

ORANGE ZONING COMMISSION
MINUTES OF THE MARCH 5, 2019 MEETING

Approved Minutes

The Town Plan and Zoning Commission held a meeting on Tuesday, March 5, 2019, 7:00 p.m., Town Hall, 617 Orange Center Road. The following members attended:

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

Review of the Minutes from the February 5, 2019 and February 19, 2019 Meetings.

A motion was made by Paul Kaplan and seconded by Judy Smith to accept and approve February 5, 2019 Minutes, as amended. The motion carried with the vote recorded as follows: Kaplan, aye; Smith, aye; Cornell, aye; Parente, aye. The vote was recorded as 4-0 to accept and approve the motion.

The Minutes of the February 19, 2019 meeting were not ready for review.

There were no further comments.

Site Plan Application – Submitted by Urstadt Biddle Properties, Inc. For property known as 550-560 Boston Post Rd., Orange Meadows Shopping Center. The proposal is to provide improvements to the to the rear loading docks and additional paving to provide better access for trucks and emergency access.

Juan Yepes, Project Manager, JMC, representing Orange Meadows, stated that he appeared before the Zoning Board of Appeals (ZBA) on February 5, 2019. The applicant was granted a variance to encroach into the required Residential buffer. Mr. Yepes stated that there is limited space between the loading area and the edge of pavement. They would be making improvements to the property, including widening the rear access drive to allow trucks to enter the area. There would be a 15' loading area behind the building. There is a "bump out" of lawn, which would be removed. Chairman Parente stated that Home Sense would have a trash compacter. The other stores in the plaza have trash enclosures.

Andrew Albrecht, Urstadt Biddle Properties, Inc. stated that some loose dumpsters would be eliminated due to consolidation. Mr. Albrecht noted that there is an existing Trader Joe's enclosure and an enclosure for the transformer.

Mr. Yepes stated that they would like to remove a few parking spaces in order to widen the traffic aisle. He further stated that these changes would lead to better and safer loading

operations for the building. Landscaping was discussed. Mr. Yepes noted that all signoffs have been obtained by the pertinent town officials.

Commissioner Cornell stated that existing conditions are a shared access drive between Raymour and Flanigan and Urstadt Biddle. He questioned if this is a reciprocal easement agreement on the record. Mr. Albrecht replied affirmatively. He noted that they maintain it. A brief discussion ensued. Chairman Parente clarified that this allows access to the Boston Post Road.

Commissioner Cornell asked if there are any restrictions for the dumpsters regarding hours of operation. Mr. Albrecht responded that they schedule the emptying of dumpsters according to the hours the Town allows. Zoning Enforcement Officer Paul Dinice commented that they had a noise ordinance. However, it was deemed to be unconstitutional. Commissioner Cornell stated that there should be consideration of the residential properties in the area. He would like a note placed on the Site Plan concerning this. Mr. Albrecht stated that this accommodation is already being made. There have not been any complaints. Robert Aiello, Urstadt Biddle, noted that no one attended the hearing to express concern with the dumpster operations. Discussion ensued. Commissioner Cornell asked if they feel that they have a safe bypass route for fire vehicles. Mr. Aiello replied affirmatively.

Commissioner Cornell expressed his belief that it is reasonable to not allow trucks to idle overnight. A brief discussion ensued.

First Selectman Jim Zeoli, 617 Orange Center Road, Orange, stated that trucks are at Trader Joe's every night. He stated that there is enough room for the truck to turn. They don't hit the curbs. A brief discussion ensued regarding deliveries.

Chairman Parente stated that most of the improvements are for the driveway. He expressed his belief that it will be better. He noted that the Fire Marshal should be pleased with the changes. Chairman Parente commented that they will improve the buffer with added landscaping. After a brief discussion, Chairman Parente stated that a sign placed behind the building stating "no overnight idling" would be a good idea. Commissioner Cornell suggested making the sign a condition of approval. Discussion continued.

There were no further comments.

Chairman Parente stated that we would hear the Public Hearing at this time, 7:45 p.m. He further stated that the Public Hearing was opened on February 19, 2019. It will be continued tonight.

PUBLIC HEARINGS (1)

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. (Continued from the February 19, 2019 meeting.)

Larry Webster, Alfred Benesh & Co., representing Alliance Energy, presented a brief summary of the proposal. Mr. Webster stated that the current regulations restrict the size of convenience marts to 2,800 square feet. Mr. Webster stated that now convenience stores are larger, such as Cumberland Farms. Mr. Webster noted that business has changed. Convenience marts are a stop for travelers. Gas is becoming secondary. He stated that there are some electric charging stations at convenience marts. Mr. Webster expressed his belief that travelers are looking for clean restrooms, a place where they could fuel/charge their vehicle, buy a snack and a coffee and perhaps sit for a while. He stated that more space is needed in convenience stores.

Mr. Webster referenced the Plan of Conservation and Development (POCD). He maintained that this proposal is consistent with the POCD. Commissioner Smith commented that this proposal makes sense. She asked ZEO Dinice if the coverage lot size changes. ZEO Dinice replied that it would not. A brief discussion ensued.

Ann Marie Sliby, Executive Director of the Orange Economic Development Corporation, stated that she was in favor of this proposal. She stated that there is a new generation of food marts. Chairman Parente read Ms. Sliby's letter into the record.

James Zeoli, First Selectman, 617 Orange Center Road, stated that he is in support of this proposal. He stated that he was approached by Alan Fisher, a local real estate agent. First Selectman Zeoli stated that this amendment would be beneficial to the Town and to the residents. It is an opportunity to revamp existing convenience stores. He noted that it would also be an opportunity to improve some existing developments in Town.

ZEO Dinice stated that he sent the pertinent information to the Fire Marshal and to the Police. Chairman Parente expressed his belief that the public hearing should be closed at this time. Commissioner Smith noted that this commission could still hear their comments after the public hearing is closed because they're staff. A brief discussion ensued.

A motion was made by Paul Kaplan and seconded by Judy Smith to close the public hearing. The motion carried with the vote recorded as follows: Kaplan, aye; Smith, aye; Cornell, aye; Parente, aye. The vote was recorded as 4-0 to accept and approve the motion.

There were no further comments.

Report of the Zoning Enforcement Officer.

Zoning Enforcement Officer Paul Dinice stated that he has made inspections of the hotel. Work is expected to proceed quicker in the coming weeks.

The Veterans Care Facility is still progressing, slowly.

ZEO Dinice stated that he made Referrals today regarding trailers. Attorney Vincent Marino drafted the regulations.

ZEO Dinice stated that he would email information to the TPZC members concerning proposed language for the keeping of chickens.

There were no further comments.

Old Business.

There was no Old Business to discuss.

New Business.

There was no New Business to discuss.

As there were no further 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; Parente, aye. The vote was recorded as 4-0 to accept and approve the motion.

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Tamara Trantales
Administrative Assistant