

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
July 28, 2010**

Present: Donna Greco, Commissioner
Greg Mele, Commissioner
Doris Murphy, Commissioner
Paul Summers, Commissioner
Richard Calkins, Commissioner

Also Present: Martin Connor, AICP, City Planner

1. **Call to Order:** Chairman Richard Calkins called the meeting order at 7:01 p.m., City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT

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

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

3. **Minutes for Approval:**

a. 6/23/10

Motion by Greg Mele to approve the June 23, 2010 minutes, seconded by Donna Greco, motion carried with Doris Murphy and Paul Summers abstaining from voting.

4. **Old Business:**

a. Subdivision
Applicant: Stephen and Caroline Siegfried
Location: 272 University Drive
Proposal: Two lot subdivision

Stephen Latore from Berkshire Engineering and Surveying appeared before the Commission and explained his proposal to have one shared 600-700 foot driveway for a two lot subdivision totaling 11.8 acres on University Drive. City Planner Martin Conner read his memo dated 7/22/10 to the Commission.

MOTION by Greg Mele to approve the above referenced proposal with the following conditions:

1. Prior to filling the recording Mylar Subdivision Map, the applicant shall provide the City with all easements and deeds required by the approved subdivision plan in a format acceptable by the City. The Conservation Easement Restriction Document shall be reviewed and approved by the Corporation Counsel and filed on the City's Land Records along with the recording Mylar Subdivision Map. Proof of recording of the Conservation Easement shall be submitted to the City Planner's Office. The Conservation Restriction shall be in favor of the Heritage Land Preservation Trust or other 3rd party acceptable to the Commission.
2. The recording Mylar Subdivision Map shall contain the State Plane coordinates per Section 4.3.25 of the Subdivision Regulations.
3. The proposed iron pins shall be set and a letter from a surveyor shall be submitted prior filing the recording Mylar Subdivision Map.
4. It is recommended per Fire Chief John B Field, Jr. in his letter to the City Planner dated 6/28/10, that the proposed driveway to lot 2 be constructed to maintain the weight, width, and height of responding fire apparatus. This would allow first responders sufficient access to the structure with equipment and personnel in the case of a fire.
5. Two driveway turnouts equally spaced should be added along the driveway to Lot #2.

Commission grants the following waivers:

- waiver from providing sidewalks per Subdivision Regulations Section 4.4.21 as there are no sidewalks to connect to.
- waiver from providing existing contour lines at 2 ft contour intervals for the entire property per Subdivision Regulations Section 4.4.18 as lot 1 has already been developed.

Motion seconded by Donna Greco, unanimously carried.

5. New Business:

- a. Site Plan 981
Applicant: Dennis E. Andrews, Jr.
Location: 847 Migeon Avenue
Proposal: Construct new glass shop, repair/sales, Section 8.20

Dennis Andrews, Jr., appeared before the Commission and explained his proposal to construct a metal building and move his business Executive Glass to perform auto glass repairs, glass repairs, and sales. City Planner Martin Conner read his memo dated 7/28/10 to the Commission.

MOTION by Greg Mele to approve the above referenced proposal with the following conditions:

1. The Architectural Plans, Sheets A1-2, shall be signed and sealed by the Architect per Section 8.4.3 of the Regulations.
2. A cut sheet for the proposed lighting fixtures shall be submitted to the City Planner for approval prior to issuance of a Zoning Permit. All exterior lighting shall be by full cut-off fixtures.
3. A landscaping plan conforming to the Zoning Regulations, signed by a landscape architect or landscape gardener, shall be submitted to the City Planner's office for review and approval prior to issuance of a Zoning Permit.
4. 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.
5. The applicant shall file for a Sewer Discharge Permit prior to issuance of a Zoning Permit and pay a Sewer Connection Fee prior to issuance of a C/O. If the applicant is required to file "DEP General Permit for Vehicle Maintenance Wastewater," he shall be required to submit to WPCA a copy of the Permit Registration. If he is required to provide treatment for vehicle maintenance wastewater by CT DEP, the WPCA shall sign off on the treatment system. The Sewer Connection to the main in Migeon Ave shall be installed per WPCA Regulations and shall be inspected prior to backfill.
6. The applicant shall address the comments from Assistant City Engineer, Matt Walsh contained in a memo to the City Planner dated 7/28/10.
7. It is recommended that the applicant follow the advice of Fire Chief John B. Field Jr. contained in a letter dated 7/26/10 to the City Planner.

Motion seconded by Doris Murphy, unanimously carried.

- b. Special Exception 10-247 and Site Plan 982
Applicant: O&G Industries, Inc.
Location: 3345 Winsted Road, Assessor Maps 242 & 241, Block 1, Lots 5, 8, 9, 10, and 11
Proposal: Excavation, rock quarry, bi-annual renewal; retail sales as an accessory use (set by public hearing date)

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

- c. Subdivision
Applicant: Gene Barbero
Location: Ridge Road, Assessor Map 222-7-38
Proposal: Two lot subdivision

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

6. Public hearings scheduled for July 28, 2010, 7:30 p.m., City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT

- a. Special Exception 10-245
Applicant: O&G Industries, Inc.
Location: 16 Casson Avenue
Proposal: Change of use to office (former two family) R6 zone

At 7:40 p.m. Chairman Richard Calkins called the meeting to order and announced serving this

evening will be Commissioners Paul Donna Greco, Greg Mele, Doris Murphy, Paul Summers, and Richard Calkins. Also present is City Planner Martin Connor.

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

Applicant appeared before the Commission and explained that O&G is requesting two special exceptions to convert a two-family house into office space in R6 Zone and use the adjacent property – 60 Wall Street and the existing driveway for parking.

Mr. Connor read his memo to the Commission dated 7/8/10.

Chairman Mele opened the hearing to the public. Mr. Tom Haynes stated that the applicant is a very nice gentleman and believes the application should be approved.

At 7:56 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Greg Mele to approve the above referenced proposal with the following conditions:

1. The applicant shall submit proof of merger of 16 Casson Avenue and 60 Wall Street to the City Planners Office prior to obtaining a zoning permit for the change of use.
2. A handicapped parking space shall be provided in accordance with Section 5.13.4 B, Handicapped Parking.
3. A change of use permit shall be filed with the Building Official.
4. The Fire Marshall shall inspect the office space for compliance with the Life Safety Code.

At 7:56 p.m. Chairman Mele declared the public hearing closed.

MOTION seconded by Paul Summers, unanimously carried.

- b. Special Exception 10-246
Applicant: Haynes Aggregates, LLC
Location: 3217 Winsted Road
Proposal: Biannual renewal of Special Exception for excavation as well as accessory retail sales

At 8:00 p.m. Chairman Richard Calkins called the meeting to order and announced serving this evening will be Commissioners Paul Donna Greco, Greg Mele, Doris Murphy, Paul Summers, and Richard Calkins. Also present is City Planner Martin Connor.

Mr. Mele read the legal notice which was published in the Republican and noted that “retail” was spelled incorrectly in the notice.

The Applicant, Tom Haynes, President of the Company was present with his Attorney Peter Herbst. Attorney Herbst informed the Commission that he sent notice to all abutting property owners. Applicant is applying for a renewal of a two year permit to excavate in a rock quarry.

Mr. Connor read his memo to the Commission dated 7/21/2010.

Chairman Calkins opened the hearing to the public.

At 8:25 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Greg Mele to approve the above referenced proposal with the following conditions:

1. The quarry shall not operate on Sundays or on any of the following holidays: New Year’s, Good Friday, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas. The retail accessory use may be open on Good Friday.
2. Except as noted otherwise in these conditions, the quarry shall operate between the hours of 7:00 a.m. and 5:30 p.m., Monday through Friday and from 7:00 a.m. to 12 p.m. on Saturdays. Saturday operations shall not involve blasting, sorting, crushing, refining, drilling, screening or washing operations. The retail accessory use may be open on Saturdays from 7:00 a.m. to 5:00 p.m.
3. No blasting is to occur on Saturdays, Sundays, or on any of the following holidays: New Year’s, Good Friday, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas. Blasting is to occur between the hours of 9:30 a.m. and 4:30 p.m. Haynes Aggregates Torrington LLC, shall determine the schedule of the Torrington and Winchester school buses that pass through the area. No blasting is to occur either a half hour before or a half hour after the time a school bus is scheduled to be in the area.
4. A blast warning shall occur before blasting.
5. Haynes Aggregates Torrington LLC, shall notify all adjoining property owners 72 hours prior to a blast. With the property owner’s approval, this notification can be reduced to 24 hours.

6. Any property owner within one-half mile of the property can also request that Haynes Aggregates Torrington LLC, notify them 72 hours prior to a blast. Haynes Aggregates Torrington LLC shall honor this request. With the property owner's approval, this notification can be reduced to 24 hours.
7. The applicant shall maintain a 400 foot buffer from their property line along Burr Mountain Road.
8. The applicant shall maintain a "Trucks Crossing" sign on Winsted Road.
9. Haynes Aggregates Torrington LLC shall designate an individual to receive, handle and log complaints from neighbors. The record of these complaints shall be presented at, or prior to, the public hearing on the renewal of the Special Exception permit.
10. Haynes Aggregates Torrington LLC shall maintain fugitive dust practices.
11. Per the recommendations of Fire Chief John B. Field Jr. in his letter to Martin Connor, City Planner, dated 6/28/10, the applicant shall remain in full compliance with applicable codes in regards to the continual use of hazardous materials and explosives.
12. Per Section 6.4.5 F of the Regulations, the applicant shall provide a \$76,573.87 bond for the estimated cost of restoring the disturbed areas, including the areas that involve sorting, crushing, refining, drilling, screening or washing operations during the 2 year period of special exception renewal. The amount of the bond shall be in an amount approved by the City Planner and in a form acceptable to Corporation Counsel.

MOTION seconded by Paul Summers, unanimously carried.

7. Public hearings scheduled for August 25, 2010, 7:30 p.m., City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT

- a. 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.

Public hearing passed until 8/25/10.

8. Adjournment:

MOTION by Paul Summers to adjourn at 8:32 p.m., seconded by Mr. Calkins Motion unanimously carried.