

ORANGE ZONING COMMISSION
MINUTES OF THE MAY 15, 2018 MEETING

Approved Minutes

The Town Plan and Zoning Commission held a Meeting on Tuesday, May 15, 2018, at 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
Ralph Aschettino
Kevin Cornell, Esq.

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

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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 Commissioner Kevin Cornell has been delayed in traffic.

Review of the Minutes from the May 1, 2018 Meeting.

A motion was made by Ralph Aschettino and seconded by Paul Kaplan to accept and approve the Minutes from the May 1, 2018 Meeting, as amended. The motion carried with the vote recorded as follows: Aschettino, aye; Kaplan, aye; Smith, aye; Parente, aye. The vote was recorded as 4-0 to accept and approve the motion.

Report of the Zoning Enforcement Officer.

Zoning Enforcement Officer Paul Dinice stated that he did not have a written report. He stated that his computer was not working most of the day.

ZEO Dinice stated that he has issued anti-blight orders. There have been complaints about chickens roaming onto neighbors' properties.

ZEO Dinice stated that 119 Buttonball Road is an important issue with the TPZC. There are ongoing negotiations between the Town Attorney and the property owner's attorney. If this matter is not resolved soon, it will proceed to court.

ZEO Dinice stated that he has issued warnings/abatement orders for some illegal signage. He noted that some businesses put their signs out during weekends, when he is not available.

Chairman Parente asked for the status of some recently approved projects.

ZEO Dinice stated that the hotel is under construction. It has been appealed. The VA project was approved by the Police Commission and will be starting construction within the next few weeks. The high tech ink project at 220 Edison Road has not yet begun construction.

There were no further comments.

Old Business.

Commissioner Smith inquired about the TODD district. She asked if there was anything new with regard to changing the TODD project back to Light Industrial LI-2. Chairman Parente stated that Town Attorney Vincent Marino wants time to explore the options with Attorney Joseph Hammer.

Chairman Parente inquired about the status of Turkey Hill School lighting. ZEO Dinice stated that he does not have an update. He noted that the Town is working on it. He believes that the First Selectman's office is handling it. A brief discussion ensued.

(Commissioner Kevin Cornell arrived at 7:15 p.m.)

Commissioner Kaplan asked about the status of 772 Derby Milford Road. ZEO Dinice stated that he would have information about this matter soon. He noted that there is a business being run out of a residence at 786 Derby Milford Road. A meeting is scheduled between the Town Attorney and the property owner. He will keep the TPZC informed on what transpires. Discussion ensued.

There were no further comments.

New Business.

Chairman Parente stated that he has suggested to Town Attorney Vincent Marino to research the definition of trailers. Current regulations permit a home owner to have a construction trailer in conjunction with a building permit. A brief discussion ensued. Commissioner Cornell stated that there are many Eagle Leasing containers and "pods" at residential homes. Commissioner Aschettino expressed his belief that residents could have these containers on their property for a limited time. Chairman Parente stated that he would like this item on a future agenda. ZEO Dinice stated that he would look into how other Towns address this issue.

There were no further comments.

Racebrook School 8-24 Municipal Improvements. Request for driveway relocation and new lighting.

Zoning Enforcement Officer Paul Dinice displayed the plan, including the lighting plan, for the Commission. He stated that the school is requesting a relatively minor change. Commissioner Smith stated that this plan appears to enhance traffic flow. Commissioner Aschettino opined that it is a good idea. Commissioner Cornell suggested making sure that light shields are utilized on the light fixtures.

Chairman Parente stated that it appears to be a good plan. A memo from the Town Engineer states that he is satisfied with the plan.

A motion was made by Ralph Aschettino and seconded by Paul Kaplan to approve and favorably recommend the Request for driveway relocation and new lighting for Racebrook School, 8-24 Municipal Improvements. The motion carried with the vote recorded as follows: Aschettino, aye; Kaplan, aye; Smith, aye; Cornell, aye; Parente, aye. The vote was recorded as 5-0 to accept and approve the motion.

There were no further comments.

Chairman Parente called for a brief recess at 7:25 p.m. until the Public Hearings begin at 7:30 p.m.

PUBLIC HEARINGS 7:30 p.m. *(3)

*APPLICATION FOR TEMPORARY SPECIAL USE EARTH MATERIALS REMOVAL & FILLING - Submitted by WU/LH 35 Executive LLC. For property known as 35 Executive Blvd.; a.k.a. Assessor's Map 2-2-3B. For required earth materials removal and filling in conjunction with the construction of a 41,600 sq. ft. office/ warehouse. A SITE PLAN APPLICATION & APPLICATION FOR CERTIFICATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES have also been submitted. (Continued from the May 1, 2018 meeting.)

SITE PLAN APPLICATION - Submitted by WU/LH 35 Executive LLC. For property known as 35 Executive Blvd.; a.k.a. Assessor's Map 2-2-3B. For the construction of a 41,600 sq. ft. office/ warehouse. SITE PLAN APPLICATION - ARCHITECTURAL STANDARDS SUPPLEMENT; and SITE PLAN APPLICATION-LIGHTING SUPPLEMENT has also been submitted.

Chairman Parente stated that this item was continued from the last meeting. The only outstanding issue is compliance with required impervious ground cover. The applicant maintains that he has a right to continue the nonconformity. Chairman Parente read Zoning Enforcement Officer Paul Dinice's memo to Town Attorney Vincent Marino into the record. It was noted that Attorney Marino responded that the applicant has a right to maintain the non-conformity. The existing impervious coverage is 71%. Chairman Parente explained that the applicant could maintain the existing non-conforming coverage. It was noted that this coverage was actually reduced. Commissioner Cornell concurred and stated that the nonconformity is for the entire property, not just the building. Chairman Parente agreed. Chairman Parente reiterated that this is the only issue the Commission previously had.

Wilson Alford, Jr. appeared. Chairman Parente stated that since there is no audience in attendance and there are no further questions/comments from the Commission, he would entertain a motion to close the Public Hearing.

A motion was made by Ralph Aschettino and seconded by Paul Kaplan to close the Public Hearing. The motion carried with the vote recorded as follows: Aschettino, aye; Kaplan, aye; Smith, aye; Cornell, aye; Parente, aye. The vote was recorded as 5-0 to accept and approve the motion.

Chairman Parente stated that the Commission has treated both matters as one. There are no other issues. Commissioner Kaplan expressed his opinion that it is a nice project.

A motion was made by Paul Kaplan and seconded by Ralph Aschettino to accept and approve the APPLICATION FOR TEMPORARY SPECIAL USE EARTH MATERIALS REMOVAL & FILLING for 35 Executive Blvd., a SITE PLAN APPLICATION & APPLICATION FOR CERTIFICATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES, and a SITE PLAN APPLICATION for the construction of a 41,600 sq. ft. office/ warehouse, a SITE PLAN APPLICATION - ARCHITECTURAL STANDARDS SUPPLEMENT; and SITE PLAN APPLICATION-LIGHTING SUPPLEMENT. The motion carried with the vote recorded as follows: Kaplan, aye; Aschettino, aye; Smith, aye; Cornell, aye; Parente, aye. The vote was recorded as 5-0 to accept and approve the motion.

Chairman Parente asked ZEO Dinice if all of the pertinent sign-offs have been obtained. ZEO Dinice replied affirmatively. The Minutes from the Police Commission, documenting review and approval, are part of the record.

As there were no further comments, a motion was made by Paul Kaplan and seconded by Ralph Aschettino to adjourn the meeting. The motion carried with the vote recorded as follows: Kaplan, aye; Aschettino, aye; Smith, aye; Cornell, aye; Parente, aye. The vote was recorded as 5-0 to accept and approve the motion.

The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Tamara Trantales,
Administrative Assistant