

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
February 27, 2013**

Present: Richard Calkins, Chairman
Greg Mele, Vice Chairman
Paul Summers, Member
Greg Perosino, Member
Donna Greco, Alternate

Also Present: Martin J. Connor, AICP; City Planner

Not Present: Doris Murphy, Member and IWC Liaison
Chris Mele, Alternate
James Bobinski, Alternate

1. **Call to Order:** Chairman Richard Calkins called the meeting to order at 7:03 p.m., Torrington City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT

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

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

Mr. Connor explained every two years the Connecticut Bar Association has a training class called Connecticut Land Use Law for Municipal Land Use Agencies, Boards and Commissions and it comes with a book, to be held at Wesleyan University. Donna Greco and Greg Mele had attended such a session in the past, and it is an excellent seminar. The CBA puts their best attorneys at this event, much material is reviewed (details by Mr. Connor given). The next session to be held is Saturday, March 16, 2013. Any Commissioners wishing to attend should contact the Land Use Office. Mr. Calkins expressed an interest.

3. **Minutes for Approval:**

a. 1/9/13

MOTION by Mr. Summers to approve the 1/9/13 minutes, seconded by Mr. Mele, motion carried with Mr. Perosino abstaining from voting.

4. **Old Business:**

a. Enforcement Update

Mr. Summers noted the Enoch Little matter has been resolved. A date has been set for mandatory clean up of the site, otherwise the property will be foreclosed on the liens.

Rosa on Red Oak Hill - the judge handed a mandatory injunction, with a penalty of \$100 per day from refraining the storing of junk on his property, and he was issued a fine of \$2,500. Brief discussion followed. Now Mr. Rosa is disobeying the judge's order.

Milo's Applehouse/ZBA; Corporation Counsel is working on his brief/paperwork, update to follow.

5. New Business:

a. Site Plan 1070

Applicant: Community Health and Wellness Center of Greater Torrington

Location: 469 Migeon Avenue

Proposal: Addition to existing community health care facility

Kenneth Hrica, professional engineer and surveyor appeared representing the applicant. Updated plans were submitted for Commission review. There is an Archeological boundary restriction on this site, an old Indian trail on the old northwest corner, details provided by Mr. Hrica.

A 24,000 sq. ft. two story addition is proposed, Mr. Hrica gave a presentation, referring to maps/site plans. Mr. Hrica outlined their various options regarding the driveway. The Engineering Department in memo form had detailed their reasons for closing off the entrance on Woodbine Street and threatened to not issue a driveway permit/curb cut permit, which would in turn not allow a Certificate of Occupancy to be issued. Mr. Hrica said going this route would eat up their budget with attorney fees.

Mr. Hrica explained that during the Zoning Board of Appeals Variance hearing, the subject of a pervious asphalt driveway to connect the front and rear parking lot came up, and Mr. Hrica explained the method he came up with to implement this pervious asphalt pavement to run the length of the building at a 22 foot width. Such a driveway allows water to filter through it, a draft of the method to construct this is being worked on.

Mr. Hrica spoke regarding this morning's meeting in Mayor Bingham's office regarding their ability to use the rear access drive onto Woodbine Street. All departments were in favor of this, except for one department, the Engineering Office. The City's Corporation Counsel had stated that there is no way the City can stop the applicant from using the existing entrance that is there now, we just can't improve it to meet the City's standards.

Members of the questions posed questions, which were answered by Mr. Hrica.

Mr. Connor recommended approving this submitted plan, and Mr. Hrica can work with the Engineering Department to come up with an acceptable plan for improving the Woodbine Street driveway entrance. Mr. Hrica stated it was his original intention to work with the Engineering Department on this project, but it has not been easy.

Mr. Connor read his memo to the Commission dated February 25, 2013.

MOTION by Mr. Mele to APPROVE Site Plan 1070

Applicant: Community Health and Wellness Center of Greater Torrington

Location: 469 Migeon Avenue

Proposal: Addition to existing community health care facility

with the following conditions:

1. The applicant shall address the Comments from Assistant City Engineer, Matt Walsh contained in his memo to the City Planner dated 2/20/13, with the exception of items 2 and 3.
2. The applicant shall address the Comments from Ray Drew, Administrator, WPCA, comments are contained in a memo to the City Planner dated 2/25/13.
3. The applicant shall address the Comments from Kim Barbieri, CZWEO, contained in her memo to the City Planner dated 2/25/13.
4. It is recommended that the applicant follow the advice of the Fire Chief contained in his letter to the City Planner dated 1/15/13.

MOTION seconded by Mr. Perosino, unanimously carried.

6. Public hearing scheduled for Wednesday, February 27, 2013, 7:30 p.m.; City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT:

Two Zoning Regulation Amendment Proposals

Applicant: Torrington Planning and Zoning Commission

Proposal #1: Proposed Amendment to the Zoning Regulations, Section 3.1, Subsection 9.31, Warehouse providing interior access to self-storage units which are completely enclosed in a building existing on or before 8/2/99 and which has been converted to such use.

Proposal #2: New Section 3.1, Subsection 1.26 Single Family Use, 2nd and 3rd floors, site plan approval.

At 7:51 p.m. Chairman Richard Calkins opened the public hearing and stated serving on the Commission this evening will be Commissioners Paul Summers, Greg Perosino, Greg Mele, 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.

Mr. Connor reviewed there had been interest in an existing building, that a Mr. Lee was contemplating purchasing a building in the Industrial Zone. The building would be retrofitted for self storage units. Such a use is now only allowed in the DD zone (Mr. Connor read the regulations).

Mr. Calkins stated there is a concern about losing Industrial space, but he does not see another manufacturing use coming back into such a building. A re-use of this space

might be more likely to happen. There is a good example of this in Riverton, the old Hitchcock Chair building, where a climate controlled self-storage has been put into the empty space. Mr. Perosino thinks this is the right way to go, and it will be a Special Exception as well.

Mr. Connor stated Architectural Review Committee will get involved if changes are made to the outside of the building. With the Special Exception, conditions could be imposed on any approval that could not be done with a site plan.

Mr. Mele said it makes sense to repurpose the building, otherwise it will be leveled at some point, and another brownfield situation that will sit idle.

Mr. Connor read his memo dated December 20, 2012 to the Commission.

No comments from the public.

At 8:06 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Mr. Mele to APPROVE Zoning Regulation Amendment Proposal

Applicant: Torrington Planning and Zoning Commission

Proposal #1: Proposed Amendment to the Zoning Regulations, Section 3.1, Subsection 9.31, Warehouse providing interior access to self-storage units which are completely enclosed in a building existing on or before 8/2/99 and which has been converted to such use.

The Commission finds the proposal to be consistent with the City's Plan of Conservation and Development. The effective date of the amendment shall be the day after publication of the legal notice of decision in the Republican American. MOTION seconded by Mr. Perosino, unanimously carried.

Proposal #2: New Section 3.1, Subsection 1.26 Single Family Use, 2nd and 3rd floors, site plan approval.

MOTION by Mr. Mele to APPROVE Zoning Regulation Amendment Proposal

Applicant: Torrington Planning and Zoning Commission

Proposal #2: New Section 3.1, Subsection 1.26 Single Family Use, 2nd and 3rd floors, site plan approval.

The Commission finds the proposal to be consistent with the City's Plan of Conservation and Development. The effective date of the amendment shall be the day after publication of the legal notice of decision in the Republican American. MOTION seconded by Mr. Perosino.

7. **Adjournment:**

MOTION by Mr. Mele to adjourn at 8:08 p.m., seconded by Mr. Perosino, unanimously carried.

Land Use Office
City of Torrington