

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
December 14, 2016**

Present: Greg Mele, Vice Chair
Greg Perosino, Member
Jim Bobinski, Member
Christopher Beyus, Alternate
Jon Sheaffer, Alternate
Donna Greco, Alternate

Also Present: Martin Connor, AICP; City Planner

Not Present: Richard Calkins, Chairman
Paul Summers, Member

1. Call to Order:

Vice Chair Greg Mele called the meeting to order at 7:00 p.m., Torrington City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT

2. Attendance/Announcement by Chairman:

Vice Chair Greg Mele announced present and serving this evening will be Commissioners Greg Perosino, Jim Bobinski, Christopher Beyus, Jon Sheaffer and Greg Mele. Also in attendance is City Planner Martin Connor.

a. Planning and Zoning Commission 2017 Meeting Dates

Mr. Connor read a letter from City Engineer Ed Fabbri regarding paving a portion of Newfield Road.

Commissioner Donna Greco arrived at this time.

Mr. Mele introduced the Planning and Zoning Commission's newest Alternate Commissioner, Christopher Beyus.

3. Minutes for Approval:

a. 10/26/16

Tabled until the next Commission meeting.

4. Old Business:

a. Enforcement Update

Mr. Perosino noted that some progress has been made in the Red Oak Hill violation, and the court system is putting pressure on now.

5. New Business:

a. Site Plan 1214

Applicant: Torrington Toyota
Location: 1472 East Main Street
Proposal: Building and parking addition to Torrington Toyota

Steven Latour of Berkshire Engineering and Surveying appeared representing Torrington Toyota. Mr. Latour gave a presentation on the proposed project.

Mr. Connor read his memo to the Commission dated November 30, 2016. Mr. Mele stated Donna Greco has been appointed to take Rich Calkins' place this evening.

MOTION by Ms. Greco to APPROVE Site Plan 1214

Applicant: Torrington Toyota
Location: 1472 East Main Street
Proposal: Building and parking addition to Torrington Toyota
with the following conditions and recommendation:

1. Per Section 8.4.3 the Architectural Plans shall be signed and sealed by a Professional Architect.
2. A grading permit shall be required. A bond estimated prepared by the applicant's engineer for the proposed E&S Controls shall be submitted to the City Planner's for review and approval. A cash bond for implementation of the E&S Control Plan shall be submitted prior to issuance of a Zoning Permit.
3. The applicant shall address the comments from Ray Drew, Administrator, WPCA, contained in his memo to the City Planner dated 11/9/16.
4. Applicant shall address the comments from Deputy City Engineer Matt Walsh contained in his memo to the City Planner dated 12/6/16.
5. It is recommended that the applicant follow the advice of Fire Chief Brunoli contained in his letter to the City Planner dated 11/7/16.

MOTION seconded by Mr. Perosino, unanimously carried.

b. Site Plan 1217

Applicant: PAC Group LLC or its Assignees
Location: 305 East Main Street
Proposal: Demolish three existing structures, construct one story building for Dunkin Donuts drive-through only, 694 square feet (no customer dining area)

Kenneth Hrica, Professional Engineer, appeared representing the applicant. Mr. Hrica gave a presentation referring to site maps.

Mr. Hrica answered questions from Commission members regarding deliveries, parking, hours of operation, the drive through lane, etc.

Mr. Connor read his memo to the Commission dated December 13, 2016.

Discussion followed from Commission regarding the flaring of the entrance ways/exits.

MOTION by Ms. Greco to APPROVE Site Plan 1217

Applicant: PAC Group LLC or its Assignees

Location: 305 East Main Street

Proposal: Demolish three existing structures, construct one story building for Dunkin Donuts drive-through only, 694 square feet (no customer dining area) with the following conditions/recommendation:

1. A revised Landscaping and Lighting Plan shall be submitted to the City Planner's Office for review and approval.
2. A grading permit shall be required. A bond estimate prepared by the applicant's engineer for the proposed E&S Controls shall be submitted to the City Planner for review and approval. A cash bond for implementation of the E&S Control Plan shall be submitted prior to issuance of a Zoning Permit.
3. The applicant shall address the comments contained in Deputy City Engineer Matt Walsh, P.E., contained in an e-mail memo to the City Planner dated 12/13/16.
4. The applicant shall address the comments from Police Traffic Officer Stephen Pisarski in his letter to the Planning & Zoning Commission dated 12/13/16.
5. The applicant shall submit a Sewer Discharge Permit application to Ray Drew, Administrator, WPCA, prior to issuance of a Zoning Permit.
6. It is recommended that the applicant follow the advice of Fire Chief Brunoli contained in his letter to the City Planner dated 12/6/16.
7. The entrance and exit driveways will be flared at the road.

MOTION seconded by Mr. Perosino, unanimously carried.

6. Public Hearings scheduled for Wednesday, December 14, 2016, 7:30 p.m., City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT

- a. Special Exception 16-310 and Site Plan 1213
Applicant: Preservation of Affordable Housing, Inc.
Location: 380 Torrington West Street
Proposal: Construct 62 unit multi-family housing complex and associated parking (affordable and market rate)

At 7:41 p.m. Vice Chair Mele opened the public hearing and stated serving on the Commission this evening will be Commissioners Greg Perosino, Jim Bobinski, Chris Beyus, Jon Sheaffer, Donna Greco and Greg Mele. Also in attendance is City Planner Martin Connor.

Ms. Greco read the legal notice which was published in the Republican American.

Corey Fellows of Preservation of Affordable Housing in Boston appeared before the Commission. Mr. Mele verified that the public hearing sign was properly posted and that the neighborhood notifications receipts were submitted.

Mr. Fellows gave a presentation. Presentations were give by Todd Parsons of Lenard Engineering in Winsted also appeared, along with Chris Novelli and Greg Sorsi of Studio One Architects were present. Landscape Architect is Gwenn Ashbaugh; Traffic Engineer is Dave Spear.

Discussion followed.

At 8:30 p.m. Mr. Mele opened the hearing for public comments.

At 8:55 p.m. Mr. Connor read his memo to the Commission dated December 8, 2016.

Mr. Fellows gave a closing presentation, and thanked the Mayor and this Commission and City Staff for their assistance. They are still aways out regarding the senior funding/ financing and approvals. Their management company has an excellent reputation, and they want to uphold that. It's been made very clear that they funding will not be approved to all age restricted properties. The State is trying to emphasize additional non age restricted housing.

At 9:20 p.m., Vice Chair Mele declared the public hearing closed, and a decision is forthcoming within 65 days.

b. Special Exception 16-311

Applicant: Haynes Aggregates-Torrington LLC

Location: 3217 Winsted Road

Proposal: Renewal of current Earth Excavation and Accessory Retail Sales (Section 6.4)

At 9:22 p.m. Vice Chair Greg Mele opened the the public hearing and stated serving on the Commission this evening will be Commissioners Greg Perosino, Jim Bobinski, Chris Beyus, Jon Sheaffer, Donna Greco and Greg Mele. Also in attendance is City Planner Martin Connor.

Ms. Greco read the legal notice which was published in the Republican American.

Attorney Peter Herbst of 365 Prospect Street, Torrington, appeared representing the applicant Haynes Aggregates-Torrington LLC. Also present were Patrick Haynes, Vice President of the Company; his brother Adam Peters who is the Operations Manager, Kenneth Hrica, the Project Engineer; Jim Savanella the Quarry Manager; and Jason Farrington who is the Safety Director, also in charge of the Complaint Logs.

Mr. Herbst verified the certification of mailing neighborhood notification receipts were submitted, and the public hearing sign was properly posted on the property. This is a biannual review of the two Special Exceptions. Mr. Herbst gave a presentation and noted all the various required documents that have been submitted to Mr. Connor.

Mr. Kenneth Hrica, Professional Engineer and Licensed Land Surveyor appeared before the Commission and gave a presentation and reviewed the waivers submitted. A landscape restoration bond has been submitted. Mr. Hrica noted there is an encroachment into the fifty foot buffer zone towards O&G property, who have entered into an agreement with Haynes. A representative from neighboring O&G Industries is here this evening.

Kenneth Faroni, Director of Planning and Permits for O&G Industries, Inc. appeared before the Commission and explained the supply agreement they have entered into with Haynes, and the fifty foot buffer area. This is not a final grading plan, but a long term planning and cost effective plan for both quarries, showing a merging of operations. (9:45 p.m.) O&G takes no exception to the encroachment, and there will probably be a merger of businesses in the future.

Mr. Herbst read portions of Section 6.4.3 regarding the fifty foot sideyard setback areas.

Mr. Mele opened the public hearing for comments from the public, there were none.

Mr. Connor highlighted portions of his December 7, 2016 memo to the Commission, recommending approval with conditions.

At 9:51 p.m. Vice Chair Mele declared the public hearing closed.

MOTION by Ms. Greco to APPROVE Special Exception 16-311

Applicant: Haynes Aggregates-Torrington LLC

Location: 3217 Winsted Road

Proposal: Renewal of current Earth Excavation and Accessory Retail
Sales, two year renewal permit (section 6.4)

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 Section 6.4.5 F of the Regulations, the applicant shall provide a bond in a form acceptable to Corporation in an amount of not less than \$38,838.00 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 bond shall be in a form acceptable to Corporation Counsel.

The Commission hereby grants a waiver from the following requirements:

1. Section 6.4.4, that slopes shall not exceed a 2:1 slope
2. Section 8.4.3, requiring proposed and existing contours at two foot intervals
3. Section 6.4.2 Setbacks, encroachment into a portion of the fifty foot setback line between the O&G Property and the Haynes Aggregates property

MOTION seconded by Mr. Perosino, unanimously carried.

7. **Adjournment:**

MOTION by Mr. Perosino to adjourn at 9:55 p.m., seconded by Mr. Summers, unanimously carried.