

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
June 9, 2010**

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

Also Present: Martin Connor, AICP; City Planner

Not Present: Donna Greco, Alternate

1. **Call to Order:** Chairman Calkins called the meeting to order 7:05 p.m., Torrington City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT

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

Chairman Calkins announced present and serving this evening will be Commissioners Greg Mele, Paul Summers, Doris Murphy, Greg Perosino, James Bobinski, Christine Mele and Richard Calkins. Also present is City Planner Martin Connor, AICP.

3. **Minutes for Approval:**

a. 5/26/10

MOTION by Paul Summers to approve the 5/26/10 minutes, motion seconded by Mr. Bobinski, motion carried with Greg Mele, Doris Murphy and Greg Perosino abstaining from voting.

4. **Old Business:**

a. Subdivision
Applicant: Dennis E. Andrews, Jr.
Location: Migeon Avenue, Assessor Map 222-5-33
Proposal: Two Lot Subdivision

Mr. Connor noted this application needs to be tabled as it is still before the Inland Wetlands Commission.

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

5. New Business:

- a. Site Plan 976
Applicant: Monika Chhit
Location: 19 McDermott Avenue
Proposal: Construct attached walk-in cooler/freezer on existing restaurant, and change of use from restaurant to restaurant and retail package store.

Monika Chhit appeared before the Commission and explained her proposal. She owns the package store across from the post office, and Ms. Chhit will move her package store to 19 McDermott Avenue. She will be reducing the size of the current restaurant, putting the cooler/freezer outside, and adding a package store. No other modifications will be made to the exterior of the building.

Ms. Chhit pointed out on the map where the entrance to the package store will be, and where the cooler/freezer will be located. Ms. Chhit stated she thinks she cannot afford to do the sidewalk, and she needs more time for the trees. She asked for an extension. Mr. Connor explained the work needs to be done as soon as possible. A bond can be posted, and the bond will be reduced when the work is completed. A request for a five year extension was discussed. Ms. Chhit was opposed to installing the sidewalk. She wants more time for trees and landscaping due to the economy. Mr. Calkins stated Ms. Chhit could have two years to put in the sidewalk.

Ms. Chhit inquired what if the sidewalk cost more than \$15,000. Mr. Connor explained the estimate and bonding process to Ms. Chhit. She questioned why she was being asked to remove some pavement and install drainage and plant trees. Mr. Connor responded that is the recommendation from City Staff, and it is up to the Commission whether they vote to do that or not.

Mr. Connor reviewed his memo to the Commission. This is a heavily traveled pedestrian area. Discussion on the site followed. (7:40 p.m.)

MOTION by Mr. Mele to APPROVE Site Plan 976

- Applicant: Monika Chhit
Location: 19 McDermott Avenue
Proposal: Construct attached walk-in cooler/freezer on existing restaurant, and change of use from restaurant to restaurant and retail package store.

With the following conditions:

1. A sidewalk shall be installed within the City right of way on McDermott Street in front of the property that meets the City of Torrington sidewalk standards.
2. A landscape plan shall be submitted in accordance with the recommendations contained in a memo from Kim Barbieri, CZ&WEO, to the City Planner dated 6/3/10 with an accompanying sketch plan titled 19 McDermott Avenue, Torrington, CT, Landscape Ideas, dated June 3, 2010. The applicant shall submit a bond estimate to be reviewed and approved by the City Planner for the proposed landscaping and sidewalk. 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. The applicant shall install a sidewalk within two years of the issuance of the zoning permit.
3. The paved parking area shall be re-striped and handicap spaces properly signed and marked in accordance with the plan and the most recent edition of the MUTCD.

4. Per Ray Drew, WPCA Administrator, in his e-mail dated 6/4/10, an application for a sewer discharge permit shall be submitted and a connection fee is required. The restaurant must have an approved grease interceptor installed and application on file with the WPCA.

Motion seconded by Mr. Summers, unanimously carried.

b. Site Plan 977

Applicant: Torrington Car Wash
Location: 543 Winsted Road
Proposal: Increase pavement area by 24' x 14' for traffic flow, better parking, snow storage, summer detail tent; approval for shed location.

Bob Rossini, 543 Winsted Road, appeared before the Commission.

Mr. Calkins explained the Planning and Zoning Commission by state law is not allowed to vary the zoning regulations. The only entity who can vary the zoning regulations is the Zoning Board of Appeals.

Mr. Rossini explained his proposal for the front of the property, to remove the grass and increase the parking lot, which will give him more parking, snow storage space. This is a small tight piece of property.

Mr. Calkins explained that if the proposal is something that is not in compliance with the zoning regulations, this Commission does not have the ability to tell the applicant he does not have to follow the zoning regulations, only the Zoning Board of Appeals can do that.

Mr. Rossini has taken out the grass, it is not paved yet. Mr. Calkins noted there is stone in place. Mr. Rossini said the site plan he picked up from the Town shows greater parking than he has now, with no grass in this area.

Mr. Connor reviewed his memo dated 6/4/10 to the Commission. He explained that if Mr. Rossini follows the plan Ms. Barbieri sent him, put back the grass, landscaping, and follow her suggestions, this violation goes away.

Discussion followed, the Commission noted the detailing sent is approved where it is, as it is already impervious surface area.

Mr. Connor and Mr. Calkins explained the procedure for withdrawing the application. Mr. Rossini confirmed with Mr. Calkins that he is withdrawing this application. Mr. Rossini will contact the Zoning office to work out a time table to get the site completed.

c. Special Exception 10-245

Applicant: O & G Industries
Location: 16 Casson Avenue
Proposal: Change of use to office (former two family), R6 zone
(Set public hearing date)

MOTION by Mr. Summers to set a public hearing date of July 28, 2010, seconded by Mr. Mele, unanimously carried.

- d. Change of Zoning Regulations
Applicant: Westside Package Store, LLC & MGZ Partnership
Proposal: Section 5.3 (alcoholic beverages) of the Zoning Regulations be re-enacted in toto. (Set public hearing date)

MOTION by Mr. Summers to set public hearing date of August 25, 2010, seconded by Mr. Mele, unanimously carried.

6. **Adjournment:**

MOTION by Mr. Summers to adjourn, seconded by Mr. Mele, unanimously carried at 8:00 p.m.

Lona Kirk, Land Use Office
Planning and Zoning Commission