

ORANGE ZONING COMMISSION
MINUTES OF THE APRIL 16, 2019 MEETING

Unapproved Minutes

The Town Plan and Zoning Commission held a meeting on Tuesday, April 16, 2019, at 7:00 p.m., Town Hall, 617 Orange Center Road. The following members attended:

Oscar Parente, Esq., Chairman
Judy Smith, Vice-Chairman
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. He noted that Commissioners Aschettino and Kaplan had previous engagements and could not attend tonight's meeting.

Review of the Minutes from the March 19, 2019 Meeting.

After a brief discussion, a motion was made by Judy Smith and seconded by Kevin Cornell to accept and approve the March 19, 2019 Minutes, as written. The motion carried with the vote recorded as follows: Smith, aye; Cornell, aye; Parente, aye. The vote was recorded as 3-0 to accept and approve the motion.

Site Plan Application – Submitted by JoAnne Tom. For property known as 311 Racebrook Rd. The proposal is for a 12' x 22' entrance addition & a 11' x 15' conference room addition.

Max Ruggiero stated that he is representing Joanne Tom for this application. Commissioner Smith inquired if this is in a Commercial Zone and if so, would it continue to be designated Commercial. Mr. Ruggiero replied affirmatively.

Chairman Parente stated that this application was previously denied so that it could be presented before the Zoning Board of Appeals. ZBA granted them a variance for the addition. It failed to meet setbacks from the streetline and Residential District Boundary line. A discussion of setbacks ensued.

Zoning Enforcement Officer Paul Dinice stated that this is a mixed use; residential use is on the second floor. He stated that they would maintain the appearance of a one-family home. ZEO Dinice stated that there would be minimal site work. Additional landscaping will be provided. Routinely, the costs for landscape plantings are included in a bond posted for the project. Commissioner Smith noted that this is what the Commission has done in the past. In case the plantings do not survive, they must be replaced. The bond ensures that this would happen.

After a brief discussion, a motion was made by Kevin Cornell and seconded by Judy Smith to accept and approve the Site Plan Application for 311 Racebrook Road, subject to the condition that bond be submitted for required landscaping. The bond amount is determined by the Town Engineer. The motion carried with the vote recorded as follows: Cornell, aye; Smith, aye; Parente, 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 he has been making inspections at the hotel construction.

There have been a number of meetings regarding the distribution center on Stew Leonard's property. ZEO Dinice noted that there would be a proposed drainage/galley system shifted further west on the property. The Town Engineer is reviewing the relocation of the drainage infrastructure. ZEO Dinice stated that they are also proposing a snow shelf on the easterly portion of the property. They would like to pave a 10' x 3' area. A few trees and brush must be removed. They plan on continuing the landscape berm along the highway exit ramp. ZEO Dinice expressed his belief that this is an improvement which will benefit the view from the ramp. ZEO Dinice stated that he would keep the Commission informed on these two items.

ZEO Dinice stated that there have been several enforcement activities he has addressed. He will include copies of the paperwork in the next information packet.

There were no further comments.

Old Business

Zoning Enforcement Officer Paul Dinice stated that the lighting fixtures would be delivered to Turkey Hill School shortly.

There were no further comments.

New Business

There was no New Business to discuss.

Chairman Parente called for a ten minute recess until the public hearings begin. Chairman Parente reconvened the meeting at 7:30 p.m.

PUBLIC HEARINGS (*2)

Commissioners Smith and Cornell each read a legal notice into the record.

*APPLICATION FOR TEMPORARY SPECIAL USE EARTH MATERIALS REMOVAL & FILLING - -Submitted by 131 Boston Post Road LLC for property known as 131 Boston Post Road - To include earthwork to regrade and fill lot. Purpose of regrading is to make site elevation closer to road elevation and improve egress and functionality of site. Project will consist of adding 9516+/- cubic yards of fill and to spread and compact fill.

Kenneth Thomas, owner of 131 Boston Post Road, stated that he would like to regrade approximately 9,516 yards of soil. Zoning Enforcement Officer Paul Dinice stated that this application has been revised; additional information has been added.

Chairman Parente stated that he has not had the opportunity to review the revised information yet. It was just received at tonight's meeting. Chairman Parente asked why the applicant believes the project duration might take 6 months to complete. A brief discussion ensued. Mr. Thomas stated that this proposal is weather dependent. He further stated that the work could be done sooner than 6 weeks; it's difficult to know ahead of time.

Chairman Parente inquired what hours they would be working. Mr. Thomas replied that they would be working from 7:00 a.m. to 5:00 p.m., Monday through Friday.

ZEO Dinice stated the Building Inspector and the Town Engineer requires engineered plans. Mr. Thomas stated that they would have a drainage plan in the future. ZEO Dinice noted that the applicant has made revisions to the original submission based upon comments from the Town Engineer. The Town Engineer has not had an opportunity to comment on the revisions. A brief discussion ensued.

ZEO Dinice stated that the Commission could impose a condition if they feel there would be a need for a traffic control officer. The Zoning Regulations have provisions for a traffic control officer if it's deemed necessary. Otherwise, it is not necessary to have police presence.

After a brief discussion, Commissioner Smith stated that she would like the Town Engineer to review the revised information. ZEO Dinice stated that the Commission should have something in writing from the Town Engineer.

George Thomas, 18 Putting Green, stated that this property was developed 40 years ago. It is located next to TGI Fridays. He expressed his belief that this is a good project.

Chairman Parente stated that this public hearing would remain open. There were no further comments.

*PETITION TO AMEND THE ORANGE ZONING REGULATIONS - -Upon the initiative of the Orange Town Plan & Zoning Commission To amend the Orange Zoning Regulations relative to the definition and regulating of Trailers.

Chairman Parente stated that this topic has been reviewed before. Zoning Enforcement Officer Paul Dinice stated that he made referrals to COG & DEEP. No negative municipal impacts or environmental issues were found.

After a brief discussion, Chairman Parente expressed his concern about construction trailers. The Commission finds it objectionable if there is a project at a house and a construction trailer is parked there indefinitely. A discussion of potential language ensued. Commissioner Cornell believes that the concern is mainly a time frame issue. Discussion continued. It was decided that the Commission would ask Town Attorney Vincent Marino to review the proposed language.

Chairman Parente stated that this public hearing would remain open. There were no further comments.

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

The meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Tamara Trantales
Administrative Assistant