

ORANGE ZONING COMMISSION
MINUTES OF THE FEBRUARY 19, 2019 MEETING

Approved Minutes

The Town Plan and Zoning Commission held a meeting on Tuesday, February 19, 2019, at 7:00 p.m., Town Hall, 617 Orange Center Road. The following members attended:

Oscar Parente, Esq., Chairman
Paul Kaplan, Esq., Secretary
Ralph Aschettino

Paul Dinice, Zoning Enforcement Officer
Tamara Trantales, Administrative Assistant
Bonnie Syat, Public Stenographer

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Chairman Parente welcomed everyone to the meeting. He asked those seated at the table to introduce themselves for the record.

Chairman Parente stated that he would like to amend the agenda to include a proposed addition/Site Plan for 311 Racebrook Road as agenda item #2. A motion was made by Paul Kaplan and seconded by Ralph Aschettino to accept and approve amending the agenda to include a proposed addition/Site Plan for 311 Racebrook Road. The motion carried with the vote recorded as follows: Kaplan, aye; Aschettino, aye; Parente, aye. The vote was recorded as 3-0 to accept and approve the motion.

SITE PLAN APPLICATION – Submitted by Amerco Real Estate Company for property known as 190 Boston Post Road. The proposal is for the conversion of an existing commercial building and property into a public storage facility (Uhaul). A SITE PLAN APPLICATION – LIGHTING SUPPLEMENT has also been submitted.

Chairman Parente stated there are all new signoffs on this revised plan. The TPZC requested that there be a cross easement agreement for the shared access driveway. It would include provisions for vehicular traffic, drainage, and maintenance. The applicant provided the Commission with the easement. It was also reviewed and approved by the Town Attorney.

There being no further discussion, a motion was made by Paul Kaplan and seconded by Ralph Aschettino to accept and approve the Site Plan Application, subject to the following condition: a notation shall be on the plan relative to the cross easement agreement. The motion carried with the vote recorded as follows: Kaplan, aye; Aschettino, aye; Parente, aye. The vote was recorded as 3-0 to accept and approve the motion.

There were no further comments.

Site Plan for an addition at 311 Racebrook Road.

Zoning Enforcement Officer Paul Dinice explained that the applicant wants to build an approximate 240 square foot addition on the northerly side of the building. This addition would expand the conference room. ZEO Dinice stated that the residential (RES) district boundary line requires a fifty foot setback and a 30 feet buffer. Discussion ensued.

Chairman Parente stated that they are already encroaching thirty feet into the buffer and setback. They want two feet more. He noted that this property is already non-conforming. The applicant wants to increase the non-conformity of the building. A brief discussion ensued. Commissioner Aschettino commented that the commission wants to bring properties into conformity. Chairman Parente stated that the TPZC must deny this application because it fails to meet the Orange Zoning Regulations. The denial is needed so that the applicant can seek a variance before the ZBA.

After a brief discussion, a motion was made by Paul Kaplan and seconded by Ralph Aschettino to deny and reject the Site Plan for 311 Racebrook Road. The motion carried with the vote recorded as follows: Kaplan, aye; Aschettino, aye; Parente, aye. The vote was recorded as 3-0 to accept and approve the motion.

There were no further comments.

Review of the Minutes from the February 5, 2019 Meeting.

The Minutes were not available for review.

Report of the Zoning Enforcement Officer.

Zoning Enforcement Officer Paul Dinice stated that there was a pre-construction meeting for the Distribution Center at 161 Marsh Mill Road. He noted that this is a massive project. There are a number of issues which need to be worked out. ZEO Dinice expressed his belief that it would take several meetings before they are ready to begin construction.

ZEO Dinice stated that the hotel is now completely enclosed. The Veterans building is proceeding quickly. Construction on the "ink factory" is proceeding slowly. ZEO Dinice stated that there was a pre-submission meeting for a Senior Living Development on Indian River Road.

There were no further comments.

Old Business.

A brief discussion ensued regarding amending the regulations for trailers. A Public Hearing on this matter will occur in the near future. ZEO Dinice stated that language on the keeping of chickens will also be reviewed.

Chairman Parente asked about the lighting at Turkey Hill School. ZEO Dinice stated that he was told the fixtures are on order.

There were no further comments.

New Business.

Commissioner Kaplan asked if there has been a submission yet on the land across the street from Turkey Hill School (Meisenheimer property). ZEO Dinice stated that there has not been a submission.

There were no further comments.

Chairman Parente called for a brief recess at 7:23 p.m. until the public hearing begins. Chairman Parente reconvened the meeting at 7:30 p.m.

Commissioner Paul Kaplan read the legal notice into the record.

PETITION TO AMEND THE ORANGE ZONING REGULATIONS – -Submitted by Alfred Benesch & Co. for property owner Alliance Energy LLC - To amend the Orange Zoning Regulations to increase the maximum square foot gross floor area for a convenience mart
Ryan Scrittale, Alfred Benesch & Co., stated that they want to amend the current regulations for convenience marts. He expressed his belief that some properties along Route 1 would then be able to be redeveloped. Mr. Scrittale stated that it would not be a supermarket; it would be a place to buy a sandwich and coffee. There would be gas marts and car charging stations available at some of the marts. A discussion of the regulations in C-2 and C-3 districts ensued.

Zoning Enforcement Officer Paul Dinice read a few pieces of correspondence into the record. He stated that years ago TPZC felt the need to regulate these convenience marts via Special Permit.

Chairman Parente stated that the applicant is asking to practically double the size of permitted convenience marts. A lengthy discussion ensued concerning sizes of convenience stores, with and without gasoline.

Chairman Parente asked for public comments.

Alan Fisher, Fisher Commercial Real Estate, stated that he was the former Chairman of the Orange Economic Commission. He stated that the language change is logical. He supports it. He commented that this language speaks to current conditions they see on a regular basis. Mr. Fisher stated that a dynamic would take effect if this regulation is passed because the regulations would be modified to the current development standards. He noted that it would be beneficial for the Boston Post Road and it would help Orange.

Hugo Roller, 240 Boston Post Road, stated that he is part owner of a parcel of land in Orange. He submitted a letter into the record. Mr. Roller stated that he is not opposed to this proposal. A brief discussion ensued.

Chairman Parente stated that they do not have input from the Fire Department, the Building Department, or the Police Department yet. Chairman Parente stated that he would keep the public hearing open. He suggested that perhaps the Commission would consider other changes because this is the time to discuss them.

ZEO Dinice stated that this proposal would appear on the next agenda.

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TPZC MINUTES

-4-

There were no further comments.

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

The meeting was adjourned at 8:14 p.m.

Respectfully submitted,

Tamara Trantales
Administrative Assistant