

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
October 8, 2008**

Present: Richard Calkins, Chairman
Paul Summers, Vice Chairman
Doris Murphy, Member and Inland Wetlands Liaison
Greg Mele, Member
Christine Mele, Alternate
Donna Greco, Alternate

Also Present Martin Connor, AICP, City Planner

Not Present: Greg Perosino, Member
James Bobinski, Alternate

1. **Call to Order:** Chairman Calkins called the meeting to order at 7:01 p.m., City Hall Auditorium, 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 Mele, Donna Greco, Christine Mele and Richard Calkins. Also present is City Planner Martin Connor.

3. **Minutes for Approval:**

a. 9/17/08

MOTION by Mr. Mele to approve the 9/17/08 minutes, seconded by Ms. Mele, motion carried with Commissioners Murphy, Summers and Greco abstaining from voting.

4. **Old Business:**

a. Update Plan of Development and Zoning Regulations

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

- b. Site Plan 901
Applicant: Grunder's Farm Equipment Inc.
Location: 876 New Harwinton Road
Proposal: Hoop building, display area

MOTION by Ms. Murphy to table this agenda item, seconded by Mr. Mele, unanimously carried.

- c. Site Plan 907
Applicant: Phil DeRaffela, American Diner Corp.
Location: 417 East Elm Street
Proposal: Renovate existing mansard exterior, construct new outdoor dining area

Phil DeRaffela of Yonkers, New York, appeared before the Commission and explained the proposal to renovate the exterior of the building, details were provided on the appearance. Details regarding the proposed patio area in the front were discussed as well. Mr. Calkins inquired about landscaping/screening, as this is a fairly busy road.

Mr. Connor reviewed his 9/7/08 memo to the Commission (#250).

MOTION by Mr. Mele to APPROVE Site Plan 907

Applicant: Phil DeRaffela, American Diner Corp.
Location: 417 East Elm Street
Proposal: Renovate existing mansard exterior, construct new outdoor dining area
with the following condition and recommendation:

1. Prior to issuance of a zoning permit, the applicant shall obtain a sewer permit from the Engineering Department to ensure the grease trap is properly sized for the restaurant.
2. It is recommended the applicant follow the advice of Fire Chief John B. Field, Jr., as outlined in his 9/17/08 letter to the City Planner.

Motion seconded by Mr. Summers, unanimously carried.

5. New Business:

- a. Special Exception 08-212
Applicant: India Mills/Living Water Ministries
Location: 58 Migeon Avenue
Proposal: Church use (Set public hearing date)

MOTION by Mr. Summers to set a public hearing date of November 12, 2008, seconded by Mr. Mele, unanimously carried.

- b. Special Exception 08-213
Applicant: Douglas S. Traub, Jr.
Location: 454 Prospect Street
Proposal: Professional office first floor, residential use on second floor
(Set public hearing date)

MOTION by Mr. Summers to set a public hearing date of November 12, 2008, seconded by Ms. Murphy, unanimously carried.

- c. Special Exception 08-214
Applicant: Lisa Traub

Location: 462 Prospect Street
Proposal: Professional office first floor, residential use on second floor
(Set public hearing date)

MOTION by Mr. Mele to set a public hearing date of November 12, 2008, seconded by Mr. Summers, unanimously carried.

At 7:17 p.m., the Commission took a recess before public hearings.

6. Public hearings scheduled for October 8, 2008, 7:30 p.m., City Hall Auditorium, 140 Main Street, Torrington, CT

- a. Special Exception 08-211
Applicant: James B. Rokos, 1009 East Main Street LLC
Location: 1009 East Main Street
Proposal: Change use of 1,260 sq. ft. office space to residential unit, second floor

Chairman Calkins opened the public hearing at 7:30 p.m. and stated serving on the Commission this evening will be Doris Murphy, Paul Summers, Greg Mele, Christine Mele, Donna Greco and Richard Calkins. Also present is City Planner Martin Connor.

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

Jim Rokos of 117 Thompson Drive, Torrington, appeared before the Commission. Mr. Rokos provided the neighborhood notification receipts and verified the public hearing sign was properly posted.

Mr. Rokos reviewed his plans regarding the above proposal. (#580)

Mr. Connor reviewed his 9/22/08 memo to the Commission.

There were no comments from the public. At 7:37 p.m. Chairman Calkins closed the public hearing.

MOTION by Mr. Mele to APPROVE Special Exception 08-211

Applicant: James B. Rokos, 1009 East Main Street LLC
Location: 1009 East Main Street
Proposal: change of use of 1,260 sq. ft. office space to residential unit, second floor with the following condition and recommendation:

1. Per W.P.C.A. Administrator Ray Drew, the applicant shall obtain a "Sewer Discharge Permit" for the change of use and a new property sewer allocation will be set.
2. It is recommended that the applicant follow the advice of Fire Chief John B. Field Jr., contained in his 8/18/08 e-mail memo to the City Planner.

Motion seconded by Mr. Summers, unanimously carried.

- b. Zoning Regulation Amendment Proposal
Applicant: Connecticut Planning and Development LLC
Proposal: Zoning Regulation Text Amendment for Elderly Retirement Housing

and Assisted Living Facilities, Section 3.0
Uses, 3.1 Table of Uses, New Use by District; Section 5.13 Parking,
5.13.4; Section 6.5 Hospitals, Section 6.5.3

At 7:39 p.m. Chairman Calkins opened the public hearing and stated serving on the Commission this evening will be Doris Murphy, Paul Summers, Greg Mele, Christine Mele, Donna Greco, and Richard Calkins. Also in attendance is City Planner Martin Connor.

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

Attorney Peter C. Herbst, 365 Prospect Street, Torrington, appeared representing the applicant, Don Polland of Connecticut Planning and Development LLC. Mr. Polland was also present. Mr. Herbst and Mr. Polland gave a presentation. (#880)

Mr. Calkins questioned why the GB zone is included in this proposal, when there is a 15 acre minimum, and the possibility of the ZBA varying the regulation in such a case. Mr. Connor stated lots could be put together, but the Commission would probably want such GB land used in a different fashion.

Mr. Polland and Mr. Herbst were agreeable to modify their proposal to eliminate the GB zone from their proposal.

Discussion followed on age restrictions, etc.

Mr. Connor reviewed his memo dated October 3, 2008 to the Commission.

There were no public comments.

At 8:07 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Mr. Mele to APPROVE Zoning Regulation Amendment Proposal

Applicant: Connecticut Planning and Development LLC

Proposal: Zoning Regulation Text Amendment for Elderly Retirement Housing and Assisted Living Facilities, Section 3.0 Uses, 3.1 Table of Uses, New Use by District; Section 5.13 Parking, 5.13.4; Section 6.5 Hospitals, Section 6.5.3

The Commission finds the proposed regulation amendments to be consistent with the City's Plan of Conservation and Development. The effective date of the amendment shall be the day after publication of the legal notice of decision in the local newspaper.

MOTION seconded by Mr. Summers, unanimously carried.

Mr. Herbst verified with Mr. Calkins and Mr. Connor that the GB zone would be removed from the proposal.

7. Public hearing scheduled for October 22, 2008, 7:30 p.m., 140 Main Street, Torrington

a. Special Exception 08-211 and Site Plan 909

Applicant: SWAMI Corporation

Location: 1083 East Main Street

Proposal: New hotel construction with associated parking, utilities and storm drainage. 25% reduction for parking spaces required and parking on housing authority

Passed until 10/22/08

8. **Adjournment:**

MOTION by Mr. Summers to adjourn at 8:10 p.m., seconded by Ms. Murphy, unanimously carried.

Lona Kirk, Land Use Office
Planning and Zoning Commission

cc: Mayor, City Clerk-6, Economic Development Coordinator, ZBA Chairman, P&Z
Commission, Public Works Director, City Engineer, Assistant City Engineer, Corporation Counsel,
J. Gallicchio, LHCEO, PDS Eng. & Const., O & G Industries