

**CITY OF TORRINGTON  
PLANNING AND ZONING COMMISSION  
MINUTES  
March 18, 2009**

Present: Richard Calkins, Chairman  
Paul Summers, Vice Chairman  
Greg Mele, Member  
Christine Mele, Alternate  
Donna Greco, Alternate  
Jim Bobinski, Alternate

Also Present: Martin Connor, AICP, City Planner

Not Present: Doris Murphy, Member and Inland Wetlands Liaison  
Greg Perosino, Member

1. **Call to Order:** Chairman Richard Calkins called the meeting to order at 7:00 p.m., Sullivan Senior Center, Main Room, 88 East Albert Street, Torrington, CT

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

Chairman Richard Calkins announced present and serving on the Commission this evening will be Members Donna Greco, Christine Mele, Paul Summers, Greg Mele, Jim Bobinski and Richard Calkins. Also present is City Planner Martin Connor, AICP.

3. **Minutes for Approval:**

a. 2/18/09

MOTION by Mr. Mele to approve the 2/18/09 minutes, seconded by Mr. Summers, motion carried.

b. 2/23/09

MOTION by Mr. Mele to approve the 2/23/09 minutes, seconded by Mr. Summers, motion carried.

4. **Old Business:**

a. Modification to Site Plan 683

Applicant: Gary Eucalitto

Location: 444 Brightwood Avenue

Proposal: Increase to 7 living units (currently six condominium units)

George Johannesen of Allied Engineering in North Canaan appeared representing the applicant. Mr. Johannesen reviewed the past approvals on this site and their plans to add an extra living unit.

Mr. Connor reviewed his memo to the Commission dated 3/11/09.

Mr. Calkins stated the Commission cannot act on this application until the architectural plans are received.

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

- b. Site Plan 927  
Applicant: Charlotte Hungerford Hospital  
Location: 540 Litchfield Street  
Proposal: 1552 sq. ft. addition to existing hospital

Ray Sevigny of Sevigny Architects in Hartford appeared representing the applicant. Mr. Sevigny gave a presentation of the hospital's plan to construct an addition on the rear side of the building, referring to site maps. Tim Coons, professional engineer with J.R. Russo explained further details referring to site maps. (#450)

Mr. Connor reviewed his memo to the Commission dated 2/26/09.

- MOTION by Mr. Mele to APPROVE Site Plan 927
- Applicant: Charlotte Hungerford Hospital
  - Location: 540 Litchfield Street
  - Proposal: 1552 sq. ft. addition to existing hospital

with the following conditions:

1. The applicant shall submit a bond estimate to be reviewed and approved by the City Planner for the proposed landscaping. A bond in a form acceptable to the Corporation Counsel shall be posted prior to issuance of the Zoning Permit. 25% of the posted landscaping bond shall remain in place for one year after the landscaping plan has been fully implemented to ensure successful growth of the plantings.
2. Prior to obtaining a Zoning Permit the applicant shall be required to submit a sewer discharge permit application, obtain a new sewer discharge permit and pay an appropriate fee if applicable.

MOTION seconded by Ms. Greco, unanimously carried.

**5. New Business:**

- a. Special Exception 09-221  
Applicant: Carols Ramos  
Location: 248 Water Street  
Proposal: Change of use to church (former retail)  
(Set public hearing date)

MOTION by Mr. Mele to set a public hearing date of 4/22/09, seconded by Mr. Summers, unanimously carried.

- b. Special Exception 09-222  
Applicant: Shelley Kochiss  
Location: 96 Hickory Road  
Proposal: To allow a reduction of the side yard setback (Section 4.1.9)  
(Set public hearing date)

MOTION by Mr. Mele to set a public hearing date of 4/22/09, seconded by Mr. Summers, unanimously carried.

- c. Site Plan 928  
Applicant: Family and Children's Aid Inc.

Location: 387 Litchfield Street  
Proposal: Build out existing 3<sup>rd</sup> floor attic, 1,120 sq. feet, no change to footprint

Attorney Jim Strub appeared representing the applicant. Mr. Strub gave a brief presentation, stating there is ample parking on site. The impervious surface coverage will be corrected, a small portion of asphalt will be removed and grass planted.

Mr. Connor reviewed his memo to the Commission dated 3/12/09.

MOTION by Mr. Mele to APPROVE Site Plan 928

Applicant: Family and Children's Aid Inc.  
Location: 387 Litchfield Street  
Proposal: Build out existing 3<sup>rd</sup> floor attic, 1,120 sq. feet, no change to footprint  
with the following conditions and recommendation:

1. The applicant shall file an application for a sewer discharge permit, a fee (if required), will need to be paid prior to issuance of a zoning permit for the change of use.
2. The parking spaces shall be properly lined.
3. The Fire Marshal shall perform an inspection for code compliance prior to occupying the 3<sup>rd</sup> floor space.

MOTION seconded by Ms. Greco, unanimously carried

d. Site Plan 929

Applicant: 80 Hayes Street, LLC  
Location: 80 Hayes Street  
Proposal: Development of flex space for small, multiple use tenants

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

e. Location Approval and Site Plan 931

Applicant: EJB Trust Torrington, LLC  
Location: 37 and 75 Winsted Road  
Proposal: New Car Dealership and construction of Subaru Dealership  
(Set public hearing date)

MOTION by Mr. Mele to set a public hearing date of 4/22/09, seconded by Mr. Summers, unanimously carried.

**6. Public hearings scheduled for March 18, 2009, 7:30 p.m., Sullivan Senior Center, 88 East Albert Street, Torrington, CT**

a. Resubdivision

Applicant: Don Truskauskas  
Location: 275 Saw Mill Hill Road  
Proposal: Two lot resubdivision

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

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

Don Truskauskas appeared before the Commission and explained how originally this was a 32 acre parcel, they did a lot line revision to 155 Saw Mill Hill Road to increase their land to make that a three acre lot which is now a conforming lot. The approximately 29 acres remaining has an existing house, and they propose to create an additional lot of 27 acres, with almost 12 acres being placed in a conservation easement in favor of the Heritage Land Trust. They received approval last night at the Inland Wetlands Commission meeting on that application.

Mr. Connor reviewed his memo to the Commission dated 2/23/09.

Mr. Truskauskas noted most of the concerns expressed in Mr. Connor's memo have been taken care of.

Michael Longhi of 81 Whippoorwill Lane appeared and questioned how many houses or condos would be built. Mr. Truskauskas responded it would be just one single family house built.

Marshall Paige of 79 Cardinal Circle appeared and looked at the map and questioned where the new house would be constructed, Mr. Truskauskas pointed out the new house location.

John Schneller of 99 Cardinal Circle appeared and questioned if the property would be subdivided in the future. Mr. Connor explained if the owner wishes to subdivide in the future, and there would be a public hearing again before this Commission. All the applicant is asking for now is all he will get. If he wants another lot in the future, he must go through the whole application process again.

An unidentified male questioned if it would be necessary to use dynamite. Mr. Truskauskas responded he does not believe they will have to do so.

At 7:51 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Mr. Mele to APPROVE Resubdivision

Applicant: Don Truskauskas  
Location: 275 Saw Mill Hill Road  
Proposal: Two lot resubdivision

with the following conditions:

1. All lot corners shall be marked by either iron pipes or monuments, installed and their locations certified by a licensed land surveyor prior to filing the approved recording mylar resubdivision map.
2. Prior to filing the approved recording mylar resubdivision map, the applicant shall provide the City with all easements and deeds required by the resubdivision plan. These easements and deeds shall be in a format acceptable to the City. The Conservation Easement shall be granted in favor of the Heritage Land Preservation Trust or other 3<sup>rd</sup> party acceptable to the Planning and Zoning Commission. The Conservation Easement Area shall be marked with signs in a manner acceptable to the City Planner or a bond posted prior to filing the approved recording mylar resubdivision map.
3. The applicant shall provide an AutoCAD release 14 file to the Engineering Department prior to filing the approved recording mylar resubdivision 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 2 on the site development plan.

2. A waiver from providing a Resubdivision Map for recording at a map scale of 1" = 40' to the 1" = 80' scale per Section 4.3.4 of the Subdivision Regulations. The map at its present 1" = 80' scale shows the entire resubdivision on one sheet.
  3. A waiver from providing sidewalks per Subdivision Regulations Section 4.4.21 as there are no sidewalks to connect to.
  4. The final mylar map shall show the address for lot 2, as 219 Saw Mill Hill Road
- MOTION seconded by Ms. Greco, unanimously carried.

- b. Special Exception 09-219 and Site Plan 926  
Applicant: Northwest Hills Community Church  
Location: 1701 East Main Street (Assessors Map 247-1-35)  
Proposal: Change of Use to Church (former OTB)

At 7:53 p.m. Chairman Calkins opened the public hearing and stated serving this evening will be Commissioners Christine Mele, Greg Mele, Jim Bobinski, Paul Summers, 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.

Scott Nesbitt of 40 Alvord Park, Torrington, appeared as pastor for the church. They are an existing church that currently meets at Torrington School. They will have Sunday services, and he has office hours during the week at the church. Their membership will be 150 people or less.

Mr. Connor reviewed his memo to the Commission dated 3/12/09. (#1940) Mr. Calkins agreed with Mr. Connor that it would be unfair to require an interconnect access. Mr. Connor noted he does not see that the Sunday morning traffic would be looking to use the adjoining bank property. Mr Connor believes the church will be looking for another location in the future and if the current building is torn down, elevation changes could be reviewed at that time for a potential interconnect.

No comments from the public.

At 8:01 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Mr. Mele to APPROVE Special Exception 09-219 and Site Plan 926

Applicant: Northwest Hills Community Church  
Location: 1701 East Main Street (Assessors Map 247-1-35)  
Proposal: Change of use to Church (former OTB)

with the following condition and recommendation:

1. The applicant shall file an application for a sewer discharge permit, a fee (if required), will need to be paid prior to issuance of a zoning permit for the change of use.
2. Per Fire Chief John B. Field Jr., it is recommended that the building be equipped with a complete and compliant fire protection system. It is also recommended that the applicant install a secure Knox brand lock box to the exterior of the building near the main door to allow fire fighters quick access to the building in times of emergency. The Fire Department requests that the Fire Marshal perform an inspection for code compliance prior to occupying the space.

MOTION seconded by Ms. Greco, unanimously carried.

At 8:03 p.m. Chairman Calkins declared a five minute recess.

- c. Special Exception 09-220 and 26 Lot Resubdivision  
Applicant: Montagna Estates, LLC  
Location: Mountain Road, Assessor Map 232 Block 3 Lots 1 & 6  
Proposal: 26 Lot Resubdivision and  
Special Exception for Estate Lots served by Common Driveways

At 8:07 p.m. Chairman Calkins opened the public hearing and stated serving on the Commission this evening will be Commissioners Christine Mele, Greg Mele, Jim Bobinski, Paul Summers, Donna Greco and Richard Calkins. Also in attendance is City Planner Martin Connor. (#2350)

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

Mr. Calkins reviewed the procedures on how public hearings are held.

Matthew Douchet, PE, civil engineer with Milone & MacBroom Inc. Appeared representing the applicant. Mr. Douchet did not have the neighborhood notification receipts with him, he believed they were already submitted to the Planning and Zoning Office. Mr. Connor noted the public hearing will need to be continued anyways, and that notification matter can be checked on.

Mr. Douchet gave a detailed presentation referring to the site maps.

In response to questions from Mr. Mele regarding the common driveways, Mr. Connor outlined how these common drives are handled, these are not city roads; and they allow the low impact development with larger lots, and drainage work etc. can be done above ground. Mr. Douchet provided more details. These will be paved drives, and maintenance will be handled by the homeowners associations.

Mr. Connor reviewed his memo dated 3/13/09 to the Commission (#3230)

Mr. Douchet provided a plan for review on lot #1, initially this lot was deficient of frontage about 10 feet along Mountain Road. The lot lines on other lots have been shifted downward in order to achieve the proper frontage along lot #1. Mr. Douchet had an approval letter from TAHD which he submitted for the file/record.

Suzanne Neuman of 1157 Mountain Road appeared in opposition and pointed out her property on the site map. She spoke of the water problems on her property, and her concerns about the nearby lots and the potential failure for those septic systems.

Mr. Calkins noted septic system approvals are handled by the Torrington Area Health District, and not the Planning and Zoning Commission. Mr. Connor read the approval letter from the Torrington Area Health District granting approval.

Mike Galgano of 1581 Mountain Road appeared in opposition and pointed on the map where his property is located, he submitted letters for the record. He stated the 15 inch pipe is at the max and the new subdivision will put it over the max, areas of low spots were pointed to on the map by Mr. Galgano. Damage has already been done to his yard and the neighbors yard, the road is a mess and he has spoken to the Engineering Office about this.

Mr. Connor explained the Fire Department requested the fire ponds be put into place as fire protection for the area. (Tape #2, #200) Tree planting requirements were explained by Mr. Connor.

Ron Raymond of Mountain Road appeared, he lives across from proposed lots 10 and 11. He submitted a letter for the record. Photos were also submitted. He voiced concerns about drainage and the swales.

Barbara Gall of 1604 Mountain Road appeared and referenced the map. She read a letter of opposition.

Ron Caplan, Mountain View Manor, appeared and questioned the drainage and whether it would be tied in with Mountain View Manor drainage. He presented photographs of the current drainage damage, his property and the Friedman property. Mr. Caplan has not been in contact with the City's Engineering Department yet.

Mr. Calkins noted this public hearing will be continued, also to receive the neighborhood notification receipts.

Jim Seitz of Saw Mill Hill Road and questioned the proximity to the Sunnybrook State Park, and placement of houses adjacent to the park. Mr. Connor responded the rear yard setback in this zone is 100 feet.

Gaye Belli of 1183 Mountain Road appeared and presented a letter in opposition. She has spoken to Ed Fabbri in the City's Engineering Department regarding storm drainage, she has concerns regarding underground springs and drainage.

Mr. Calkins and Mr. Connor explained the bonding procedure.

Jerry Vallette of 1511 Mountain Road appeared before the Commission with concerns about dangerous road conditions.

Mr. Douchet provided information in response to concerns regarding drainage (tape #2, #1020) and common driveways. No further subdivision is allowed of the land on the common driveways as they are at the maximum five lots allowable. Lots have been approved by Torrington Area Health District. Details of the septic system designs were provided by Mr. Douchet.

No further comments.

Mr. Calkins stated this public hearing will be continued until April 8, 2009. At 9:10 p.m. Chairman Calkins declared the public hearing continued to April 8, 2009.

7. **Adjournment:**

MOTION by Mr. Mele to adjourn at 9:11 p.m., seconded by Mr. Summers, unanimously carried.