

ORANGE ZONING COMMISSION
MINUTES OF THE JANUARY 2, 2019 MEETING

Unapproved Minutes

The Town Plan and Zoning Commission held a meeting on Wednesday, January 2, 2019, at 7:00 p.m., Town Hall, 617 Orange Center Road. The following members attended:

Judy Smith, Vice-Chairman
Paul Kaplan, Esq., Secretary
Kevin Cornell, Esq.

Paul Dinice, Zoning Enforcement Officer
Tamara Trantales, Administrative Assistant
Robin Gengaro, Public Stenographer

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Vice-Chairman Smith welcomed everyone to the meeting. She asked those seated at the table to introduce themselves for the record. Vice-Chairman Smith stated that since Chairman Parente was unable to attend this evening, she would preside over the meeting.

Review of the Minutes from the November 20, 2018 Meeting.

A motion was made by Paul Kaplan and seconded by Kevin Cornell to accept and approve the Minutes from the November 20, 2018 Meeting, as written. The motion carried with the vote recorded as follows: Kaplan, aye; Cornell, aye; Smith, aye. The vote was recorded as 3-0 to accept and approve the motion.

There were no further comments.

Report of the Zoning Enforcement Officer.

Zoning Enforcement Officer Paul Dinice stated that there have been many drainage & water complaints due to flooding from heavy rain. He stated that while there are some ongoing violations, other issues are being resolved privately.

ZEO Dinice stated that the zone change petition regarding hotels and required conference space was withdrawn. Inland Wetlands Enforcement Officer R. Scott Allen retired. ZEO Dinice is working on a few minor issues. A brief discussion ensued.

Inspections continue to be made at two sites under construction on Edison Road. Work at the VA Community Care, 200 Edison Road, is proceeding at a fast pace. High Tech Ink, 220 Edison Road, is slowly proceeding. The hotel development Hilton/Hartford Lodging at 99 Marsh Hill Road is progressing. The building is now enclosed. Inspections at all sites will continue.

A "Wetlands Pre-application" has been submitted by Midland LLC (Meisenheimer) for four parcels located off of Turkey Hill Road. Ten buildings are proposed with three units per building.

ZEO Dinice stated that inspections have been made at 150 Boston Post Road, AAMCO vehicle repair. All site work has been completed in accordance to approvals.

A pre-submission municipal department meeting will be held on January 24, 2019 for property known as 197 Indian River Road. A "Senior Living" facility is being proposed.

A site plan application for UHaul, 190 Boston Post Road, has been withdrawn. Additional time was needed to draft requested easements. A memo outlining the easements needed was sent to the applicant. They will resubmit in the near future.

There were no further comments.

Old Business

There was no Old Business to discuss.

New Business

There was no New Business to discuss.

Vice-Chairman Smith called for a brief recess at 7:00 p.m. The meeting reconvened at 7:30 p.m.

SPECIAL PERMIT – APPLICATION FOR THE CONVERSION OF A SINGLE FAMILY DWELLING TO ACCOMMODATE AN ELDERLY APARTMENT. Submitted by property owner Lisa L. Ballaro. For property known as 455 Wheelers Farms Road. To create an elderly apartment.

Lisa Ballaro, 455 Wheelers Farms Road, appeared before the Commission. Commissioner Cornell explained to Ms. Ballaro that since only three Commission members are present, all three votes must be in favor of the proposal to approve it. If Ms. Ballaro chooses to wait until the next meeting, when four or five Commission members are present, she would still only need three votes in her favor. Ms. Ballaro decided to proceed with the Public Hearing tonight.

Ms. Ballaro stated that she wishes to have her elderly parents live with her. She explained the floor plan to the Commission. Commissioner Cornell noted that the plans for the elderly apartment are 897 square feet. The maximum square footage for an elderly apartment is 900 square feet. Commissioner Cornell stated that there is an unfinished attic upstairs. He expressed his belief that it appears to be living space. A brief discussion ensued.

Commissioner Cornell asked Ms. Bollaro if the HVAC system is located upstairs. Ms. Bollaro replied affirmatively. She stated that there is only a crawlspace under the living area. The attic is needed for storage and to locate the mechanicals. Discussion ensued.

Commissioner Cornell inquired if all of the pertinent sign-offs have been obtained. ZEO Dinice replied affirmatively. Ms. Bollaro stated that a new septic system was recently installed. ZEO Dinice stated that R. Scott Allen, recently retired Wetlands Enforcement Officer, was involved in the proposal.

Commissioner Kaplan expressed his belief that all mechanicals should be shown on the plan. Vice-Chairman Smith stated that if the attic were to be used as living space it would exceed the 900 square foot maximum. Ms. Bollaro stated that the primary purpose of the attic is to locate the mechanicals there. She reiterated that she does not have a basement; only a small crawlspace. Commissioner Kaplan stated that the Applicant has clearly stated that the unfinished room upstairs is for storage only. Discussion ensued. Vice-Chairman Smith noted that there would be a heated solarium. She stated that it meets the requirements because it is a living area. Discussion continued.

A motion was made by Paul Kaplan and seconded by Kevin Cornell to close the Public Hearing. The motion carried with the vote recorded as follows: Kaplan, aye; Cornell, aye; Smith, aye. The vote was recorded as 3-0 to accept and approve the motion.

Commissioner Kaplan stated that his only concern is the attic space. However, he noted that the Applicant is clear that the attic would house the mechanicals. He further stated that as long as the plans reflect that, it would be ok. He would like ZEO Dinice to follow up to be certain that the attic space is not used as living space. ZEO Dinice agreed.

A motion was made by Kevin Cornell and seconded by Paul Kaplan to accept and approve the Special Permit Application for the Conversion of a Single Family Dwelling to Accommodate an Elderly Apartment, 455 Wheelers Farms Road, subject to the following conditions. 1) The Sanitarian's requirement for sub service is to be completed prior to occupancy. 2) The water from the roof drains would be tied into the sub service structure, as required by Wetlands. 3) The plan must accurately depict the mechanicals in the unfinished attic. The motion carried with the vote recorded as follows: Cornell, aye; Kaplan, aye; Smith, aye. The vote was recorded as 3-0 to accept and approve the motion.

There were no further comments.

As there were no additional items on the agenda, a motion was made by Paul Kaplan and seconded by Kevin Cornell to adjourn the meeting. The motion carried with the vote recorded as follows: Kaplan, aye; Cornell, aye; Smith, aye. The vote was recorded as 3-0 to accept and approve the motion.

The meeting was adjourned at 8:53 p.m.

Respectfully submitted,

Tamara Trantales
Administrative Assistant