

ORANGE ZONING COMMISSION
MINUTES OF THE JUNE 18, 2019 MEETING

Approved Minutes

The Town Plan and Zoning Commission held a meeting on Tuesday, June 18, 2019, 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.

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

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 May 7, 2019 Meeting.

The Minutes from the May 7, 2019 Meeting were not available for review.

Report of the Zoning Enforcement Officer.

Zoning Enforcement Officer Paul Dinice stated that he has been on vacation a few days a week for the past three weeks. He will be in the office two or three days a week until July 1, 2019. He noted that the workload in the zoning office has increased over the last few months. Recently, there has been a dramatic increase in complaints, applications and permits.

ZEO Dinice stated that the hotel is nearly completed. He noted that instead of an on-site detention pond, drainage will ultimately discharge onto the Yale campus. This would alleviate flooding problems for Yale as well.

The FedEx distribution center, 161 Marsh Hill Road, wants to relocate its subsurface storm water management chambers. To do so they need to obtain a modification of their original Wetlands approval. ZEO Dinice noted that the relocation will place the chambers closer to the road.

The Veterans Community Care Center building is scheduled to be completed sometime in August.

ZEO Dinice stated that work at the adjacent Hi-Tech ink factory has slowed from its initial fast start. There hasn't been much progress in the last month.

ZEO Dinice stated that the hotel is expecting to open in September. A lot of their work has been accomplished during the last few weeks.

There were several enforcement actions in the commissioners' packets.

ZEO Dinice stated that the zoning department has received a request from Saint Barbara's Church to hold their Annual Odyssey Festival from August 30, 2019 to September 2, 2019. He stated that the scope and the size of the event is exactly the same as in previous years.

After a brief discussion, a motion was made by Judy Smith and seconded by Ralph Aschettino to accept and approve the Saint Barbara's Odyssey Festival from August 30, 2019 to September 2, 2019. The motion carried with the vote recorded as follows: Smith, aye; Aschettino, aye; Kaplan, aye; Cornell, aye; Parente, aye. The vote was recorded as 5-0 to accept and approve the motion.

ZEO Dinice stated that an intern has been hired to work 24 hours a week. He begins on July 1st. He will assist Paul in the Zoning and Wetlands departments. ZEO Dinice stated that it sometimes takes him an hour or two to go through the Wetlands applications, etc. He acknowledged that it takes time away from zoning. ZEO Dinice looks forward to the additional staff.

There were no further comments.

Old Business

Commissioner Smith asked about the lighting at Turkey Hill School. ZEO Dinice stated that he has heard that the light fixtures have been delivered but haven't been installed yet. He believes that they are in contact with the First Selectman's Office.

There were no further comments.

New Business

There was no New Business to discuss.

Chairman Parente called for a brief recess until the three public hearings begin at 7:30 p.m.

PUBLIC HEARINGS (3)

Commissioner Kaplan read the legal notices into the record.

APPLICATION FOR SPECIAL USE - -Submitted by Steven Ciardiello for property known as 285 Boston Post Rd - As per Section 383-143.4 Outdoor Restaurant Seating Area - To provide a 15' x 44' outdoor dining area for an existing Eli's Restaurant. A SITE PLAN APPLICATION has also been submitted.

Nick Quagliani is the General Manager at Eli's Restaurant. He stated that they are applying for an outside patio and seating off of the dining room. There would be a door to access the patio. Mr. Quagliani stated that there would be a 4' reinforced barrier with a curbed lip provided for safety. The barrier will also be designed to accommodate plantings. The four parking spaces which would be taken for the patio would be placed elsewhere, including two handicapped spaces. Mr. Quagliani distributed handouts regarding the floor plan of the patio. There would be

a latched, gated emergency exit. Chairman Parente stated that details should be shown on the plan. Mr. Quagliani stated that the Fire Marshal approved the plan. Discussion ensued.

Commissioner Cornell stated that he believes the outdoor dining plan is fine, as long as noise doesn't spill into the residential district. He noted that this is a Special Use Permit, which is a renewable exception to the Orange regulations. Commissioner Cornell added that everything should be shown on the plan. The existing plan failed to display table location and failed to clearly display where exit/entrance doors would be located. Mr. Quagliani stated that he will revise the plan and submit it to the zoning office. ZEO Paul Dinice stated that they need a lighting plan. A brief discussion ensued.

Chairman Parente recommended that the applicant submit the revised plan for the July 2, 2019 TPZC meeting. Commissioner Smith suggested that we hold a Special Meeting. A brief discussion ensued.

Chairman Parente stated that the public hearing would remain open.

There were no further comments.

APPLICATION FOR TEMPORARY SPECIAL USE EARTH MATERIALS REMOVAL & FILLING – submitted by property owner Michael Lipsett for property known as 273 Indian River Road. To include earthwork and removal of approximately 2,464 cubic yards of material from the property. An APPLICATION FOR CERTIFICATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES has also been submitted.

Michael Lipsett, owner of 273 Indian River Road, stated that his business is growing. He needs more parking. Mr. Lipsett stated that he will improve the property by adding drainage to reduce runoff. ZEO Dinice read the comment from the Town Engineer Bob Brinton. Discussion ensued regarding the number of truck loads.

Mr. Lipsett asked that since they are completely surrounded by commercial properties, would they be able to work on Saturdays, 7:00 a.m. to 1:00 p.m. After a brief discussion, the TPZC felt that site location was such that Saturday work would be permissible.

Chairman Parente asked ZEO Dinice if there is a bond requirement. ZEO Dinice replied that a bond is required. As an example, ZEO Dinice stated that if there is dust on the roads, he will call them to wet the road down or to do something else to resolve the issue. If they do not comply, then Public Works will do it and bill them. Discussion ensued.

Chairman Parente stated that they would be authorizing removal of material. A discussion of conditions ensued. ZEO Dinice stated that Town Engineer Bob Brinton had two comments. Discussion ensued.

Chairman Parente asked if there were any comments or questions from the audience. There were none. Commissioner Cornell stated that it seems straightforward. The Town Engineer will review the calculations.

A motion was made by Paul Kaplan and seconded by Ralph Aschettino close the public hearing. 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.

After a brief discussion, 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 – 273 Indian River Road. 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.

There were no further comments.

APPLICATION FOR TEMPORARY SPECIAL USE EARTH MATERIALS REMOVAL & FILLING - -Submitted by property owner TMC Orange LLC for property known as 235 Edison Road (a.k.a. Numet Machining techniques, Inc.) - Approximately 1,000 cubic yards of materials will be relocated onsite with the import of base materials for underslab, and parking lot pavement. An APPLICATION FOR CERTIFICATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES; SITE PLAN APPLICATION; SITE PLAN APPLICATION – ARCHITECTURAL SUPPLEMENT;& SITE PLAN APPLICATION – LIGHTING SUPPLEMENT have also been submitted. For a proposed addition for expanded manufacturing, storage needs. Site Modifications proposed to relocate and modify parking area, construct retaining wall and upgrade storm water management system, and refit lighting. Jeff Gordon, Codespoti & Associates, stated that he is representing TMC Orange LLC and Numet. Mr. Gordon stated that this is an aeronautical machine facility.

Mr. Gordon stated that the proposed addition would be built at the rear of the building. The area is presently a paved parking lot. They have 100 existing parking spaces; 66 are required. The proposed addition will result in the loss of some spaces. Additional spaces will be added for a total of 103 parking spaces on site. Mr. Gordon presented a brief history of the property. He stated that they have a demolition plan. They will reconfigure the entrance driveway so that a tractor trailer could back into a parking space.

Discussion of grading and drainage ensued. Mr. Gordon stated that they would be expanding impervious surfaces at the site. ZEO Dinice stated that department heads will again review the proposal at the pre-construction meeting. Commissioner Smith inquired how long construction would take. Mr. Gordon stated that it would be about 7 or 8 months until the addition is completed. Commissioner Cornell stated that he would like to see truck movements on the plan. After a brief discussion, Mr. Gordon agreed.

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.

Commissioner Kaplan acknowledged that all of the pertinent signoffs have been obtained. A bond is required. Commissioner Cornell stated that he is slightly uncomfortable with the truck access. He reiterated he would like to see the movements on a plan. A brief discussion ensued.

As there were no further comments, 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, 235 Edison Road (a.k.a. Numet Machining techniques, Inc.), and APPLICATION FOR CERTIFICATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES; SITE PLAN APPLICATION; SITE PLAN APPLICATION – ARCHITECTURAL SUPPLEMENT; & SITE PLAN APPLICATION – LIGHTING SUPPLEMENT, subject to standard conditions as well as the following conditions: Prior to the issuance of a Building Permit, the lighting plan must be electronically submitted to ZEO Dinice and a fence must be installed at the top of the proposed retaining wall. Truck movements must be displayed on a plan demonstrating that the proposed loading dock can be adequately serviced. Proposed grades south & east of the detention basin must be displayed on a revised plan. Final design for roof drains and surface treatment must be submitted for review and approval of the ZEO. Two mylar copies of the site plan, complete with revisions, must be submitted to the Orange Zoning Dept. Two copies of the approved project must be submitted on computer disc (Auto-CAD DXF & DWG file extensions). Prior to the commencement of construction, a site completion bond must be submitted to the Town of Orange. A cost estimate for all site work must be prepared by a professional engineer. Project costs should be enumerated on a line item basis. The ZEO must be notified in writing of the tentative construction start date and schedule. Final design & materials are subject to the review and approval of the ZEO. 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.

There were no additional 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 9:35 p.m.

Respectfully submitted,

Tamara Trantales
Administrative Assistant