



TOWN OF GOSHEN

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Martin J Connor, AICP, Town Planner/Zoning and Inland Wetlands Enforcement Officer

To: Planning & Zoning Commission
From: Martin J. Connor, AICP
Subject: Johanna Kimball for Tywood Associates, change of use from real estate office to retail use, 61 Sharon Turnpike
Date: June 23, 2023

Johanna Kimball for Tywood Associates LLC has filed a Special Permit application for a change of use from a real estate office to retail use at 61 Sharon Turnpike. The property is 0.49 acres in size and is located in the GB, General Business Zone. It is owned by Tywood Associates LLC. The proposed retail use is a permitted use in the GB Zone per Section 3.5.2 of the Regulations subject to the Special Permit Requirements of Article 5.3.1. I've met with the applicant and made a site visit to the property. A public hearing is required for this change of use. The applicant has submitted written approval from Richard Rossi, Sanitarian, Torrington Area Health District, dated 5/11/23, to demonstrate that the septic system and water supply is sufficient for the proposed use. No exterior changes are proposed to the building. Adequate on-site parking exists for the proposed change of use.

There are no regulated Inland Wetlands activities proposed. This constitutes a favorable report from the Inland Wetlands Commission.

To approve the Special Permit application, the Commission needs to make a finding that the proposed restaurant use complies with Section 5.3.1 of the Regulations as follows:

5.3.1. A Special Permit shall not be granted unless the Commission finds the following:

5.3.1.a: That the proposed activity will not create any conditions that could endanger public health, safety and welfare.

5.3.1.b: That vehicle access is adequate to assure that traffic hazards will not result, and that there will be adequate off-street parking spaces for the proposed uses.

5.3.1.c: That there will be no adverse impact upon natural resources.

5.3.1.d: That there will be no adverse effects upon the existing and probable future character of the neighborhood or its property values.

5.3.1.e: That the proposed activity will not hinder the orderly and appropriate development of adjacent property.

5.3.1.f: That there is adequate natural or structural screening or landscaping provided to minimize visual and auditory impact.

5.3.1.g: That the water supply, the sewage disposal, and the storm water drainage shall conform with accepted engineering criteria; comply with all standards and be approved by the appropriate regulatory authority; and not unduly burden the capacity of such facilities or the environment.

5.3.1.h: The proposed use will not conflict with the purposes of the Regulations.

Conclusion

In my opinion the Commission can make a finding that the specific and general conditions for Special Permit approval are met.

Cc: Johanna Kimball, Tywood Associates, LLC