

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
January 14, 2009**

Present: Richard Calkins, Chairman
Paul Summers, Vice Chairman
Greg Mele, Member
Christine Mele, Alternate
Jim Bobinski, Alternate
Donna Greco, Alternate, arrived at 7:02
Greg Perosino, Member, arrived at 7:03

Also Present: Martin Connor, AICP, City Planner

Absent: Doris Murphy, Member and Inland Wetlands Liaison

1. **Call to Order:** Chairman Richard Calkins called the meeting to order at 7:00 p.m., City Hall Auditorium, 140 Main Street, Torrington, CT

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

Chairman Calkins announced present and serving will be Commissioners Paul Summers, Greg Mele, Christine Mele, Jim Bobinski and Richard Calkins. Also present is Martin Connor, AICP, City Planner.

3. **Minutes for Approval:**

a. 12/17/08

MOTION by Mr. Summers to approve the 12/17/08 minutes, seconded by Mr. Mele, unanimously carried. Mr. Bobinski abstained from voting.

4. **Old Business:**

a. Subdivision

Applicant: Dudrow Torrington LLC c/o Paragon Management Group LLC

Location: 420 Winsted Road

Proposal: Four lot Subdivision.

Commissioner Donna Greco arrived at this time. Commissioner Greg Perosino arrived.

Chairman Calkins read a letter from Attorney Peter Herbst requesting the matter to be tabled to the next regularly scheduled meeting.

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

b. Subdivision

Applicant: Ensurv, LLC
Location: Tarringford West Street, Assessor Map 224-4-44
Proposal: One Lot Subdivision

Bill Colby with Colby Engineering and Consulting appeared representing Ensurv, LLC. Mr. Colby gave a presentation. Brief discussion followed. One lot is to be marked as a non-buildable lot for the time being. Mr. Connor noted the applicant will need to come back before this Commission for a resubdivision to develop the remaining non-buildable lot.

Mr. Connor reviewed his memo to the Commission dated 1/14/09.

MOTION by Mr. Mele to APPROVE Subdivision

Applicant: Ensurv, LLC
Location: Tarringford West Street, Assessor Map 224-4-44
Proposal: One Lot Subdivision with the following conditions:

1. Per Section 6.10 of the Subdivision Regulations, all lot corners for approved building lot 44-1 shall be marked by either iron pipes or monuments, installed and their locations certified by a licensed land surveyor prior to filing the recording mylar subdivision map.
2. The applicant shall provide an AutoCad release 14 file to the Engineering Department prior to filing a recording mylar subdivision map.

The Commission hereby grants the following waivers:

1. A waiver from the requirements of Section 4.3.10 of the Subdivision Regulations requiring showing the existing and proposed lot lines and boundaries including dimensions and boundaries for lot 44, the remaining land of 5.10 acres to be "Other Lands of Ensurv LLC, not Part of this Subdivision" has been requested. This land on the subdivision map has been annotated, "NOT A BUILDING LOT" on the map. Any future plans to utilize this land as a building lot shall require resubdivision approval from the Planning and Zoning Commission.
2. Waiver from providing a Subdivision Map for recording at a map scale of 1" = 40' to the 1" = 50' scale per Section 4.3.4 of the Subdivision Regulations. The map at its present scale adequately depicts lot 44-1.
3. Waiver from providing sidewalks per Subdivision Regulations Section 4.4.21 as there are no sidewalks to connect to.
4. Waiver from providing State Plan coordinates per Section 4.3.25 of the Subdivision Regulations.

MOTION seconded by Mr. Perosino, unanimously carried.

c. Site Plan 921

Applicant: Torrington Housing Authority/TO Design LLC
Location: 52 Willow Street, Willow Gardens
Proposal: Parking lot, driveway, sidewalk and landscaping improvements

Claudia Sweeney, Executive Director of the Torrington Housing Authority appeared before the Commission. Ms. Sweeney provided background history of the site, and most of the residents are between the ages of 75 and 93. Mobility has become a problem for these residents, getting from the existing parking area to their apartments, and there is a safety concern as well.

Glen Martin from TO Design was present and gave a presentation of their proposal. The current sewer line was discussed.

Mr. Connor noted the plan now meets the regulations, and has more parking with this plan. This is a good plan. Mr. Connor reviewed his memo dated 1/8/09 to the Commission.

MOTION by Mr. Mele to APPROVE Site Plan 921

Applicant: Torrington Housing Authority/TO Design LLC

Location: 52 Willow Street, Willow Gardens

Proposal: Parking lot, driveway, sidewalk, and landscaping improvements.

With the following condition:

1. The applicant shall address the comments received from Officer Robert Shopey, Torrington Police Traffic Unit, in his 12/16/08 letter to the Planning and Zoning Commission.

MOTION seconded by Mr. Perosino, unanimously carried.

5. New Business:

a. Special Exception 08-217

Applicant: Simon Gonzalez

Location: 433 Main Street

Proposal: Sales of alcoholic liquor for consumption on premises, restaurant
(Set public hearing date)

MOTION by Mr. Perosino to set a public hearing date of February 18, 2009, seconded by Mr. Summers, unanimously carried.

b. Subdivision

Applicant: RJB Contracting, Ray Barbieri

Location: 459 Migeon Avenue

Proposal: Two lot subdivision

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

Mr. Connor announced at the next meeting (January 28, 2009), a representative from Milone and McBroom, the Torrington Mayor, City Council, and Board of Finance will be present for a report on the Naugatuck River. We will open the meeting as the Flood and Erosion Control Board, highlights of the study that was just completed will be reviewed, next steps discussed.

There will be a Special Meeting date, Monday, February 23, 2009, with Planimetrics giving a presentation and Sections of the Plan of Conservation and Development discussed.

6. Public hearings scheduled for January 14, 2009, 7:30 p.m., Auditorium, 140 Main Street, Torrington, CT

- a. Site Plan 920 and Special Exception 08-217
Applicant: Desmarais Properties, LLC
Location: 427-429 Winsted Road
Proposal: Change of use from indoor recreation and retail sales to retail bicycle sales and repair. Special Exception for 8% reduction in required parking

Chairman Calkins opened the public hearing at 7:34 p.m. and stated serving on the Commission this evening will be Jim Bobinski, Paul Summers, Greg Mele, Christine Mele, Donna Greco, Greg Perosino and Richard Calkins. Also present is City Planner Martin Connor.

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

Robert Hiltbrandt, Surveyor, Bristol, CT appeared representing the applicant. Mr. Hiltbrandt verified the public hearing sign was properly posted and submitted his notification receipts.

Mr. Hiltbrandt gave a detailed presentation of their proposal, referring to site maps.

Bob Desmarais of Desmarais Properties, LLC appeared and explained their shop peak times are between 11 a.m. and 3 p.m. on the weekends. Weekday peak hours are between 3 p.m and 7 p.m. Their store hours will be 11 a.m. to 7 p.m. The Donut Station's peak hours are about 6 a.m. to 10 a.m.

Mr. Connor noted this is exactly what we are looking for when the concept of reduction in required parking for mixed uses came about.

Mr. Connor reviewed his memo to the Commission dated 1/8/09.

There were no comments from the public.

At 7:55 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Mr. Mele to APPROVE Site Plan 920 and Special Exception 08-217

Applicant: Desmarais Properties LLC
Location: 427-429 Winsted Road
Proposal: Change of use from indoor recreation and retail sales to retail bicycle sales and repair. Special Exception for 8% reduction in required parking with the following conditions:

1. The property owner shall submit a shared access easement in favor of the abutting land owner n/f Goodfellow Properties IV, LLC. The access easement shall be acceptable to the Planning and Zoning Commission and Corporation Counsel and filed on the land records.
2. Prior to issuance of a zoning permit for the project, the applicant shall submit a lighting plan for any new exterior lighting for approval by the City Planner. Only full cut-off fixtures shall be permitted.
3. It is recommended that the applicant follow the advice of Fire Chief John Field Jr. Contained in his letter to the City Planner dated 12/23/08.

MOTION seconded by Mr. Perosino, unanimously carried.

- b. Special Exception 08-216
Applicant: James Murphy & Kathy Murphy
Location: 365 West Pearl Road
Proposal: Flag Lot in the R15s zone

Chairman Calkins opened the public hearing at 7:57 p.m. and stated serving on the Commission this evening will be Jim Bobinski, Paul Summers, Greg Mele, Christine Mele, Donna Greco, Greg Perosino and Richard Calkins. Also in attendance is City Planner Martin Connor.

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

James Murphy and Kathryn Maye Murphy, owners of the property appeared before the Commission and verified the public hearing sign was properly posted. Neighborhood notification receipts were submitted.

Ms. Murphy explained their proposal for a free split to create a flag lot in the R15s zone.

Michael Neag of 236 Country Club Road appeared before the Commission, an abutting property owner, reviewed the map of the proposal.

Mr. Connor reviewed his 1/13/09 memo to the Commission.

Gary Kitredge of 222 Country Club Road appeared and stated many backyards are extremely wet. He thinks there will be large problem with flooded cellars. He stated the adjoining water company property had drainage issues and work was done on the property to alleviate that problem about five years ago. Portions of Country Club Road are closed during heavy rains.

Mr. Calkins noted this application has appeared before the Inlands Wetlands Commission, and the maps indicate the water drains away from Country Club Road, back out towards West Pearl Road. Mr. Connor noted according to the plans submitted to the Wetlands Commission, the house will be located in a dry area of the lot, 85 feet away from the wetlands.

Mr. Connor discussed the setbacks required in this zone, and the house is located 156 feet away from the rear property line, and the size of the lot which far exceeds the minimum size required.

At 8:20 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Mr. Mele to APPROVE Special Exception 08-216

Applicant: James Murphy & Kathryn Murphy

Location: 365 West Pearl Road

Proposal: Flag Lot in the R15s zone

with the following conditions:

1. They provide directions for emergency vehicles, the address of the flag lot shall be identified by a numbered post or mailbox located at West Pearl Road.
2. The flag lot shall be used for no more than one dwelling unit.

MOTION seconded by Mr. Perosino, unanimously carried.

7. Public hearings scheduled for January 28, 2009, 7:30 p.m., Auditorium, 140 Main Street, Torrington, CT

- a. Proposed Amendment to Zoning Regulations, Section 5.15.4 Free Standing Signs
- b. Proposed Amendments to Zoning Regulations and Subdivision Regulations, in response to Public Act 05-24

Public hearings passed until 1/28/09.

8. **Adjournment:**

MOTION to adjourn at 8:21 p.m. by Mr. Perosino, seconded by Mr. Summers, unanimously carried.

Lona Kirk, Land Use Office
Planning and Zoning Commission