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TORRINGTON, CT

CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION

MINUTES

June 24, 2009

2009 JUN 30 P 1:00

Present: Richard Calkins, Chairman
Paul Summers, Vice Chairman
Doris Murphy, Member
Gregory J. Perosino, Member
Greg Mele, Member
Jim Bobinski, Alternate
Donna Greco, Alternate
Christine Mele, Alternate

Also Present: Martin Connor, AICP, City Planner and Breeanna Sullivan, Planning and Zoning Summer Intern

1. **Call to Order:** Richard Calkins called the meeting to order for June 24, 2009 at 7:00 p.m., in the Sullivan Senior Center, Main Room, 88 East Albert Street, Torrington, CT

2. **Attendance/Announcement by Chairman:** Mr. Calkins stated that Jim Bobinski, alternate, along with Gregory J. Perosino, member, Christian Mele, alternate, Paul Summers, Vice Chairman, Greg Mele, member, Doris Murphy, member, Donna Greco, alternate, and Richard Calkins, Chairman. Also Present: Martin Connor, City Planner. Mr. Connor added Breeanna Sullivan, Planning and Zoning summer intern, as present also.

City Planner, Martin Connor, announces the schedule for the Fall 2009, Land Use Academy. The academy is a basic academy for land use commissioners and that there will be a session held in Torrington, at the Litchfield Cooperative Extension, on University Drive, on September 26, 2009. If anyone is interested we will sign you up.

Chairman, Richard Calkins, commented on the Urban Tree mailer. Mr. Connor explained how Kim Barberi, CZ&WEO, obtained a grant to create the "Urban Tree" mailer from the National Forest Service: DEP, she is planning to make a presentation to the Rotary Club, to show the importance of trees in a commercial environment.

3. **Minutes for Approval:**

a. 6/10/09- Regular Meeting-Mr. Perosino made a motion to approve the minutes seconded by Mr. Mele, unanimously carried.

Mr. Calkins carried the meeting to the old business.

4. **Old Business:**

a. Special Exception 09-225 and Site Plan 942
Applicant: Optiwind
Location: 725 Klug Hill Road
Proposal: Wind Turbine (Public hearing closed on June 10, 2009)

Mr. Connor read through his memorandum. Mr. Calkins asked for any comments. Mr. Mele suggested that in proposed condition #2 in Mr. Connor's draft approval, electrical control systems; be changed to electrical systems in general. This change was agreed to.

Mr. Mele made the Motion to approve with the following conditions:

1. At such time that Optiwind plans to abandon or discontinue operation of the Wind Turbine, they shall notify the Commission by certified U.S. mail of the proposed date of abandonment or discontinuation of operations. Such notice shall be given no less than 30 days prior to abandonment or discontinuation of operations. When the Wind Turbine has not been operated for a continuous period of twelve months, it shall be considered abandoned.
2. Upon abandonment or discontinuation of use, Optiwind shall physically remove the facility within 90 days from the date of abandonment or discontinuation of use. Physically removed shall include, but not be limited to: removal of Wind Turbine, lattice tower, outriggers, electrical control systems, and security barriers from the subject property.
3. Proper disposal of the waste materials from the site in accordance with local and state solid waste disposal regulations.
4. Restoring the location of the wind turbine to its natural condition, except that any landscaping and grading shall remain in the after-condition.
5. If Optiwind fails to remove a regulated facility in accordance with this condition of approval, the City shall have the authority to enter the subject property and physically remove the Wind Turbine. The Commission shall require the applicant to post a bond at the time of construction to cover costs for the removal of the Regulated Facility in the event the City must remove the facility. The bond shall be in an amount acceptable to the City Engineer and in a form acceptable to Corporation Counsel.
6. A Special Exception issued for the Wind Turbine shall be valid for fifteen (15) years. At the end of that time period, the Wind Turbine shall be removed by Optiwind or a new Special Exception shall be required.

Motion seconded by Mr. Summers. The motion passed unanimously.

5. New Business:

- a. Special Exception 08-210 Modification
Applicant: Haynes Aggregates - Torrington LLC
Location: 3217 and 3237 Winsted Road
Proposal: Retail as an Accessory Use, hours modification

Mr. Calkins stated that Haynes was only required to close the quarry at 12:00 pm, but could stay open just like any retail operation on Saturday. Mr. Connor read his memorandum. Mr. Mele motioned to approve the modification of Haynes retail hours are changed to 7:00 a.m. – 5:00 p.m. Mr. Perosino seconded the motion, it passed unanimously.

- b. Site Plan 946
Applicant: Carl Muller
Location: 36 McDermott Street
Proposal: Change of use to storage (former residential use)

Mr. Muller explained the proposal. Mr. Connor elaborated on the site and proposal. Mr. Calkins questioned Mr. Muller about what he will be storing. Mr. Muller indicated he would store packaged mulch and wood pellets, along with packaged fertilizers. Mr. Connor brings up the lack of sidewalks located near and on the site. Mr. Muller is working with Torrington's

Engineering Department to put in sidewalks, improving the area. Mr. Muller's nice landscaping will be extended from the existing center to the new site. This will also make it easier for tractor trailers to make deliveries and it will create a smoother trafficking area around his store. The ground surface will be gravel. Motion to approve by Mr. Mele with conditions and recommendations:

1. The applicant shall follow the recommendations of Assistant City Engineer Edward Scoville, Jr., P.E., L.S., contained in a memo to the City Planner dated 6/15/09.
2. 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 planting.
3. Prior to issuance of a Zoning Permit, the applicant shall convey the 236 sq. ft., parcel along McDermott Street as shown on the Site Development Plan.
4. The Commission recommends the applicant follow the advice of Fire Chief John B. Field, Jr., as outlined in his 6/19/09 letter to the City Planner.

This motion was seconded by Mr. Perosino. Passed unanimously.

- c. Special Exception 09-227
Applicant: Grace Life Church
Location: 61 Main Street
Proposal: Change of use to Church (former real estate office)
Set public hearing date

Mr. Perosino motions for the hearing to be held on August 12th 2009, motion is seconded by Mr. Mele. The Motion passes unanimously.

- e. Site Plan 948 and Special Exception 09-228
Applicant: AJK, LLC
Location: Winsted Road (Assessor Map 236 - 1 - 9)
Proposal: Add site to earth excavation permit of abutting parcel, scale and construction trailer. Local Business Zone
(Set public hearing date)

Mr. Calkins stated the requested date by the applicants engineer is September 9th. Motion made by Mr. Perosino to set a public hearing for September 9, 2009. The motion was seconded by Mr. Summers. The motion was passed unanimously.

Special Exception 09-229

- Applicant: AJK, LLC
Location: Winsted Road (Assessor Map 236 - 1 - 10 & 11)
Proposal: Earth Excavation Renewal Permit, Industrial Park Zone
(Set public hearing date)

Mr. Calkins stated the suggested date for the public hearing was September 9, 2009. Motion by Mr. Perosino to set a public hearing date of 9/09/09. Seconded by Mr. Summers; the motion passed unanimously.

6. Public Hearings Scheduled for June 24, 2009, 7:30 p.m., Sullivan Senior Center, Main Room, 88 East Albert Street, Torrington, CT:

Mr. Calkins opened the public hearing for June 24, 2009, at 7:35 p.m., at the Sullivan Senior Center, Main Room, on 88 Albert Street, Torrington CT.

Mr. Calkins stated that Jim Bobinski, alternate, along with Gregory J. Perosino, member, Christian Mele, alternate, Paul Summers, Vice Chairman, Greg Mele, member, Doris Murphy, member, Donna Greco, alternate, and Richard Calkins, Chairman. Also Present: Martin Conner, City Planner, and Breeanna Sullivan, Planning and Zoning summer intern.

a. Special Exception 09-226

Applicant: Barbara Platt
Location: 30 Talbot Street
Proposal: Reduce side yard setback to 5.8'

Mr. Mele, read the legal notice. Mr. Calkins asked if the applicant is in attendance; Barbara Platt has a representative, from Champion Windows, Thomas Pritchard, present to explain the proposal. The Chairman declared that the hearing would be continued July 15, 2009, due to the lack of public notification. The representative agreed.

Mr. Calkins returned to the New Business on the agenda starting with:

Site Plan #947

Applicant: Walter Dickinson
Location: 65 Fairmont Avenue
Proposal: Construct 2,400 sq. ft. contractor office/storage building

Mr. Connor stated that this application needed to be tabled for staff reviews. Mr. Perosino motioned for a table. Seconded by Mr. Mele. The motion passed unanimously.

7. **Adjournment:** Mr. Perosino motioned to adjourn the meeting. Seconded by Mr. Mele; the motion passed unanimously. Meeting adjourned at 7:41 p.m.

Breeanna Sullivan

Breeanna Sullivan, Land Use Office
Summer Intern