rental on Winsted Road, in favor/support of this application.

Mr. Connor read his memo to the Commission dated December 2, 2015.

There were no comments from the public on this application.

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

MOTION by Mr. Mele to APPROVE Special Exception 15-304

Applicant: AJK, LLC

Location: 637 and 659 Winsted Road

Proposal: Earth excavation quarry permit, Section 6.4  
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 4<sup>th</sup>, Labor Day, Thanksgiving and Christmas.
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. Except for routine maintenance, the quarry shall not operate on Saturdays.
3. No blasting is to occur on Saturdays, 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 or on any six weekdays as designated by the Torrington Elks Club. Blasting is to occur between the hours of 9:30 a.m. and 4:30 p.m. AJK, LLC, shall determine the schedule of the Torrington 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. The applicant shall utilize the Blast Planning Worksheet, Guidelines, Blasting Activity Review, and Notifications contained in a report titled, "A Focus on the Execution and Impact of Blasting Relative to the Site Grading Plans Prepared by AJK, LLC For the Winsted Road, Torrington, Connecticut Industrial Park Site." by Richard M. Hosley, Jr., Realty Securities Incorporated, dated February 2005.
4. A blast warning shall occur before blasting. AJK, LLC, shall notify all adjoining property owners at least 72 hours prior to a blast. With the property owner's approval, this notification can be reduced to 24 hours.
5. Any property owner within one-half mile of the property can also request that AJK, LLC, notify them at least 72 hours prior to a blast. AJK, LLC shall honor this request. With the property owner's approval, this notification can be reduced to 24 hours.
6. The applicant shall maintain a "Trucks Crossing" sign on Winsted Road.
7. AJK, 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.
8. AJK, LLC shall maintain fugitive dust practices.
9. Per Section 6.4.5 F of the Regulations, the applicant shall provide a 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. A bond in an amount acceptable to the City Planner shall be submitted in a form acceptable to Corporation Counsel. Not more than 5.8 acres shall actively be excavated, used, or without topsoil at one time.

MOTION seconded by Mr. Summers, unanimously carried.

- b. Special Exception 15-303  
Applicant: Segundo Velasquez  
Location: 3568 Winsted Road  
Proposal: Change of use to banquet hall (former retail), Section 3.1,  
Subsection 2.20

At 8:20 p.m. Chairman Calkins opened the public hearing and stated serving on the Commission this evening will be Commissioners John Sheaffer, Donna Greco, Jim Bobinski, Greg Mele, Paul Summers, Greg Perosino, and Richard Calkins. Also in attendance is City Planner Martin Connor.

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

Applicant Segundo Velasquez of Danbury, CT appeared before the Commission and explained his plans for a party reception hall, and there will be no kitchen or cooking on site. They will bring in catered food. The unit #4 is approximately 2,300 square feet. This will not be a night club. Mr. Connor noted sixty seats have been determined by the Fire Marshal. The parking is adequate, and the site plan reflects the parking.

Mr. Velasquez stated he will be applying for a liquor license. Mr. Calkins inquired what the difference is between this proposal and a café/bar? Mr. Connor noted this proposal is for private parties and reserved events. This is not open to the public, drinks will not be served to walk in customers. There are no cooking or washing facilities. Approval will be needed from Torrington Area Health District. The liquor permit will be specified, not a tavern permit. It will be the same permitted as Cornucopia.

Mr. Calkins noted his concerns that this may be a club house and bar, and not just a banquet facility. Commission memo expressed concerns about the possibility of this be operated as a bar vs. a private banquet facility.

Mr. Velasquez stated that when he has nothing booked, he has a D.J. Business, and he would have a DJ and invite the public to come in, he has to open at least every Saturday, and if he has not bookings for a Saturday, he will open to the public. He has no bookings at the present time. The Commission stated this is now a bar use and expressed concerns about the use, and the bar use could be expanded to seven days a week. Mr. Segundo stated there is a possibility of live bands.

Mr. Connor noted the Commission can impose which days and what hours would be operational. Now Mr. Connor is concerned, as this application is now being proposed as not just a banquet hall. Bars without food are not allowed. If alcohol is sold, there must be a restaurant associated with such a use.

Mr. Connor will not read his memo, as this public hearing needs to be continued for further clarification of the proposed uses, as the testimony is not consistent with what the application states. A written business plan will be needed, to share with the Commission. Mr. Mele requested more information regarding the liquor permit requirements. Mr. Calkins expressed his concerns, and wants more clarification.

Mr. Calkins opened the hearing to the public.

Bob Leonard, 105 Highland Lake Road appeared and expressed his concerns. There appears to be no way to monitor what goes on with this business, and there does not seem to be a clear plan to do this, just to get a foot in the door and then it becomes the Wild West. There are enough problems already in the neighborhood with the motel next door. He would like to see this become a more vibrant retail facility. The parking will be an issue. Mr. Leonard is totally against this proposal.

At 8:35 p.m. Chairman Calkins declared the public hearing continued to January 20, 2016.

- c. Special Exception 15-302  
Applicant: James B. Rokos  
Location: 1049 East Main Street  
Proposal: Change of use to Single Family Use in the LB Zone,  
(former office use) Section 3.1, Subsection 1.10

At 8:36 p.m. Chairman Calkins opened the public hearing and stated serving on the Commission this evening will be Commissioners John Sheaffer, Donna Greco, Jim Bobinski, Greg Mele, Paul Summers, Greg Perosino, and Richard Calkins. Also in attendance is City Planner Martin Connor.

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

James Rokos of 27 Gardener Drive, Westerly, RI appeared before the Commission. He submitted the neighborhood notification. Mr. Rokos gave a presentation of his 1,200 square foot space in the building he owns. A nail salon is also in the plaza, as well as internet café and computer repair shop. Details of the proposal were given.

Discussion followed on the details of the application and potential uses and questions/concerns.

There were no comments from the public.

Mr. Connor read his memo to the Commission dated December 7, 2015.

At 9:00 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Mr. Mele to APPROVE Special Exception 15-302

- Applicant: James B. Rokos  
Location: 1049 East Main Street  
Proposal: Change of use to Single Family Use in the LB Zone,  
(former office use) Section 3.1, Subsection 1.10

with the following condition and recommendation:

1. The applicant shall address the comments from Ray Drew, Administrator, WPCA, to the City Planner contained in a memo dated 12/7/15.
2. The proposed business use shall receive site plan or special exception approval as required per the Zoning Regulations, Section 3.1, Table of Uses.
3. It is recommended that the applicant follow the advice of Fire Chief Gary Brunoli, contained in a letter to the City Planner dated 11/6/15.
4. The residential use shall be in conjunction with a business use.

MOTION seconded by Mr. Summers, unanimously carried.

7. **Adjournment:**

MOTION by Mr. Mele to adjourn at 9:01 p.m., seconded by Mr. Summers, unanimously carried.

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Land Use Office  
City of Torrington