

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
October 22, 2008**

Present: Richard Calkins, Chairman
Doris Murphy, Member and Inland Wetlands Liaison
Greg Perosino, Member
Greg Mele, Member
Jim Bobinski, Alternate
Christine Mele, Alternate
Donna Greco, Alternate

Also Present: Martin Connor, AICP, City Planner

Absent: Paul Summers, Vice Chairman

1. **Call to Order:** Chairman Calkins called the meeting to order at 7:04 p.m., City Hall Council Chambers, 140 Main Street, Torrington, CT

2. **Attendance/Announcement by Chairman:**

Chairman Calkins announced present and serving on the Commission this evening will be Greg Perosino, Doris Murphy, Greg Mele, James Bobinski, Donna Greco, Christine Mele and Richard Calkins. Also present is Martin Connor, City Planner.

Mr. Calkins read a letter from the State of Connecticut Department of Environmental Protection addressed to Kim Barbieri. It was a partial funding of a grant request from the Conservation Commission.

A separate project for streamside streams was explained by Mr. Connor.

Mr. Calkins read an announcement from CLEAR regarding upcoming training and educational classes on 11/1/08, Hot topics in land use at NE Headquarters in Berlin, CT

3. **Minutes for Approval:**

- a. 10/8/08

MOTION by Ms. Murphy to accept the 10/8/08 minutes, seconded by Mr. Mele, motion carried with Mr. Bobinski and Mr. Perosino abstaining from voting.

4. **Old Business:**

- a. Update Plan of Development and Zoning Regulations

MOTION by Ms. Murphy to table this 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

Owner of the property John Grunder appeared before the Commission. Mike Banzurik, resident of 180 Harvard Drive appeared as a concerned resident. Mr. Grunder stated they have dressed up their show display area, photographs of what they have accomplished were submitted. Mr. Grunder read portions of a deed from 1961 allowing the Grunders use of the land, it was a right of way for the sewer line. (#200) Fencing was discussed, as well as three storage trailers that were replaced by a new structure. They have been using State property, and they do not have a problem with it.

Mr. Banzurik stated when the water line was installed, the Grunders dressed up the area to make it look better with stone, etc.

Mr. Grunder spoke of past zoning changes that were done on the property.

Discussion followed on the state right of way, property lines, parking of equipment on the state right of way, etc. (#700)

MOTION by Mr. Mele to APPROVE Site Plan 901

Applicant: Grunder's Farm Equipment
Location: 876 New Harwinton Road
Proposal: Hoop building, display area

with the following conditions:

1. Approve hoop house as shown on plan dated March, 2008
2. The applicant needs to locate equipment out of the State property.

Motion seconded by Mr. Perosino, unanimously carried.

5. **New Business:**

- a. Request for discussion
Jack McKeon, 142 Cedar Lane
work being done at Tarringford Farms, Tarringford Street, tree cutting, detention basin

Mr. Calkins noted this request has been withdrawn.

6. **Public hearing scheduled for October 22, 2008, 7:30 p.m., Council Chambers, 140 Main Street, Torrington, CT**

- 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

At 7:40 p.m. Chairman Calkins opened the public hearing and stated serving on the Commission this evening will be Jim Bobinski, Doris Murphy, Greg Perosino, Greg Mele, Christine Mele, Donna Greco and Richard Calkins. Also present is City Planner Martin

Connor.

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

Mr. Connor explained the Special Exception this evening is for the 25% reduction for parking spaces required. The hotel is a permitted as of right use in this zone. The Special Exception this evening is for the 25% reduction for parking requirements.

Attorney Peter Herbst, 365 Prospect Street, Torrington, CT appeared representing the applicant. San Patel and Kenny Patel of SWAMI Corporation were also present. This is a revitalization project for 1083 East Main Street. Mr. Herbst submitted his neighborhood notification receipts and verified the public hearing sign was properly posted.

Dennis McMorrow of Berkshire Engineering and Surveying, Bantam, CT and Brian Solywoda of Friar Associates were also present representing the applicant. This Special Exception application is filed in conjunction with a Site Plan application to build a 72 room Holiday Inn Express and Suites with associated parking, storm drainage, etc. This is a revitalization project that will enhance this portion of East Main Street. All buildings on this property were constructed before the December 1, 1993, the first date that the Torrington regulations show the 25% parking reduction regulation. This is in a Local Business zone, which hotels/motels are permitted as of right subject to Site Plan Approval. (#1341)

Mr. Herbst clarified this application requested two Special Exceptions, and the applicant is withdrawing the request for the second Special Exception, and proceeding for the request for 25% reduction of parking. The withdrawn application would have allowed off street parking on another lot, on the lot to the rear which is owned by the Torrington Housing Authority. It was the original intention to enter into a lease with the Housing Authority, a long term lease. They have decided since then that it makes more sense to acquire the property.

Discussion followed on the parking requirements and Special Exception applications.

Mr. Herbst noted Inland Wetlands Commission approval was received last night. On 10/9/08 a favorable recommendation was made by the Architectural Review Committee.

At 7:55 p.m. the Commission took a brief recess.

Mr. McMorrow reviewed the site maps and gave a presentation (#2220) Questions from Commissioners and discussion followed.

Brian Solywoda of Friar Associates reviewed the architectural plans for hotel.

Mr. Connor reviewed his 10/21/08 memo to the Commission (#3780)

Mr. Calkins inquired if a traffic report has been prepared, and Mr. Connor responded no, city staff did not believe it was necessary. Discussion on traffic followed, there may be a reduction in the a.m. and p.m. peaks in traffic per Mr. McMorrow.

Mr. Connor read a letter from Joann Ryan, President of the Northwest Chamber of Commerce. She emphasized the number of requests she has received for names of hotels in the area. Ms. Ryan believes there is a need for this hotel.

Rose Ponte, Economic Development Coordinator for the City appeared. Ms. Ponte has worked with this hotel and the existing hotels in town. This particular hotel has gone to great lengths to address each Department's concerns. Ms. Ponte's only concern is the number of hotels already in town, and how this would affect their continued growth and support.

Debra LaTulipe, 196 Concord Road, adjacent property owner appeared before the

Commission. She pointed out her property on the subject map and inquired about the emergency access, and Mr. Calkins verified the emergency access is not open to the public for public drive through, it is for emergency vehicles only. Mr. Connor noted that area is within the 25 foot buffer area. Ms. LaTulipe expressed concerns about increased traffic.

Rob Persechino, owner of a restaurant at the Yankee Pedlar Inn, appeared. He spoke of his past experiences with variance requests on his own properties. He thought one floor of the hotel should be eliminated. Mr. Connor noted this is a special exception, which is totally different than a variance.

Attorney William Conti and his partner Mr. Levy were present, representing Mr. Ash Patel, employee of another hotel in town. Mr. Conti stated the parking situation is self-created, and if the hotel is made smaller, there won't be any parking issues. Mr. Conti read portions of 5.13.4B of the Torrington Zoning Regulations (tape #2, #890) and continued his argument against this proposal. This is not a change of use in a building, rather this is a new building to be constructed. He stated a special exception is not allowed under these circumstances at all, and this should not be heard. He does not believe parking in an R-6 zone can be used. Mr. Conti noted the high density proposed use of this property, and he talked about the other businesses that are on site.

Dee Patel from the Yankee Pedlar Inn appeared and questioned where the 30 plus people would park if the hotel rooms are sold out. She inquired how a very large truck would get to the warehouse or park on East Main Street, or how it would turn around after deliveries.

Jay Patel, owner of Day's Inn on 492 East Main Street appeared. He has 50 rooms and when they are sold out, parking is a problem, and they have over 80 parking spaces. On this site, Mr. Patel inquired where the businesses and their customers/employees would park. He expressed many concerns about parking issues (portions were unclear).

Millon Patel of Day's Inn appeared in opposition, he said they have a no left turn exit from their property, and he inquired if this would be the same problem. Mr. Calkins responded that is up to the State of Connecticut, as this is a State Highway.

Mr. Connor noted in the past in a similar situation, the Commission has allowed for a nine percent reduction in the off-street parking requirements for the Torrington Motor Lodge at 395 Winsted Road. They added 15 rooms to their hotel, and the Commission interpreted the regulations in much the same fashion as is being asked today, that date was May 25, 2005. That site does also have a restaurant on site.

Ms. Murphy inquired about Architectural Review Committee's findings and if there were any other five story buildings on East Main Street.

Mr. Conti re-emphasized that this is a new building and adding to an existing building. This proposal is for the creation of a new building, perhaps leaving a small portion of the existing building to punitively comply with the regs, but that's not the situation here.

Mr. Herbst is not surprised to hear that while he is representing a new business coming into town that is going to compete with existing hotels, every person who spoke in opposition to this proposal is affiliated in one manner or another with an existing inn, motel or hotel. Economic competition is not an issue that appears before this Commission, it is whether or not we comply with the regulations. One of the issues we deal with a Special Exception is whether or not we will have a negative impact on the neighborhood. Only one neighbor appeared this evening with an understandable concern because she is an abutting property owner, and her concern was whether we were going to open up an access way that would somehow impact her property. It's been demonstrated that it won't impact her property, and it would be an accessway that would probably have some sort of lock box on it, and would be

utilized in only emergency purposes. The neighboring housing authority thinks this is good, and the City Planner thinks this is beneficial as well. The Commission has heard from the neighborhood, which is relevant. The Commission has also heard from economic competition, and the only aspect of competitive comments that is relevant is when Attorney Conti says that we need to have more parking and we shouldn't have a reduction, yet the people who are affiliated with this type of industry in Torrington stand up and say they are running at 45% occupancy. It sounds to me we have an abundance of parking, even though your regulations allows us to have less parking.

This is a revitalization project, and Mr. Herbst noted the Walgreens site in town where he represented the developer who put together over a dozen parcels of land in order to do that development. There was one attractive old building in the same family ownership since 1910, the owner was sorry to see the building go, but the owner participated in that assemblage because it was in the best interest of the City. That section of Torrington was an urban slum, small parcels of land, and no one could develop it, because a large enough building could not be constructed because they could not get an economic turn for their development because the parcels were too small to support the parking need. For decades that section of Torrington languished. Torrington is now in the process of studying the downtown and lower East Main Street for redevelopment in a manner that will rejuvenate the City. East Main Street is already starting to do that at the top of East Main Street with projects approved over the last five or six years.

Further support for this project was provided by Mr. Herbst, with reference to 5.13.4 which was designed for this type of situation, and rebuttal to Mr. Conti's comments. (#2300)

No further comments.

At 9:44 p.m. Chairman Calkins declared the public hearing closed. A decision will be forthcoming.

7. Public hearing scheduled for November 12, 2008, 7:30 p.m., Council Chambers, 140 Main Street, Torrington, CT

- a. Special Exception 08-212
Applicant: India Mills/Living Water Ministries
Location: 58 Migeon Avenue
Proposal: Church use
- b. Special Exception 08-213
Applicant: Douglas S. Traub, Jr.
Location: 454 Prospect Street
Proposal: Professional office first floor, residential use on second floor
- c. Special Exception 08-214
Applicant: Lisa Traub
Location: 462 Prospect Street
Proposal: Professional office first floor, residential use on second floor

Public hearings passed until 11/12/08.

8. Adjournment:

MOTION by Mr. Perosino to adjourn at 9:46 p.m., seconded by Mr. Mele, unanimously carried.

Lona Kirk, Land Use Office
Planning and Zoning Commission