

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
February 8, 2017**

Present: Greg Mele, Vice Chair
Paul Summers, Member
Greg Perosino, Member
Donna Greco, Alternate
Jon Sheaffer, Alternate
Christopher Beyus, Alternate

Also Present: Martin Connor, AICP, City Planner
Rista Malanca, Zoning and Inland Wetlands Enforcement Officer

Not Present: Richard Calkins, Chairman
Jim Bobinski, Member

1. Call to Order:

Vice Chair Greg Mele called the meeting to order at 7:02 p.m., in Torrington City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT

2. Attendance/Announcement by Chairman:

Vice Chair Mele announced present and serving this evening will be Commissioners Paul Summers, Christopher Beyus, Donna Greco, Greg Perosino, Jon Sheaffer and Greg Mele. Also present is City Planner Martin Connor.

3. Minutes for Approval:

a. 10/26/16

MOTION by Mr. Summers to approve the 10/26/16 minutes, seconded by Ms. Greco, motion carried with Mr. Perosino abstaining from voting.

b. 12/14/16

MOTION by Mr. Perosino to approve the 12/14/16 minutes, seconded by Mr. Sheaffer, motion carried with Mr. Summers abstaining from voting.

4. Old Business:

a. Enforcement Update

No updates.

- b. Special Exception 16-310 and Site Plan 1213
 - Applicant: Preservation of Affordable Housing, Inc.
 - Location: 380 Torrington West Street
 - Proposal: Construct 62 unit multi-family housing complex and associated parking (affordable and market rate) Public hearing closed on December 14, 2016

Mr. Mele appointed Donna Greco in place of Richard Calkins, and Jon Sheaffer in place of Paul Summers (who was not present at public hearing) for the record.

Mr. Connor read his memo to the Commission dated December 21, 2016.

Mr. Perosino expressed his concerns about the percentage of affordable housing that Torrington has, which is almost 13 percent. The only other town at that level is Winchester (Winsted). No other town in Litchfield County is even close. This is creating an imbalance which is attracting and taking a burden off those town because they don't have a need to do it. If we are above ten percent, developers are not eligible for special appeal rights. Originally it was approved as affordable senior housing, and if you look at the demographics of Torrington, that is more appropriate by a long shot. There is really no case for more affordable housing. This is not going to impact or help the downtown as was brought up at the public hearing. This is so far removed from the downtown, it will have no affect on the downtown. There is way more demand for senior housing, the majority of Torrington's population is in the 55 to 80 year old bracket. In Mr. Perosino's opinion, the original plan this Commission approved is appropriate, and the current plan before us is inappropriate.

Mr. Connor noted there is a huge need in the State of Connecticut for affordable housing. It may be that we are over our percentage, but there is clearly a need for it. If there is a need for seniors in affordable housing, then that building can be filled that building with seniors. Twelve of the units are restricted for market rates. In the 18 years Mr. Connor has been the City Planner, we have not had any new apartments built, and there is a need for affordable and market rate housing. We could be in Federal Court quickly if we say this property is appropriate for housing development for affordable senior housing, but it's not for people of other ages.

Mr. Mele stated this is discriminatory. Mr. Perosino disagreed, we are looking for something that suits the needs of the town, it is not discriminatory. We don't have a lot of young people in this town. Mr. Connor doesn't think this could be accomplished as its discriminatory. Mr. Perosino disagreed, as we have met the threshold of what we were asked to do at the State level, and going beyond that is a burden. Mr. Perosino provided other details. Mr. Connor noted that for other rural towns in Litchfield County, multi-family housing does not work with septic systems. There would have to be a real reason for denial, such as a site condition reason, something in the general standards for special exception of the regulations. Mr. Perosino ask if the demographics do not count as a reason.

Mr. Sheaffer said he thinks the school system will be overburdened. Mr. Connor noted there are just a handful of three bedroom units that are proposed as part of this project, and the school population in this town is going down, we need more young families. The

Mayor is working with the Chamber of Commerce on a special project, on how do we bring more young families in this area.

Mr. Perosino said the only reason they are back in here is because they can't get State funding. That is not Mr. Perosino's problem. Ms. Greco expressed a concern that with young families and children, there are no outdoor play areas provided. Mr. Connor noted that one person at the public hearing stated they don't want to hear children playing next door.

Mr. Perosino does not see the argument for discriminatory activity. Mr. Connor responded this is discrimination based on age. Mr. Connor recommended highly that if the Commission wants to deny this based upon allowing affordable housing for younger residents, that this application be tabled tonight, and have Corporation Counsel sit here and explain to the Commission what discrimination is, because Mr. Connor clearly as the City Planner recommends that this Commission not deny this application.

Discussion followed.

MOTION by Ms. Greco to APPROVE Special Exception 16-310 and Site Plan 1213

Applicant: Preservation of Affordable Housing, Inc.

Location: 380 Tarringford West Street

Proposal: Construct 62 unit multi-family housing complex and associated parking (affordable and market rate)

with the following conditions:

1. Per Section 6.1.1.I, of the Zoning Regulations, 50 of the 62 units in the building shall be deed restricted as affordable and shall be available for rent by tenants with incomes less than or equal to 80% of the area median income of Litchfield County as determined by the United States Department of Housing and Urban Development. These deed restrictions shall remain in effect for each unit no less than 30 years from the date of issuance of the certificate of occupancy. Corporation Counsel shall review and approve the proposed deed restrictions regarding the unit's affordability.
2. A contract between the City and the applicant regarding unit affordability, shall be required per Section 6.1.2 G. of the Zoning Regulations. The contract prior to execution shall be reviewed and approved by the Corporation Counsel.
3. A Grading Permit shall be required prior to issuance of a Zoning Permit for the project. A bond estimate prepared by the applicant's engineer for the proposed E&S Controls shall be submitted to the City Planner's for review and approval. A cash bond for implementation of the E&S Control Plan shall be submitted prior to issuance of a Zoning Permit.
4. The applicant shall address the comments of WPCA Administrator, Ray Drew, contained in his memo to the City Planner dated 11/22/16.
5. The applicant shall address the comments of Deputy City Engineer Matt Walsh, P.E., in his memo to the City Planner dated 12/8/16.

Mr. Mele noted Mr. Beyus will sit in for Commissioner Jim Bobinski.

MOTION seconded by Mr. Perosino, Voting in favor of the motion are: Greg Perosino, Donna Greco, Christopher Beyus and Greg Mele. Voting against the motion:

Jon Sheaffer. MOTION approved 4 to 1.

5. New Business:

- a. Discussion of Forest Management Plan for Charlene Susan Besse Park, City of Torrington, Riverside Avenue; Andrew J. Bosse Forestry Service and Rista Malanca, Torrington Inland Wetlands Enforcement Officer

Ms. Rista Malanca gave an overview, about two years ago the City applied for an America the Beautiful Grant to do a forest management plan at Charlene Susan Besse Park. Andrew Bosse as been hired as a Forester. Mr. Bosse has gone out and done a full Forest Management Plan for us. Now we have what is considered a draft Forest Management Plan. This is a ten year plan. These plans are presented to various Commissions, etc. to ensure it does not conflict with other plans, in this case, the City's Plan of Conservation and Development. A second round of grants was applied for to present this plan to various Boards and Commissions. Many volunteers in town have vast knowledge of matters that Ms. Malanca or others may be unaware of, and that is one of the reasons for this presentation.

Mr. Bosse appeared before the Commission and presented his plan.

It was the consensus of the Commission that the City move forward and implement the plan.

6. Adjournment:

Motion by Mr. Perosino to adjourn at 8:07 p.m., seconded by Mr. Summers, unanimously carried.